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Residential Treatment Center (RTC) Guidelines

Participating Humboldt – Del Norte Local Education Agencies (LEAs) Big Lagoon Union School District, Blue Lake Union School District, Bridgeville School District, Cuddeback Union School District, Cutten School District, Del Norte Unified School Districts, Eureka City Schools, Ferndale Unified School District, Fieldbrook School District, Fortuna Elementary School District, Fortuna Union High School District, Freshwater School District, Garfield School District, Green Point School District, Hydesville School District, Jacoby Creek School District, Klamath-Trinity Joint Unified School District, Kneeland School District, Loleta Union School District, Maple Creek School District, Mattole Unified School District, McKinleyville Union School District, Northern Humboldt Union High School District, Northern United – Humboldt Charter School, Orick School District, Pacific Union School District, Pacific View Charter 2.0, Peninsula Union School District, Rio Dell School District, Scotia Union School District, South Bay Union School District, Southern Humboldt Unified School District, Trinidad Union School District.

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General Residential Treatment Center Information

GENERAL INFORMATION

What are residential treatment centers and non-public schools?

A residential treatment center (RTC) is live-in facility that provides students with therapeutic and behavioral interventions and treatment when their needs exceed what is available in their district, typically because their needs at home are intertwined with their needs in the educational environment. The term non-public school (NPS) can be used to describe the educational setting that is a part of the residential treatment program. A variety of different RTC/ NPSs exist across the country addressing a multitude of different needs and populations.

When is it appropriate to consider an RTC placement?

A time may come where a student's needs exceed that which the district of residence is able to accommodate. When that happens, the IEP team will want to meet to consider if the student is able to make adequate progress in their current setting. A review of the student's files, assessment results, psychoeducational reports, and socio-emotional data should be done and updated if needed. All of these items help to determine the student's needs and develop goals. Progress, or lack thereof, towards their goals will help to guide this conversation and determine if the IEP team should discuss an alternate placement in an RTC. Data should always drive all placement decisions made by the IEP team. The IEP team should always implement other options first, including offering and increasing services and accommodations, and changing placements to more restrictive settings.

DETERMINING LEAST RESTRICTIVE ENVIRONMENT

How do we determine if an RTC is the least restrictive environment?

All special education students should receive their services in the least restrictive environment (LRE) possible. It should always be a goal of the IEP team to ensure that the student's needs are being met but in a way that allows him/her as many of the same opportunities as their peers, which includes access to a comprehensive campus and/or to general education peers. An RTC placement should be considered the most restrictive environment that can be considered and as such should be done only when necessary because all students at an RTC are special education students, the students are not on a comprehensive campus, and the students have been removed from their homes and/or communities.

All other, less restrictive, options available within the LEA should be exhausted prior to the IEP team recommending that an RTC be considered. The team should discuss progress on goals, what the student needs in order to access their special education, and other services as well as modifications and accommodations that could be implemented prior to discussing an RTC. Additionally, the IEP team should have tried to implement all other placements on the continuum for the student, including a special day class. If the student requires more intensive support than what the LEA is able to offer and their needs require an RTC, then such a placement could be the least restrictive environment for that student. The legal test for whether an RTC placement is necessary for educational purposes looks at whether the placement is for educational purposes, or whether the

placement is a response to medical, social, or emotional problems that is quite apart from the learning process.

How do we document that we have considered all other options?

As part of the IEP team discussion about an RTC placement the benefits as well as potential harmful effects should be discussed and noted as well as other options the team considered.

This discussion should be documented thoroughly in the IEP notes from the meeting as well as on the Offer of FAPE- SERVICES page of the IEP. See next section for an example of how to document the options that were considered and why an RTC is the least restrictive environment and is therefore the offer of free appropriate public education (FAPE) from the district. This language should not be copied verbatim into any student's IEP but rather used as an example only.

HUMBOLDT-DEL NORTE SELPA
Offer of FAPE – SERVICES

Student Name Birthdate IEP Date:

The service options that were considered by the IEP team (List all): General Education with behavioral support, Specialized Academic Instruction (SAI) as a pull- out service, Educationally Related Intensive Counseling Services (ERICS), Residential Treatment Center (RTC).

In selecting LRE, describe the consideration given to any potential harmful effect on the child or on the quality of services that he or she needs: The team discussed options and agreed that the least restrictive environment to obtain educational benefit for Daniel is the RTC. The team has considered the potential harm of this educational placement: primarily being separated from family, living out of California to attend the RTC placement, and the lack of contact with general education peers. The team agrees that the benefits of the RTC in providing a safe educational environment for Daniel and his peers outweighs any potential harm.

RESIDENTIAL TREATMENT CENTER AS THE OFFER OF FAPE

How do we offer an RTC as our offer of FAPE?

