

# OUT OF DISTRICT PLACEMENTS: ISSUES TO CONSIDER

by Orah Raia

*Determining where your child will receive special education and related services can be a daunting process. Parents find themselves considering out of district placements for a variety of reasons, e.g., school recommendation, lack of accommodations and supports by the public school district, fear of their child being ostracized by classmates, a sense of safety for their child, etc. This tool is designed to assist parents in making informed decisions. By considering the issues and tips listed below families can ensure that inclusive opportunities are maximized.*

Federal law has required, since the passage of the Education for All Handicapped Children Act in 1975, that educating students with disabilities in general education classrooms with supports must be the first placement considered and must be “seriously” considered. The Individuals with Disabilities Education Improvement Act of 2004 (IDEA) strengthened that requirement, stating that special education can be made more effective when maximum access to the general education curriculum is ensured. Mounting empirical evidence also substantiates improved academic achievement, better socialization and communication skills and higher self-esteem when students, including those with more significant disabilities, are supported within general education classrooms, rather than pulled out. Regarding students without disabilities, it has been found that there are no negative impacts on academic or behavioral effects when appropriate supports are provided (Moore & Gilbreath, 1998, Educating students with disabilities in general education classrooms: A summary of research, Western Regional Resource Center, Eugene, Oregon, available at: <http://www.rrfcnetwork.org>). In addition, research has shown that presence in a community at age 10 predicts future community membership as an adult (Still separate and unequal: The education of children with disabilities in New Jersey, 2004, available at <http://www.njcedd.org/InclusiveEducation/sep-uneq.htm>).

## 1. Opportunities for integration with non-disabled students:

When students are placed in out of district settings, whether public or private, there are few, if any, opportunities to be integrated with non-disabled peers to practice appropriate communication and social interaction skills. Placement in a segregated school should not be considered as a long-term placement, if at all. If an IEP team recommends an out of district placement and the parents are unsure, they should contact one of the organizations listed at the end of this document for more information about pursuing a less restrictive setting for their child.

Students placed in separate settings should have a plan for transitioning back into their district and involving parents in the planning process, even if the student has been in a self-contained classroom or separate school for several years (State Performance Plan, December, 2005). New Jersey law requires that “For those students in a separate setting, the IEP team shall, on an annual basis, consider activities necessary to transition the student to a less restrictive placement.” (N.J.A.C. 6A:14-3.7(k)). Since most support services, modifications and accommodations are portable, districts can work with parents and the administration to put the needed supports in place and plan for the smooth transition of the child back to their neighborhood school by the next annual review.

New Jersey State laws require that the IEP include a statement regarding participation in extracurricular and nonacademic activities for students in out-of-district placements and delineate the means to achieve such participation, including, if necessary, returning the student to the district in order to receive them (N.J.A.C. 6A:14-3.7(e)17). This is very important, particularly since research in social skills training has verified that children must have the opportunity to practice the skills they have learned in settings with non-disabled peers.

**TIP: Ask about the specific strategies that will be implemented to return your child back to the neighborhood school in your district.**

**TIP: Ask about the possibilities that exist to provide interaction with non-disabled peers in natural proportions.**

**TIP: Ask your local school district for information on how your child can take part in extra-curricular and other non-academic activities in the public school (e.g., belonging to an after-school club).**

## 2. EXPOSURE TO CORE CURRICULUM:

Federal laws require school districts to provide access to the general education curriculum to all students with disabilities. In addition, they must also align IEP goals to state curriculum standards. Clearly this requires that students with disabilities be exposed to content areas to which non-disabled students are exposed, with appropriate supplementary supports and services, such as curricular or instructional modifications or specialized instructional strategies; individual instruction; assistive technology devices and services; support from a teacher aide; related services; integrated therapies; consultation services; and in-class resource programs (N.J.A.C. 6A:14-4-3).

The type and degree of supports, all of which are portable, depend on the individual needs of each student. The supports must be identified in a problem solving discussion, which takes into consideration what actually happens in the classroom at the child's chronological age level. A detailed discussion and plan for supports and services must be implemented to ensure that the student is not merely physically placed in a general education setting. Attention must also be given that instructional materials and resources used are age-appropriate. This means that, if a 15-year-old student is reading independently at a 3rd grade level, he or she must be provided with appropriate reading materials for a 15 year old, but readable at the student's independent reading level, i.e., 3rd grade.

