

AGREEMENT WITH PRIVATE  
SERVICE PROVIDERS**Board Policy**

The Board of Trustees of Shelley Joint School District No. 60, through the Superintendent as its designee, may enter into agreements with private service providers to provide necessary services to students when the district has determined that, given its available personnel and resources, it does not have the capacity through its employees to directly provide such services.

**Suggested Implementation Guidelines**

1. Such an agreement shall never exceed a period of twelve (12) calendar months.
2. All agreements in excess of \$25,000 must be pre-approved by the board.
3. Services provided by the private service provider, and the frequency and duration of such services, shall be pursuant to the terms of the students' Individual Education Programs (IEPs) or 504 plans.
4. The agreement shall specify that the private service provider is an independent contractor of the district, and shall provide only those services that have been approved by the district.
5. The agreement shall provide that the responsibility for eligibility determinations, choices of educational methodology, and other determinations of educational services and programs are retained at all times by the district.
6. The private service provider will be reimbursed consistent with the terms of the contract. If reimbursement is obtained through Medicaid, the total payment for those services shall not exceed the approved Medicaid rate.
7. CONFIDENTIALITY: The private service provider shall at all times maintain confidentiality pursuant to the Family Educational Records and Privacy Act (FERPA) of all records of services, including, but not limited to, identifying information regarding the student and services, observations, evaluations and/or assessments.

**LEGAL REFERENCE:**

Family Educational Records and Privacy Act  
Idaho Special Education Manual (Sept. 2001)  
Idaho Code Sections 33-506(1)  
33-511  
33-512  
33-2001, et seq.