In 2011, the California Legislature passed Assembly Bill 114, which made school districts solely responsible for guaranteeing that students with disabilities receive special education and related services to meet their needs, including placement of students in RTCs. This means that it is a district and an IEP team decision whether or not an RTC is an appropriate offer of FAPE for the student. It also means that it the school district is responsible for funding such a placement. Once a decision has been made that an RTC is the offer of FAPE, a representative from the district will make that offer to the parent/guardian in the IEP meeting. The IEP should reflect why this was determined to be an appropriate offer. Typically, an RTC should not be offered without first consulting the Special Education Local Plan Area (SELPA) to determine if all other supports, accommodations, and placements have been tried for the student.

What are the next steps once the offer has been made?

If the parent/guardian is in agreement they will need to sign a release of information (ROI) to allow the LEA and the SELPA to begin looking for a residential treatment facility. Copies of IEPs,

Psychoeducational reports, behavior plans, and other pertinent information will be needed to share with admissions staff at the RTCs so that the can understand the needs of the student. While this is happening, the student will continue to receive their special education services from the LEA.

What if the parent/guardian disagrees with the RTC as the offer of FAPE?

Just like with any disagreement between the LEA and the parent/guardian of a student who receives special education services, a request for Due Process can be filed. While this is occurring, the student will remain in a "Stay Put," where they receive the services from the last agreed-upon IEP. A parent/guardian who disagrees with an offer of a specific RTC, but agrees to the offer of an RTC as FAPE, will have to show at hearing that the specific RTC is inappropriate.

LOCATING A RESIDENTIAL TREATMENT FACILITY

How do we locate an appropriate RTC?

Assembly Bill 114 states that the LEA must ensure that each RTC meets the requirements of Section 3051 of Title 5 of the CCR and must maintain documentation supporting the facility's status as a residential care facility that is either: (1) associated or affiliated with a California-certified NPS; (2) a California-certified nonpublic, nonsectarian agency (NPA); or (3) a vendor or contractor of the State Department of Mental Health, or any designated local mental health agency.

There are RTCs located all over the United States that specialize in different areas of need and serve a variety of different populations. To place out of California, LEA must show why California certified RTCs will not be meet the student's needs prior to placing out of state. A SELPA administrator, in collaboration with the SELPA RTC liaison, should be contacted and can be utilized to assist districts in locating appropriate RTCs for their students and assisting with the referral process. Once the parent/guardian has signed the ROI, the LEA can contact the SELPA for assistance.

What admissions requirements will the RTC have?

It is important to share copies of any relevant information (IEPs, psychoeducational reports, behavior plans, attendance, and behavioral data, etc.) with the individuals looking for an RTC placement for the student. This will ensure that the right type of placement is targeted and admissions staff from the RTCs can access this information so they better understand the student.

Once an RTC is identified and agreed upon, they will be additional paperwork for the school and family to complete prior to the student attending the RTC.

What should the IEP services: offer of FAPE page state once an RTC is agreed upon?

The LEA will want to communicate with a contact person at the RTC to determine appropriate services for the student. Likely, there should be individual and group counseling, parent and/or family counseling, specialized academic instruction, and transition services (if 16 years old and above). The following is an example of how a services page may look for a student placed in an RTC. The services pages are typically revised at a 30-day placement change IEP held by the LEA in collaboration with RTC staff. Services should be written through the student's next annual IEP date.

SPECIAL EDUCATION and RELATED SERVICES

Service: Specialized Academic Instruction	Start Date: 6/14/2016	End Date: 6/13/2017
Provider: Nonpublic school (NPS) under contract with SELPA or district	☑ Ind ☑ Grp ☐ Sec Transition	
Duration/Freq: 314 min served Daily	Location: Nonpublic residential school - outside California	
Comments: Service to be provided in NPS setting		
Service: Individual counseling	Start Date: 6/14/2016	End Date: 6/13/2017
Provider: Nonpublic school (NPS) under contract with SELPA or district	☑ Ind ☐ Grp ☐ Sec Transition	
Duration/Freq: 60 min served Weekly	Location: Nonpublic residential school - outside California	
Comments: Service provided in NPS setting		
Service: Parent counseling	Start Date: 6/14/2016	End Date: 6/13/2017
Provider: Nonpublic school (NPS) under contract with SELPA or district	☑ Ind ☐ Grp ☐ Sec Transition	
Duration/Freq: 120 min served Monthly	Location: Nonpublic residential school - outside California	
Comments: Family therapy is provided via skype or telephone 2x a month for 1 hour each session		
Service: Counseling and guidance	Start Date: 6/14/2016	End Date: 6/13/2017
Provider: Nonpublic school (NPS) under contract with SELPA or district	☐ Ind ☑ Grp ☐ Sec Transition	
Duration/Freq: 180 min served Weekly	Location: Nonpublic residential school - outside California	
Comments: Group therapy (counseling) provided a minimum of 3 times per week for one hour each session in the NPS setting		

UNILATERAL PLACEMENT

What is the responsibility of the LEA when a parent unilaterally places their student?

