

Unilateral Parent Placement into Residential

If a parent lets you know that they will be placing or have placed their child in Residential Placement, the district needs to notify the parent that they must make their child available for assessment within the next ten days. If they do not, their right to receive reimbursement for the placement costs will be substantially impacted. You may use the attached form letter to notify them.

The district should make every effort to assess the child to determine needs within the ten-day time frame. Work with the Intensive School-Based Therapist (if there is one) to involve them as appropriate so that the IEP team can make an informed decision about the appropriateness of the placement.

If the parent does not make the child available, by either refusing to sign an Assessment Plan or refusing to make the child physically available for assessment, the district may initiate Due Process on the issue of assessment. This will show that every effort was made to be able to accurately gauge the child's needs.

Assessment will be conducted by the school psychologist and the Intensive School-Based Therapist using the "Consideration of Need for Residential Treatment Services" report form.

Next an IEP team meeting will be held to discuss the issue of residential placement. The IEP form "Consideration of IEP/Educationally Related Residential Placement" should be used to capture the discussions. If the team agrees that the residential placement is appropriate for the student to benefit from his/her **Special Education program**, then the decision for a residential placement will be documented on the form as well as the Student Information and Services page and LRE page. If the team does not agree that the residential placement is educationally appropriate, then Due Process may be initiated on the issue of Free Appropriate Public Education.

Dear Parent:

As of _____, we are aware of your intent to remove your son/daughter from the public school program and place him or her into a residential facility. This is to inform you, that according to 34 Code of Federal Regulations 300.148 (d), the amount of reimbursement to parents for costs of residential placement may be reduced or denied:

If, at the most recent IEP meeting that the parents attended prior to removal of the child from the public school, they did not inform the IEP team that they were rejecting the placement proposed by the public agency to provide FAPE to their child, including stating their concerns and their intent to enroll their child in a private school at public expense; (or)

If, at least ten (10) business days (including any holidays that occur on a business day) prior to the removal of the child from the public school, the parents did not give written notice to the public agency of their decision to place their son/daughter (or)

If, prior to the parents' removal of the child from the public school, the public agency informed the parents of its intent to evaluate the child (including a statement of the purpose of the evaluation that was appropriate and reasonable), but the parents did not make the child available for the evaluation; (or)

If a court finds actions taken by the parents to be unreasonable.

This will serve as notice from the school district that we intend to evaluate the student for assessment of Special Education needs. The Assessment is scheduled for _____ (date, time, place). Enclosed is an Assessment Plan. Please sign the Assessment Plan and make your son/daughter available to the assessment team so that we can proceed with the evaluation.

If you have any questions, please do not hesitate to call me.

Signed,

Title

Phone