

# Briefing on Using Nonpublic Agency (NPA) Placements

WASA Special Education Directors Academy

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Washington Office of Superintendent of  
**PUBLIC INSTRUCTION**

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# Recent Legislation (2ESSB 5315)

- Effective July 23, 2023
- Affirms and expands OSPI existing authority
- OSPI complaint process specific to NPAs
- Additional requirements for NPA approval
- Additional contract requirements
- Additional data collection requirements
- More frequent site visits
- Annual report to the Legislature



# Terminology

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Nonpublic agencies (NPAs) are entities authorized to provide a program of special education services (i.e., authorized entities)



An “authorized entity” means either:

- Private school approved by the WA State Board of Education
- Private entity within WA with appropriate licensure to operate
- Any public or private out-of-state entity



A “program of special education services” means placement in an authorized entity (i.e., NPA)

RCW [28A.300.690](#)



# Students at NPAs by Disability Category

**Source:** preliminary November 2023 Federal Child Count, extracted January 2024.

Disability Category	In-state	Out-of-state	Total
Autism	180	28	208
Communication Disorders	1	1	2
Deaf-Blindness	0	0	0
Deafness	28	0	28
Developmental Delays	11	0	11
Emotional/Behavioral Disability	86	16	102
Health Impairment	96	14	110
Hearing Impairment	29	0	29
Intellectual Disability	9	0	9
Multiple Disabilities	36	9	45
Specific Learning Disability	10	2	12
Visual Impairment	0	1	1
<b>Grand Total</b>	<b>486</b>	<b>71</b>	<b>557</b>

# Students at NPAs by Federal Race Category

Federal Race Category	In-state	Out-of-state	Total
American Indian/Alaskan Native	8	0	8
Asian	34	3	37
Black/African American	39	8	47
Hispanic/Latino of any race(s)	66	7	73
Native Hawaiian/Other Pacific Islander	4	0	4
Two or More Races	40	6	46
White	295	47	342
<b>Total</b>	486	71	557

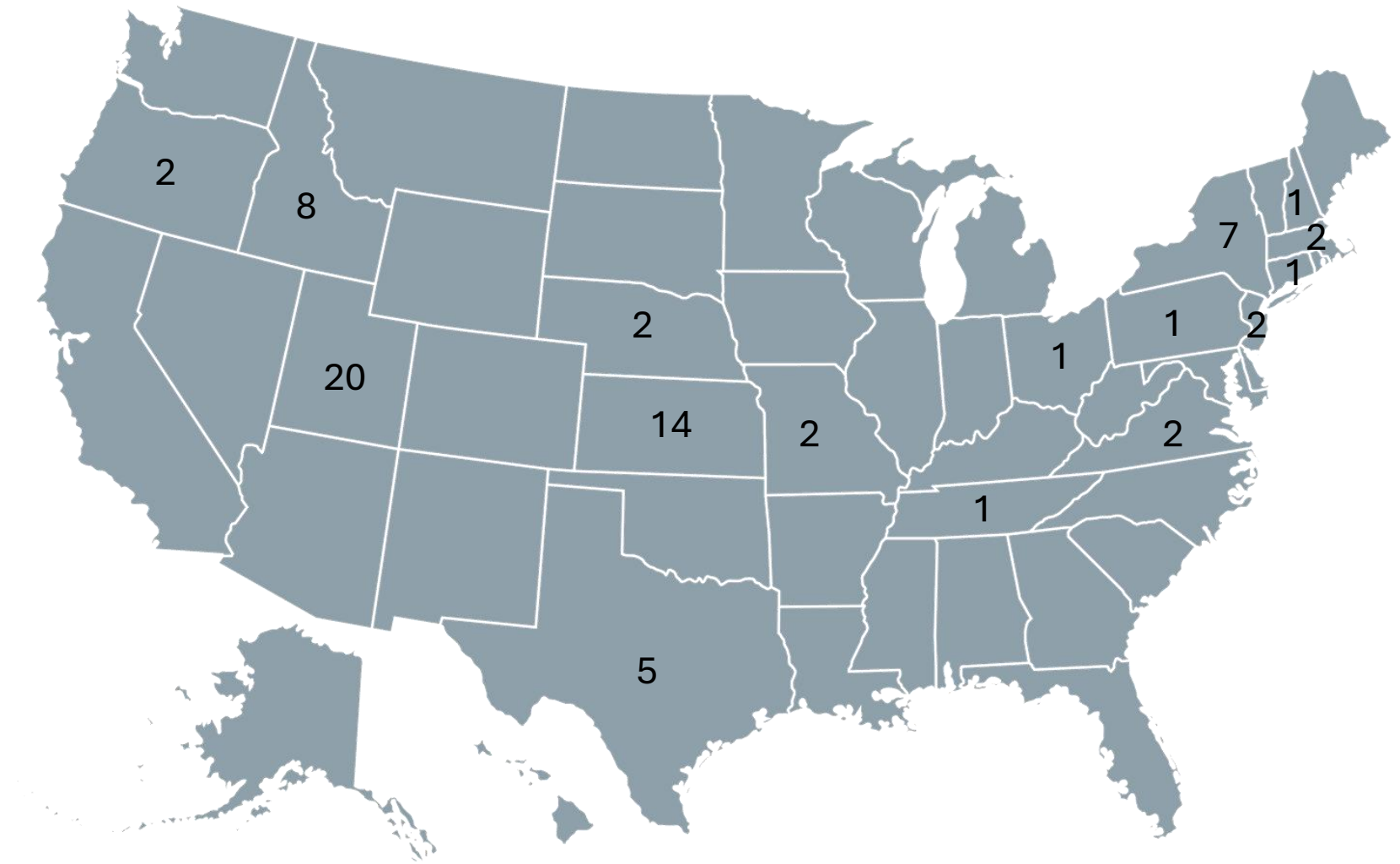
**Source:** preliminary November 2023 Federal Child Count, extracted January 2024.