The LEA will need to discuss with the parent the circumstances around the parents placing their child in an RTC. The LEA can request to do updated assessments to determine if this is an appropriate offer of FAPE considering the students current needs. An IEP meeting should be called to discuss the student's current placement and determine next steps. If the LEA does not agree RTC is an appropriate offer of FAPE, the LEA should follow-up any with a prior written notice to the parents detailing why the request for an RTC placement and/or reimbursement for such a placement is being denied. More information on this process is contained in the SELPA Procedural Manual.

If the LEA has made an appropriate offer of FAPE and it was not an RTC placement, IDEA does not require LEA to pay for placement of a child with a disability in an RTC by parents' personal decision if the LEA has an appropriate placement offered. If this cannot be resolved between the LEA and the parents/guardians, either party can file for Due Process.

What is the responsibility of the LEA when a hospital unilaterally places a student?

Just like if a parent unilaterally places their student, the LEA will want to communicate with them about the events surrounding the student's hospitalization. The IEP team members will need to recognize and consider the difference between medical necessity and educational need. Students may be hospitalized, placed through their insurance for stabilization purposes. This may not translate into educational need. It will be up to the LEA and IEP team to determine if an ongoing placement in an RTC will be necessary for the student to access their special education.

If a student is placed by a hospital and is not currently identified as a student who qualifies for special education the LEA will want to consider if the situation warrants "Child Find" and additional assessment to determine eligibility. If the LEA believes conducting assessments to determine if the student qualifies for

special education is appropriate they will need to send a school psychologist to the RTC to assess the student.

What is the responsibility of the LEA if a parent or outside agency unilaterally places a student who is not on an IEP?

If a student who had not previously been identified as a student requiring special education is placed at a treatment facility, the LEA should consider if this would warrant a "Child Find" assessment to determine if the student would qualify for special education. The LEA will want to communicate with the family to determine reasons why the student was placed in order to determine if assessment is necessary. If the student was placed solely for purposed drug or alcohol rehabilitation that does not necessarily warrant assessment for special education.

Residential Treatment Center (RTC) Placement

RESPONSIBILITIES WHILE A STUDENT IS AT AN RTC

What is a Master Contract?

The Master Contract is an agreement between the LEA and the RTC regarding placement of the student and what services will be provided.

Does the LEA keep the student in Special Education Information System (SEIS)?

Yes, the LEA will want to allow the RTC staff access to SEIS for the student, but also keep access themselves. As many RTCs are out of state, not all RTCs will be familiar with SEIS. It will be important to designate a case carrier from the LEA to continue to manage SEIS, IEP paperwork, and meetings.

Who schedules and writes the IEPs and Behavior Plans?

This will most typically be a collaborative effort between the RTC and the case carrier from the LEA. The RTC will be able to give the case carrier progress on goals, data, guidance for new goals based on the environment and program. The RTC will likely have their own behavioral system in place and a plan for the student in that setting. Scheduling should occur so that both representatives from the LEA and the RTC can be in attendance either in person or via phone. The case carrier from the LEA will be the one to ensure that IEP meetings are scheduled and that IEPs are completed.

How does the student get re-evaluated for triennial IEPs?

The school psychologist from the LEA will be required to assess any student placed in an RTC for their re-evaluation and present the results at the student's IEP meeting.

How do we determine if a student is benefiting from their placement?

Each LEA that has a student in an RTC is responsible for measuring student's progress in the placement on at least an annual basis as part of the annual IEP review. The LEA representative should review the master contract and the IEP to ensure that all services agreed upon and specified in the IEP are being provided. RTCs are required by the master contract to annually evaluate the students to determine if they are making appropriate educational progress.

It is recommended that the RTC, LEA and SELPA collaborate on a regular basis through treatment team meetings. This will allow the LEA to keep track of their students' progress academically, behaviorally and therapeutically. The LEA will want to request that the RTC staff report on progress on goals which will also help the LEA to know if the student is benefitting from their placement. It is also recommended that the LEA hold IEP meetings every three months to determine if placement should change, as discussed below.

Will the LEA be informed of incidents that occur with the student?

Once a student is placed, a representative from the LEA will want to communicate with the RTC to determine how this type of information is shared. Some RTCs may send incident reports by email, have a data system the LEA can access or may report on incidents at monthly treatment team meetings. The SELPA Director should also be informed by the RTC of any incident reports, per the master contract.

What if the student's family moves out of the LEA district while they are placed in an RTC?

Whenever a student was placed and residing in an RTC prior to transferring into the Humboldt – Del Norte SELPA member LEA, the SELPA that contains the LEA that made the placement is responsible for funding the placement, including related services for the remainder of the school year. An extended year session is included in the school year in which the session ends. EDC § 56325

For high school students, what graduation requirements are used?

The LEA will want to keep track of their high school aged students credits and classes they are taking while they are placed at an RTC. In some cases, the student may have the option of graduating with a diploma from the RTC. This will be something to be discussed with RTC staff through the IEP process. Most often the student is graduating from the LEA, and will need to meet graduation requirements from their home district. It will be the responsibility of the LEA to ensure the student is remaining on track for graduation while at the RTC and taking appropriate classes. Communicating regularly with RTC staff and checking in regarding their credits and current classes is important to ensure the requirements are met.

