

Child Find Process for Parentally Placed Private School Children with Disabilities Quick Guide



This quick guide highlights key points and important resources for local education agencies (LEAs) to consider for children with disabilities enrolled by their parents/guardians in private schools, including religious, elementary schools, and secondary schools located in the LEA.

Child Find

[Child Find](#) is the process of locating, identifying, and evaluating children with disabilities from birth to age 21 who may need special education services. This process extends to children who are parentally placed in private schools, including those who are home-schooled.



The LEA where the private school is located is responsible for Child Find, including evaluation. [Charter schools](#) are only responsible for Child Find for children enrolled in the charter school.



LEAs should have outreach activities to locate children with disabilities who attend private schools within the LEA boundaries. [Flyers](#) posted in private school facilities and the community should inform families about the Child Find process.

Initial Evaluations

If it is determined that a full and individual initial evaluation (FIIE) will be conducted, the LEA must provide the parent/guardian with [prior written notice](#) (PWN) of its proposal to conduct an evaluation, a copy of the [Notice of Procedural Safeguards](#), and an opportunity to provide [written informed consent](#).



The LEA where the private school is located is responsible for conducting the FIIE.

If the parent requests the LEA of residence to evaluate the child because the parents/guardians are considering enrolling the child in the LEA of residence, that LEA conducts the evaluation. Once consent is given by the parent to speak with the new LEA, the two LEAs are advised to work in collaboration with parents/guardians in this case.



After obtaining written parental consent, the FIIE must be completed within 45 school days. The timeline is not extended due to absences for private school children.

[19 TAC §89.1011\(c\)\(2\)](#)



The LEA that completed the evaluation conducts the initial admission, review, and dismissal (ARD) committee meeting to address eligibility and [free appropriate public education \(FAPE\)](#), even if the parent/guardian has made it clear that they do not intend to consent to special education and related services.



An LEA may not require a private school to implement a response to intervention (RTI) process before an LEA evaluates a parentally placed private school child.



If a parent/guardian refuses to sign the consent for evaluation or does not respond to a request for consent, [due process may not be filed](#) against the parent/guardian.

[34 C.F.R., 300.300](#)

Child Find Process for Parentally Placed Private School Children with Disabilities Quick Guide

Reevaluations

The LEA, where the private school is located, is responsible for reevaluating children with disabilities.



Reevaluations follow the [evaluation procedures](#).



The LEA must provide the parent/guardian with PWN and offer the opportunity to provide [informed written consent for reevaluation](#).



If a parent/guardian does not provide consent for the reevaluation or fails to respond to the LEA's request for consent for reevaluation, due process may not be filed against the parent/guardian.

[34 C.F.R., 300.300](#)

Services Plan

LEAs should develop a services plan for each eligible child with a disability. A [services plan](#) outlines the special education and related services that a parentally placed private school child with disabilities will receive.



The LEA where the private school is located determines which special education and related services will be provided to students with disabilities parentally placed in private schools.



The LEA where the private school is located [develops a services plan](#) for the child that describes the specific special education and related services that the child will receive in light of the service the LEA determined it would make available to children with disabilities parentally placed in private school.



Services may be provided on the premises of private schools, including religious schools, to the extent consistent with the law.



If necessary for the child to benefit from or participate in the services provided, a parentally placed private school child with a disability must be provided transportation:

- From the child's school or the child's home to a site other than the private school; and
- From the service site to the private school, or to the child's home, depending on the timing of the services.
- The LEA is not required to provide [transportation](#) from the child's home to the private school.

*Transportation services come out of the funds allotted to each child and most likely will reduce the amount of other services the child will receive due to the limited amount of funds.

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Dual Enrollment



Parents/guardians of children ages three or four can choose dual enrollment for their child in both the public school and the private school.



Beginning on their third birthday, a child with disabilities can attend a private or home school and still receive the services they need in the public school if they have an identified disability until the end of the school year which the child turns five or becomes eligible to attend the LEA's kindergarten program.



The public school district where a student resides is responsible for providing special education and related services to a student whose parents/guardians choose dual enrollment.

Key Points to Remember






- For more information on Child Find, access the free TEALearn course, [Child Find Duty-Everyone's Responsibility](#).
- LEAs must provide training and professional development regarding Child Find and are encouraged to hold training on the IDEA and evaluation requirements with private school staff.
- It is recommended that the LEA in which the private school is located reach out to the parent/guardian of the parentally placed private school child every three years to address reevaluation.
- The LEA in which the private school is located is not required to develop an individualized education program (IEP) if the parents/guardians make clear that the child will remain enrolled in the private school. However, the LEA should discuss a services plan with the parents/guardians. [19 TAC 89.1096\(b\)](#)
- It is generally recommended to review a services plan periodically to assess a child's progress and determine if any revisions are necessary. This review process helps ensure that the goals set for the child are being achieved and that the services provided effectively support their needs. While the frequency of these reviews may vary depending on local regulations or individual circumstances, they are commonly advised to occur at least once a year.
- If the LEA where the private school is located conducted the evaluation, and the parent disagrees with that evaluation, the parent has the right to request an [independent educational evaluation \(IEE\)](#) from that LEA at public expense.



For information on consultation and proportionate share information, please see the Additional Resources on the next page.

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Additional Resources

Legal Resources	State Resources
 <p>The Texas Legal Framework-Children in Private Schools</p>	 <p>19 Texas Administrative Code §89.1096 - Provision of Services for Students Placed by their Parents in Private Schools or Facilities</p>
 <p>U.S. Department of Education, Office of Special Education Programs - Questions and Answers on Serving Children with Disabilities Placed by Their Parents in Private Schools</p>	 <p>TEA Guidance on Parentally Placed Private School Children with Disabilities</p>
 <p>U.S. Department of Education - The IDEA Provisions Related to Children with Disabilities Enrolled by Their Parents in Private Schools</p>	