

**281—41.142(256,256B,34CFR300) Use of personnel.**

**41.142(1)** *Use of public school personnel.* An AEA may use funds available under Sections 611 and 619 of the Act to make public school personnel available in other than public facilities based on the following two criteria:

- a.* If and to the extent necessary to provide services under rules 41.130(256,256B,34CFR300) to 41.144(256,256B,34CFR300) for parentally placed private school children with disabilities; and
- b.* If those services are not normally provided by the private school.

**41.142(2)** *Use of private school personnel.* An AEA may use funds available under Sections 611 and 619 of the Act to pay for the services of an employee of a private school to provide services under rules 41.130(256,256B,34CFR300) to 41.144(256,256B,34CFR300) if the following two conditions are met:

- a.* The employee performs the services outside of the employee's regular hours of duty; and
- b.* The employee performs the services under public supervision and control.