

Special Education Monitoring

Nonpublic School Review Process Initial Request for Approval

Introduction/Overview

The Texas Education Agency (TEA) is required to approve educational programs of both day and residential nonpublic schools with which local education agencies (LEAs) contract for special education instruction and related services.

In accordance with 19 Texas Administrative Code (TAC) §89.61 and the federal requirements in 34 Code of Federal Regulations (CFR) §300.146-§300.147, the TEA approves only those nonpublic schools that meet both federal and state special education program requirements and minimum standards for health and safety.

This process is applicable to all LEAs seeking placements in a day and/or residential nonpublic schools that are not on the current list of Nonpublic Schools for Students with Disabilities Approved for Contracting Purposes.

Instructions

Step 1 Download and Complete the LEA Assurance Checklist for Contracting with a Nonpublic School

1. From the Nonpublic School Guidance and Resources for Special Education webpage which is located on the Program Monitoring and Interventions website at: <http://www.tea.state.tx.us/pmi> and selecting the **Special Education Nonpublic Monitoring** link, then selecting the guidance and resources link.
2. Download the template titled LEA Assurance Checklist for Contracting with a Nonpublic School.
3. Save the template on your computer.
4. Open the PDF template in Adobe.
5. If you have trouble opening the file, you may contact the Division of Program Monitoring and Interventions by email at pmidivision@tea.state.tx.us for assistance.

Step 2 Complete the Letter of Intent to Contract

LEAs submitting a letter of intent to contract with a nonpublic school must include the following information in the letter:

- Name of the nonpublic school;
- Nonpublic school director's name and contact number and email address;
- Specific program location(s);
- Date for which approval is requested;
- Specific area(s) of disability for which approval is requested;
- Age range(s) for which approval is requested;
- Type of placement requested (day or residential); and
- Request submitted under Superintendent's signature.

Step 3 Student's ARD/IEP Documentation

The LEA must initiate and conduct a meeting of the student's ARD committee for the student for which nonpublic school placement is being sought to develop an IEP for the student. LEAs submitting ARD/IEP documentation must remove personally identifiable information including:

- Name of student;
- Name of parent and/or guardian;
- Address; and
- Student's social security number.

Step 4 Submit Required Documentation to the Agency

Mail the following documents to the address shown below.

- Letter of intent to contract, under the Superintendent's signature;
- LEA Assurance Checklist for Contracting with a Nonpublic School; and
- Redacted copy of ARD/IEP documentation.

To: Texas Education Agency
Division of Program Monitoring and Interventions
1701 N. Congress Ave.
Austin, Texas 78701-1494

Next Steps: Upon receipt of the LEA submission, the TEA will begin its approval process and arrange for an on-site review of the nonpublic school.