



**Question:** What is the difference between placement and location on an Individualized Education Plan?

**Answer:** The Individuals with Disabilities Education Act (IDEA) (20 U.S.C. Section 1400 et seq.) requires each district to make available a free appropriate public education (FAPE) in the least restrictive environment (LRE) and provide a continuum of placement alternatives for children with disabilities. As part of the Individualized Education Program (IEP) meeting, the IEP team must consider where the special education programs and services will be delivered. Like FAPE, LRE is a determination that must be made on an individual basis. To accomplish the delivery of special education programs and services in the LRE, districts are required to ensure (1) that the placement be determined by the child's IEP team; (2) that a continuum of placement alternatives be discussed; and (3) that a child with a disability be provided with instruction in a setting different from that of non-disabled peers ONLY when the nature or severity of the child's disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. In addition to regular and special education classrooms, the continuum of placement alternatives the IEP team can consider include public or private institutions or other care facilities.

**Question:** Placement vs. Location - What Does It Mean?

**Answer:** In the world of special education, "placement" is a concept that causes more confusion than almost any other. Understandable, because "placement" naturally makes one think of a location. In special education, however, placement is the educational program of the individual student and not the physical location where that program is implemented.





**Question:** What is “Placement”?

**Answer:** Placement is an individual student's educational program or the type of setting where the program is administered. Placement must include a variety of options with different levels of supports and services in various environments. An appropriate placement is the least restrictive environment, or educational program, in which the student can be successful. Whether a student is successful is primarily determined by the student's progress (or lack of) on Individualized Education Program (IEP) goals.

For example, a student's placement on one end of the continuum may be general education all day, except for 60 minutes each week in which the student is removed from general education to receive specially designed instruction for their IEP goals. In the middle of the continuum, a student's placement might be in a special education classroom for most of the day, and then inclusion with general education peers during lunch, recess, and electives. On the more restrictive end, a placement could be in a special school with 100% removal from general education peers.

**Question:** What is “Location”?

**Answer:** Location is geography – the physical place where the student's IEP will be implemented. Because placement is not the same as where the program is physically located, it may be possible to implement a student's placement in more than one location. For example, if a school district has a special behavior classroom at two different schools but the program is the same at each, a student with this placement could attend either school location. Once placement is determined, the exact school/geographic location where the IEP will be implemented is usually decided by school district administrators.

At the same time, a school district should always look to keep a student as close to the neighborhood school as possible. A placement should be implemented at the student's neighborhood school, or when a student cannot be served at the neighborhood school at the location that is as close as possible to the student's neighborhood school and home.





**Question:** Must placement be based on the IEP?

**Answer:** A placement must be made based on a student's individual needs, as defined in their IEP. The IEP determines the student's services, supports, and skills that are to be taught, as well as the amount of time the student will be removed from the general education environment. Thus, a placement decision goes hand-in-hand with the IEP, because placement determines where the IEP services and supports for the student will occur.

In situations where a more restrictive placement is chosen, such as a self-contained classroom, the IEP must explain why the student cannot be successful in a less restrictive placement. The IEP must also explain what will be provided, and why the student requires a more restrictive placement.

The placement discussion should be documented with the Individualized Education Plan. The placement options considered and discussed by the team should be noted, along with the advantages and disadvantages of each placement for the student, and the specific reason each option was selected or rejected.

A student's placement needs to be reviewed and determined at least once a year, usually occurring at a student's annual IEP meeting.





**Question:** Who Decides?

**Answer:** The IEP team makes the decision of student placement.

Parents must be a part of the IEP and should be involved in discussing any and all placement options. If the district will be discussing various placement options, it is reasonable for a parent to want information about each option. Parents should ask lots of questions so there is a good understanding of the placements being considered. Districts often allow parents to tour various programs or classrooms before a final placement decision is made. If a parent is unfamiliar with placement options, they should visit what will be considered before the placement meeting is held.

A district employee who has knowledge about the district's placement options is also required to be part of the IEP placement decision. This person is typically identified as the LEA/District Representative. Districts are generally required to discuss multiple placement options to determine which option best meets the needs of the individual student. The district should also answer questions, discuss parent concerns, and hear parent input before a placement decision is made.

A parent's placement preference should be considered by the district. However, a parent does not have the final say and does not have the legal right to veto a placement decision – even for their own child. While parents are part of the team that makes the placement decision, and consensus is always preferred, the LEA/district representative has the final authority to make the placement decision, even over the parent's objection.





**Question:** What if a parent doesn't agree with the placement or location determination?

**Answer:** If you, as a parent, have concerns about your child's placement or the location of the placement, raise the concerns during the placement discussion, before a decision has been made. If you disagree, make sure your objection is noted in meeting minutes. If no meeting minutes are taken, write your objection and make sure it is included in the student's IEP file.

The district should issue a Prior Written Notice (PWN) after the placement decision. The PWN is sent to the parent and should explain what placement was chosen, why, and whether there was agreement among the placement team. If the parent did not agree with the placement decision, the PWN must state the parent's objection and reasoning, and why the district refused the parent's placement preference.

When a placement decision has been made over the parent's objection, there are a few legal options. If a parent has questions about legal options related to placement or location decisions, including time limitations on legal actions, parents should contact The Nebraska Department of Education for more information.

