

TOPIC: Children Enrolled in Nonpublic Schools if FAPE is Not at Issue – Consultation Meeting

“Is every school district required to conduct a consultation meeting with non-public schools?”

92 NAC 51-015.03D states: “To ensure timely and meaningful consultation, a school district or approved cooperative must consult with representatives of nonpublic schools located in the school district or approved cooperative and representatives of parents of parentally-placed nonpublic school children with disabilities attending such schools during the design and development of special education and related services (FAPE and equitable services) for children . . . “

Therefore, school districts must have a meaningful consultation meeting with representatives of nonpublic schools located within the district’s boundaries, and parents of children with disabilities who are placed by their parents in a nonpublic school. The school district must conduct the consultation meeting prior to the district making final decisions on the provision of special education services for upcoming school year. It may be necessary for a district to hold additional meetings to address any changes throughout the school year.

The consultative process must include a discussion of:

- 1) How child find will be conducted;
- 2) The determination of proportionate share calculation;
- 3) How, where and by whom special education services will be provided for nonresident (Equitable) and resident (FAPE) eligible students; and
- 4) How, if the district disagrees with the view of the nonpublic school representatives, the school district will provide a written explanation of reasons why the district chooses not to provide services directly or through a contract.

Resource: <http://www.education.ne.gov/sped/technicalassist/ServicestoNonpublicSchools.pdf> Link to NDE document “Special Education Services To Children With Disabilities (Ages 3-21) Enrolled by Their Parents in Nonpublic Schools.” The following link is a 3-page Q/A companion document: <http://www.education.ne.gov/sped/technicalassist/QAParentallyPlacedinNonpublic.pdf>.