**TIP:** Ask about the State's core curriculum content standards and ask to see samples of the curriculum for your child's grade. Make sure that the curriculum and work-related activities are age-appropriate (e.g., a student who is 15 should not be coloring) and comparable to that which your child would receive in his or her neighborhood school.

## 3. TEACHER CREDENTIALS:

IDEA requires that all public elementary and secondary special education teachers be "highly qualified," not only as special education teachers, but also in the core subjects they teach (e.g. math, science). Teachers hired by private elementary and secondary schools may not meet these requirements.

**TIP:** Ask the school what type of certification their teachers hold and if the teachers would meet the definition of 'highly qualified teacher' in federal law.

## 4. EFFECTIVE HOME-SCHOOL COLLABORATION:

Communication between home and school is crucial to student achievement. Schools must provide opportunities for families to make meaningful contributions to their child's education. It is vital that families have effective and consistent information regarding issues related to their child. It is much easier to develop a relationship with your child's teacher when you live minutes away from school and can attend school functions or simply pop into the school when you have a concern. This is much more difficult when the school is located many miles away.

**TIP:** Ask the school how they foster home-school collaboration. How do they provide feedback? Are there opportunities to get regular and consistent feedback?

**TIP:** Be sure your child's name is on the mailing list for the public school to ensure you receive communication regarding any school events, meetings, and trainings for students and/or parents that are held in the local school community.

## 5. TRANSITIONING TO ADULTHOOD:

A good transition plan should include instruction that provides opportunities to sample and learn a variety of work skills in the community. Many segregated schools provide these opportunities with businesses in the school community, which may be miles away from the student's residence. This presents difficulties when students graduate and return to their home community. New relationships with potential employers will have to be established along with solutions for transportation. By beginning this process in the student's home community it is more possible to create a 'seamless' transition, post graduation.

**TIP:** Ask the school if they provide the student with transition skills in the student's home community. Consider the issue of transportation to a job once the student graduates.

## 6. BEING A MEMBER OF THE LOCAL COMMUNITY:

Living in a community provides opportunities for social interactions. Something as simple as going to a grocery store and running into classmates is a common occurrence for children who attend their local neighborhood school. When your child attends school outside of their community, he or she can become "invisible" to other residents in their community.

**TIP:** Consider ways for your child to take part in community activities, such as Little League, Buddy Ball, cheerleading, volunteering, scouts, etc.

**TIP:** Ask about the school's academic calendar. If you have other children, will they be off from school on the same days and have the same school breaks?

## 7. QUALITY OF LIFE:

Due to the long distances some students must travel to attend out-of-district schools, it is not uncommon for them to spend 2-3 hours on a school bus every day. This can mean that students return home on the bus too late to participate in most local after-school activities, sports and clubs. For students with emotional, cognitive and physical disabilities, a long bus ride can create a multitude of travel-related problems. Distance from school can also cause hardship for families who must drive or arrange transportation to school functions or pick up a sick child from school.

**TIP:** Ask how long your child might spend on school buses traveling to and from school every day. Ask to talk to a parent in your community who attends the same school for realistic travel times.

## WHAT YOU CAN DO IF YOUR CHILD IS PRESENTLY IN AN OUT OF DISTRICT PLACEMENT:

1. Check your child's IEP to see if there are plans to transition him or her back to the local school district. If there are none then schedule a meeting with the IEP team to formulate one (see item no. 1)
2. Ensure that your child is receiving instruction aligned with the State's Core Curriculum Standards (see item no. 2)
3. Ask about the public school's extra-curricular activities that your child may participate in (see item no. 6).

**IF YOU NEED ADDITIONAL RESOURCES FOR SUPPORT  
YOU CAN REACH OUT TO THESE ORGANIZATIONS:**

- » New Jersey Coalition for Inclusive Education: <http://www.njcie.net>
- » New Jersey Department of Education: <http://www.state.nj.us/education/>
- » Statewide Parent Advocacy Network: <http://www.spannj.org>
- » The Arc of New Jersey: <http://www.arcnj.org>
- » New Jersey Council on Developmental Disabilities: <http://njddc.org/>

This was produced with contributions from Paula Lieb, President and CEO of NJCIE, staff at New Jersey Protection & Advocacy, and staff at The Education Law Center. The document can be accessed online at [www.njcie.net](http://www.njcie.net).

New Jersey Council on Developmental Disabilities  
PO Box 700  
Trenton, NJ 08625-0700  
Phone: (609) 292-3745  
Website: [www.njcdd.org](http://www.njcdd.org)