MEETINGS

What meeting requirements are there for students in an RTC?

Students placed in an RTC through the IEP process will have the same IEP meeting requirements as any other student receiving special education services. These include 30-day placement, annual, triennial and transition meetings. In addition to IEP meetings most RTCs also do monthly treatment team meetings where information on the students' progress and behavior is shared. It is recommended that the LEA have formal IEP meetings every three months to ensure the student is making progress on his/her IEP goals, and to determine if residential placement continues to be appropriate. As an RTC placement is the most restrictive placement, a student should not remain in this placement longer than needed for the student to receive a free and appropriate public education (FAPE).

Who sets up the meetings?

It is recommended that the LEA keep track of when IEP meeting dates are and collaborate with RTC staff to schedule them. The treatment team meetings are typically set up by RTC staff who will invite representatives from the LEA, the SELPA, and the family to participate. If the RTC does not have a general education teacher on site, it is the LEAs responsibility to ensure a general education teacher is available. If the LEA is going to excuse the general education teacher, proper excusal procedures must be followed.

Who runs the IEP meetings and keeps notes?

This should be discussed with the RTC prior to the meeting to determine who will be facilitating and managing IEP paperwork during the meeting. Keep in mind that not all RTCs are going to be as familiar with SEIS and IEP paperwork from that system. The representation from the RTC at that meeting should be able to speak on present levels, special factors, progress on goals and proposed new goals in that setting, as well as behavioral supports and services.

How is a treatment team meeting different from an IEP meeting?

A treatment team meeting occurs more frequently (monthly or more depending on the student) and is for discussing progress, treatment, and any changes to the student's program. It will not include changes in placement, goals, or services that are a part of the IEP process.

How does the LEA navigate communicating with all the team members?

Once a student is placed in an RTC, the LEA should appoint a representative to act as the case manager for that student. This person could be a case carrier, school psychologist, administrator, or special education director. The RTC likely has many different people involved in the student's treatment. It is recommended that the LEA case manager obtain contact information and roles from the different people at the RTC with whom they will be interacting. Having this information will help know who to contact for a variety of different needs associated with an RTC placement. See Appendix D for a template of a contact sheet.

VISITATION

How often do parents/guardians visit their student?

Parent visitation to the child's placement as well as visits home by the student are an important part of the therapeutic treatment program of an RTC. The purpose is to engage the parent in the treatment process and

to build capacity for reunification of the student to the home environment. Typically, such travel is associated with initial placement, subsequent therapeutic visits to meet with the child and his or her therapist, therapeutic visits home, and/or discharge. Such arrangements must be preapproved by the LEA through the IEP process. See Appendix E for visitation guidelines and Appendix F for a home visit planning worksheet.

Who sets up transportation and lodging for visits?

The LEA is responsible for setting up transportation and lodging for visits. It is recommended that the visits be coordinated with the RTC during treatment team meetings and/or IEPs to ensure that it is an appropriate time for visitation. See Appendix E for visitation guidelines.

Do representatives from the LEA visit students?

It is recommended that representation from the LEA visit their student while placed at an RTC every six months or more frequently depending on student's needs. This gives the LEA the opportunity to meet staff, view the facility, and check in with their student. A representative from the SELPA will also typically visit the RTC to ensure IEP compliance and progress.

Evaluation, Discharge, and After Care

RE-EVALUATION OF PLACEMENT

How do we determine if a student is ready to transition back home?

This is a very important decision that should be carefully discussed and considered. By taking part in regular team meetings and communicating with staff from the RTC, the LEA should be made aware of when the RTC feels that a student may be ready to transition back. The team can look at progress on goals, credits, behavioral data and observations to make a determination about placement. It is recommended that the student have a successful home visit prior to transitioning completely out of an RTC placement.

Does a full re-evaluation need to be done before a student can come back to the LEA?

Not necessarily. The LEA could choose to re-evaluate certain areas if they felt it is necessary to do this to help guide conversation about a student returning to a less restrictive environment, but it is required.

What steps do we need to take to transition a student back?

Once it has been decided that a student is ready to transition back to the LEA, it will be important to prepare for that transition and the supports that will be in place once they get back. The LEA representative will want to get information from the RTC about the student's behavior, credits and academic progress, and necessary supports (ongoing counseling, family therapy, community supports, behavior plan, etc.) so that they can offer an appropriate educational placement upon their return. An IEP will need to be scheduled and a new offer of FAPE will be determined. Transportation will need to be arranged by the LEA for the student to return home. The LEA should draft a transition plan to assist and support the student in the transitional period.

DISCHARGE FROM AN RTC

How does the discharge process work?

When a child is ready to be discharged from the RTC placement, a request is made to the LEA to schedule an IEP meeting to return the child to a placement within the LEA. A copy of the discharge summary will be given to the LEA's appointed person.

What if a parent removes his/her child from the RTC before it is recommended?

