

INTERIM PLACEMENT PROCEDURES

Definition

Interim Placement refers to the process for providing special education services, up to 30 calendar days, to an identified student with a disability who transfers into a district from outside the SELPA. Interim Placements are also allowed, under certain conditions, for students who transition from an Elementary district to a High School district.

Legal Requirements

Transitions from an Elementary district to a High School district within the same SELPA

When a student with a disability is to enroll in a high school district from an elementary school district, the elementary school district shall invite the high school to the transition IEP meeting. The high school representative will specify the appropriate high school placement. If a high school representative does not participate in the IEP meeting prior to the transfer, the elementary school district shall notify the high school of each student and their respective special education needs. Upon the students' enrollment in the high school, the high school shall make an interim placement or immediately convene an IEP meeting to develop, adopt, and implement a new IEP.

Transfers within the SELPA

If a student transfers within the same academic year from one district to another within the same SELPA, the receiving district shall continue, without delay, to provide services comparable to those described in the existing approved IEP, unless they are unable to do so. For example, a student might have moved from a district where he/she was receiving the equivalent of special day class services and the new school only has a resource program. In this example, the school and parent may agree to remedy the problem by amending the IEP without holding an IEP meeting as described in the section on developing IEPs later in this manual. In other cases, it may be necessary for the district to hold an IEP meeting to develop adopt and implement a new IEP. Regardless of the situation, the district should resolve the matter immediately so that they are in compliance with the IEP.

Transfers within the same State

If a student with an IEP transfers within the same academic year into a district from a district not operating programs under the same local plan, the receiving district shall provide the student with a Free Appropriate Public Education. Services must be comparable to those described in the previously approved IEP, and be provided for a period not to exceed 30 calendar days. By the end of the 30 calendar days, the district must either adopt the previous IEP or develop, adopt, and implement a new IEP.

Transfers from another State

If a student with an IEP transfers within the same academic year from a district outside the State of California to a district within the State of California, the receiving district shall provide the student with a Free Appropriate Public Education. Services must be comparable to those described in the previously approved IEP and be provided until the district conducts an assessment, if determined necessary, and develops a new IEP.

In all the previous examples, the receiving school should take reasonable steps to promptly obtain student records, including IEPs and any other records relating to the provision of special education and related services in the previous school.

Students Residing in Residential Nonpublic Schools

If a student residing in a residential NPS transfers to a district in another SELPA (and the placement is not eligible for funding under EC § 56836.16), the district that contains the district that made the placement is responsible for funding the current placement for the remainder of the school year, including the extended school year.

If a student was placed in a residential NPS and the parent moves during the school year to a district in another local plan area, the district that placed the student will continue to pay for the NPS placement for the remainder of the school year, including the extended school year.

Legal References

EC § 56325, CCR Title 5 § 3024, CCR Title 2 § 60055, 34 CFR § 300.323

Timelines

With the exception of the 30-day limitation for transfers within the State of California, between SELPAs, the law is silent with regard to timelines for conducting an interim placement. It is assumed, however, based on the general guidelines affecting other special education timelines, that students should be provided services as soon as practicable and services should not be unduly delayed.

Local Procedures

Transfers within the Same State

Each school should designate a person, who is knowledgeable about special education, to be responsible for conducting interim placements. Upon enrollment, this person should interview the parent and obtain as much information as possible about the student. At a minimum, the person should obtain enough information to locate and obtain a copy of the current IEP. If the parent has a copy of the IEP, the IEP should be reviewed immediately to determine if an appropriate placement is available within the district.

If a comparable placement is available, or if the parents agree to a different placement for the interim period, arrangements for the placement should be made immediately. If the district determines that a placement is necessary in another district within the SELPA, the district should request that the parent allow the district time to make arrangements. It is less disruptive to the student to make the correct placement the first time rather than start the student in a questionable placement and have to move them shortly afterward. The district must not delay enrollment beyond the mutually agreed upon period.

If the parent does not have a copy of the IEP, the district may, as indicated above, request that the parent allow them time to contact the previous school, obtain a copy of the IEP and make arrangements for an appropriate placement. The district should not delay enrollment because it is waiting on a copy of a student's IEP unless the delay is mutually agreeable. It is advised to get such agreement in writing.

If the district can verify that the student has a current, approved IEP, but it appears that finding an appropriate placement is going to take more time, and/or the parent insists on an immediate placement, the district should, in consultation with the parent, identify an interim placement and make immediate arrangements for placement.

Once the interim placement and services are determined, the district must complete the SELPA Interim Placement form and obtain parent consent prior to placement and the initiation of services.

During the 30-day-interim-placement period the district should conduct informal classroom assessments, i.e., observations, curriculum-based assessments, etc., to determine the student's current levels of performance, instructional needs, and service needs, so that an appropriate IEP can be developed at the end of the 30 days. If the district recommends conducting a formal evaluation, it must develop an assessment plan, obtain parent consent and complete the evaluation within the 30-day interim placement period so as to be able to offer a complete IEP at the end of the 30-day period.

