

**SUPPLEMENTAL STATEMENT OF RIGHTS FOR 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 MSAD #56 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. 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.
  
2. MSAD #56 has an obligation to consult with representatives of private school and home schooling children with disabilities on how to carry out MSAD #56's duty to locate, identify and evaluate all private school/home schooling children with disabilities, and also to consult in a timely way on
  - (a) which children will receive services;
  - (b) what services will be provided;
  - i. how and where the services will be provided, and
  - a. how the services will be evaluated.
  
3. MSAD #56 has a duty to offer financial support to the pool of identified private school/home schooling students with disabilities in accordance with federal special educational funding formula guidelines.
  
4. 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.
  
5. MSAD #56 shall make the final decisions with respect to the services to be provided to eligible private school/home schooling students with disabilities.
  
6. Any private school/home schooling student with a disability for whom MSAD #56 decides that it will provide services, MSAD #56 shall initiate and conduct a meeting of the Pupil Evaluation Team to develop, review and revise a service 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 MSAD #56 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 MSAD #56's duty to locate, identify, and evaluate all private/home schooling students with disabilities.

8. As a resident of MSAD #56 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 MSAD #56'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 MSAD #56 toward private school/home schooling students with disabilities, please contact the special education office at 548-2312 or the Maine Department of Education, Division of Special Services (624-6650). If you have any concerns about your child, please address those concerns in writing to:

Director of Special Services  
MSAD #56  
30 Mortland Road  
Searsport, Maine 04974

LEGAL REFERENCES: 20 U.S.C. § 1412 (a)(10); 34 C.F.R. §300.450 to .465 (Mar 1999); Me. Dep't of Educ.Reg.ch. 101 §4.7 (Nov 1999)

ADOPTED: November 12, 2002