



Reintegration Planning for Students Placed in Nonpublic/Off-Campus Settings

Introduction and Overview

The purpose of this document is to provide reintegration planning guidance to Local Education Agencies (LEAs) for students placed in nonpublic schools and off-campus programs.

Guiding principles:

State Nonpublic/Off-Campus Regulations: When the admission, review, and dismissal (ARD) committee determines that a nonpublic residential or off-campus day placement is necessary in order for the child to receive a free appropriate public education, the ARD committee must establish, in writing, criteria and estimated timelines for the child's return to the LEA.¹

Least Restrictive Environment: Each public agency must ensure that— (i) To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are nondisabled; and (ii) Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.²

State and Federal Funding: Upon receipt of a nonpublic application, TEA conducts a review for approval of state and federal funding. State and federal funding are approved for education purposes only. Funding shall not be approved if the application indicates: The LEA does not have an individualized plan, including timeframes and criteria for the student's return to the local school program.³

The TEA [Recommended Reintegration Plan](#) includes all required components of a reintegration plan. This document is designed to support existing guidance and further guide LEAs on:

- [Common Concerns with Reintegration Planning](#)
- [Reintegration Planning Steps](#)
- [Monitoring the Reintegration Plan](#)
- [Non-Behavioral and 18-Plus Program Placements](#)

Common Concerns with Reintegration Planning

TEA review of nonpublic/off-campus program applications during the 2018-2019 and 2019-2020 school years revealed the following statewide areas of concern:

- ✘ Unobservable or unmeasurable behavior descriptors (noncompliant, disruptive, disrespectful, manipulative)

¹ [19 Texas Academic Code \(TAC\) §89.1094](#) for nonpublic day and off-campus programs; [19 TAC §89.61](#) for nonpublic residential programs

² [34 Code of Federal Regulations \(CFR\) §300.114\(a\)\(2\)](#)

³ [19 TAC §89.61\(b\)\(1\)\(C\)](#)

- ✗ Developmentally inappropriate criteria (i.e., “zero instances,” “extinguish”)
- ✗ Reintegration parameters outside of the school day
- ✗ Reintegration plans written after placement ARD
- ✗ Moving-target reintegration criteria

Throughout this guidance document, these areas of concern will be addressed and recommended alternatives will be provided.

Important reminder: The reintegration plan should be developed *prior to* the student’s placement in a nonpublic school or off-campus program. Reintegration parameters should be decided by a group of persons, including the parent(s) and other persons knowledgeable about the child.

Reintegration Planning Steps

- 1) [Identify *observable* behaviors that necessitate placement outside of the LEA.](#)
- 2) [Identify steps taken by the LEA to meet behavioral and educational needs.](#)
- 3) [Identify what observable behaviors must be gained and determine an anticipated timeframe that student will reintegrate.](#)
- 4) [Identify LEA needs \(staff/equipment/facility\) to ensure an adequate program when the student returns to the LEA.](#)
- 5) [Describe the student and family needs to ensure implementation of the IEP when the student returns to the LEA.](#)

1. Identify observable behaviors that necessitate placement outside the LEA.

Identify behaviors that are observable and measurable. Describe behaviors that can be seen or heard by an observer. Avoid vague identifiers (i.e., manipulates, disrespectful, attention-seeking). Prioritize the most severe behaviors.

OBSERVABLE BEHAVIORS

Baseline data (taken over 12 weeks) indicates that on average, student is engaging in 50 instances of moderate to severe self-harm (hits head against floor, uses writing utensils to cut arms) and 20 instances of severe physical aggression towards staff (pulls hair, scratches, kicks, bites) per day. 6 instances have resulted in injury to staff.

NON-OBSERVABLE BEHAVIORS

Student is disruptive and disrespectful. Student requires 24-hour intensive, specialized instruction that cannot be provided by LEA. Student presents danger to self.

2. Identify steps taken by the LEA to meet behavioral and educational needs.

Be specific. Include services and supports during the school day, evaluations completed, and outside resources accessed.

SPECIFIC EXAMPLES

Student is currently receiving services in a self-contained life skills classroom with 1-1 support. LEA has consulted with the district behavior specialist and conducted 2 problem-solving ARDs with the CRCG. Non-Ed funds have been accessed, and outside services are being provided in the home (in-home training and respite care). A new Functional Behavioral Assessment has been conducted, and an updated BIP has been utilized for 6 weeks, with only marginal improvements. The ARD committee has determined that the LEA is unable to provide this student with FAPE at this time.

