

**Sec. 1. SPECIAL EDUCATION STUDENTS PLACED IN PRIVATE SCHOOL**

If Texas College Preparatory Academies places a child with a disability in a private school or facility, or refers the child to a private school or facility, as a means of carrying out the requirements of the special education laws, Texas College Preparatory Academies shall ensure that the child is provided special education and related services, in accordance with an individualized education program (“IEP”), at no cost to the parents. 20 U.S.C. 1412(a)(10)(B)(i).

**Sec. 2. REJECTION OF OFFER OF FAPE**

a) *Students Parentally Placed in Private Facilities*

If Texas College Preparatory Academies offers to provide a FAPE to a child with a disability and the parents elect to place the child in a private school or facility, Texas College Preparatory Academies is not required to pay for the cost of education, including special education and related services.

b) *Reimbursement*

If the parents of a child with a disability, who previously received special education and related services under the authority of Texas College Preparatory Academies enroll the child in a private school without the consent or referral by Texas College Preparatory Academies, a court or a hearing officer may require Texas College Preparatory Academies to reimburse the parents for the cost of that enrollment if the court or hearing officer finds that Texas College Preparatory Academies had not made a FAPE available to the child in a timely manner before the enrollment. 20 U.S.C. 1412(a)(10)(C)(ii); 34 CFR 300.148(c).