

~~Santa Rosa City Schools~~

CSBA Sample

Administrative Regulation

Nonpublic, Nonsectarian School And Agency Services For Special Education

AR 6159.2

Instruction

Master Contract

Every master contract ~~with~~ between the district and a nonpublic, nonsectarian school or agency ~~shall be made on forms provided by the California Department of Education and shall include an individual services agreement negotiated for each student.~~

~~Each master contract~~ (NPS/A) shall specify the general administrative and financial agreements for providing ~~the~~ special education and designated instruction and services, ~~including student.~~ The master contract shall be for a term not to exceed one year and shall be renegotiated prior to June 30. Provisions of the contract shall include, but not be limited to: (Education Code 56366; 5 CCR 3062)

1. Student-teacher ratios, ~~as well as transportation if~~

2. Transportation specified in a student's individualized education program (IEP)

(cf. 3541.2 - Transportation for Students with Disabilities)

~~); The administrative provisions of the contract shall include procedures~~

The contract shall not include special education transportation provided through the use of services or equipment owned, leased, or contracted by the district for students enrolled in the NPS/A unless provided directly or subcontracted by that NPS/A.

3. Procedures for recordkeeping and documentation, ~~and the~~

4. The maintenance of school records by the district to ensure that appropriate high school graduation credit is received by any participating student. ~~The contract may allow for partial or full-time attendance at the nonpublic, nonsectarian school. (Education Code 56366)~~

~~(cf. 3541.2 - Transportation for Students with Disabilities)~~

(cf. 3580 - District Records)

(cf. 5125 - Student Records)
(cf. 6146.1 - High School Graduation Requirements)

~~The master contract shall include a~~ 5. An individual services agreement for each student, which will be negotiated for the length of time for which NPS/A special education and designated instruction and services are specified in the student's IEP

6. A description of the process to be utilized by the district to oversee and evaluate placements in ~~nonpublic, nonsectarian schools. This description shall include the NPS/A,~~ including a method for evaluating whether each student is making appropriate educational progress. __

7. Procedures and responsibilities for attendance and unexcused absences

8. General provisions related to modifications and amendments to the contract, waivers, disputes, contractor's status, conflicts of interest, termination, inspection and audits, compliance with applicable state and federal laws and regulations, and indemnification and insurance requirements

9. Payment schedules, including, but not limited to, payment amounts, payment demand, right to withhold, and audit exceptions

The contract may allow for partial or full-time attendance at the NPS/A. (Education Code 56366)

With mutual agreement of the district and ~~a nonpublic, nonsectarian school or agency~~ NPS/A, changes may be made to the administrative and financial agreements in the master contract at any time, provided the change does not alter a student's educational instruction, services, or placement as outlined in ~~his/her~~ the student's individual services agreement. (Education Code 56366)

The master contract or individual services agreement may be terminated for cause if either party gives 20 days' notice. However, the availability of a public education program initiated during the period of the contract shall not give cause for termination unless the parent/guardian agrees to transfer the student to the program. (Education Code 56366)

Placement and Services

~~The~~ For any student to be placed in an NPS/A, the Superintendent or designee shall develop an individual services agreement ~~for each student to be placed in a nonpublic, nonsectarian school or agency~~ based on the student's IEP. Each individual services agreement shall specify the length of time authorized in the student's IEP for the ~~nonpublic, nonsectarian school~~ NPS/A services, not to exceed one year. Changes in a student's educational instruction, services, or placement shall be made only on the basis of revisions to the student's IEP. (Education Code 56366)

(cf. 6159 - Individualized Education Program)

~~The IEP team of a~~ At least once each year, the district shall: (Education Code 56366)

1. Evaluate the educational progress of each student placed in ~~a nonpublic, nonsectarian school or agency shall annually~~ an NPS/A, including a review of state assessment results

2. During the annual meeting held to review the student's IEP. ~~The pursuant to Education Code 56343, consider whether the student's IEP needs continue to be best met at the NPS/A and individual services agreement shall specify the review schedules.~~ (5 CCR 3069) whether changes to the student's IEP are necessary, including whether the student may be transitioned to a public school setting

Prior to the annual review of a student's IEP, the Superintendent or designee shall notify any high school district to which the student may transfer of the student's enrollment in ~~a nonpublic, nonsectarian school or agency.~~ an NPS/A. (5 CCR 3069)

When a special education student meets the district requirements for completion of the prescribed course of study as designated in the student's IEP, the district shall award the student a diploma of graduation. (5 CCR 3070)

(cf. 6146.4 - Differential Graduation and Competency Standards for Individuals with Exceptional Needs)

Out-of-State Placements

Before contracting with ~~a nonpublic, nonsectarian school or agency~~ an NPS/A outside California, the Superintendent or designee shall document the district's efforts to use public schools and/or to find an appropriate program offered by ~~a nonpublic, nonsectarian school or agency~~ an NPS/A within California. (Education Code 56365)

Within 15 days of any decision for an out-of-state placement, the student's IEP team shall submit to the Superintendent of Public Instruction a report with information about the services provided by the out-of-state program, the costs of the special education and related ~~costs~~ services provided, and the district's efforts to locate an appropriate public school or ~~nonpublic, nonsectarian school or agency~~ NPS/A within California. (Education Code 56365)

If the district decides to place a student with ~~a nonpublic, nonsectarian school or agency~~ an NPS/A outside the state, the district shall indicate the anticipated date of the student's return to a placement within California and shall document efforts during the previous year to return the

student to California. (Education Code 56365)

~~Regulation — SANTA ROSA CITY SCHOOLS~~
~~approved: May 24, 2017 — Santa Rosa, California~~On-Site Visits

The Superintendent or designee shall conduct an on-site visit to an NPS/A before the placement of a student at the school or agency, if the district does not have any other students currently enrolled at the NPS/A. (Education Code 56366.1)

At least once per year, the Superintendent or designee shall conduct an on-site monitoring visit to each NPS/A at which the district has a student attending and with which it maintains a master contract. The monitoring visit shall include, but is not limited to: (Education Code 56366.1)

1. A review of services provided to the student through the individual services agreement
2. A review of progress the student is making toward the goals set forth in the student's IEP
3. A review of progress the student is making toward the goals set forth in the student's behavioral intervention plan, if applicable
4. An observation of the student during instruction
5. A walkthrough of the facility

The district shall report the findings resulting from the monitoring visit to CDE within 60 calendar days of the on-site visit. (Education Code 56366.1)

(6/99 4/13) 7/20