It is possible that a parent will choose to remove his/her child from the RTC against the recommendation of the RTC and the IEP team. It is recommended that an IEP be held to discuss and document why the school and RTC continue to feel that an RTC is the appropriate offer of FAPE. The LEA can choose to file for Due Process if they are in disagreement with the parent about the level of services that the student needs. In that case a "Stay Put" would go into effect; however, the parent could go to the RTC and discharge the student at any time. If this is the case, it is recommended that an IEP be held immediately upon return and an interim placement with a start and end date be provided as the offer of FAPE using the following language:

"The District contends the offer of FAPE for [STUDENT'S NAME] is [RTC WITH SERVICES IN IEP DATED _____]. However, parent removed student from RTC. Pending a determination by OAH as to whether the District's offer of a RTC is FAPE, the District makes the following temporary offer of services, which is not intended to become stay put, but merely is an offer of placement intended to serve student while the parties await a determination by OAH."

See Appendix A for an example of a Prior Written Notice (PWN) for when a parent makes a statement about wanting to remove his/her child from an RTC. If the parent completely revokes consent for special education in tandem with removing his/her child from an RTC, the LEA must immediately cease provision of services, including transportation from the RTC and provide the parent with a PWN regarding the revocation, Appendix B.

What happens if a student signs him/herself out of an RTC once he/she turns 18?

Once a student reaches the age of majority and is conserved, he/she is able to make decisions for him/herself regarding his/her special education. This also means that they can choose to sign themselves out of RTCs if they do not want to continue with treatment. If a student has indicated that he/she will choose to sign him/herself out of the RTC upon turning 18, every effort should be made to encourage them to remain in placement. If the adult student chooses to leave the RTC the student can choose to sign themselves out of special education completely, or work with the school district on an alternate placement to be decided through the IEP process.

STUDENT AND FAMILY AFTERCARE

What do we need to have in place to support a student transitioning back from an RTC?

The LEA will want to communicate with the RTC treatment team to know what supports will be helpful or necessary for the student when they return back to the LEA. A transition IEP will be held, at which time the LEA will want to create an offer of FAPE to support the student in a less restrictive environment. It will be important for necessary school staff to be made aware of the support the student needs to ensure a smooth transition.

It is also important to note that the parents of your student may have fears about their child returning back home and not receiving the same level of support that they were getting while in an out of home placement. It will be important to work to support the parents as well, as the student in making this significant transition.

What supports exist to support the students and families in the community?

There are supports provided though special education such as Specialized Academic Instruction, ERICS counseling services, and behavioral intervention services that may be considered for the student. The LEA will also want to consult with the parent to see what other services they may qualify for in the community. These could include AOD services, outside therapy, family therapy, transition services, and Regional Center Services, among others.

APPENDIX A

PRIOR WRITTEN NOTICE (PWN)

Humboldt – Del Norte SELPA

Provided to parent prior to district initiation or refusal regarding change of identification, evaluation, educational placement, or provision of free appropriate public education

Student Name*:* _____ **Date of Birth:** _____ **Date:** _____

This notice is to inform the parent(s) of the above named student regarding the school districts

☐ **Proposal to initiate or change the**

☐ **Identification** ☐ **Evaluation** ☐ **Educational Placement** ☐ **Provision of a free appropriate public education to your child**

This notice includes a description of the proposed action, an explanation of why the district proposed to take this action, a description of any other options that were considered and the reasons why those options were rejected, and other factors that are relevant in this proposal. Your written permission must be given before we assess your child to determine eligibility. You have the right to be familiar with the assessment procedures and type of tests that may be given to your child. After the assessment is completed, you will be notified in writing of a meeting to discuss the results of the evaluation.

☒ **Refusal of your request to initiate or change the**

☐ **Identification** ☐ **Evaluation** ☒ **Educational Placement** ☐ **Provision of a free appropriate public education to your child**

This notice includes a description of action being refused, an explanation of why the district refused to take this action, a description of any other options that were considered and he reasons why those options were rejected, and other factors that are relevant to this refusal.

Description of proposed or refused action: In a letter received by the school district on *[INSERT DATE]* you requested that you no longer wanted your child placed at a Residential Treatment Center because *[INSERT REASON]*. You also asked that your child be returned to the school district and *[INSERT REQUEST FOR EDUCATIONAL PLACEMENT IF STATED*] at this time the district continues to extend its offer of FAPE as stated in the IEP dated [*INSERT DATE*].

Reason(s) for proposed or refused action: The district believes that a Residential Treatment Center is Free and Appropriate Public Education (FAPE) and the Least Restrictive Environment (LRE) for your child. We continue to believe that your child requires the level of supervision and mental health services available within the RTC setting.

Description of evaluation procedures, tests, records, or reports used in deciding to propose or refuse this action: [*INSERT DATA TO SUPPORT THE DISTRICS ACTION (i.e. behavioral data, incident reports from the RTC, information from treatment team meetings, progress on goals, etc.)]* This data does not support movement to a lesser restrictive school environment at this time.