NON-EXAMPLES

We are following the IEP, but student is not making progress with goals. The BIP is not working. Student's intensive and severe behaviors warrant placement at a nonpublic school.

3. Identify what observable behaviors must be gained to reintegrate back into the LEA.

Ensure that reintegration criteria are observable, measurable, developmentally appropriate, and attainable. Prioritize behaviors that are impacting the student's safe access to a free, appropriate public education on the LEA campus. *Reintegration plans should include coping strategies and replacement behaviors, not just increased student compliance or decreased incidences of target behaviors.*

	EXAMPLES	NON-EXAMPLES
TIMEFRAME?	In 24 instructional weeks	Facility will monitor
UNDER WHAT CONDITIONS?	Using a student-built visual schedule and explicit instruction in 3 types of frustration tolerance techniques within a task demand	Core classes
BEHAVIOR?	Student will utilize frustration tolerance techniques to reduce physical aggression towards staff	No physical aggression
CRITERION?	As evidenced by remaining in the classroom without hitting, kicking, or biting staff 90% of the day for at least 4 days per week. Replacement behaviors and techniques: 1) going to designated calming spot in the classroom, 2) signaling the need for a break with break card, 3) Reorganizing visual schedule, with support from staff (picking another task)	2 consecutive semesters

Important reminder: The reintegration criteria should address the behaviors that prevent the student from receiving a free, appropriate public education, even in the most restrictive setting, within the LEA. After reintegration, the LEA can continue to work towards appropriately ambitious behavior goals.

4. Identify LEA needs (staff/equipment/facility) to ensure an adequate program when the student returns to the LEA.

- ✓ Consider staff, technology, and physical space available to the student at the LEA campus, prior to placement.
- ✓ Consider staff, technology, and physical space available to the student at the facility.
- ✓ Plan for any additional evaluations – such as assistive technology or related services – that may be needed to ensure appropriate staffing and services upon reintegration.
- ✓ Identify staff professional development needs, and plan to train appropriate staff.
- ✓ Start planning for staff, equipment, and facility needs at the time of student placement, so that appropriate services are available to the student as soon as reintegration criteria are met.
- ✓ Identify campus crisis intervention protocols for the student and ensure appropriate LEA staff are trained in these protocols prior to reintegration.

5. Describe the student and family needs to ensure implementation of the IEP when the student returns to the LEA.

- ✓ Consider in-home or parent training as an IEP service (plan for evaluation, if not yet completed).
- ✓ Consider the use of [noneducational funds](#) to support the student and family in home and community settings.
- ✓ Collaborate with your local [Community Resource Coordination Group \(CRCG\)](#).
- ✓ Collaborate with the [Local Intellectual and Developmental Disability Authority \(LIDDA\)](#) or [Local Mental Health or Behavioral Health Authority \(LMHA/LBHA\)](#) for your area.

Important Reminder: Nonpublic or off-campus placement must be based on an educational need; residential placements cannot be made primarily due to out-of-school needs. However, successful and timely reintegration from residential settings can be supported by strong collaboration between the LEA, the facility, the family, and outside resources to support the student both in school and home.

Monitoring the Reintegration Plan

During the student's nonpublic or off-campus placement:

- ✓ Ensure ongoing communication between the LEA, the facility, and the student and family.
- ✓ Monitor the student's progress towards IEP goals and reintegration criteria.
- ✓ Monitor IEP implementation at the facility.
- ✓ For transition-aged students, monitor the implementation of transition services.
- ✓ Work with the facility to conduct any required evaluations, if additional eligibilities/services are being considered, or if current evaluations, including the FBA, are approaching the three-year evaluation timeline.
- ✓ Prepare on campus for the student's staffing, equipment, facility, and programming needs upon return.
- ✓ Plan supports for the student and family through noneducational funds, in-home or parent training, CRCG, LIDDA, and/or LMHA/LBHA.

Important reminder: For a student in a nonpublic or off-campus placement for behavior reasons, a new FBA should be conducted *at least* every three years, or whenever there is evidence, the student's behavior patterns have changed.

If the student is making progress towards IEP goals and reintegration criteria at the facility:

- ✓ Identify what's working. Are there programmatic features of the facility that can guide IEP development for the student's return to the LEA?
- ✓ Plan for needed evaluations if the LEA considers additional related services, assistive technology, or other supports upon the student's return.
- ✓ Work with the facility and student/family to coordinate the student's transition back to the LEA campus.

