

Instruction

NONPUBLIC, NONSECTARIAN SCHOOL AND AGENCY SERVICES FOR SPECIAL EDUCATION

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

(cf. 0430 Comprehensive Local Plan for Special Education)
(cf. 1312.3 Uniform Complaint Procedures)
(cf. 3541.2 Transportation for Students with Disabilities)
(cf. 4112.23 Special Education Staff)
(cf. 6146.4 Differential Graduation and Competency Standards for Students with Disabilities)
(cf. 6159 Individualized Education Program)
(cf. 6159.1 Procedural Safeguards and Complaints for Special Education)
(cf. 6164.4 Identification of Individuals for Special Education)

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 towards the goals identified in each student's IEP.

Legal Reference:

EDUCATION CODE

56034-56035 Definitions of nonpublic, nonsectarian school and agency
56042 Placement not to be recommended by an 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
56360-56369 Implementation of special education
56711 Computation of state aid
56740-56743 Apportionments and reports
56760 Annual budget plan; service proportions
56775.5 Reimbursement of assessment and identification costs

GOVERNMENT CODE

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

Instruction

**NONPUBLIC, NONSECTARIAN SCHOOL AND AGENCY SERVICES FOR
SPECIAL EDUCATION (continued)**

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 REGULATIONS, 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

Management Resources:

CDE ADVISORIES

Nonpublic School/Agency Waivers and Reimbursement to Parents

FEDERAL REGISTER

34 CFR 300.a. Appendix A to Part 300 - Questions and Answers

34 CFR 300.a.1 Attachment 1: Analysis of Comments and Changes

WEB SITES

CDE: <http://www.cde.ca.gov>

US Department of Education, Office of Special Education and Rehabilitative
Services: <http://www.ed.gov/offices/OSERS>