



IOWA DEPARTMENT OF EDUCATION

Placement of Children with Disabilities Outside Resident District School Sites

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This document addresses key points when a child is placed for special education services in an educational setting located outside of the public school district of residence. These issues frequently arise in out-of-state placements, residential placements, or both. This document summarizes the law, and should be read in conjunction with the law and with other guidance from the Iowa Department of Education (“Department”) on placement decisions, including documents on appropriate uses of special education funds prepared by the Division of Learning and Results and the Bureau of Finance, Facilities, Operation and Transportation Services. This document addresses requirements imposed by state and local law, including those where Iowa’s state law imposes a higher substantive standard or imposes greater restrictions on uses of state and local special education funds.

As discussed in this document, “placement” means determining the educational placement of, or educational setting for, a child with a disability. Placement decisions are made by a group of people, typically the child’s individualized education program (“IEP”) team, which includes the parents or guardians, other people knowledgeable about the child, the meaning of the evaluation data, and the placement options. Placement decisions are determined on an individual, case-by-case basis, dependent on each child’s unique needs and circumstances. Iowa Admin. Code rr. 281—41.116, 281—41.321. While a local school board cannot override an IEP team’s placement determination, the assignment of the location of the services is a local board determination (with exceptions, discussed below in Sections III and IV), so long as the location selected is consistent with the placement determination. An IEP team cannot bind the board to a specific classroom, building, or facility.

In *Letter to Trigg*, 50 IDELR 48 (OSEP 2007), the Office of Special Education Programs (“OSEP”) clarified that “placement” is referred to as points along the continuum of placement options available for a child with a disability and “location” as the physical surroundings, such as the classroom, in which a child with a disability receives special education and related services. A public agency may have two or more equally appropriate locations that meet the child’s special education and related services needs and the school administrators should have the flexibility to assign the child to a particular school, classroom, or facility, provided that determination is consistent with the decision of the group determining placement.

This document has ten Sections, each of which addresses an issue that may arise in the placement decision-making process. At the end, a table of authorities is included, which provides citations to the pertinent statutes, rules and regulations, cases, and guidance documents.

I. When the Child’s IEP/Placement Team Proposes an Out-of-District Placement

A. Placement must be consistent with the child’s IEP, and must be primarily for an educationally relevant reason. For example, if a condition interferes with a child’s ability to benefit from an education and that condition requires residential treatment to address, this would be an educationally required placement, not merely a placement for treatment purposes. See, e.g., Iowa Admin. Code r 281—41.116; *C.B. v. Special Sch. Dist.*, 636 F.3d 981 (8th Cir. 2011); *In re Richard U.*, 17 D.o.E. App. Dec. 20 (Iowa Dep’t of Educ. 1999).

B. Child or family needs that do not adversely affect the child’s educational performance to the extent that an out-of-district placement is required are not valid reasons for an IEP/placement team to make such a placement. See, e.g., *Richard U.*, 17 D.o.E. App. Dec. 20.

C. Placement must be at no cost to the child's parents. "At no cost" includes, in addition to educational costs, the costs of room, board, and transportation. "At no cost" does not include medical services (i.e., services that only a physician may perform). Iowa Admin. Code r. 281—41.104; *Letter to Cousineau*, 36 IDELR 158 (OSEP 2001).

D. Services must be pursuant to a contract, which must contain the following mandatory terms and conditions:

- "ensuring that all the requirements related to the development of each eligible individual's IEP are met";
- "requiring and reviewing periodic progress reports to ensure the adequacy and appropriateness of the special education and related services provided"; and
- "conditioning payments on delivery of special education and related services in accordance with the eligible individual's IEP and in compliance with" special education law.

Iowa Admin. Code r. 281—41.903(2).

E. If the placement is in another Iowa local education agency ("LEA"), the placement must be pursuant to a written tuition agreement, which must meet the conditions in Section I.D. See, e.g., *id.* r. 281—41.903(1).

F. These considerations also apply in instances where the placement is for secondary transition services, such as a placement at a "Four Plus" program at a community college.

G. The resident district is obligated to pay the actual cost of the special education instructional program. *Id.* r. 281—41.907(2).

