

RESIDENTIAL SERVICES FOR DAY STUDENTS

Students residing within a 60 minute commute via bus transportation are considered “day students.” Day students are not allowed to be placed in the residential program or utilize the residential facilities for personal reasons. Such use is a violation of state ethics law and the constitutional prohibition against a gift of public funds. Day students authorized to use residential facilities for personal use shall be assessed a fee for such use as authorized by law.

An exception exists for those students residing within a 60 minute bus commute who require residential services as a related service, in order to receive a free appropriate public education (FAPE). If a parent of a day student, or an adult day student, or other interested person(s) requests residential services for the day student, a special education re-evaluation must take place to determine if the student must receive residential service to obtain FAPE. In order for the re-evaluation group to conclude that a day student requires residential services to obtain FAPE, the evaluative data must set forth a basis for concluding that the student would not otherwise benefit from special education services without the provision of residential services. The re-evaluation team will document their conclusions in a summary analysis, in accordance with special education policies and procedures. If the new summary analysis materially changes the current individualized educational program (IEP), and new IEP team meeting must be held within 30 calendar days.

Legal References: Washington State Constitution
34 C.F.R. § 300.16
34 C.F.R. § 300.02
Chapter 148-140 WAC

Policy References: SEP – 1 “Special Education and Special Services for Eligible Students”

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