Description of other options considered and reasons for rejecting them: *[INSERT IF APPLICABLE]*

Other factors relevant to the proposal or refusal: The district will offer an IEP meeting on *[INSERT DATE*] to discuss your child's progress, goals and plan for coming back to a lesser restrictive environment in the future.

You have protection under the procedural safeguards of Part B of the IDEA. If you would like a copy of the Procedural Safeguards please contact the district and a copy will be sent to you. If you would like further information about your rights or the proposed action and/or referral please contact:

Print Name and District Contact _____ Position _____

E-mail Address _____ Phone _____

APPENDIX B

PRIOR WRITTEN NOTICE (PWN)

EXAMPLE: REVOCATION OF SPECIAL EDUCATION

[PLACE ON DISTRICT LETTERHEAD]

[DATE]

[PARENT/GUARDIAN NAME]
Address 1
Address 2

Re: Revocation of Consent for Provision of Special Education for [STUDENT NAME]

Dear [PARENT/GUARDIAN NAME]:

This letter responds to your [DATE], letter, in which you revoked consent for [STUDENT NAME], a minor for whom you hold educational rights, to receive special education and related services from the [DISTRICT NAME] ("District"). Please consider this the District's response to your request as required by 34 C.F.R. sections 300.300 and 300.503.

Based on the receipt of your revocation of consent, the District will discontinue all special education and related services for [STUDENT NAME] on [DATE]. After that date, [STUDENT NAME] will no longer receive the educational supports contained in her [DATE] IEP, which include but are not limited to: *(LIST PLACEMENT, SERVICES, ACCOMMODATIONS, MODIFICATIONS THAT STUDENT WILL NO LONGER RECEIVE.)* Beginning on [DATE], [STUDENT NAME] placement will be at [SCHOOL NAME] in general education classes without any special education supports. [STUDENT NAME] will have access to only those supports available to general education students. I want to note that discontinuation of special education, as required by law pursuant to your [DATE], revocation letter, means that the District cannot provide [STUDENT NAME] with *any* special education or related services. This includes transportation, which is a related service, as described in 34 C.F.R. § 300.34(c)(16). Specifically, 34 C.F.R. § 300.300(b)(4) provides that the District "[m]ay not continue to provide special education and related services to the child" . . . "[i] f, at any time subsequent to the initial provision of special education and related services, the parent of a child revokes consent in writing for the continued provision of special education and related services." Accordingly, the District will ensure that [RTC NAME] discontinues all special education and related services, including academic instruction and therapy, as of [DATE]. The District will cease paying for her room and board at [RTC NAME] as of [DATE], in order to give you time to make travel arrangements for [STUDENT NAME].

Please be advised that after [DATE] [STUDENT NAME] will become a general education student and will no longer be entitled to the special education and related services and protections provided under the Individuals with Disabilities Education Act, "IDEA", and related provisions in the California Education Code. [STUDENT NAME] will be treated as a general education student in all respects, including discipline, testing and graduation. As a result, [STUDENT NAME] disability will not be taken into consideration when determining appropriate disciplinary action and she will not be entitled to the IDEA's discipline protections.

Your revocation of consent releases the District from liability for providing your child with a free appropriate public education. If, in the future, you would like your child to receive special education and related services from the District or be considered as an individual with a disability under Section 504 (34 CFR § 104.32), please contact us. The District will treat such a request as a request for an initial evaluation.

The District would like to meet with you on [DATE], to discuss your decision and its potential impacts. However, you are not obligated to meet with us and any meeting will not delay or deny the discontinuation of special and related services for your child. Please contact my office at (*INSERT YOUR CONTACT INFO)* to confirm you will attend the meeting. If I do not hear from you, I will assume that you do not wish to meet.

I want to emphasize that the District believes that [STUDENT NAME] needs their current services and placement to receive a Free Appropriate Public Education ("FAPE"). [INSERT REASONS FOR DISTRICT OFFERING RTC AS FAPE]. The District has considered local options and does not believe that there is a placement locally that can meet [STUDENT NAME] needs.

I have enclosed a copy of [STUDENT NAME] *(DATE OF MOST RECENT IEP)* for your reference, as well as a copy of the District's parental right and procedural safeguards. Please feel free to contact me with any questions you may have at this time.

Please find attached a copy of your Procedural Safeguards, which describes your parental rights under Part B of the IDEA. If you would like further information about your rights as a "parent," or about this letter, please contact me at [PHONE NUMBER].

Sincerely,

[INSERT NAME, TITLE AND CONTACT INFO]

Enc: Procedural Safeguards

APPENDIX C

RTC CHECKLIST

This checklist is only a guide.
All decisions should be made by the IEP team during a meeting at which the parents are present and participating.

