



DCS Private School Participation for Students with Disabilities

In accordance with the Alabama Administrative Code (AAC), private schools are entitled to participate in federal funding, provided they follow the Office of Civil Rights. Private schools must be registered with the State Department of Education before receiving federal funds and must meet the definition: Parentally-placed private school children with disabilities means children with disabilities enrolled by their parents in private, including religious, schools or facilities that meet the definition of elementary school in §300.13 or secondary school in §300.36, other than children with disabilities covered under § 300.145 through 300.147.

This AAC definition includes School Site Requirements. The school grounds must be large enough to provide outdoor areas for physical education and recreation. The minimum requirements for school sites are as follows: (1) An elementary school is a school with any combination of Grades K-8, and must not contain a grade above 8. (1a) Both existing and proposed elementary schools must have a base of five acres of land plus one acre for each 100 students. (2) A middle school is a school with a combination of grades 4-9, but not including both grades 4 and 9. (2a) Both existing and proposed middle schools must have a base of ten acres of land plus one acre for each 100 students. (3) A secondary school is a school with any combination of grades 5-12, but must contain a grade above grade 8. (3a) Existing secondary schools must have a base of 15 acres of land plus one acre for each 100 students. (3b) A proposed secondary school must have a minimum base of 30 acres of land plus one acre for each 100 students.

If the private school/preschool meets the definition, the LEA where the private school is located is responsible for ensuring equitable participation according to its private school plan. If the private school/preschool does not meet the definition, the LEA of residence of the child is responsible for making FAPE available in the LEA.

The location of services is discussed during the consultative meeting. The LEA makes the final decision.

“Equitable services are services provided to parentally-placed private school children with disabilities in accordance with the provisions in the IDEA and its implementing regulations in 34 CFR § §300.130 through 300.144. Equitable services for a parentally-placed private school child with a disability must be provided in accordance with a services plan. A services plan must describe the specific special education and related services that will be provided to a parentally -placed private school child with disabilities designated to receive services. See 34 CFR §300.138(b).”

“Under the IDEA, LEAs have an obligation to provide parentally-placed private school children with disabilities an opportunity for equitable participation in the services funded with Federal Part B funds that the LEA has determined, after consultation, to make available to its population of parentally placed private school children with disabilities. The regulations in 34 CFR §300.137(a) explicitly provide that children with disabilities enrolled by their parents in private schools do not have an individual right to receive some or all of the special education and related services they would receive if enrolled in the public schools.”

Students in a Private School whose parents decide for them to access the Dothan City School Exceptional Student Services program shall be permitted to access such services subject to the following Policies/Procedures:

- The student must be enrolled in the Dothan City School System as a parentally-placed student.
- The service plan/IEP must be written using the Dothan City School Policies and Procedures, as established under the Alabama Administrative Code for Special Education Services.
- Attendance and participation records shall be maintained in the Dothan City School System.
- The student who qualifies for Special Education Services will be assigned to the school in the zone of residence or the zoned school closest to the private school, if the parents agree to special education services in our school system.
- Exceptional Student Services will be provided in the Dothan City School System based upon the Dothan City School Attendance Periods (Calendar) during the hours of operation for the zoned school.
- Requests for Exceptional Student Services from Private Schools shall be referred to the Dothan City School’s Director or Supervisor of Exceptional Student Services (334-793-1397, ext 236242/236243) by the Private School Headmaster, parent, or designee.
- Dothan City Schools, according to its LEA plan for Private Schools, will provide speech and/or language services for Private School students identified as having a Speech or Language Impairment (SLI), as defined by the Alabama Administrative Code. These students may be served in a dual capacity (enrolled in Private School and attending Dothan City Schools for SLI only). However, the parent of a student with Speech or Language Impairment may choose to enroll their child in the Dothan City School System on a full-time basis.

- Private School students who are identified as needing Exceptional Student Services other than SLI may access these services only if, enrolled and attending the Dothan City School System, as established by the DCS LEA plan for Private Schools.
- The Special Education services provided to Private School student(s) will be considered annually by the student's IEP Team.