# Students at NPAs by Gender

Gender	In-state	Out-of-state	Total
F	144	17	161
M	334	52	386
X	8	2	10
<b>Grand Total</b>	<b>486</b>	<b>71</b>	<b>557</b>

**Source:** preliminary November 2023 Federal Child Count, extracted January 2024.

# Where are the out-of-state students?



**Note:** Preliminary November 2023 Federal Child Count, extracted January 2024; 71 students in 16 states and 54 NPAs. Data reflects only the point in time that it was collected. Student placement needs change daily and map may not accurately represent all current student placements.

# Key Insights

- **DIVERSE DISABILITY CATEGORIES**

The student population at NPAs covers a wide range of disability categories, with Autism, Emotional/Behavioral Disability, and Health Impairment being the most prevalent.

- **PREDOMINANTLY IN-STATE STUDENTS**

The majority of students (486 out of 557) attending NPAs are located in-state, with a smaller portion (71) attending out-of-state.

- **GENDER IMBALANCE**

The student population at NPAs has a significantly higher proportion of male students (386) compared to female students (161), with a small number (10) identifying as non-binary.

- **RACIAL/ETHNIC DIVERSITY**

The student population at NPAs represents a diverse racial and ethnic makeup, with White students being the largest group, followed by Hispanic/Latino, Black/African American, and students of Two or More Races.





# Identifying the Need for a Nonpublic Agency Placement

Step #1 – Assessing the student's unique educational and behavioral needs that require more intensive supports than the district can currently provide.

# Most Common Reasons for Out-of-District Placement

## Specialized Services

Out-of-district programs may offer unique, specialized services and interventions that are not available within the student's local district, such as highly specialized therapies, intensive behavioral support, or access to cutting-edge treatment modalities.

## Safety Concerns

In some cases, a student's safety may be at risk within their local environment, and an out-of-district placement may be necessary to remove them from a potentially harmful or unstable situation, providing a safer and more secure setting for their education and well-being.

