

PRIVATE SCHOOL/HOME SCHOOLING STUDENTS WITH DISABILITIES

If you are the parent of a disabled child, or suspect that your child may have a disability that is covered by state or federal special education laws, and your child is in a private school or an approved home schooling program, you have the following rights:

1. You have the right to have your child located, identified and evaluated by Millinocket School Department as a possible special education student, including referral of your child to a pupil evaluation team to determine whether your child qualifies as a special education student. The Millinocket School Department's child find and referral obligations toward your child while he/she is in a private school/home school program are the same as for students enrolled in public school, as described in Paragraph ____ of the attached statement of public school rights.
2. Children with disabilities enrolled in private schools or in home schooling programs do not have an individual right to special education and related services while enrolled in the private school or home schooling program.
3. Millinocket School Department has an obligation to consult with representatives of private school and home schooling children with disabilities on how to carry out the Millinocket School Department's duty to locate, identify and evaluate all private school/home schooling children with disabilities, and also to consult in a timely way on
 - (i) which children will receive services;
 - (ii) what services will be provided;
 - (iii) how and where the services will be provided; and
 - (iv) how the services will be evaluated.
4. Millinocket School Department has a duty to expend on the pool of identified private school/home schooling students with disabilities an amount at least equal to the percentage of federal special education dollars received by the Millinocket School Department as that group of students represents of our overall number of special education students.
5. Millinocket School Department shall make the final decisions with respect to the services to be provided to eligible private school/home schooling students with disabilities.
6. For any private school/home schooling student with a disability that Millinocket School Department decides that it will provide services, the

Millinocket School Department shall initiate and conduct a meeting of the pupil evaluation team to develop, review and revise a 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 services plan in a manner consistent with development of an IEP.

7. Parents may file a complaint with the Maine Department of Education, Division of Special Services (287-5950) alleging that the Millinocket School Department has failed to comply with any of its obligations toward private school/home schooling students. Parents have a right to a due process hearing from the Maine Department of Education only on issues relating to the Millinocket School Department's duty to locate, identify and evaluate all private school/home schooling students with disabilities.
8. As a resident of Millinocket School Department, you have the right to enroll your child in your local public school. If at any time you choose to do so and your child is a child with a disability, the Pupil Evaluation Team will meet to review and/or develop an Individualized Education Program for implementation upon enrollment of your child in public school. If your child is enrolled in public school, you and your child are entitled to all the rights set forth in the Millinocket School Department's attached special education Statement of Rights.
9. If you would like a complete copy of the state and federal regulations addressing the duties of Millinocket School Department toward private school/home schooling students with disabilities, please contact the special education office at Millinocket School Department or the Maine Department of Education, Division of Special Services. If you have any concerns about your child, please address those concerns in writing to:

Director of Special Education
Millinocket School Department
P.O. Box 30
Millinocket, ME 04462

Or you may telephone the Office of Special Education at (723-6404).
Questions may also be addressed to the Maine Department of Education, Division of
Special Services, at 287-5950.

References: 20 U.S.C. 1412(a)(10); 34 C.F.R. 300.450 to .462 (Mar. 1999); Me. Dep't of
Ed. Reg. Ch. 101, 4.7 (Nov. 1999).

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