Interim Alternative Educational Setting (IAES) Instructions and Information

The Individuals with Disabilities Education Act (IDEA) requires that when a student with a disability has reached 10 days of removal in a school year, educational services must be provided during any additional days of removal (i.e., the 11th day). These services must enable the student to participate in the general education curriculum and progress toward meeting their IEP goals.

In cases of special circumstances or removals that result in a change in placement, services must be determined by the IEPT. The setting/placement in which these services are provided is the Interim Alternative Educational Setting (IAES).

*Parents must be provided notice as to the purpose of the IEP meeting when determining an IAES.

All sections of the form must be completed.

**Important Dates**
Indicate the date the IAES meeting is convened, the most recent MDR date (which may be the same date as the IAES meeting date), the date the removal was issued, and the most recent IEP meeting date.

**Demographic Information**
Indicate the student’s demographic information.

**Participants**
Must include all required IEP team members including the parent and, if appropriate, the student. Participants sign on the appropriate line.

**Length of Removal**
Check the appropriate box based on whether it is a removal that resulted in change of placement or a special circumstance.

Indicate the number of days of the current removal.

A “Change of Placement” occurs in one of two situations:
1. The removal is for more than 10 consecutive days; or
2. The student has been subjected to a series of removals that constitute a pattern.

The “Special Circumstances” option is used in situations when the behavior subject to the disciplinary action is consistent with one of the three actions below and it is determined to be a manifestation of the student’s disability:
1. Carries or possesses a weapon
2. Knowingly possesses/uses illegal drugs or sells/solicits the sale of a controlled substance; or
3. Inflicts serious bodily injury upon another person

**Section I: Interim Alternative Setting (IAES)**
Provide documentation for each step in the right hand column;
• Review the student’s current goals and objectives and attach a copy. The team should consider which goals are appropriate to be addressed in the proposed IAES. List the goals the IAES will address.
• Describe the services to be provided to enable the student to a) participate in the general education curriculum and b) progress toward meeting the goals.
• Conduct a FBA/BIP or review the existing plan, as appropriate. Describe the services and modifications designed to prevent the behavior from happening again. Document the date of an existing plan. If the behavior subject to the discipline is determined to be a manifestation of the disability through the MDR process, a FBA/BIP is required.
• Document the location/setting in which the services will be provided.

Additional Considerations;

The IAES must be determined on an individual basis. The team should take into consideration the length of the removal, the extent to which the student was removed in the past, and the student’s needs and his or her educational goals as found in the student’s IEP.

Districts must address core curriculum requirements and any course identified in the student’s IEP. The district does not have to replicate all of the services a child would receive in his or her normal classroom (i.e. chemistry, auto mechanics).

The student must receive credit for the work successfully completed.

The student must be included in state and/or district wide assessments.

An IEP team may determine that a student should get additional services that were not included in the student’s existing IEP (i.e. school social work)

The student’s existing IEP will be in effect once the student returns to the previous placement unless the district holds a new IEP at the end of the removal. If the IEP in place during the removal expires while the student is in the IAES the district should hold a new IEP within the required timeline.

For additional guidance on making decisions regarding the extent of services to be provided, details of the FBA/BIP requirements and the IAES see the following:

Wayne RESA Discipline Procedures for Students with Disabilities, August 2015.

Section II: Implementation
Document the dates the IAES will be in effect and the person responsible for implementation.

Notice
The “Notice for Provision of Programs and Services” must be completed and provided to the parent(s)/guardian of the student with a disability following an IAES determination.

Discipline Services Log
For compliance purposes, districts must maintain documentation of when and how they provide FAPE to the student. The “Discipline Services Log” may be used for this purpose.