

**Sample Letter to Parents who Place their Children in Nonpublic Schools
(written as if coming from the school district of residence)**

Dear Parents:

I am writing to inform you of new federal and State requirements regarding special education services for parentally placed nonpublic school children. These changes are the result of changes to the federal Individuals with Disabilities Education Act (IDEA), which now require all states to ensure that the school district where the nonpublic school is located will now be responsible for special education services for your child, including individual evaluations, Committee on Special Education (CSE) meetings and development of an individualized education services program (IESP). An IESP must be developed in the same manner and with the same contents as an individualized education program (IEP). It is called an IESP to distinguish it from the IEP that would be developed if you were to reenroll your child in the public school district where you live.

The following information is important for you to know:

- If you place your child in a nonpublic school and wish your child to receive special education services while enrolled in that school, you must request those services in writing no later than June 1 before the school year in which services are to be provided. If your child is first identified as a student with a disability after June 1 and before April 1 of the current school year, you may submit your request within thirty days after your child is first identified.
- **This year you had until August 18, 2007 to provide this written request to the school district where the nonpublic school is located.** If you had requested services from the school district where you reside, with your consent, your written request to the school district will be forwarded to the school district where the nonpublic school is located.
- If you have placed your child in a nonpublic school and, while the child is enrolled in that school, you suspect that your child has a disability and you wish to have your child evaluated to determine if special education services are needed, you must contact the school district where the nonpublic school is located to request an evaluation to determine your child's eligibility for special education services.
- The school district where you reside and the school district where the nonpublic school is located must have your written consent in order for the districts to share special education information (such as your child's IEP) with one another.
- If the nonpublic school where you place your child is located within the geographic boundaries of your public school district, that same school district will

continue to provide requested special education services to your child, pursuant to an IESP.

- If your child had an IEP developed at an annual review meeting prior to June 30, 2007 by the CSE of the school district where you reside, with your written consent, the IEP will be shared with the district where the nonpublic school is located. That IEP will become the IESP, unless the school district where the nonpublic school is located develops a new IESP for your child.
- If the nonpublic school where you place your child is located within the geographic boundaries of another public school district, the public school district in which the nonpublic school is located will arrange for and provide the recommended services for your child. The school district must consult with nonpublic school representatives and parent representatives about how and where special education services will be provided.
- If you are a resident of New York State and the nonpublic school where you place your child is located in another state, your child may not be entitled to any or all of the IEP services he/she might have received if enrolled in a public school. In this case you must contact the school district in the other State where the school is located and they must determine your child's eligibility for services and develop a Service Plan which will indicate the services to which you are entitled.
- If you are a resident of another state and your child attends a nonpublic school in New York State, your child is not entitled to all of the IEP services he/she might have received if you were a New York State resident. In accordance with federal law, services to out-of-state students will be provided pursuant to a Services Plan developed by the school district where the school is located based on a proportionate share of available federal funds for such purpose.
- Transportation requests to and from your child's home to the nonpublic school should continue to be submitted to the school district where you legally reside by April 1 of the school year before transportation is to be provided.
- If you have a dispute regarding special education evaluations or services provided for your child, you should pursue resolution of these disputes with the school district that conducted the evaluation or developed the IESP (district where the nonpublic school is located).

If you have any questions regarding these new requirements, please contact _____ at _____.