

SPECIAL EDUCATION  
ARD COMMITTEE AND  
INDIVIDUALIZED EDUCATION PROGRAM

EHBAB  
ADMINISTRATIVE REGULATION

PRIVATE SERVICE  
PROVIDERS –  
EMPLOYED BY  
PARENTS

1. The Eagle Mountain-Saginaw Independent School District (EMS ISD) is responsible for providing a free, appropriate, public education (FAPE) to children and adult students with disabilities as indicated in the Individuals with Disabilities Education Act and Board policy. Instructional and related services are provided either at no cost to parents or guardians or at the same cost as required for students without disabilities.

The Admission, Review, and Dismissal/Individualized Education Program (ARD/IEP) committee develops an IEP for instructional and related services as needed and as appropriate for each student based upon assessment of the child or adult student's need. The committee members are responsible for ensuring that identified unique and specialized services are provided in a timely manner at no cost to the parent or at costs similarly provided to students without disabilities. When the parent or guardian pays for services identified as needed by the IEP, the District is no longer providing FAPE as required and the parent or guardian is eligible for reimbursement for those services.

APPLICABILITY

2. This regulation applies to all administrators; Special Education support personnel; and Admission, Review, and Dismissal and Individualized Education Program committee members.

DEFINITION OF  
PRIVATE SERVICE  
PROVIDER

3. A private service provider is a provider employed by the parent or guardian of a child or adult student with disabilities to provide instructional, therapeutic, and related services, or the provider may be an agency representative or individual providing instructional, therapeutic and related services on behalf of parents or an agency for a child or adult student with a disability. Such providers may include but are not limited to tutors, psychologists, counselors, occupational therapists, educational therapists, physical therapists, nurses, and speech therapists.

SERVICE DELIVERY

4. Private service providers are not permitted to provide services to students on EMS ISD school campuses during the school day.

ARD/IEP COMMITTEE  
RESPONSIBILITY

5. The responsibilities of the ARD/IEP committee regarding private service providers are as follows:

PARENT'S OR  
GUARDIAN'S  
EXPENSE

- a. The ARD/IEP committee will not approve the utilization of a private service provider at the parent's or guardian's expense.

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DISTRICT  
RESOURCES

- b. The ARD/IEP committee will not approve the use of District funds for a private service provider. Appropriate instructional resources and related services must be made available to the child or adult student within EMS ISD through District staff members or District resources. Information regarding availability of District staff members and budget funds will be obtained from the appropriate special programs coordinator. If necessary, the ARD/IEP committee should take a recess or adjourn to obtain such information.

DOCUMENTATION

- c. The ARD/IEP committee will list on the IEP the services needed with the appropriate rationale and proposed date for the initiation of services.

NON-DISTRICT  
SERVICE PROVIDER

- d. If a child or adult student requires specialized instructional or related services that must be provided by a non-District employee, the ARD/IEP committee chairperson or case manager will contact the appropriate special programs coordinator, who will initiate approved District procedures for obtaining professional services from a non-District employee. The Executive Director of Special Programs, in collaboration with the special programs coordinator, will determine the availability and financial feasibility of the proposed service provider or offer alternatives, including District personnel to provide requested services.

CONSULTATION

- 6. This regulation does not require consultation.

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REFERENCES:

- (a) Board Policy EHBAA(LEGAL)
  - (b) Board Policy EHBAB(LEGAL)
  - (c) Board Policy FB(LEGAL)
  - (d) Board Policy FB(LOCAL)
  - (e) Individuals with Disabilities Education Act
  - (f) Special Education Services Operating Guidelines
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