

Residential Placement of Students with Disabilities

	CSA Placement	Parental Placement
Placement for Educational Purposes	1 IEP identifies residential placement as the Least Restrictive Environment	3 Parent makes unilateral placement to meet student's educational needs
Placement for Non-Educational Purposes	2 IFSP identifies the need for residential placement	4 The parent makes unilateral placement for treatment purposes

NOTES: *A placement made through a signed Parental Agreement with a public child-serving agency is a CSA placement.*

A placement made through Adoption Assistance is a parental placement.

1 IEP identifies private residential placement as LRE

- §2.2-5212.A.2 – “Special Education Mandate” – CSA pays for IEP services. When the child is Medicaid eligible and meets medical necessity criteria for residential treatment, Medicaid funds may (with parent/guardian consent) be used for placement. Medicaid does not fund the educational portion of services.
- The school division of child's residence remains responsible for IEP, re-evaluation, and progress reporting.

2 IFSP developed by the FAPT identifies the need for residential placement

- §2.2-5212.A.3 and §2.2-5212.A.4 (Statutory authority for foster care and CHINS mandate) – CSA pays for all services. When a child is Medicaid eligible and meets medical necessity criteria for residential treatment, Medicaid funds may be used for residential treatment services. Medicaid does not fund the educational portion of services.
- A revised IEP shall reflect that the student is in a non-educational placement and shall address the student's special educational needs while in the placement. The revised IEP for a non-educational placement is not considered the “source” of the residential placement.
- The school division of child's residence remains responsible for IEP, re-evaluation, and progress reporting.

3 The parent makes a unilateral educational placement

- The child gives up the right to FAPE, i.e., the child does not have access to public school services. The parent holds fiscal and oversight responsibilities for all services, including educational services. (8 VAC 20-81-C.7.c.)

4 The parent makes unilateral placement for treatment purposes

- The child maintains the right to FAPE – the school division of the child's residence is responsible for ensuring the student has the necessary services to benefit from the residential facility's educational program.
- School division identifies appropriate services in the IEP and how they will be delivered, e.g., may provide direct services, arrange with another school division to provide services, or negotiate with the provider to purchase appropriate services.
- If the least restrictive environment identified in the IEP is a private day school, it is appropriate to utilize CSA funds for the services necessary to ensure the child's access to FAPE if such services are purchased from a private provider.