



United States Department of the Interior

BUREAU OF INDIAN EDUCATION
Washington, D.C. 20240

IN REPLY REFER TO:

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Memorandum

To: All Deputy Directors, Bureau of Indian Education
All Associate Deputy Directors, Bureau of Indian Education
All Education Line Officers, Bureau of Indian Education
All School Principals, Bureau of Indian Education
All REPP Program Specialists, Bureau of Indian Education

From: *for* Director, Bureau of Indian Education

Subject: Residential Education Placement Program (REPP) Guidance

1. Purpose

The purpose of the Residential Education Placement Program (REPP) is to assist in providing an appropriate education in an alternative setting for students whose needs cannot be met through the traditional school program and who require a residential program.

2. Scope

This policy applies to students who meet the requirements in section 3(3) below. Typically, the school that refers a student for residential education placement ("referring school") has implemented a variety of interventions to address the educational, behavioral, and social-emotional needs of the students before considering a residential placement. The referring school must have documentation to support the need for such placement.

3. Policy and Procedures

1. Residential placement programs, such as treatment centers and education and care-focused institutional settings, are alternative settings to meet the educational needs of students.
2. Placements made for students with disabilities receiving special education services must be made in accordance with the Individuals with Disabilities Education Act (IDEA) regulations and the BIE special education policies and procedures.
3. Eligible students must:

- a. Be American Indians or Alaska Natives who are eligible for the Indian School Equalization Program (ISEP) or meet the requirements of 25 CFR 39.211 (b).
 - b. Be currently enrolled in school and have educational needs which cannot appropriately be met in their home school. Continued enrollment is required for services.
 - c. Be between the ages of four (must turn five before December 31st of the school year) and 22 (through the school year in which the student turns twenty-two) or until the students graduate with a standard diploma. For non-special education students, including “at-risk” students, the upper limit is age 21.
 - i. If referred as “at-risk,” the students must have demonstrated a consistent, ongoing, past history and substantial behavioral, social-emotional, or substance abuse problem that severely affects their ability to receive educational services without a residential component. This “at-risk” category also includes students who have been identified as sexual predators. The referral must come from the local education agency (LEA) team.
 - ii. If referred for “emergency placement,” the students must: demonstrate a history of inflicting serious bodily injury to themselves or others; be in a life or death situation; be suicidal; or be in a medical or mental health emergency, and require a residential component in order to receive and benefit from educational services.
 - iii. If referred as students with a disability and currently receiving special education, the students must need residential programming in order to receive and benefit from educational services. This referral must be made through an Individual Education Plan (IEP) team process.
4. Funding for residential programming for eligible students is obtained through a cost share methodology with each participating agency providing all necessary and required funding and services for the individual student/family per their state, federal or tribal regulations, policies and procedures.
 5. The REPP and the referring school for the student are responsible for the educational costs associated with residential placement. Such costs are allowed under ISEP funding parameters. For students receiving special education services, IDEA Part B funds can be utilized for educational costs specifically related to the students’ IEP.
 6. The referring schools and the REPP are responsible for the educational costs associated with residential programming. Such costs are met within available appropriations.
 7. Referring schools must utilize the REPP referral process, which includes consultation, formal referral, residential program placement, monitoring of student’s progress, and implementation of the student’s reintegration plan.
 8. To ensure continuity, the referring schools will remain as the LEA, taking responsibility for case management until the student:
 - a. Transitions to another BIE funded school (this school then becomes the case manager);

- b. Reaches the end of the school year in which he or she reaches the age of twenty-two (22);
 - c. Graduates with a standard diploma; or
 - d. Enrolls in a public school district.
9. The REPP Program Specialist must assure that the recommended residential program meets the federal procurement requirements.

4. Authority

Native American Education Improvement Act of 2001, 25 U.S.C. § 2000 et seq.
Individuals with Disabilities Act of 2004 (IDEA), 20 U.S.C. §1400 et seq.

5. Roles and Responsibilities

Director, Bureau of Indian Education (BIE) is responsible for final approval and transmittal of this policy to the Deputy Director-School Operations, BIE.

Deputy Director –School Operations, BIE is responsible for the annual review of the policy for overall improvement of school environments. The Deputy Director, BIE is also responsible for monitoring whether the Associate Deputy Directors and Education Line Offices implement the policy.

Associate Deputy Director, BIE is responsible for ensuring the implementation of the policy by the Education Line Officers.

Education Line Officers are responsible for ensuring the policy is in place at the schools under their jurisdiction.

School Principals are responsible for adherence to the policy.

REPP Program Specialists provide technical assistance to Education Line Offices and schools.