H. If a child's IEP team recommends a residential placement, the child's LEA and area education agency ("AEA") may not seek the costs of room and board from the child's parents. *Letter to Hornbeck*, 211 IDELR 65 (OSEP 1978). Public agencies may seek reimbursement from a parent's public or private insurance with parental consent; however, a parent's refusal to provide consent cannot be used to delay or deny a free appropriate public education ("FAPE"). Iowa Admin. Code r. 281—41.154.

I. If an LEA or AEA makes a residential placement for special education purposes, they "can and should look to other sources for financial contributions needed to cover such costs." *Letter to Cousineau*, 36 IDELR 158. If no funding is available from those other sources (because, for example, the child is not eligible or the service is not covered), the public agencies retain the obligation to provide the required appropriate IEP and placement services.

J. It is illegal to make placement decisions based on funding mechanism. 20 U.S.C. § 1412(a)(5)(B). An LEA or AEA may not refuse a placement required under the Individuals with Disabilities Education Act ("IDEA") based on actual or perceived financial inability to fund such a placement.

K. An LEA or AEA with questions about funding of district-initiated placements may contact the Department's Bureau of Finance, Facilities, Operation and Transportation Services at 515-281-5293.

II. When a Parent Initiates a Placement and a FAPE is Not At Issue

In certain circumstances, parents may elect to have their children with disabilities attend accredited nonpublic schools, as a matter of educational choice, and not because the parents allege their children did not receive a FAPE from an Iowa public school. In these cases, the AEA and LEA are obligated to make special education services available "in the same manner and to the same extent" as special education services to students in public schools. Iowa Code § 256.12. "Making available" means that parents do not have to take these services; however, if the parents do take these services, the services are subject to the general rules that apply to public school students with disabilities. These provisions are largely a matter of state law which, on this point, provides more rights than required by federal law.

A. When the placement is at an in-state accredited nonpublic school, the LEA in which the school is located provides instructional services (under Iowa law) and the AEA in which the school is located provides support services (under the IDEA's equitable services requirement and Iowa law). Iowa Code § 256.12; Iowa Admin. Code rr. 281—41.131 through 281—41.144, 281—41.413(1).

Note on Billing: Billing will be to the child's resident district for the actual cost of the special education instructional program reduced by any amount of nonpublic shared time funding the district of location receives by counting the student. However, the billing to the resident district is limited to the amount that the student's weighting will generate, and the serving public school district will file the balance of unreimbursed actual costs of the special education program on a state claim for that purpose. If the instructional services are provided at the nonpublic school location or if the instructional services are paid with federal funding, the district of location may not count the child as a nonpublic shared time student. In all cases, the resident district will not count the child for certified enrollment.

The AEA will pay its special education support services from its funding. If the child's resident district is not located within the AEA, the AEA may, by Iowa law, bill the child's resident AEA for the support services.

B. When the parental placement of an Iowa child is at an out-of-state school, the state in which the school is located provides equitable services. 34 C.F.R. §§ 300.131 through 300.144. No Iowa LEA or AEA has any responsibility for purely voluntary parental placements in an out-of-state school. All education is subject to the laws of the state in which the school is located.

C. When a parent who is not an Iowa resident places a nonresident child with a disability in an Iowa accredited nonpublic school, the AEA in which the school is located provides support services as a matter of federal law. 34 C.F.R. §§ 300.131 through 300.144. The nonresident child is not entitled to any instructional services from an Iowa LEA. If the child's parent wants instructional services for the child, the parent must pay tuition to the LEA (or the child's out-of-state resident district may pay tuition, if required or permitted under that state's law).

D. Services must meet all requirements of state and federal law, including laws requiring services to be under public agency supervision and to be "secular, neutral, and nonideological." Iowa Code § 256.12; Iowa Admin. Code rr. 281—41.131 through 281—41.144, 281—41.413(1).

E. These laws require AEA and LEA services to be made available to students with disabilities in Iowa accredited nonpublic schools; however, they do not authorize payment of nonpublic school tuition (which remains the parent's responsibility) or payment of any funds to the parent or the nonpublic school.

