

ESA: FAQs for Districts

What if a student's identification as a child with a disability under the Individuals with Disabilities Education Act (IDEA) changes after the application period for an eligible student?

- Contact the OPI ESA Specialist with any updated evaluation report information.

What are the district's responsibilities?

Students who participate in the ESA program are considered a parental placement under the IDEA, 20 U.S.C. 1412. MCA 20-7-1706(2). Districts have all the same responsibilities for students in the ESA program as any student in a parentally placed private school placement, including the following:

- Child find as required by federal and state law (34 CFR 300.131; ARM 10.16.3125)
- Reevaluations (34 CFR 300.303(b))
- Potentially provide Equitable Services as set out in a [Private School Services Plan](#). Equitable services are special education and related services, including direct services, provided to parentally placed private school students with disabilities according to 34 CFR 300.130 through 300.144.
- [Private School Offer of FAPE](#) form provided to the parent, if not already done.
- For additional information on requirements for parentally placed private school students please see the [OPI's Special Education in Montana Guide](#) and OSEP's Questions and Answers on Serving Children with Disabilities Place by Their Parents in [Private](#) Schools (Revised February 2022)

What other responsibilities might there be for districts?

- Provide an SSID # (if the student does not have one)
 - New to Montana students or students entering kindergarten
- Create enrollment to flag ESA students in AIM for ANB purposes – [AIM Guidance](#)

What are sped director's responsibilities?

- Please review the information provided above for parentally placed private school students.