CONSIDERING PLACEMENT

- IEP Team has identified that student may require an RTC. Conducting updated assessments has been discussed and completed if necessary.
- LEA IEP Team has met, discussed, and documented within the IEP the potential benefits as well as harmful effects of placing the student in an RTC and has offered an RTC as FAPE.
- Parent is in agreement with exploring RTC placement as an option and has signed ROI.
- IEP team communicated with parent regarding a follow up IEP meeting once a placement is secured.
- LEA continues to serve student within the district while an RTC is being considered.
- Representative from LEA has contacted the Humboldt-Del Norte SELPA with a request to assist in locating an RTC.
- Copy of signed ROI has been sent to the SELPA office along with copies of the following:
    - Current IEP
    - Current Behavior Plan
    - Most recent Psychoeducational Report
    - Most recent Socio-Emotional assessments
    - Behavior Log
    - Attendance data
    - Parent contact information

RTC PLACEMENT

- RTC(s) has been located
    - Name: _____ Location: _____
    - Name: _____ Location: _____
    - Name: _____ Location: _____
- Parent contacted and placement options were discussed.
- Parent completed RTC admissions paperwork.
- RTC admission is secured.
    - Name: _____ Location: _____
- LEA requested contact information and completes RTC Contact Sheet. (Appendix D)
- LEA set up transition IEP meeting, representatives from RTC are invited.
- LEA consulted with RTC regarding services that will be provided. All services on the students IEP will be provided by the RTC.
- LEA changed setting in SEIS to reflect RTC/ NPS placement.
- LEA changed services, providers and minutes in SEIS to reflect RTC/ NPS program.
- Transportation guidelines discussed with parent and RTC, frequency determined by IEP Team. (Appendix E)
- Transportation set up for student to attend RTC.

DURING PLACEMENT

- Appropriate RTC staff given access to student on SEIS.
- Team/treatment meetings are attended by LEA representative in person or via phone.
- SELPA made aware of any meetings for student in RTC placement.
- LEA collaborates with RTC staff to schedule any necessary IEP meetings, at least once every three months.
- School psychologist sent from LEA to assess for Triennial Assessments. (if necessary)
- Credits towards graduation are reviewed on a regular basis. (High School Only)
- Transportation and lodging arranged by LEA for visitation, frequency determined by the IEP Team. (Appendix E and F)

RETURNING FROM RTC

- LEA communicated with RTC regarding proposed release date from RTC.
- LEA scheduled a home visit for the student prior to release from RTC.
- Transportation set up by LEA for return home.
- Transition IEP scheduled.
    - New offer of FAPE presented and consented to by parent/guardian.
    - Support services/community resources located and set up.
    - Transition plan drafted and consented to by parent/guardian.
- Discharge paperwork received from RTC.

NOTES:

APPENDIX D

RTC INFORMATION TEMPLATE

Student Name:	Annual IEP Date:	
LEA Contacts		
LEA Representative/ Case Carrier	Phone	Email
LEA School Psychologist	Phone	Email
LEA Special Ed Director	Phone	Email
LEA Fiscal/ Billings Contact	Phone	Email
RTC Contacts		
RTC – Name of Facility		
RTC – Address	Phone	Email
RTC – Admission Contact	Phone	Email
RTC – Student Case Manager	Phone	Email
RTC – Program Manager/Director	Phone	Email
RTC – Therapist/Psychologist	Phone	Email
RTC – Financial/Billings Contact	Phone	Email
RTC – Transport Contact	Phone	Email

SELPA Contacts		

SEIS Access:

Name	Role

Online Reporting System (RTC):

Username:	Password:
Web address:	

RTC Contact for scheduling team meetings/ IEPs:

Name	Role

RTC will inform LEA of progress/ incident/ changes in program via:

☐ Phone ☐ Data System ☐ Email ☐ Meetings

APPENDIX E

GUIDELINES FOR PARENT/GUARDIAN TRAVEL REIMBURSEMENT

For Residential Non-Public Schools (NPS) and Residential Treatment Centers (RTC)

Your child may be enrolled in a residential school outside of Humboldt-Del Norte SELPA. You or your child's travel associated with the child's initial placement, subsequent therapeutic visits for you to meet with your child and his/her therapist at the Residential Nonpublic School (NPS) /Residential Treatment Center (RTC) or your child's therapeutic visits home may be reimbursable by the Local Education Agency (LEA). The determination of the number of funded round trips per fiscal year (July 1 - June 30) is determined by your child's Individual Education Team (IEP) in collaboration with the therapeutic staff at the NPS. Typically, up to four trips is considered a guideline. More or less visits may be necessary based on the therapeutic needs of the student as determined by the IEP team. Reimbursement will be provided for transportation, lodging, and related costs as specified below for two (2) parents as approved by LEA (parent as defined by CA Ed Code or approved by LEA).

Guidelines for Reimbursement

- Parent is responsible for making all travel arrangements unless the local LEAs reserved the right to do so.
  - Please confirm with your child's LEA if they will be purchasing tickets on your behalf or if you will be purchasing and then reimbursed.
- Parent and NPS should notify the LEA at least thirty (30) calendar days in advance of the trip and complete a Travel Authorization Form provided by LEA.
- LEA will contact parent and confirm that trip is approved and eligible for reimbursement.
- Purchase of airline tickets must be made twenty-one (21) days in advance of travel.
- Parent is responsible for submitting original itemized receipts for allowable expenditures.
- Parent should keep a copy of the itemized receipts and documents for personal records.
- Claim form and original documentation are to be submitted to LEA within 30 days after travel.

