

SERVICES DURING PERIODS OF REMOVAL

Authorities: 34 ~~C.F.R.~~CFR Part 300; Texas Education Code

[Additional Resources](#)

DOCUMENT/ PRACTICE	FEDERAL AND STATE REQUIREMENTS	CITATIONS
	REMOVALS FOR LESS THAN 10 CUMULATIVE DAYS	
P	A local education <u>education</u> agency (LEA) is only required to provide services during periods of removal to the child with a disability who has been removed from the child's current placement for 10 school days or less in that school year, if it provides services to the child without disabilities who is similarly removed.	300.530(d)(3)
	REMOVALS FOR MORE THAN 10 CUMULATIVE DAYS THAT ARE NOT A CHANGE OF PLACEMENT	
P	The LEA must conduct a change of placement analysis and comply with the DISCIPLINARY CHANGE OF PLACEMENT framework.	
P	After the child with a disability has been removed from the child's current placement for 10 school days in the same school year, if the current removal is for not more than 10 consecutive school days and is not a change of placement:	300.530(b)(2) 300.530(d)(4)
P	<ul style="list-style-type: none"> • School personnel, in consultation with at least one of the child's teachers, determine the extent to which services are needed for a free appropriate public education (FAPE): 	300.101(a) 300.530(d)(4)
P	<ul style="list-style-type: none"> ○ To enable the child to continue to participate in the general education curriculum, although in another setting; and 	300.530(d)(4)
P	<ul style="list-style-type: none"> ○ To enable the child to progress toward meeting the goals set out in the child's individualized education program (IEP); and 	300.530(d)(4)

DOCUMENT/ PRACTICE	FEDERAL AND STATE REQUIREMENTS	CITATIONS
P	<ul style="list-style-type: none"> Services may be provided in an interim alternative educational setting (IAES). 	300.530(d)(2)
	REMOVALS THAT ARE A CHANGE OF PLACEMENT	
P	The LEA must comply with the <u>MANIFESTATION DETERMINATION DISCIPLINARY CHANGE OF PLACEMENT</u> framework.	
<u>P</u>	The LEA must comply with the <u>MANIFESTATION DETERMINATION</u> framework.	
D	<u>WHEN BEHAVIOR IS NOT A MANIFESTATION</u> of the child's disability, or when the child with a disability is removed from the child's current placement due to <u>SPECIAL CIRCUMSTANCES</u> , the admission, review, and dismissal committee must:	300.530(d)(5)
<u>D</u>	<ul style="list-style-type: none"> Determine educational services for a FAPE which may be provided in an IAES; 	300.530(d)(1)(i) 300.530(d)(2)
D	<ul style="list-style-type: none"> Determine educational services for a FAPE which may be provided in an IAES; To enable the child to continue to participate in the general education curriculum, although in another setting; and 	300.530(d)(1)(i) 300.530(d)(2)
D	<ul style="list-style-type: none"> To enable the child to progress toward meeting the goals set out <u>continue to participate</u> in the child's IEP; <u>general education curriculum, although in another setting; and</u> 	300.530(d)(1)(i)
<u>D</u>	<ul style="list-style-type: none"> <u>To enable the child to progress toward meeting the goals set out in the child's IEP;</u> 	300.530(d)(1)(i)
D	<ul style="list-style-type: none"> Provide <u>Consistent with the DISCIPLINARY CHANGE OF PLACEMENT framework, provide</u> as appropriate, a functional behavioral assessment and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur; and 	TEC 37.004(b-1)** 300.530(d)(1)(ii) TEC 37.004(b) TEC 37.0022

DOCUMENT/ PRACTICE	FEDERAL AND STATE REQUIREMENTS	CITATIONS
D	<ul style="list-style-type: none">• Determine the IAES.	300.531

| Last Updated: ~~Wednesday, April 19, 2017~~[Tuesday, November 09, 2021](#)