

West Linn-Wilsonville School District 3J

Policy IGBAI-AR

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Private Schools, Charter Schools, and Home Schooling

Home, Private & Charter Schools

Guiding Principles

Parents who reside in West Linn-Wilsonville boundaries have school options outside of the WLWV neighborhood and alternative schools, and we fully respect the choice of each parent to make the school decision that is best for their child. We will always be collaborative and cooperative with families as they make decisions that transition their children in or out of our schools. However, the law outlines very specific guidance for how children with disabilities will be supported in private schools, home schooling situations, or when enrolled in charter schools.

The district ensures that parents are included in any decision about their child's evaluation, eligibility, placement or provision of special education services.

Procedural Guidance

Home Schooling

- West Linn-Wilsonville provides special education evaluation (including re-evaluation) in accordance with Child Find and re-evaluation processes - including for children who are homeschooled
- When the district learns that a parent intends to homeschool their child who is eligible for special education, the case manager should send a Prior Written Notice of SPED Action to inform the parent that the district stands ready to provide FAPE if the student enrolls in the district
 - The district will send this notice annually as long as the student remains eligible and continues to be home schooled
- Partial enrollment for students with disabilities who are home schooled is permissible at the same level that is available for students without disabilities who are home schooled (usually 1-2 elective class periods per day)

- If eligible for special education
 - Services will be delivered at the place they would occur if the student was not home schooled (usually the neighborhood school)
 - The IEP team convenes, with the parent serving both the role of parent and general education teacher (the parent does not serve as special education teacher)
 - The IEP team meets to consider providing special education and related services. Services will be provided only if FAPE can be provided in conjunction with home schooling (involve Student Services administrator in this team decision).
 - In the Non-Participation Justification, the IEP will state that the student is exempt from compulsory education and that regular education is provided through home schooling
 - The IEP will state how satisfactory educational progress will be determined for the student. A parent may use a Privately Developed Plan (PDP) to determine satisfactory progress. This will be indicated on the progress section of the goal page of the IEP (ex. "measured by PDP, per parent request").
- **NOTE:** It is important to understand the distinction between *Homeschooling*, enrolling in the *WLWV Online School* and enrolling in an *Online Charter School* from home. In all three cases, a student is engaging in their learning at home. However, they are each treated differently by State law. An online charter school is actually a part of a different public school district. A student enrolled in an online charter school is not "homeschooled." State law does not permit students to be enrolled in both the online charter (in one district) and attend classes at a physical school (in another district). If a student is enrolled in the *WLWV Online School*, they are still part of the WLWV district, so there is more flexibility.

Private School (Parentally-Placed)

- If a parent who resides within the boundaries of the West Linn-Wilsonville School District places their child in a private school that is located in another school district's boundaries, WLWV is not responsible for special education evaluation or services
- The district provides services for resident and non-resident students with disabilities enrolled by their parents in a private school located within WLWV boundaries
- The district's Child Find responsibility applies to students attending private schools within the district boundary
 - Processes for Child Find and evaluation apply for students in private schools just as they would for students in public schools.
- Evaluation, Re-Evaluation and Determining Eligibility
 - If a team finds a student eligible, they need to inform the parent in writing that they can receive an IEP at their resident school (may be in a different district) or may receive a Service Plan if they remain at their private school
 - WLWV does not release eligibility information for a parentally-placed private school student until they enroll in another district (or if the parent provides written consent to release the eligibility information)
- For all private schools located within the boundaries of the West Linn-Wilsonville School District:

