

**SUPPLEMENTAL STATEMENT OF RIGHTS FOR STUDENTS WITH DISABILITIES
ENROLLED BY PARENTS IN PRIVATE SCHOOLS**

In this policy “parents” is used to refer to the parent(s) or legal guardian(s) of a child placed by the parents in a private school program located within the towns of Cushing, Owls Head, Rockland, Saint George, South Thomaston, or Thomaston. “District” is used to refer to Regional School Unit 13 (RSU 13).

Parents have the following rights if their child has a disability that is covered by state or federal special education laws, or if they suspect that their child may have such a disability:

1. Parents have the right to have their child located, identified and evaluated by the District as a possible special education student, including referral of the child to an IEP Team to determine whether the child qualifies as a special education student, and to be re-evaluated at least every three years to determine the child’s continued eligibility for special education. The District’s child find and referral obligations toward the child are the same as for students enrolled in district schools, as described in the District’s Special Education Procedural Safeguards Statement.
2. Children with disabilities do not have an individual right to special education and related services on site at the private school.
3. The District has an obligation to consult in a timely and meaningful manner with parents and with private schools when designing and implementing special education services for children. Specifically, the District shall consult regarding the following issues:
 - A. The child find process, whether children participate in that process equitably, and how parents and private schools are notified of the process;
 - B. How the District determined the proportionate share of federal dollars that will be spent on services for the child;
 - C. The consultation process, including how that process will operate throughout the school year so as to ensure meaningful participation in services;
 - D. How, where, and by whom special education and related services will be provided, including the types of services, and how such services will be apportioned if funds are insufficient to serve all children, and how and when these decisions will be made; and
 - E. If the District disagrees with views of private school officials on the provision and types of services, the District will provide a written explanation of the reasons for these decisions.
4. The District has a duty to expend on the pool of students covered by this policy a proportionate amount of the District’s federal special education dollars based on the number of those students compared to the total number of children with disabilities within the District’s jurisdiction. If some of those funds are not expended in a given year, the District must carry over unspent funds to the following year for expenditure on these services.
5. The District, not the IEP Team, shall make the final decisions with respect to the services to be provided to students at the private school, following timely and meaningful consultation as described in Paragraph 3 above.

6. For any student covered by this policy for whom the District decides that it will provide services, the District shall initiate and conduct a meeting of the IEP Team to develop, review and revise an individualized services plan detailing the special education and related services to be provided and including goals for measuring the outcome of such services. To the extent appropriate, the Team shall develop the plan in a manner consistent with development of an IEP.
7. Parents may file for a due process hearing with the Maine Department of Education, Division of Special Services (207-624-6650), alleging that the District has failed to meet its child find duty to locate, identify and evaluate all private school students with disabilities. Parents may also file due process administrative complaints with the same agency regarding the implementation of any of the rights addressed in this document. Finally, private school officials may file a complaint alleging that the District has not engaged in consultation that was timely or meaningful or did not give due consideration to the views of the private school official, either with the Maine Department of Education, Division of Special Services or with the US Department of Education, Office of Special Education Programs.
8. If the parents choose to enroll their child with a disability in the public school where they reside, the child has a right to receive a free appropriate public education and an Individualized Education Program from the District. Parents of children who reside in Cushing, Owls Head, Rockland, Saint George, South Thomaston, and Thomaston should contact the Special Education Director at 28 Lincoln Street, Rockland, ME 04841 (207-596-6620) if they wish to explore what special education services their child might receive if enrolled in District schools. The District will then convene an IEP Team meeting to discuss this with parents. If parents enroll their child in public school, both parents and child are entitled to all the rights set forth in the District's Special Education Procedural Safeguards Statement.
9. Parents may obtain a complete copy of state and federal regulations addressing the duties of the District toward private school students with disabilities, as well as answers to any other questions, from the Special Education Office at RSU 13 (207-596-6620) or from the Maine Department of Education, Division of Special Services (207-624-6644). Parents may address any concerns about their child in writing to: Director of Special Education, 28 Lincoln Street, Rockland, ME 04841.

Legal References: 20 U.S.C. § 1412(a)(10)(A); 34 C.F.R. § 300.130 to .144 (August 2006); Me. DOE Reg. ch. 101, § II(20), IV(4)(G) (Aug. 2007).

Approved: 9/3/09