## Lack of Appropriate Resources

When a student's educational and support needs cannot be adequately met within the resources and services available in their local district, an out-of-district placement may be the best option to ensure they receive the appropriate level of care and support required for their successful academic and personal development.

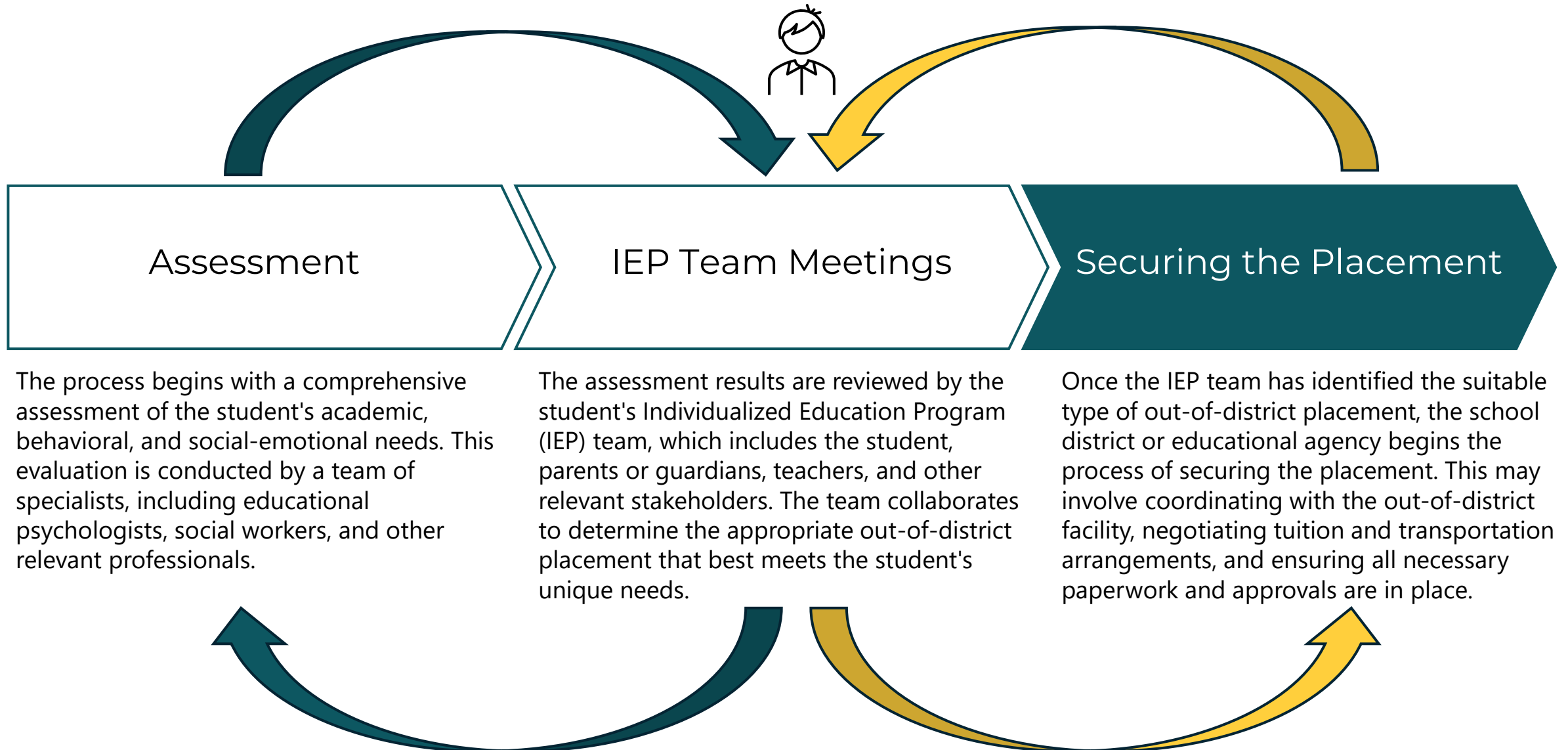


# Some Questions to Ask/Review with IEP Teams

- Does the student's disability result in behavior, medical, or mental health issues that have a negative impact on the student's ability to access specially designed instruction?
- Has the student demonstrated atypical emotional, physical, sexual, or substance abuse issues?
- Is the student physically aggressive? What level of harm has the student inflicted on self or others?
- Are the behaviors occurring at a frequency that exceeds the expertise of staff? Has the IEP team considered changes to the intensity or delivery of services?
- Has parent training been part of the IEP? Should it? Is the family/guardian able/willing to participate?
- What does the evaluation, IEP, FBA, or BIP say?
- What does the current data indicate? Is more data needed? Different data?
- Does the student have outside services (i.e., DDA, Wrap) or community supports?
- Is the student making progress on goals/objectives?



# The Placement Process



# Exploring In & Out of State Placements

Step #2 – Researching and evaluating specialized schools and programs that can address the student's specific needs.

# Taking Time to Prepare



- Do a 1 to 2-hour intake getting a detailed history from the family.
- Spend 10 to 20 hours reading and summarizing the student's full history.
- Create a Summary Report that can be sent to potential placements.
- Gather knowledge about possible placements; some places will expedite acceptance with the use of a consultant.



# Hiring an Educational Consultant

Educational consultants are experts in educational and therapeutic placements. Some agencies have an entire team of professionals such as psychiatric mental health clinicians, young adult transition experts, neuropsychologists, forensic specialists and gifted and talented experts to name a few.

# Details Matter



## School History

- Elementary, Middle School, High School
- Evaluations, IEPs – major findings/progress
- Placements



## Medical History

- Hospitalizations
- Treatments
- Medications



## Testing and Evaluations

- Private Evaluations
- School Evaluations
- FBA/BIPS - highlights
- Therapeutic Interventions



## Family History

- Siblings, living situation, . . .
- Student Strengths and Needs
- Goals for the student, family, & district





# General Placement Considerations

- Do they already serve students like the one you are considering for placement?
- Do they currently have availability or a waiting list?
