

Attachment B: SAMPLE letter to out-of-state parents when no services are available

Dear _____

We have determined your child is eligible for special education by reason of a disability that is causal to his/her ability to make effective educational progress. Special education services for students enrolled by their parents in private schools are subject to provisions of federal special education law.

Federal special education law, IDEA 2004, requires each school district to consider the needs of eligible parentally-placed private school students, including out-of-state residents, in its plans to spend federal funds for special education. According to federal law, our district's obligation to provide special education services to eligible private school students is limited to spending a proportionate share of our federal special education funds on such services. The proportionate share amount represents the portion of our federal special education funds that corresponds to the number of eligible students attending private schools for whom our district is responsible. For this school year, we have either spent or will spend the full proportionate share on services to other eligible private school students and, therefore, will have no additional funds to provide special education services to your child at this time. For your reference, we have enclosed a copy of our proportionate share calculation and detail on the spending of the proportionate share amount.

Each year we calculate the proportionate share of federal funds that must be spent on services to parentally placed private school students and determine what services we will provide. We anticipate making a proportionate share calculation for the NEXT school year and determining services that will be provided to eligible private school students by (estimated date, generally in the fall). We will contact you relative to our planning for services to eligible private school students. We will continue to provide information on this planning for three years from the date that your child was first determined to be eligible for services in Massachusetts, as long as your child continues to attend the private school in our district. If you wish to continue to receive information and the opportunity to receive services, as available, beyond those three years, then you must contact the school district and arrange for a reevaluation to determine if your child remains eligible.

If you have any questions in the meantime, please feel free to contact _____ at _____, Anytown Public Schools.

Sincerely,

Administrator of Special Education
Anytown Public Schools