

### What is a nonpublic special education school or program?

A **nonpublic special education school or program** is a privately owned or operated school that maintains or conducts classes for the purpose of offering instruction to students with disabilities.

### How long is it appropriate for a student to stay in a nonpublic school?

The IEP Team determines the length of time a student should remain in a learning environment that is more restrictive than the previous placement at the current school. Under IDEA, a student's placement must be reviewed at least annually, should be based on the student's IEP, and should be located as close as possible to the student's home. **Keeping a student in a more restrictive learning environment longer than necessary is a violation of federal law.**

### What are the LEA's responsibilities for students placed in a nonpublic school?

The LEA is responsible for providing a free appropriate public education (FAPE) before, during, and after placement in a nonpublic school, unless you, the parent, enroll the student in another LEA. The new LEA then becomes responsible for providing FAPE to the student. When the student is placed in a nonpublic school, the IEP Team is responsible for regularly monitoring the student's progress through the IEP process. If the nonpublic school conducts the IEP Team meetings, the LEA must make sure that you and an LEA representative are involved in any decision about the student's IEP. The IEP Team should develop a plan for the student to transition back into a less restrictive environment, when the IEP Team determines that it is appropriate.

When the IEP Team believes a student is ready to return to the LEA, the LEA and nonpublic IEP Team members should convene to revise the IEP, review the transition plan to ensure its appropriateness, and initiate the return based on the timeframes determined by the IEP Team.

### What are my responsibilities, as a parent, if my child is placed in a nonpublic school?

As a member of your child's IEP Team, your responsibilities remain the same, in that you will need to make sure that you are participating in all parts of the special education process. Additionally, when your child is placed in a nonpublic school, it is your responsibility to make sure that **your child is enrolled in a District of Columbia LEA every school year.** If your child is placed by a charter LEA that for some reason closes, you will need to enroll your child in another LEA. This also applies if your child ages out of the charter school that he/she attends.

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#### For more information, please contact:

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# Policies and Procedures for Placement Review (Revised)

## Parent Brochure

**PREAMBLE:** On January 5, 2010, the Office of the State Superintendent of Education, Division of Special Education, (OSSE DSE) issued the "Policy and Procedures for Placement Review (PPPR), Revised." The policy clarifies the roles and responsibilities of every local education agency (LEA) that is considering a change in placement for a child with a disability to a more restrictive environment outside the LEA. The purpose of this Parent Brochure is to provide additional information to parents regarding the placement review process and the role of a parent in this process.

**Note:** OSSE is required to comply with all federal and District of Columbia rules and regulations in order to fulfill its obligations as the State Education Agency. As such, OSSE will take appropriate actions related to any issues identified during the placement process which require follow-up.

## Placement in the Least Restrictive Environment (LRE)

### What is an IEP?

An **IEP**, or Individualized Education Program, is a plan that is developed in collaboration with you (the parent), general educators, special educators, school administrators, the child when appropriate, and other key individuals at your child's school, to guide your child's academic progress and support his/her success at school. This group is known as the IEP Team.

### What is Placement?

**Placement**, as it relates to special education, is the level of services and the type of environment that the Team believes is necessary for your child to succeed. Placement, in this context, **does not** refer to location (the actual school site or facility at which the child will receive his/her instruction).

### What is the Least Restrictive Environment (LRE)?

As required by the federal law (Individuals with Disabilities Education Act, or IDEA), every public agency must ensure that, to the maximum extent appropriate, children with disabilities are educated with children who are non-disabled. Special schooling, special classes, or other removal of children with disabilities from the general education environment should occur **only** if the nature or severity of the disability is such that education in regular classes, with the use of supplementary aids and services, cannot be achieved satisfactorily. In all cases, the IEP Team is responsible for determining the environment best suited for the student. The following is the continuum of alternative placements that exists:

### Least Restrictive Environment Continuum

#### Least Restrictive Environment

Full time general education setting with supports/modifications within the local education agency (LEA)

General education setting with supports/modifications and access to a special education setting within the LEA

Special education setting with limited access to the general education setting within the LEA

Full time special education setting with no access to the general education setting within the LEA

Special education day school separate from the LEA (nonpublic school)

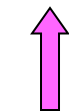
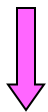
Homebound Instruction

Residential Treatment Center

Instruction in Hospital

Most Restrictive Environment

Move this way **only** as far as necessary



Return this way as rapidly as feasible

## Placement Decision

### When making the placement decision, the Team should...

- Determine the educational needs of the student through the IEP planning process.
- After agreeing and documenting the needs of the student on the IEP, review the placement options on the LRE Continuum (see diagram on left) in sequence from least restrictive to most restrictive environment.
- Consider and discuss the following three factors during the decision-making process:
  1. Through information obtained from data (e.g. assessments, progress reports, observations, etc.), consider whether the student can be served in the general education setting with one or more of the following: (**Note:** The following list is not exhaustive)
    - Program and/or curriculum accommodations or modifications
    - Collaboration between special education and general education teachers
    - Supplementary aids and supports
    - Use of assistive technology
    - Development and implementation of a behavior intervention plan through a functional behavior assessment
  2. Compare the benefits provided in the LRE to those provided in a more restrictive environment. (**Remember:** Placement in the general education setting is not dependent on the student's ability to learn the same things in the same way.)
  3. Consider the potentially beneficial or harmful effects of each placement option, to include logistical changes, such as transportation to and from home to new school (i.e. distance and ride time).
- If the Team agrees that the student should receive services outside of the LEA, the IEP Team should develop a plan for the student to transition back into a less restrictive environment, when the IEP Team determines that it is appropriate.

### Why are parents important in the placement process?

- Research shows that a student's success is directly linked to parental involvement. Parents set expectations for children, and can motivate them by supporting their education at school and at home.
- Parents know their children best and can bring important information to the planning process. Your knowledge of your child can help the IEP team create an IEP that will work for your child in the right environment.
- Collaboration between parents and educators throughout the IEP planning process will result in the most appropriate educational decision for each student.
- In addition to all of the above facts, federal law requires that parents have the opportunity to participate.

### So what should I do as a parent?

- **Stay involved!** You should participate in all parts of the special education process, including attending meetings and participating in the decision making process related to your child's education. Your participation is vital to your child's educational success.