F. If a parent voluntarily places a child with a disability in an Iowa nonaccredited school, the child may receive services only to the extent that the child is dual enrolled in an LEA or an accredited nonpublic school. Dual enrollment is only available if the child is an Iowa resident. Services shall not be provided on the site of a nonaccredited school. No Iowa LEA or AEA shall pay tuition to a nonaccredited school.

G. If a parent voluntarily places a child with a disability in an out-of-state nonaccredited school, no Iowa LEA or AEA has any financial responsibility for the costs of that placement, including the educational program.

H. If a parent alleges and proves that a public agency did not provide a FAPE and the nonpublic school (accredited or not) is a proper placement, then this Section does not apply. The next Section contains the applicable analysis.

III. When a Parent Initiates a Placement and a FAPE Is At Issue

Occasionally, circumstances arise when a parent places a child with a disability in a private school because the public school allegedly did not provide a FAPE. To obtain tuition reimbursement, the parent must prove two things in a proceeding under the IDEA, such as hearing on a due process complaint.

A. First, the parent must prove that the public school placement did not provide a FAPE. 34 C.F.R. § 300.148(c); *Florence County Sch. Dist. Four v. Carter*, 510 U.S. 7 (1993); *Burlington Sch. Comm. v. Department of Educ.*, 471 U.S. 359 (1985).

B. Second, the parent must prove that the private school placement was proper. 34 C.F.R. § 300.148(c); *Florence County Sch. Dist.*, 510 U.S. 7; *C.B. v. Special Sch. Dist.*, 636 F.3d 981 (8th Cir. 2011). To be proper, the parental placement need only provide benefit to the child. For example, it need not be state-approved.

C. If both things are proven, the parent is entitled to tuition reimbursement from the district of residence; however, a court or special education administrative law judge may adjust the reimbursement award as equity requires. 34 C.F.R. § 300.148(d).

D. These placements are at the parent's risk. If the parent fails to prove the public school placement was inappropriate and the private placement was proper, the parent recovers nothing. *Id.* § 300.148(a); *Florence County Sch. Dist.*, 510 U.S. 7; *Fort Zumwalt Sch. Dist. v. Clynes*, 119 F.3d 607 (8th Cir. 1997); *Letter to Cousineau*, 36 IDELR 158.

E. The private school selected by the parent need not be accredited, approved, or meet other state requirements to be eligible for reimbursement under Section III.C, so long as the placement is proper. 34 C.F.R. § 300.148(c); *Carter*, 510 U.S. 7; *C.B.*, 636 F.3d 981.

F. Because IEPs and placements must be determined at least annually (see Iowa Admin. Code rr. 281—41.116(1), 281—41.324(2)), the child's IEP/placement team must review and offer an IEP and a placement annually to a parentally placed child with a disability when a FAPE is at issue. Failure to make this offer may result in a FAPE denial, entitling parents to continued tuition reimbursement. Offering an appropriate IEP and placement may be a defense to a tuition reimbursement claim.

G. The standard in Section III.A is binary: either the public school placement is appropriate or it is not. If the public school placement is appropriate, it is irrelevant that the parent-selected private placement might be better than the public school placement. *Fort Zumwalt Sch. Dist.*, 119 F.3d 607.

H. The public agencies and the parents may agree to resolve disputes under this Section through mediation, including the payment of nonpublic school tuition. *Letter to Chamberlain*, 60 IDELR 77 (OSEP 2012).

IV. When Another Public Agency Initiates a Placement

There are circumstances when a court or another public agency, such as the Department of Human Services ("DHS"), initiates placement of a child with a disability for reasons other than special education and such placement changes the manner or location of the child's special education program. Other public agencies have no authority to make placements solely for the purpose of providing special education and no authority to prescribe, limit, or direct the special education programming provided.

A. The resident LEA remains responsible for the child's education. The resident AEA remains responsible for the special education support services. The education provided by the other public agency placement must be under the general supervision and control of the resident LEA and AEA.

B. The special education program provided through other public agency's placement must meet Department standards. 34 C.F.R. §§ 300.17(b), 300.146(b).

C. If the placement is in an Iowa facility that is not a state-operated program, the district in which the facility is located shall provide the instructional services.

