

Residential Placements

The ARD committee must ensure that all possible placements within the district have been considered and/or tried before accessing residential placement.

If placement in a public or private residential program is necessary to provide special education and related services to a child with a disability, as determined by the ARD Committee, the program, including non-medical care and room and board, must be at no cost to the parents of the child.

In-State Placements

CFISD may contract with an approved public or private facility, institution or agency inside or outside of Texas to provide services for students with disabilities. Entities within the state of Texas must maintain current and valid licensure from the Texas Department of Health and Mental Retardation, Texas Department of Human Services, Texas Department of Health, Texas Department of Protective and Regulatory Services or Texas Council on Alcohol and Drug Abuse for the disability and age of the student. If the facility provides any educational services listed in the student's IEP, the facility's education program must be approved by the Texas Commissioner of Education. Approval of the education program may be for one, two or three years. This approval does not apply to residential facilities that provide only related services.

If CFISD is considering a residential placement whose education program has not been approved by the Commissioner of Education, CFISD must notify the TEA in writing of its intent to place a student at the facility. The TEA will begin approval procedures and conduct an on-site visit to the facility within 30 calendar days after notification has been received.

The CFISD must notify the Texas Education Agency of its intent to contract for residential placement of a child through the residential application process. Requests for approval of state and federal funding for residentially placed students are negotiated on an individual student basis through a residential application submitted by the school district to the TEA. A residential application may be submitted for educational purposes only. The residential application will not be approved if the application indicates any of the following:

- Placement is due primarily to the student's medical problems.
- Placement is due primarily to problems in the student's home.
- CFISD does not have a plan for the student's return to CFISD that includes timelines and criteria.
- CFISD did not attempt to implement less restrictive environments prior to residential placement, except in emergency situations as documented by the student's ARD Committee.
- Placement is not cost effective when compared to other alternative placements.
- The residential facility provides unfundable/unprovable services.

In making a residential placement, CFISD is responsible for

- Initiating and conducting an ARD Committee meeting to develop an IEP for the student, prior to referral to or placement in the residential facility
- Listing the services which the school district is unable to provide
- Establishing, in writing, criteria and estimated timelines for the student's return to CFISD

- Documenting the appropriateness of the facility (general screening by a regional education service center is not sufficient to meet this requirement)
- Making an initial and annual on-site visit to verify that the residential facility can and will provide the services listed in the student's IEP, as agreed
- Verifying during the initial placement ARD Committee meeting and each subsequent annual ARD Committee meeting that:
 - The facility meets minimum requirements for health and safety.
 - The residential placement is needed and is documented in the student's IEP.
 - The educational program provided at the residential facility is appropriate and the placement is the least restrictive environment for the student.

When a student who is residentially placed by CFISD changes his residence to another Texas school district and continues in his/her contracted placement, CFISD shall be responsible for the residential contract for the remainder of the school year.

Costs of an approved contract may be paid from a combination of federal, state and local funds. When a student is placed in a private residential facility primarily for care or treatment reasons in a facility in which CFISD provides education program, the portion of costs that include appropriate education services, as determined by the ARD Committee, shall be paid from state and federal education funds.

CFISD must oversee the implementation of the student's IEP and shall annually reevaluate the appropriateness of the arrangement. The facility, institution or agency must periodically report to the district on the services the student has received or will receive and will provide diagnostic or other evaluative information that the district requires in order to fulfill its obligations.

Out-of-State Placements

If CFISD contracts for an out-of-state residential placement, it must do so in accordance with the rules for in-state residential placement, except that the facility must be approved by the appropriate agency in the state in which the facility is located rather than by the Commissioner of Education in Texas.