- How do they serve those students (instructional model, curriculum, interventions, strategies, etc.)?
- Do they use isolation and restraint? What are their policies regarding isolation and restraint?
- How many students are they currently serving?
- Where are they located? What does the physical facility look like?
- What does a typical day look like for a student at their NPA?
- What services/supports do they offer for families?
- Staffing - do they have the necessary personnel as listed on the IEP and if not, how do they work with districts to make sure those service needs are met?
- Are they an approved NPA?
- Are they accredited by any independent accrediting body such as COGNIA or the State Board of Education?





# Additional Out-of-State Placement Considerations

- Are they accredited by any independent accrediting body such as the Joint Commission for the Accreditation of Health Care Organizations (JAHCO) or Commission on Accreditation of Rehabilitation Facilities (CARF)?
- What are the medical needs of the student? Does the facility have a nurse? Other health care options?
- What is the age of the student? How will the student and the family handle the separation?
- How will the IEP team address this need?
- What is the staffing turnover rate? How much training does each staff member receive before working with a student?
- How does the facility communicate with the district? The Family?
- Can the facility give you references?
- What is the relapse rate one year after treatment? Two? Do they follow the families/students once they return to the district?



# Placement Process

Step #3 – Coordinating with the student's family, the district, and the potential placement to facilitate a smooth transition.

# Choosing the Facility



- Contact OSPI and other districts (e.g., sponsoring district) to confirm details about potential placement
- Complete an on-site visit
- Prepare for a possible Parent Visit – A parent has the right to request permission to observe any educational placement proposed or under consideration for their child (WAC 392-172A-05001(2)(e))
- Finalize IEP Team decision

# Choosing the Facility cont.



If a school/facility is **not** yet on the approved NPA list:

- Contact OSPI at least 2 weeks in advance of potential placement
- Work with potential NPA to complete initial application
- Review sponsorship expectations (e.g., recommendation to OSPI, annual site visits, etc.)
- Follow steps for completing on-site visit and potential parent visit/observation
- Finalize IEP Team decision

# Special Planning Considerations

- What happens if the placement has a waiting list?
- What do IEP teams do in the interim?
- Preparing for the placement?
- What if a student over 16 refuses treatment?
- What if the student is hospitalized?
- Insurance Coverage? Medicaid?