D. The resident LEA is responsible for the actual cost of special education only. The education provided must actually be “special.” See, e.g., *IDEA State Complaint Decision 14-01*, 26 D.o.E. App. Dec. 390 (Iowa Dep’t of Educ. 2013). Being “special,” among other things, means the following:

- The special education program provided must focus on all goal areas identified in the child’s evaluation and IEP, and may not focus on one item only. For example, comments such as, “We only focus on behavior here” or “We don’t ‘do’ special education for reading” reflect an improper focus on what the school will provide, rather than how the needs identified by the child’s evaluation data will be addressed.
- The child’s IEP team, not the facility or the placing agency, determines goal areas and services. For example, if a child has a reading goal only, it would be impermissible for the facility or the placing agency to demand that a behavior goal be added. If a behavior goal is to be added, the IEP team must determine that the goal is required to provide a FAPE and then add it to the IEP.
- The special education program provided must be individualized. For example, if a child has a behavioral goal or a behavior intervention plan, it would be improper under the IDEA for the facility to say, “We use the same behavior system for all children. All children start at Level I and must earn their way through successive levels by accumulating ‘points.’” This would not be individualized, child-specific (“specially designed”) instruction, as required by the IDEA.

E. The resident LEA and AEA are not responsible to the facility for non-educational costs, such as room, board, treatment, and transportation.

F. The resident LEA and AEA are only financially responsible for instruction and services that are required to provide a FAPE. For example, if the facility provides year-round or summer programming, the resident LEA is only responsible for that programming if the child’s IEP team determines extended school year services are required. As another example, if the facility bills an LEA for counseling and social work services, the LEA is responsible for such services only to the extent and for the period that the child’s IEP team determines those services to be required to provide a FAPE, prior to the services being provided. IEP team determinations are not retroactive.

G. Special education services must be pursuant to a contract, which must contain the following mandatory terms and conditions:

- “ensuring that all the requirements related to the development of each eligible individual’s IEP are met”;
- “requiring and reviewing periodic progress reports to ensure the adequacy and appropriateness of the special education and related services provided”; and
- “conditioning payments on delivery of special education and related services in accordance with the eligible individual’s IEP and in compliance with” Iowa law.

Iowa Admin. Code r. 281—41.903(2).

H. These items apply only when the other public agency (e.g., court, DHS) requires the child to attend another placement; they do not apply when another agency assists a parent in obtaining a voluntary out-of-district placement. In cases where the other agency assists the parent in obtaining an out-of-district placement, the placements are treated as unilateral parental placements, as described in Parts II and III, for which LEA and AEA financial responsibility is extremely limited, also as described above.

I. The following are examples of other agencies assisting a parent in obtaining an out-of-district placement. All are, as a matter of law, unilateral parental placements.

- A DHS employee assists the parent in completing an application for admission to an out-of-state placement.
- DHS provides Medicaid coverage for the placement.
- DHS grants an “exception to policy,” allowing Title XIX funds to be spent at an out-of-state facility.
- A child’s targeted case manager approves or assists with placement at an out-of-state facility.
- A physician recommends a facility or school.

V. IEP Review and Development for Private School or Facility Placements Made By Public Agencies

A. IEP review and development is a team process. A private school or facility never has the authority to unilaterally revise a child’s IEP. Iowa Admin. Code r. 281—41.325.

B. Before a child is placed at a private school or facility (see Section I), the child’s resident LEA and AEA must convene the child’s team, which must develop an IEP for the child in accordance with state and federal law. The private school or facility must participate in this meeting, either in person or by other means. *Id.* r. 281—41.325(1).

C. After a child enters a private school or facility, that school or facility may convene or conduct IEP meetings only with the concurrence of the child’s resident LEA and AEA. *Id.* r. 281—41.325(2)“a”.

D. If a private school or facility convenes or conducts an IEP meeting, the resident LEA, resident AEA, and the child’s parent must be involved in the meeting. If the private school proposes any revisions to the child’s IEP, the resident AEA, the resident LEA, and the parent must agree to any private-school-proposed IEP revisions. *Id.* r. 281—41.325(2)“b”.

