

**Special Education - Services for Home-Schooled Students with Disabilities\*\***

1. Home Schooling for Students with Disabilities
  - a. When the district is informed that a resident student with disabilities is home schooled, the district provides written notice to the parent that it stands ready to provide a free appropriate public education if the student enrolls in the district.
  - b. The notice is provided annually as long as:
    - (1) The student remains eligible for special education;
    - (2) The student is exempt from compulsory education as a home-schooled student; and
    - (3) The student is not receiving special education and related services from the district.
  - c. The district will offer an individualized education program (IEP) meeting to consider continuation of special education and related services to the student with a disability in conjunction with home schooling.
  - d. An IEP will only be developed for a student with a disability if the IEP team determines that a free appropriate public education can be provided in conjunction with home schooling. Services may be provided in the home only to the extent that special education or related services would be provided in the home if the student was not home schooled.
  - e. The student's IEP team will be convened and an IEP developed, consistent with the requirements for IEP team meetings, IEP team membership and IEP content, with the following exceptions:
    - (1) The student's parent shall be treated as both parent and regular education teacher of the student unless the parent designates another individual as the regular education teacher;
    - (2) Under "extent of nonparticipation in regular education" the IEP shall state that the student is exempt from compulsory school attendance and regular education is provided through home schooling; and
    - (3) The IEP will state how "satisfactory educational progress" will be determined for the student.
  - f. The district ensures that:
    - (1) Students with disabilities who are home schooled are reevaluated at least every three years;
    - (2) If the team determines a specific evaluation is necessary to continue eligibility or to determine appropriate special education and related services for the student's IEP, and the parent refuses consent for such evaluation, or refuses to make the student available, the district will document to the parent that the district stands ready to conduct the evaluation when the parent gives consent or makes the student available;

- (3) If the district does not have sufficient evaluation information to determine eligibility or to develop an IEP, the district is not required to complete these activities. The district will provide prior written notice if the district terminates eligibility or services under these circumstances.

## 2. Testing and Reporting Requirements

- a. If a student with a disability is receiving IEP services from the district and the IEP includes a provision for IEP team assessment of satisfactory educational progress, the district:
  - (1) Completes the assessment; and
  - (2) Provides the parent with a copy of the results, including a summary statement indicating whether the student has made satisfactory educational progress in light of the student's age and disability.
- b. When the district receives notice from an ESD that a parent intends to home school a student with a disability.

## 3. Child Find

- a. If the district suspects that a home-schooled student has a disability, the district:
  - (1) Obtains parent consent for initial evaluation; and
  - (2) Conducts an initial evaluation and determines the student's eligibility to receive special education and related services.
- b. If the student is eligible, the district notifies the parent and offers an opportunity for an IEP meeting to consider initiation of special education and related services to the student with a disability.
- c. If the parent refuses consent, does not respond or refuses to make the student available, the district documents to the parent that the district stands ready to conduct the evaluation when the parent gives consent or makes the student available.

## 4. School Enrollment

- a. If the district permits partial enrollment of home-schooled students in its regular education program, the district will permit students with disabilities to participate to the same extent as nondisabled students, if appropriate, whether or not the student is receiving IEP services from the district.
- b. A student who is exempt from compulsory school attendance as a home-schooled student with a disability will continue to be considered an exempt home-schooled student by the district even though the student receives special education and related services from the district, unless these services are the equivalent of full-time enrollment in the district; or the district permits partial enrollment of home-schooled students and, pursuant to that policy, the student attends one or more regular education classes.