

Private Placement for Your Child with an IEP

Sometimes a **student with an Individualized Education Program (IEP)** may not be making progress in their current public school, even with supports in place. In these cases, either the school or the parent may consider a private day or even a residential school placement. This is a big decision, and as a parent, you have **the right to ask questions, share your concerns, and help guide the process**. This resource provides information you need to know on private school placements and **questions** you may want to ask when:

1. The **school suggests** a private day or residential placement.
2. **As the parent, you are considering** moving your child to a private placement.

When the School Proposes a Private School Placement for a Student with an IEP

Sometimes a **public school division** places a child with a disability in a **private** special education school or residential facility when it is determined that the child's needs can't be met in a public school setting. If this happens:

- **The public school division remains responsible** for your child's IEP, evaluations, services, and educational rights—even while they are in a private school or facility.
- **The IEP team must meet before the placement** to develop or update your child's IEP. A representative from the private school should attend this meeting in person or by other means.
- **Your child keeps all their special education rights**, including the right to a free appropriate public education (FAPE), and parents keep the right to participate in decisions.
- If you **disagree with the proposed placement**, you can ask for mediation or a due process hearing. Your child stays in their **last agreed-upon IEP placement**, unless the parents and school agree otherwise or a serious disciplinary issue is involved, requiring an alternate placement.
- If the private school is **in another state**, the placement must follow a legal process called the [Interstate Compact on the Placement of Children](#).

Sometimes private school placements through the IEP team are funded through the [Children's Services Act](#). In this case, another team works with the IEP team and additional rules and processes apply.

Questions to Ask When the School Recommends a Private Placement

- Why is a private placement being recommended?
- What supports have already been tried in the current school, and what were the results?
- Has my child received all services and accommodations listed in their IEP?
- Could my child make progress if more support or changes were made in the current school?

The Proposed Placement

- Can I visit the private school before making a decision?
- What services does this school offer that my child's current school does not?
- What type of access will my child have to peers without disabilities?
- How does the school handle behavior, discipline, and safety? Are seclusion or restraint used?

- What is the teacher-to-student ratio?
- How will transportation be provided?
- How will related services be provided (in the private school, off site, at the public school)?

The IEP and Oversight

- Will my child's IEP still apply at the private school?
- Who will hold and manage the IEP—my school district or the private school?
- How often will IEP meetings be held, and who will attend?
- How will progress be monitored and shared with me?
- What criteria will be used to determine when my child can transition back to a public school setting?

When Parents Choose to Place Their Child in a Private School

Sometimes parents decide to move their child from a public to a private school—either because they believe the public school isn't meeting their child's needs, or for personal reasons. Here are some important things to know:

- If the public school **offered an appropriate program (FAPE)** and you choose a private school anyway, the public school does **not have to pay** for tuition or services.
- If you **disagree with the school's IEP, do not believe it offers FAPE**, and decide your child needs a private placement, you can request tuition reimbursement through a [Due-Process](#) hearing. This may be granted if:
 - You informed the school you **disagreed** with the proposed IEP.
 - You gave the school at least **10 business days' written notice** before moving your child.
 - You allowed the school to **evaluate** your child (if they requested it).

If these steps weren't followed, a hearing officer or court could still allow reimbursement—but might reduce or deny it. **Even if you followed these procedures**, there is no guarantee that you will be granted tuition reimbursement. It will depend on the evidence provided by both parties at the hearing.

Services Available for Parentally Placed Children (*Enrolled by their Parents*)

- The public school **must identify and evaluate** students who may have a disability (this is called **Child Find**), even if they attend private school.
- The public school **may offer limited special education services**, based on a special plan called a [Services Plan](#) but not an IEP.
- Services can be provided **at the private school or another location**, depending on what is agreed to.
- **Transportation may be provided**—but only to and from special education services, not to and from the private school itself.
- Services depend on **available federal funds**. Not every child will qualify, and services may be different from what is offered in public schools.
- The private school **does not have to follow IEP requirements**, and **due process protections** are more limited.

Additional Questions to Consider Asking

If the School Division is Considering a Private School Placement

- What is the process for requesting a private day or residential placement?
- Will the school conduct an IEP meeting to discuss this option?
- Will the school fund this placement if the team agrees it's needed?
- What documentation do I need to provide to support this request?

If You are Placing Your Child Without School Division Agreement

- Will I be responsible for tuition and transportation?
- What are my rights if I believe the school division should reimburse me?
- What documentation will I need to show that the public school was not appropriate?

Questions to Ask the Private School

- Is your school licensed by the Virginia Department of Education (VDOE)?
- Is your school accredited? By what entity?
- Do you accept students placed by public school divisions?
- Do you have experience supporting students with needs like my child's?
- What kinds of therapies, supports, or specialists are available on-site?
- How do you communicate with families and school divisions?

Additional Resources

- [8VAC20-81-150. Private school placement- Regulations Governing Special Education Programs for Students with Disabilities in Virginia](#)
- [Children's Services - What You Need to Know - PEATC](#)
- [Individual Service Plans-When-Your-Child-is-Not-Attending-Public-School- PEATC](#)
- [Provisions Related to Children with Disabilities Enrolled by Their Parents in Private Schools, U.S. Department of Education](#)
- [QA on Private Schools 02-28-2022- OSEP](#)



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