If the student is *not* making progress towards IEP goals and reintegration criteria or is regressing:

- ✓ Monitor whether the IEP is being implemented with fidelity.
- ✓ Determine the need for additional evaluations, such as an updated FBA.
- ✓ Determine the need for IEP revisions.
- ✓ Consider the ongoing appropriateness of the off-campus placement selected.

Important reminder: Reintegration criteria should not be a "moving target" (i.e., student meets reintegration criteria, but ARD committee updates reintegration plan with more stringent criteria and student remains at facility.) Avoid situations where reintegration is delayed, or reintegration criteria are changed due to a lack of LEA staffing, equipment, facility, or programmatic needs upon return from facility placement.

Non-Behavioral and 18-Plus Program Placements

The examples in this guidance document focus on nonpublic and off-campus placements resulting from student behavioral needs because statewide, these are the most frequently occurring placements. However, there are students in nonpublic or off-campus settings due to special education needs that are not primarily behavior-related, such as specialized communication needs or postsecondary transition needs. The legal requirements and recommended planning steps outlined in this guidance also apply to non-behavioral placements; this section will highlight special considerations for non-behavioral and 18-plus program placements.

Reintegration Planning Steps for Non-Behavioral Placements

1. **Identify measurable special education needs that necessitate placement outside the LEA.** Include measurable baseline data related to the student's academic and functional needs resulting in placement consideration.
2. **Identify steps taken by the LEA to meet educational needs.** Include specific staffing models, services provided, and results of these interventions.
3. **Identify what measurable academic and functional skills must be gained to reintegrate back into the LEA.** Like behavioral placements, ensure you are focusing on those skills limiting the student's access to FAPE on the home campus. Identify age- and developmentally appropriate, attainable criteria for reintegration.
4. **Identify LEA needs (staff/equipment/facility) to ensure an adequate program when the student returns to the LEA.** Consider staffing, physical space, assistive technology, related

services, personal care, and specialized equipment. Plan for additional evaluations, if needed. Begin preparing for the student's return at the time of placement.

5. **Describe the student and family needs to ensure implementation of the IEP when the student returns to the LEA.** Consider in-home and parent training and noneducational funds to support the student's functional needs at home and in the community. In addition to the CRCG, LIDDA, and LMHA/LMBA, identify local resources or outreach groups specific to the student's areas of need.

Special Considerations for 18-Plus Program Placements

Off-campus program requirements apply to some specialized programs for students with disabilities ages 18 or over, who have met coursework requirements for graduation but are working towards IEP goals related to postsecondary education, employment, and independent living. 18-plus programming provided by LEA staff does not fall under off-campus program requirements; off-campus programs include special education and related services provided during school hours by someone other than school district personnel in a facility other than a school district campus.⁴

If you are unsure whether your student is receiving transition services that fall under nonpublic and off-campus program regulations, please contact the Texas Education Agency for guidance.

When identifying reintegration criteria for students in off-campus 18-plus programs, consider that the student's least restrictive environment upon reintegration may be transition services provided by LEA staff on campus, in-district, or in the community. If a student has met graduation criteria and has access to age-appropriate postsecondary education, employment, and independent living opportunities outside of public education, then the LEA may also consider a change of placement for graduation. It may be appropriate for some students to continue special education services until they reach the end of age eligibility; other students may be able to graduate through attainment of IEP goals related to postsecondary employment, education or training, or independent living skills.

As for all students placed in nonpublic or off-campus programs, reintegration planning for students in off-campus 18-plus programs should include:

- ✓ Measurable, observable baseline data related to postsecondary education, employment, and independent living;
- ✓ Measurable, observable, attainable, and developmentally appropriate reintegration or graduation criteria;
- ✓ Descriptions of the supports and services the young adult will need for successful reintegration or graduation; and
- ✓ Collaboration with local resources such as [Texas Workforce Commission](#), postsecondary education and training opportunities, and independent living programs.

⁴ [19 Texas Academic Code \(TAC\) §89.1094](#)

For More Information

Website: The [TEA Nonpublic Placement Notification and Application](#) website contains additional guidance, information, and resources related to nonpublic/off-campus program placement.

Email: For additional questions about nonpublic/off-campus program placement or reintegration, please contact the Texas Education Agency Division of Special Education Projects and Strategy, Office of Special Populations, and Monitoring, at NPSDayandRes@tea.texas.gov.