

# Lamoille North Supervisory Union

## August 2004

### **Out-of-District Placements for Students with Behavioral Issues**

The following document outlines the purpose and process for considering an out-of-district placement for a student enrolled in a Lamoille North Supervisory Union (LNSU) school. Our supervisory union is fully committed to ensuring that students have full access to school campuses, classrooms, school services and personnel. There occasionally are times when it is not in the best interest of the student or the school to require a student to receive his or her education in an educational setting that is not able to meet their individual needs. To appropriately support students who attend LNSU schools it is critical that decisions to educate students outside the community school building are made in a consistent and structured fashion across all our schools. This will protect student rights and provide guidelines for individualized student teams, which include parents, to make decisions using a structured and consistent process that focuses on full utilization of each school's Educational Support System array of interventions.

**Preface:** All schools in the LNSU are required by Central Office Administration and their local school boards to maintain a comprehensive Education Support System. This system includes support services that will meet the needs of the majority of the school's student population. The effectiveness of these services is monitored and additions, revisions or enhancements to services delivered are routinely made. In rare occasions a student experiences intensive events in their lives that can result in his or her exhibiting unsafe or socially unacceptable behaviors for the school environment over an extended period of time. When this occurs safety of the individual student, of all students and staff as well as disruptions to the academic learning environment for all students must be addressed. The goal of all LNSU schools is to:

- Maintain the integrity of classrooms
- Maintain a functional Educational Support System
- Ensure safe and productive learning environment for ALL students

### **Identification of Students for an Out-of-District Placement**

Prior to the consideration of an out-of-district placement a cumulative file review needs to be conducted. This should be done in chronological order. The file review should ensure appropriate procedures and interventions have been followed up to this point in time. Additionally, existing school resources should have been fully reviewed, tested and evaluated for effectiveness prior to making a final decision to place a student in an out-of district placement. It is understood that the testing period of existing school resources and the initial exploration of an out-of-district placement may occur concurrently to ensure there is always a smooth transition between services available on the continuum for students. Individualized student teams should begin considering an out-of-district placement as a possible placement option for students who present the following:

- Serious daily disruptions in the academic learning environments occur
- Repeated office/planning room referrals for serious behaviors or issues
- Need for an individual behavior plan that exceeds the typical individual behavior plan supports and services provided for students with special needs
- Repeated safety, which includes bullying or harassment, is a concern for self and/or others. The causes of the bullying or harassment have been fully explored.

And when for example:

- There exists a possible need for individual supports that exceeds the individual supports that work successfully for the majority of the school's student population
- A cumulative file review has been conducted
- Existing district resources have been exhausted
- A functional behavioral assessment and intervention plan for targeted behaviors have been proven to be ineffective or have limited effect
- A behavior consultant or behavior specialist has been engaged with the development and monitoring of a behavior plan
- Interagency team wrap around plans have been unsuccessful or incomplete
- Individualized modifications to the discipline system have been discussed with parents and implemented as appropriate, but without satisfactory results
- A student has been suspended or had detention 5 or more days, in or out of school in the current school year.
- There has been a dispute over appropriate programming that has not been resolved even after accessing school and community supports
- There has been law enforcement involvement
- A communication system has been in place to engage the school, family and interagency partners in wrap-around-programming
- The school has maintained a parent contact log and documented opportunities for parent involvement in decision making

**Steps to be followed when considering an out-of-district placement:**

The following steps will be taken only after the identification steps have been fully documented:

- Verify guardianship, custody and educational rights
- Confirm town of legal residence of both parents
- Assign an educational surrogate parent if needed
- Involve parents, and educational surrogate parent for IEP students, in all discussions and decision making
- Officially notify the student, family and educational surrogate parent, if warranted, of the school's concerns and process you will be using to make decisions for educational program planning. Use return receipt mail, regular mail and delivery to home by a sibling if appropriate.
- Refer to EST, 504, IEP individual student plan to identify a known disability
- Provide 504/IEP procedural safeguards if there is ANY possibility of a disability
- Follow due process procedures regarding discipline
- Conduct a manifestation determination for 504 and IEP students
- Review prior functional behavior assessments and behavior plans
- Conduct a 504 or special education evaluation to determine if there is a hidden disability
- Document refusal to evaluate if permission is not given by the parents– consult with LNSU Director of Student Support Services and school attorney
- Establish and follow intake procedure for external services within LNSU and outside LNSU
- Establish reentry criteria and a transition plan to return to the public school setting
- Inform Superintendent, Special Education Coordinator and Director of Student Support Services of any conflict or legal issues that arise

**Decision Making**

- The LNSU Out-of –District Checklist will be used to work through the process
- Everyone working with the student needs to keep the principal informed
- The principal will make the final decision to recommend an out-of-district placement
- The Superintendent, Director of Student Support Services and school board will support the principal's decision if these established procedures have been followed and it appears justified



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