- A service plan is a written statement that describes the special education and related services the district will provide - including the location of services and transportation if necessary (see Resources section below for a fillable Service Plan form)
- A service plan is not an IEP and does not need to provide a Free Appropriate Public Education (OAR 581-015-2450)
- The parent, a district representative, and a representative of the private school are invited to attend the Service Plan meeting
- If the district is providing special education services at a location other than the private school, the district is responsible for transportation
- The district:
 - consults annually with all private schools in WLWV boundaries to create a plan of services to be provided to students in private schools
 - makes the final decision about what services will be available for parentally-placed private school students
 - is responsible for special education evaluation for any students attending private schools within WLWV boundaries
 - is responsible for providing a service plan to that student if the needs fit within the annual agreement for services
 - is responsible for providing services through qualified personnel meeting the same standards as personnel providing the same service in the district program
 - can provide services at the private school location or at a district school
 - can provide services at a religious school, but the services must be secular, neutral and non-ideological
- The district makes an annual count of parentally-placed private school students evaluated for special education, eligible for services and receiving services - and provides that information to the Oregon Department of Education
- The district uses the count of parentally-placed private school students to determine the proportionate share of IDEA funds that need to be spent on supporting the special education needs of private school students.
 - Funds spent on Child Find do not count as part of the proportionate share of IDEA funds
- If the district purchases materials to support special education activities for students on a private school service plan, those materials remain the property of the district

Private School (District Placement)

- Placement in a private school only happens through the Placement process as described on the **Placement** page of this handbook
 - It is always a team decision, involving the parents, and made in alignment with the principles of Least Restrictive Environment
- If the district places a student in a private school, it is the district's responsibility to ensure
 - the student receives an education that meets the standards of the state, and provides FAPE in the Least Restrictive Environment
 - the school provides education in accordance with the IEP
 - the education is provided at not cost to the parents
 - the student has all of the rights of a student with a disability who is served by the district

- Before placing a student in a private school, the district is responsible for determining that the school has current ODE approval to provide special education and related services (or approval by the state agency in which the private school is located)
- The district maintains full responsibility for the IEP and FAPE
 - The private school may take the lead on providing instruction, monitoring progress and conducting annual IEP meetings
 - The annual IEP meeting includes representatives from the district and the private school
- The private school may not implement program changes without the agreement of the district and participation of the parent
- The district will provide transportation at not cost to the parent
- Before the placement team selects an out of state private school, they must determine that no appropriate in state placements are available

Charter School

- If a parent who resides in the West Linn-Wilsonville boundaries places their child in a charter school that is located in or is chartered through another school district, WLWV has no involvement with that student. This includes online charter school programs. (Even though the student may still reside within the WLWV boundaries, if they are enrolled in an online charter school, the district that charters the school is responsible for the child's full educational program, including special education.)
- If any parent places their child in a charter school that is located in the West Linn-Wilsonville School District boundaries (at this time, only Three Rivers Charter School)
 - The district is responsible for special education evaluation for any students attending a charter school within WLWV boundaries
 - The district is responsible for providing all special education services as outlined on that student's IEP and full access to FAPE
 - The district must provide a range of services at the charter school that is equivalent to the range of services at the neighborhood school
 - If the IEP team determines that the students needs require a more restrictive placement, placement may be at a school other than the charter school
- Enrollment in charter schools is parental choice and cannot be required by the district

Resources

- [Private School Service Plan - Fillable Form](#)
- [Description of Private School Services](#) - 2017-18
- [Private School Service Time - Employee Tracking Sheet](#)
- [Home School-SPED Decision Matrix](#)
- Contact the Student Services office

Home, Private, & Charter Schools FAQs

What is WLWV's responsibility for a student who qualifies for special education services, resides in our boundaries, and is enrolled in an on-line charter school?

The district that is sponsoring the charter school has full responsibility for FAPE and evaluation of a student in this situation, so WLWV would have no responsibility for this student.

What is the district's responsibility for providing OT/PT services for private school, home school and charter school students?

Students who have been placed by their parents in private schools are eligible for a private school service plan, which is generally not as robust as an IEP. The district consults with private schools at the beginning of each school year to determine private school services. In the past, private school service plans have not included OT/PT services.

For homeschooled students, the IEP team determines the full range of services that the student needs to be able to access their education. If OT/PT services are part of that plan, then those services will be provided -- but only if the full IEP is able to be implemented within the context of homeschooling. Families do not have the option to choose some services from the IEP and refuse other services.

For a charter school sponsored by WLWV, the district partners with the charter school to ensure that all services are provided as outlined in the IEP. This includes OT/PT services.

For a charter school sponsored by another district (including online charter schools), the district that sponsors the charter school is responsible for the full IEP, including OT/PT services.