E. If the parent, AEA, or LEA refuse to agree to private-agency-proposed revisions to the IEP, those revisions do not take effect and the private agency shall not implement them. *Id.*

F. The process to amend IEPs without meetings is not available when a private school proposes an IEP revision; all such proposed revisions require a meeting. See, e.g., 34 C.F.R. § 300.324(a)(4) (the amendment-without-a-meeting rule applies only to agreements between public agencies and the parents).

G. If there is a change to the child’s IEP that would change the scope of the contract with the private school or facility, that contract must be amended.

VI. Out-of-State Schools and Facilities: Department Approval Required

A. Placement in an out-of-state school or facility is allowed only if the placement is consistent with the IEP and the Department approves the school or facility to provide such services to Iowa students. Iowa Admin. Code r. 281—41.116(6).

B. Expenditures and reimbursement for special education provided through out-of-state placements made by other agencies is allowable from AEA or LEA resources only if the school is approved by the Department. *Id.*

C. Department approval for out-of-state schools is a required component of the Department’s general supervision requirement under the IDEA. See, e.g., 34 C.F.R. § 300.149. The approval process is required to assure that Iowa students educated in other states receive a FAPE that complies with Iowa standards. *Id.* § 300.17(b); *Letter to McAllister*, 21 IDELR 81 (OSEP 1994).

D. Reasons why the Department would not approve an out-of-state facility include the following:

- The state in which the school or facility is located has refused to license the school or facility, if that state's law requires licensure.
- The school or facility does not have an appropriately licensed teacher to serve the Iowa student who may attend the school or facility.
- The school or facility refuses to certify or assure it will follow Iowa special education standards.
- The school or facility refuses to enter into required contracts with an Iowa child's resident LEA.
- The school or facility has not complied with the terms of former or current contracts (e.g., failure to provide IEP progress monitoring data to the LEA, failure to follow the resident LEA's curriculum, failure to involve the resident AEA and LEA in IEP revisions).

E. As a matter of law, no matter how therapeutic or beneficial the out-of-state school or facility may be considered by the entity making the placement, if that school or facility does not meet minimum Department standards for approval, the Department will not approve payment to that school or facility from AEA or LEA resources.

F. If an LEA, AEA, or other public agency places a child at an out-of-state school or facility that is not yet Department-approved, the placing agency and the facility take the risk that approval and payment will be denied.

VII. Out-of-State Placements: Department Approval Required

A. Before a child with a disability is placed by an LEA or AEA in an out-of-state school or facility, Iowa law requires Department approval. Iowa Admin. Code r. 281—41.116(5).

B. The Iowa Administrative Code authorizes schools to make placements in an out-of-state location in either of two instances:

1. "When special education and related services appropriate to an eligible individual's needs are not available within the state."
2. "When appropriate special education and related services in an adjoining state are nearer than the appropriate special education and related services in Iowa."

Id.

C. In considering a request for approval, the Department approves any placement decision that meets the criteria of Section VII.B, and that is consistent with the child's needs in light of the services reflected on the IEP.

D. The Department does not approve out-of-state placements based on parental convenience or choice; need must be demonstrated. Iowa Admin. Code r. 281—41.116(5). For example, a parent resides in Iowa, but works in Illinois. He wants his child to attend school near his work. If an Iowa school could provide a FAPE to this child, the Department would reject this application.

E. Upon submission of individual student requests, each AEA/LEA shall provide required documentation to the Department for review of such placements. If the LEA states the placement is made by another public agency, such as DHS, the LEA must provide a court order or other evidence, such as a letter from a DHS case manager. Evidence that the placement is made by another public agency must meet the standards in Section IV.

VIII. Medicaid

A. The IDEA and Iowa's Medicaid state plan allow LEAs and AEAs to claim Medicaid reimbursement for certain IEP services. See, e.g., Iowa Admin. Code r. 281—41.154.

B. Consult the Department's Medicaid consultant at 515-281-8505 with questions about AEA- and LEA-based Medicaid claiming.

C. Medicaid reimbursement for a placement does not mean that such a placement was ordered by the DHS. See Section IV.I. Section IV would not apply solely because Iowa's Medicaid agency provided reimbursement.

