

Change of Placement

Special Education Students

The following is not an exhaustive list of when a **Change of Placement** occurs for a special education student.

Please see Individuals with Disabilities Education Act (IDEA) 2004 Regulations under 34 CFR 300.536. **Change of placement because of disciplinary removals.**

Please see Washington Administrative Code (WAC) under WAC 392-172A-05145. **Authority of school personnel.**

Current Educational Placement

A student's current educational placement covers the location of, and all of the services, provided by a student's Individualized Education Program (IEP).

Change of Placement

A change of placement is when a student with a disability is moved from one setting to another or when there are significant changes in a student's Individualized Education Program (IEP).

Did You Know?!

The school district must make sure that the parent is a part of any group that makes decisions about the educational placement of the student.

Please see Washington Administrative Code (WAC) under WAC 392-172A-03115

Did You Know?!

Short-Term removals of ten (10) days or less is not a Change of Placement unless the removals constitute a pattern.

Did You Know?!

A removal of a special education student from their current educational placement for more than ten (10) consecutive school days is considered a change of placement.

Did You Know?!

A school district can remove a student to an Interim Alternative Educational Setting (IAES) for up to 45 school days even if it is determined their behavior was a manifestation of their disabilities. This would be for Special Circumstances.

Why would the school district move the student to an Interim Alternative Educational Setting (IAES)?

Special Circumstances:

1. If the student carries a weapon or possess a weapon at school, on school premises, or to or at a school function.
2. If the student knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function.
3. If the student has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function.

Please see Individuals with Disabilities Education Act (IDEA) 2004 Regulations under 34 CFR 300.530 (g).

Please see Washington Administrative Code (WAC) under WAC 392-172A-05145

Can a parent appeal an Interim Alternative Educational Setting (IAES)?

Yes, the parent can.

Please see U.S. Code 20 U.S. Code 1415 (k)

What happens with the student's education if they are in an Interim Alternative Educational Setting (IAES)?

No matter how or why the student is removed from their educational setting, special education students must continue to receive services. Even if in an Interim Alternative Educational Setting (IAES).

How is it determined where the Interim Alternative Education Setting (IAES) will be?

It is the student's Individualized Education Program (IEP) team that determines where services will take place.

Did You Know?!

The Individuals with Disabilities Education Act (IDEA) authorizes an Administrative Law Judge (ALJ) to place a student with a disability in an appropriate Interim Alternative Educational Setting (IAES) for not more than 45 school days if the Administrative Law Judge (ALJ) determines that maintaining the student's current placement is "substantially likely to result in injury to the student or others."

Please see Individuals with Disabilities Education Act (IDEA) 2004 Regulations under 34 CFR 300.532 (b). **Appeal.**

Did You Know?!

Individuals with Disabilities Education Act (IDEA) requires that students who are removed to an Interim Alternative Educational Setting (IAES) continue to participate in the general education curriculum (although in another setting) and progress toward meeting their Individualized Education Program (IEP) goals.

Did You Know?!

There is no federal definition of what it means that the student "continue to participate in the general education curriculum."

For More Information: Please see Washington Administrative Code (WAC) under WAC 392-172A-05155. **Change of placement because of disciplinary removals**

For More Information: Please see Washington Administrative Code (WAC) under WAC 392-172A-05160. **Appeal of placement decisions and manifestation determinations**