



Eligibility and Enrollment



Parent Participation



Supports and Services



Inclusion in the Least Restrictive Environment



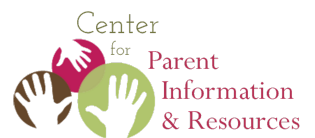
Curriculum and Student Success



Resolving Disputes

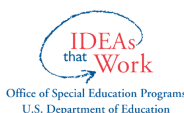


Discipline and More!



INFORMED SCHOOL CHOICE

**Questions to Ask When
Considering Non-Public
School Options for Your
Child with Disabilities**



CADRE produced this document under U.S. Department of Education, Office of Special Education Programs Cooperative Agreement ALN H326X230002, Carmen M. Sánchez, Project Officer. April 2026.



Introduction

Some states offer programs that allow families to use public education funds to send their children to non-public schools, such as private schools or homeschool programs, often referred to as “school choice.” Families may receive financial support through vouchers, tax credits, scholarships, or education savings accounts. However, the money a family receives may not cover the full cost of a private school option, especially if the child needs more intensive special education services.

Parents of children with disabilities should weigh the legal rights and protections provided when attending non-public schools since these can be very different than those provided to children attending public schools.

Public schools, states, and other public agencies must follow the Individuals with Disabilities Education Act (IDEA) to provide eligible children with disabilities a free, appropriate public education (FAPE) in the least restrictive environment (LRE). In public schools, children who qualify under the IDEA are given Individualized Education Programs (IEPs) detailing the specialized instructions, supports, and related services necessary for each child to progress toward measurable goals.

The IDEA provides the public-school student key protections, such as requiring that the parent is included in creating their child’s Individualized Education Program (IEP). The law also provides procedural safeguards (such as prior written notice, informed consent, and dispute resolution processes) and confidentiality of records protections. Private education options that do not receive federal funds directly are not required to follow the IDEA and may not provide those same protections.

The "Questions About," in this document may be helpful for a parent of a child with a disability to explore in order to make informed decisions about the best option for their child when considering a non-public school placement.



Questions About

Parent Participation

- How are decisions about curriculum, accommodations, modifications, and services made? Who is involved?
- How will I be informed of proposed changes and decisions about my child's education and supports?

Inclusion in the Least Restrictive Environment

- What are the non-public school's philosophy and policies on inclusion and access?
- Will my child have access to all activities, including extracurricular activities?
- How are decisions about inclusion and participation made and who is involved?

Eligibility & Enrollment

- Are there specified eligibility requirements (e.g., academic achievement, age range, competency levels) to enroll in this school choice program?
- What are the necessary procedural steps to enroll in this non-public school option (e.g., documentation requirements, assessments needed, deadline dates)?
- What rights do I have to challenge an eligibility decision for my child (e.g., an independent evaluation at the school's expense, an appeal process)?
- What are the conditions under which my child could be disenrolled from the program or the school (e.g., student conduct, financial factors, change of residence)?
- What reconsideration rights if any, do students have if they are disenrolled?



Questions About

Supports & Services

- What accommodations and services are available to address my child's specific needs arising from his or her disabilities?
- Will my child's IEP be implemented in the non-public school setting? If not, what services will replace it? Will I be included in developing my child's IEP or equivalent plan?
- If my child has a 504 plan, will it be implemented in the non-public school setting? Will I be included in developing my child's 504 plan?
- What does the district's "proportionate share" of IDEA funds cover in the choice school for services (e.g., physical therapy, occupational therapy, speech therapy, assessments)?
- How many students with disabilities does the non-public school or setting serve?
- How will choosing this school option affect my child's access to transportation services?
- If my child is an English learner, how will the non-public school or setting provide English language learning supports?
- If my child receives free or reduced-price meals in the public school, will my child continue to receive free or reduced-price meals in the non-public school?



Questions About

Staff Qualifications

- Does the school have qualified staff with credentialing standards equivalent to those required of public schools in my state?
- Are staff trained to address my child's specific needs?

Curriculum & Student Success

- What is the academic outcome data for this school?
- What is the placement rate of students with disabilities from this school in higher education or other technical schools after graduation?
- How does this school compare with other education options?

Discipline

- What types of behavior supports or interventions will the school provide if a child needs them?
- What are the discipline policies regarding suspensions, expulsions, seclusion, restraints, and corporal punishment, among others, how are they applied, and by whom? What protections are in place to protect students? How will I be involved and informed regarding discipline decisions for my child?
- Does the school maintain data about the students' social-emotional and behavioral health? If so, how is it collected and maintained?
- How is data collected when a student's behavior interferes with his or her learning or that of others?



Questions About

Resolving Concerns & Dispute Resolution Options

- What dispute resolution options are available if I disagree with the non-public school regarding my child's education program or services?
- What are the due process protections related to suspensions and expulsions?

Records & Confidentiality

- How are student records maintained and privacy ensured?
- What happens to my child's records if I owe money to the non-public school or if we leave the non-public school?
- What records do I need to keep if there is a possibility that my child might reenter the public school system?

Additional Resources

- **Serving Children in Private Schools:**
sites.ed.gov/idea/files/QA_on_Private_Schools_02-28-2022.pdf
- **Charter School Rights:**
ed.gov/media/document/frequently-asked-questions-about-rights-of-students-disabilities-public-charter-schools-under-section-504-of-rehabilitation-act-of-1973-2016-89985.pdf

Special Thanks

CADRE would like to thank the Center for Parent Center Information & Resources (CPIR) for their contributions to this document.



The Center for Appropriate Dispute Resolution in Special Education (CADRE) provides resources and support for families and professionals. Visit us at: cadreworks.org