

**Dioceses of San Diego recommends** that all private schools, however, develop procedures to identify students with disabilities, and to determine whether such disabilities are impeding a student's educational progress. It is likely that the first step of such procedures probably occurs as a matter of course in most schools. Ordinarily, a teacher or other directly involved school staff identify students who are having difficulty in the classroom, and adopt strategies, either individually, or in consultation with school administrators, school resource teacher, or others, to try to assist such students. This process of developing educational related strategies, in many cases, will provide the "minor adjustments" sufficient to satisfy Section 504 or what we are calling an ILP (Individual Learning Plan).

If such strategies are ineffective, the private school should develop a team process to discuss other alternative strategies. It is recommended that the team process include the parent(s), the child's teacher, and persons with expertise in the area of the child's disability. The team approach offers a broader perspective that will hopefully allow for the development and implementation of innovative strategies to allow the child to succeed. The team can also identify evaluations and testing to identify the student's need areas and to assist in the development of appropriate strategies to address such needs.

Parents have the right to choose where their kids will be educated. This choice includes public or private elementary schools and secondary schools, including religious schools. It also includes charter schools and home schools.

However, it is important to understand that the rights of children with disabilities who are placed by their parents in private elementary schools and secondary schools are not the same as those of kids with disabilities who are enrolled in public schools (or placed by public agencies in private schools when the public school is unable to provide a free appropriate public education).

Children with disabilities who are placed in private schools may not get *any* services or the same services they would have received in a public school.



**ST. PIUS X**

**All students are welcomed, and encouraged to be active members at our school. As a faith family we plan to meet your child's spiritual, academic, and social/emotional needs.**

#### St. Pius X Student Success Team

Catholic education exists to support and complement parents as primary educators of their children.

The primary purpose of our Student Success Team is:

- To teach all students by acknowledging and responding to learning styles and needs of each child.
- To proactively guide all students to reach their full potential
- To serve as Christ-like models in accepting student as unique gift of God.
- To create most appropriate activities which allow students to have success within their learning environment.
- To provide for ongoing evaluation of each student's progress
- To assist the teacher in identifying individual needs of students and provide ongoing support to plan and implement curriculum to address needs.

Our Student Success Team is a group of staff members made up of the school administrator, resource teacher, the homeroom teacher, parents, and the student to identify the student's learning strengths and needs, upon which an individual plan can be designed.

The SST develops recommendations, based on teacher/school concerns, that will facilitate the student's success with his or her current program. Concerns are seen as obstacles to student success and not descriptors of the student or his or her character, the team creates a plan with measurable, targeted interventions assigned to the student, the teachers, and the parents intended to support and encourage academic growth and a positive learning experience. Follow-up meetings are planned as needed to provide a continuous ILP (Individual Learning Plan) strategy to maximize the student's success.

The expertise of the SST is for the benefit of all students. Any unresolved problem that impedes learning may merit a request to the SST by a teacher, administrator, parent or student.

For a few students, the SST process may not discover the right remedy for the student to experience success. In these rare cases, depending upon the nature and severity of the concerns, a referral to be tested through the public school special education system. Consists of specially designed services, at no cost to the parent, to meet the unique needs of a student with a disability. As such, it is important that everything that can be tried before making that referral has been tried.



California Education code 56303 states, "A student shall be referred for special education instruction and services only after the resources a of the regular education program have been considered and, where appropriate, utilized." The SST develops recommendations that facilitate the student's success within his/her regular education program. It is only after those interventions have not been successful that the SST would refer for evaluation to determine if the student t requires special educational instruction and services.

#### **Parents should be aware of:**

Private schools are not covered under IDEA, the special education law. Private schools do not receive this funding and are not required to provide a free appropriate education or an IEP. They are not required to provide special education services to children with disabilities.

For private schools arguably there is no affirmative obligation to identify students with disabilities. Section 504 is an anti-discrimination lawsuit. If a private school does not know, or has no reason to know, that a student has a disability, the private school cannot be said to have discriminated against the student on the basis of a disability that the school didn't even know existed.