IX. Special Case: Psychiatric Medical Institutes for Children (PMICs): Iowa Code § 282.27

A. If an Iowa resident child is placed at an Iowa PMIC by DHS, the court system, or the resident district, the child's resident district pays the actual cost of the special education instructional program, as described in the IEP, to the district of location. If the PMIC placement is made by the district as necessary to provide a FAPE, the AEA and LEA additionally pay for room, board, and transportation. The AEA and LEA may request reimbursement from other funding sources to help cover these costs, such as Medicaid; however, the AEA and LEA must provide these aspects at no cost to the parents. An LEA or AEA with questions about funding of IEP team-initiated placements at PMICs may contact the Department's Bureau of Finance, Facilities, Operation and Transportation Services at 515-281-5293.

B. If an Iowa resident child is voluntarily placed by a parent at an Iowa PMIC, the child's resident district pays the actual cost of the special education instructional program (but not other expenses), as described in the IEP, to the district of location. This is an Iowa-specific statutory exception to the general rule that parent placements are at parent cost.

C. Please keep the following in mind for all PMIC placements under Paragraphs A and B of this part.

- The students must be Iowa residents. Iowa Code section 282.27 only applies to Iowa residents.
- The students must be school-age. Remember that preschool students with instructional IEPs are defined as "school-age."
- Pursuant to Iowa Code section 282.27, students must be "residing" (LIVING) at the PMIC facility; therefore, residential.
- The PMIC must be an Iowa facility, located within the state of Iowa, and holding proper licensure from the appropriate state agency in Iowa. This does not apply to placements outside the state of Iowa.
- By statute, the PMIC (or hospital) cannot be a state-operated facility.
- The educational program is the regular session school year of the district of location (calendar) and does not include summer school except when the student's IEP team calls for extended school year (ESY) services and it is on the IEP of the student.
- The student must be placed in the PMIC unit of the facility. This is important because some facilities have multiple licenses and a specific number of beds authorized under each specific license. Only those students placed in the PMIC unit, receiving the PMIC treatment, and in the PMIC authorized beds are eligible under section 282.27.
- The "receiving the PMIC treatment" is important because there is always a rare possibility that parental placement was for other than treatment purposes. Note that Iowa Code section 256.46 allows students in mental health programs to be immediately eligible for participation in extracurricular interscholastic contests or competitions.
- Substance abuse treatment centers fall under Iowa Code section 282.19 and not section 282.27.

D. If a child is placed at an out-of-state facility that is similar or equivalent to an Iowa PMIC, or licensed under a similar law in that other state, the AEA and LEA pay educational costs only if required by other items in this guidance document. For example, a voluntary parental placement at an out-of-state facility similar to a PMIC is the responsibility of

the LEA and AEA if, and only if, the parent proved under Section III that the LEA and AEA did not offer a FAPE and the out-of-state PMIC placement is proper.

X. Special Case: Group Homes

A. Iowa's special education rules have a special definition of "district of residence" for children with disabilities who reside in group homes and other group living arrangements (i.e., intermediate care facilities, residential care facilities, or other similar facilities). For these situations, the district of residence is the district in which the child's parents reside. Iowa Admin. Code r. 281—41.51(12)"c".

B. If a child with a disability resides in a group home in a district, the district where the group home is located provides the instructional services called for in the IEP and bills the district of residence (district of parent residence, see Section X.A) for the actual costs of the child's special education instructional program. The AEA provides special education support services.

C. If a child with a disability resides in an Iowa group home and the child's parents reside out of state, the child is not an Iowa resident. The parents are responsible to pay for tuition to receive instructional services from the district of location (unless the out-of-state district agrees to pay tuition or is required to pay tuition under that other state's law). The AEA provides special education support services.

D. If a group home placement is also a foster care placement or a placement for substance abuse treatment, use the Iowa Code and Iowa rules applicable to those types of placement to determine district of residence.