Transitions from an Elementary School District to a High School District within the same SELPA

Prior to transitioning a student from an elementary school district to a high school district, the elementary school district must schedule an IEP meeting and invite a representative from the high school district. The elementary school district may schedule this transition meeting to coincide with student's annual review or schedule them for a separate time. If the high school representative is unable to attend at the scheduled time, it is helpful for the elementary school district to reschedule to a mutually agreeable time. The high school representative is encouraged to attend the meeting and because they are most knowledgeable about programs available at the high school, they have the authority to make all necessary decisions about placement and services for when the student enrolls in the high school. If the high school representative does not participate in the IEP meeting, the district should conduct the IEP meeting but only develop an IEP to address the remainder of the student's time at the elementary school district. In other words, the dates for services on the IEP will terminate on the student's last day of attendance. The elementary school district representative must then notify the high school district of the names of those students who will transition to the high and their respective needs. This should be done in writing as soon as the district has completed the IEP meetings. Upon enrollment at the high school, the designated high school representative must complete the SELPA Interim Placement form for each new student and hold an IEP meeting within 30 days of their first day of attendance to develop and adopt a new IEP.

Transfers within the SELPA

When a student moves from one district to another within the SELPA, it is not considered an interim placement. Districts do not need to complete an interim placement form in these situations. The district must immediately implement the IEP as written. If the district is unable to implement an IEP as written, the district must immediately hold an IEP meeting to develop adopt and implement a new IEP as appropriate, or amend the current IEP without holding an IEP meeting through a prior written notice (PWN) to the parent and with the parent's consent.

Transfers from another State

In the case of out of state transfers, the procedures described above also apply with two exceptions. The SELPA recommends always conducting a re-evaluation because eligibility criteria and practices vary from state to state. And, because the district is conducting a reevaluation, the district is not limited to the same 30-day period. In this case, the timelines for evaluation apply, 60 days from receipt of consent to assess and develop the IEP. It is recommended that the IEP team meet within 30 calendar days of the transfer to review the interim IEP offer, regardless of whether consent has been provided to assess the student.

Students Residing in Residential Nonpublic Schools

It is rare that a student transfers into the Humboldt - Del Norte SELPA from another SELPA while residing in a residential non-public school (also known as a Residential Treatment Center ("RTC")). It is recommended that you contact the SELPA if this occurs in your district.

Typically, a student who is placed in an RTC transfers district and SELPAs because the student’s custodial parent changed or the parent moved from one county to another. Once the new DOR is made aware of the change, the district becomes responsible for the student programmatically, but usually not fiscally.

When this happens, the district must do all of the following:

1. Complete an interim placement form indicating the NPS as the program placement for 30 days, all current services, and the objective of implementing the current IEP as stated.
2. Contact the NPS/RTC to make sure that all progress reports are sent to them for their review.
3. Contact SELPA so they can begin monitoring the case.

The district should subsequently conduct all IEP reviews and visit the school to monitor the placement until the end of the extended school year, when they typically will assume full responsibility for the student. Depending on the awareness and cooperation of the placing district, it may be necessary at some point to contact them about their financial responsibility. If this becomes necessary, the district may contact the SELPA office.

Transfer within the HDN SELPA	Transfer from another CA SELPA	Transfer from another State
Continue, without delay, to provide “comparable” services to the existing approved IEP.	Provide FAPE with “Comparable” services from previously approved IEP for up to 30 days.	Provide FAPE with “Comparable” services from previously approved IEP
May agree to develop a new IEP.	After 30 days: <ul style="list-style-type: none"> • Adopt prior IEP or • Develop new IEP 	Prior IEP is implemented until a new IEP is developed.

Local Forms

The SELPA form titled “Interim 30-day Placement Form” transfers into Humboldt or Del Norte County must be completed for all interim placements.

1. Program Placement for 30 Days – specify the student’s primary placement for the next 30 calendar days and be specific: i.e., SAI services two periods per day, five days per week; specialized academic instruction five hours per day, five days per week in a special day class; etc
2. Location – specify the school where services will be provided.
3. Services to be Provided – specify all of the Direct Instruction Services (DIS)/related services that the student will receive, including frequency and duration as above, i.e., speech 15 minutes, two times per week. This is true for DIS services provided by other agencies such as Mental Health and California Children’s Services, unless the services are not provided by those agencies. If services are not available within the SELPA, they should be left off of the Interim Placement Form and the area(s) of need reevaluated during the interim placement period.
4. Objective – Indicate the main objective during the 30 days, i.e., determine current levels of performance, goals and objectives and service needs; conduct comprehensive reevaluation; re-evaluate eligibility and service needs; etc.

FAQs

Can the school secretary do the interim placement?

It is not advisable. The person arranging the interim placement, at a minimum, must know how to evaluate the contents of the IEP and what services are available within the district.

How do I do an interim placement for a student when the IEP indicates a NPS placement?

As there are no NPS placements in the Humboldt-Del Norte SELPA, it can be complicated to determine what a “comparable” placement is. The district will want to review the IEP, interview staff from the prior district, and interview staff from the NPS to determine the actual level of services the student was receiving. The district will then want to offer the placement that can most replicate the NPS placement in the district. The district should collect information during the 30-day interim period to be able to develop a new offer of FAPE that includes an appropriate and available placement.

Do I have to provide the exact same placement and services during the interim placement?

Not exactly, the law uses the term “comparable” services. Comparable is not legally defined, but the district should attempt to offer identical services to those offered in the prior district. Placement should likewise be as similar to the prior placement as possible.

REMINDERS

- When students with a disability move from one school to another during the school year, they must be provided special education services as per the IEP.
- The receiving school must begin providing service immediately, or with a minimum delay related to enrollment.
- Interim placements are not allowed when a student moves from one district to another within a SELPA. Best practice when a student transfers from within the SELPA but the IEP cannot be replicated is to draft and get consent for an IEP amendment that is valid for 30 days, and then hold a 30-day IEP meeting to make a full offer of FAPE.
- Interim placements must be completed, even for students living in a residential nonpublic school, when their formal district of residence changes from one SELPA to another SELPA.