



Separate Programs for Minnesota Children with Emotional or Behavioral Disorders: A Parent's Guide

Most parents want their children with emotional or behavioral disorders to be included in the general education classroom as much as possible. At times, however, some children may need placement in a nontraditional school setting in a separate program for a period of time. If your child is being considered for placement in a separate program, you may want to ask the following questions about such placements before making a decision.

What is a separate program?

A separate program is a setting other than a traditional school. Separate programs may include placements such as:

- Care and treatment day programs, day treatment centers, or hospital out-patient programs
- Chemical dependency treatment programs
- Day treatment programs (mental health)
- Schools that serve only children with emotional or behavioral disorders

What can a separate program offer my child that a regular school can't?

Separate programs offer supports and programming appropriate for a child with emotional, behavioral, or specific treatment needs. They often have smaller class sizes and may provide more individualized attention or on-site mental health services.

How are decisions made about my child's need for a separate program?

Separate program placement decisions can be made in various ways. You as a parent, the Individualized Education Program (IEP) team (which includes the parents), or a court order may place a child in a separate program.

Voluntary placement means that you make the decision, which is often based on a recommendation from a therapist, county social worker, or other professional who works with your child. You may also choose this option based on personal knowledge or research, and you may be responsible for the cost.

IEP team placement means that the IEP team decides that your child needs a separate program that may be in a different setting. You are part of the IEP team and are involved in this process. The team may believe that a separate program is the most effective way to provide your child with a free appropriate public education (FAPE). In this case, the school assumes responsibility for the cost.

Before considering a move to a separate program, the IEP team must consider the use of services to support the child's success in the regular school environment. This might mean considering the use of assistive technology, special behavior strategies, placement in a resource room in the regular school, or modifying the curriculum.

Unless the IEP team can clearly show that your child's needs cannot be met in the regular school placement, even with supplementary aids and services, your child retains the right to remain in that school. Your child also retains the right to participate in classes and other activities with children who do not have disabilities.

Court-ordered placement means the court orders that a child be placed in a separate program. Such placements are made to provide treatment or ensure the safety of the child or the community. The court assumes responsibility for the cost.

What are some of my rights as a parent?

You have the right to be involved throughout the duration of your child's participation in a separate program, unless your parental rights have been terminated through the court. Each program must provide parents with a process for disagreeing with its services, rules, education, medication management, and other policies.

As a parent, you have the right to:

- Be informed about the services your child is receiving
- Participate in planning meetings, progress reviews, and IEP meetings
- Receive copies of your child's records, unless a physician will not release certain records in order to protect your child's safety or right to confidentiality
- Disagree with the separate program placement, unless it has been court-ordered

What should parents consider when choosing a separate program for their child?

Depending on the situation, you may want to consider visiting the separate program and asking some informational questions. You may want to know more about the structure and operation of the separate program; the academic and behavioral policies; communication with parents; any disciplinary sanctions; family involvement with decision-making for your child; how the program is paid for, and the transition process back to the regular program. For more information about separate program placements, please contact PACER at (952) 838-9000.

Conclusion

You know your child best. By understanding the educational options available and what questions to ask, you can help make decisions that will positively affect your child's success in a separate program placement. The following form may be used to gather important information about the separate program.

See PACER's companion handout, *Separate Programs for Minnesota Children with Emotional or Behavioral Disorders: a Parent Checklist* - [PACER.org/parent/php/PHP-c177b.pdf](https://www.pacer.org/parent/php/PHP-c177b.pdf)