

INSTRUCTION

Nonpublic, Nonsectarian School And Agency Services For Special Education

The Board of Trustees may contract with state certified nonpublic, nonsectarian schools or agencies to provide special education services or facilities when an appropriate public education program is not available.

When entering into agreements with nonpublic, nonsectarian schools or agencies, the Board shall consider the needs of the individual student and the recommendations of the individualized education program (IEP) team. The IEP team shall remain accountable for monitoring the progress of students placed in nonpublic, nonsectarian programs toward the goals identified in each student's IEP.

Legal References:

Education Code

56034-56035 Definitions of nonpublic, nonsectarian school and agency
 56042 Placement not to be recommended by attorney with conflict of interest
 56101 Waivers
 56163 Certification
 56168 Responsibility for education of student in hospital or health facility school
 56195.8 Adoption of policies
 56360-56370 Implementation of special education
 56711 Computation of state aid
 56740-56743 Appointments and reports
 56760 Annual budget plan; service proportions
 56775.8 Reimbursement of assessment and identification costs

Government Code

7570-7588 Interagency responsibilities for providing services to children with disabilities, especially:
 7572.55 Seriously emotionally disturbed child; out of state placement

Family Code

7911-7912 Interstate compact on placement of children

Welfare and Institutions Code

362.2 Out-of-home placement for IEP
 727.1 Out-of-state placement of wards of court

Code of Regulations, Title 5

3001 Definitions
 3061-3069 Nonpublic, nonsectarian school and agency services

United States Code, Title 20

1400-1487 Individuals with Disabilities Education Act

Code of Federal Regulation, Title 34

300.400-300.487 Children with disabilities in private schools

Court Decisions

Agostini v. Felton, (1997) 521 U.S. 203, 117 S.Ct. 1997

Policy Adopted: January 21, 2003