Table of Authorities

- A. Individuals with Disabilities Education Act, 20 U.S.C. §§ 1401 et seq. (2006)
- B. Iowa Code § 256.12 (2015)
- C. Iowa Code ch. 256B
- D. Iowa Code § 282.27
- E. IDEA Regulations, 34 C.F.R. pt. 300 (2006)
- F. Iowa Admin. Code ch. 281—41 (2011)
- G. *Forest Grove School District v. T.A.*, 557 U.S. 230 (2009)
- H. *Florence County Sch. Dist. Four v. Carter*, 510 U.S. 7 (1993)
- I. *Burlington Sch. Comm. v. Department of Educ.*, 471 U.S. 359 (1985)
- J. *T.B. v. St. Joseph Sch. Dist.*, 677 F.3d 844 (8th Cir. 2012)
- K. *C.B. v. Special Sch. Dist.*, 636 F.3d 981 (8th Cir. 2011)
- L. *Independent Sch. Dist. No. 284 v. A.C.*, 258 F.3d 769 (8th Cir. 2001)
- M. *Fort Zumwalt Sch. Dist. v. Clynes*, 119 F.3d 607 (8th Cir. 1997)
- N. *University of Iowa Hosps. & Clinics*, 34 IDELR 169 (Iowa Dep't of Educ. 2001)

- O. *In re Richard U.*, 17 D.o.E. App. Dec. 20, 30 IDELR 326 (Iowa Dep't of Educ. 1999)
- P. *IDEA State Complaint Decision 14-01*, 26 D.o.E. App. Dec. 390, 62 IDELR 308 (Iowa Dep't of Educ. 2013)
- Q. *Letter to Chamberlain*, 60 IDELR 77 (OSEP 2012)
- R. *Letter to Cort*, 57 IDELR 291 (OSEP 2011)
- S. *Letter to Trigg*, 50 IDELR 48 (OSEP 2007)
- T. *Memorandum to State Directors of Special Education*, 44 IDELR 46 (OSEP 2005)
- U. *Letter to Veazey*, 37 IDELR 10 (OSEP 2001)
- V. *Letter to Cousineau*, 36 IDELR 158 (OSEP 2001)
- W. *Letter to Kerr*, 31 IDELR 81 (OSEP 1999)
- X. *Letter to McAllister*, 21 IDELR 81 (OSEP 1994)
- Y. *Letter to Hornbeck*, 211 IDELR 65 (OSEP 1978)
- Z. Iowa Dep't of Educ., [*Use of Special Education Funds: Questions and Answers \[Program Considerations\]*](#) (2014)
- AA. Iowa Dep't of Educ., [*Guidance for School Districts on Permissive and Nonpermissive Special Education Costs, Including Programs Located at Private Facilities*](#) (2013)
- BB. Judy A. Schrag, Iowa Dep't of Educ., [*Placement of Students Ages 3-21 with Disabilities Under the Individuals with Disabilities Education Act \(IDEA\): A Policy Discussion*](#) (2010)
- CC. Iowa Dep't of Educ., [*Iowa Students with Disabilities Enrolled In Accredited Nonpublic Schools: A Summary of State and Federal Legal Requirements*](#) (2010)

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Notice:

It is the policy of the Iowa Department of Education not to discriminate on the basis of race, creed, color, sexual orientation, gender identity, national origin, sex, disability, religion, age, political party affiliation, or actual or potential parental, family or marital status in its programs, activities, or employment practices as required by the Iowa Code sections 216.9 and 256.10(2), Titles VI and VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000d and 2000e), the Equal Pay Act of 1973 (29 U.S.C. § 206, et seq.), Title IX (Educational Amendments, 20 U.S.C. §§ 1681 – 1688), Section 504 (Rehabilitation Act of 1973, 29 U.S.C. § 794), and the Americans with Disabilities Act (42 U.S.C. § 12101, et seq.). If you have questions or complaints related to compliance with this policy by the Iowa Department of Education, please contact the legal counsel for the Iowa Department of Education, Grimes State Office Building, 400 E. 14th Street, Des Moines, IA 50319-0146, telephone number: 515-281-5295, or the Director of the Office for Civil Rights, U.S. Department of Education, Citigroup Center, 500 W. Madison Street, Suite 1475, Chicago, IL 60661-4544, telephone number: 312-730-1560, FAX number: 312-730-1576, TDD number: 877-521-2172, email: OCR.Chicago@ed.gov.