# Maintaining Connections

Step #4 – Establishing communication channels and visitation plans to keep the student engaged with their home district and community.

# Maintaining Communication



- Maintaining open communication and connections throughout the out-of-district placement is vital to ensure the student's well-being and successful transition.
  - Family
  - Friends
  - Staff
  - Classmates
- Regular updates and discussions with the student, their family, and the staff at the NPA placement helps everyone stay informed, address concerns promptly, and collaborate on the student's progress and support plan.

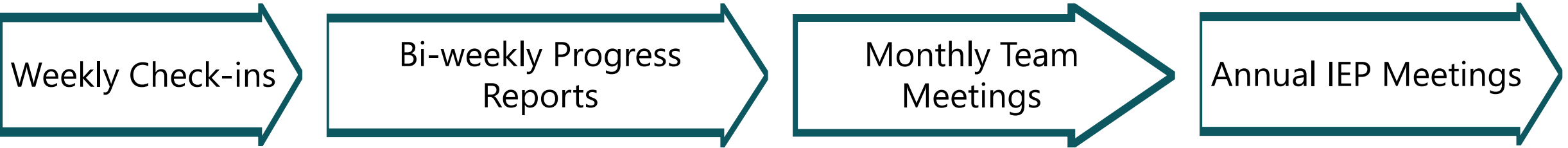


# Setting Expectations



- What does success look like? Regular attendance/participation?
- Communication – How will everyone communicate? How often? How do we avoid triangulation?
- Medical – How will routine appointments be handled? Emergencies?
- Travel – Are there set parent training weekends? If not, how will therapeutic travel be determined?

# Ongoing Monitoring



# Transition Planning

Step #5 – Developing a comprehensive plan to gradually reintegrate the student back into WA (if necessary) and the district's schools and support system.

# Create a Transition Timeline

- 6 Months Prior to Expected Return

Initiate transition planning discussions between district and placement facility

- 2 Months Prior to Expected Return

Coordinate academic, behavioral, and therapeutic support needs for the student's return

- 2 Weeks Prior to Expected Return

Finalize the transition plan and communicate it to the student, family, and all stakeholders

- 4 Months Prior to Expected Return

Establish a transition lead or transition team and outline the student's reintegration goals

- 1 Month Prior to Expected Return

Schedule school visits and coordinate transportation logistics

- On the Day of Return

Provide a warm welcome and immediate support for the student's successful reintegration



# Use Reintegration Strategies

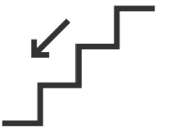
Provide individualized instruction, and extended learning opportunities to help the student catch up on any possible missed coursework.



Assign a dedicated mentor or counselor to help the student navigate the transition, build social connections, and address any emotional needs.



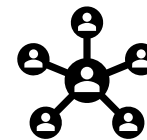
Implement a gradual, phased approach to reintegration; consider starting with a modified schedule or part-time attendance and gradually increasing the student's time on campus (if necessary).



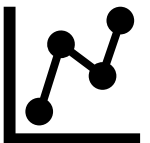
Regularly communicate with the student's family, involve them in the reintegration process, and address any concerns they may have.



Facilitate peer-to-peer mentoring or support groups to help the student feel welcomed and accepted by their classmates.



Closely monitor the student's progress, both academically and socially, and adjust support strategies as needed.



# OSPI Next Steps for 2024-2025

- Revised NPA applications (e.g., new, annual, three-year reauthorization)
- Creation of a complaint and dispute resolution process
- Newly developed resources:
  - Roster of NPA profiles and experiences (past, present, and future)
  - Model forms and templates
  - Field guide/manual for IEP teams and SPED Directors to follow
- Annual data summaries and reports
- Ongoing advisory panel for best practices/feedback



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