

Special Education - Private Schools

Individuals with Disabilities Education Act (IDEA) requires special education services for two different groups of private school students: those referred or placed by the district or component district and those enrolled by parents. The law, rules and requirements for these groups of students are vastly different. It is the policy of the ESD to implement differentiated procedures and services for these groups.

The ESD shall work with the component school district to ensure that a student with a disability who is placed in or referred to a private school or facility by component district is provided special education and related services at no cost to the parents, is provided an education that meets the standards that apply to special education services provided by the ESD and has all of the rights of a student with a disability who is served by the ESD.

If a student with a disability has a free appropriate public education available to him/her and the parents choose to place the student in a private school, the ESD is not required to pay the cost of the student's education, including special education and related services, at the private school.

All parentally-placed private school students attending a private school within the ESD's boundaries will be included in the ESD's special education private school student count and the private school students for whom the ESD may provide services.

END OF POLICY

Legal Reference(s):

[ORS 343.155](#)

[OAR 581-015-2270](#)

[OAR 581-015-2470](#)

[OAR 581-015-2080](#)

[OAR 581-015-2280](#)

[OAR 581-015-2480](#)

[OAR 581-015-2085](#)

[OAR 581-015-2450](#)

[OAR 581-015-2515](#)

[OAR 581-015-2265](#)

[OAR 581-015-2455](#)

[OAR 581-021-0029](#)

[OAR 581-015-2460](#)

Assistance to States for the Education of Children with Disabilities, 34 C.F.R. §§ 300.221, 300.380 - 300.382 (2006).