Allowable Expenditures for Reimbursement

- **Airfare** - Coach class-submit passenger ticket receipts for student and/or parent(s) indicating date, passenger name, destination, and cost. If a trip is postponed, reservations should be cancelled immediately.
- **Automobile mileage** - allowance for transportation by private automobile to and from the residence of the student and the NPS/RTC at the IRS approved rate or air fare coach class; whichever is most economical.
- **Hotel** - itemized original payment documentation. Contact NPS/RTC for recommendations re: suggested hotels.
- **Rental car agreements and fuel receipts - not to exceed compact/economy rental rate** - itemized original payment documentation. (Maximum two-day car rental) Allowable car rental fees: daily rate, airport concession fee, and taxes only. Pre-paid fuel will not be reimbursed.
- **Mileage reimbursement** - for private vehicle use between student's home and NPS/RTC may not exceed estimated costs of roundtrip airfare and car rental.
- **Meals** - reimbursement is dependent on each LEAs individual policy.
- **Airport Parking** - receipt required.
- **Shuttle, fly-a-way, taxi to and from airport** - receipt required and not to exceed $20.00 one way.

TRAVEL REIMBURSEMENT CLAIM FORM

NPS Student: _____ Non-Public School/Residential: _____

Name of Person Submitting Claim: _____ Relationship to Student: _____

Address: _____ Phone: _____

Person Traveling: _____ Signature of Person Traveling: _____

Beginning Date of Travel: _____ Ending Date of Travel: _____ Family Therapy Day(s): _____

Non-Allowable Expenditures for Reimbursement

- First Class/Business Class airfare
- Cost of checked baggage
- Travel expenses for siblings, extended family, friends or advocates
- Mid-size, intermediate or luxury class car rentals
- Any additional car rental fees such as insurance coverage, damage waiver, navigation system, fuel costs by car rental company
- Entertainment related expenses (i.e. amusement park, sporting events, movies, etc.)
- Alcoholic beverages, snacks and tips
- Weekend trips
- Visitations to NPS/RTC sites prior to placement
- Altered or falsified receipts constitute fraud, and therefore all request for trip expense reimbursements will be made null and void

TRANSPORTATION (Air, Car Rental, Shuttle, Taxi)		**Day 1** Date:	**Day 2** Date:	**Day 3** Date:
Type:		$	$	$
Type:		$	$	$
Type:		$	$	$
Type:		$	$	$
STANDARD HOTEL RATE		$	$	$
ADULT DAILY MEAL ALLOWANCE **(Amounts based on LEA local policy)** Limits per adult per day:				
Breakfast:	$ 7.00	B: $	B: $	B: $
Lunch:	$10.00	L: $	L: $	L: $
Dinner:	$23.00	D: $	D: $	D: $
OTHER RELATED EXPENSES				
1.		$	$	$
2.		$	$	$

- All requests for reimbursement must be accompanied by itemized, original dated receipts.
- No reimbursement shall be made without such receipts.
- Receipts must specify date and the exact cost of each item for which reimbursement is required.
- Organize receipts by date and submit no later than thirty (30) days after travel.
- Keep copies for your files.
- Allow 45 business days for review and receipt of reimbursement.

APPENDIX F

HOME VISIT PREPARATION CHECKLIST

Use this form to assist in planning and organizing a home visit for students placed in an RTC
Home visits are given by approval from RTC staff and set up by the LEA

Student Name: _____ Placement: _____

RTC Contact: _____ RTC Phone: _____

Home pass destination and contact info: _____

Questions to ask RTC prior to home visit:

- ☐ Dates approved for home visit: _____
- ☐ Home visit approved by: _____
- ☐ Goal(s) of home visit? _____

- ☐ Family therapy occurred to prepare student for visit? _____
- ☐ Restrictions established for home visit (e.g. social media, curfew, etc.)? _____

- ☐ Any concerns noted by family or RTC (e.g. packing all belongings, saying goodbyes at RTC, drug use while at home, etc.)?

Travel Information:

Home Flight:

Departing Airport:		Departure Time:	
Connecting Flight(s):		Connection Time(s):	
Destination Airport:		Landing Time:	

Who will be meeting student at Airport: _____ Contact Info: _____

Return Flight:

Departing Airport:		Departure Time:	
Connecting Flight(s):		Connection Time(s):	
Destination Airport:		Landing Time:	

Who will be meeting student at airport? _____ Contact Info: _____

IF THE STUDENT DOES NOT MAKE IT TO THEIR FINAL DESTINATION IT IS IMPORTANT THAT THE LEA AND RTC BE INFORMED IMMEDIATELY.

Contact at RTC: _____ Contact Info: _____
Contact at LEA: _____ Contact Info: _____

The RTC has been informed of the need to contact the above LEA rep? ☐ YES ☐ NO

By Who? _____ Date: _____ Time: _____