**Section 827.60 Eligibility Review to Determine Whether a Student is Inappropriately Placed**

a) When the School's administrators, faculty members, other staff, or consultants have reason to believe that a student at the School is inappropriately placed, an ER will be conducted.

1) The ER will not be limited to the student's primary disability, but will include any disability that may be relevant to the determination that the student is or is not appropriately placed at the School.

2) Information contained in Eligibility Reviews to Determine Need for Modification of Educational Services (89 Ill. Adm. Code 795.30) sets forth additional requirements for the ER.

b) The parents or guardians and the local school district will be informed of the reasons for the ER and the kind of data the evaluators intend to develop. The evaluation shall be subject to parent or guardian consent.

c) In interpreting ER data and in making placement decisions, the School will:

1) draw upon information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior;

2) ensure that information obtained from all sources is documented and carefully considered; and

3) ensure that the placement decision is made by a group of persons, knowledgeable about the student, e.g., parents or guardians, educators, psychologists, social workers, student care specialists, supervisors, administrators, medical practitioners and others knowledgeable about the student and/or the ER data.

d) A decision to terminate the placement of a student at the School must be made in accordance with Section 827.50. A conference will be held that includes, at a minimum, the following participants:

1) A representative of each department of the School, other than the student's teacher, who is qualified to provide, or supervise the provision of, special education. These divisions include educational, residential, medical, social services, evaluation and administration;

2) The student's teacher;

3) One or both of the student's parents or guardians;

4) The student, as appropriate;

5) A representative of the local school district of parent or guardian and student residence; and

6) Other individuals, at the discretion of the parent or guardian, the local school district or the School. Other individuals are allowed who have knowledge or special expertise regarding the student, including related services personnel, as appropriate.

e) The recommendation for placement will be the consensus of the conference participants, in accordance with Recommendations (89 Ill. Adm. Code 795.60). The conference participants will document in the IEP the reasons for the termination, including the type of services the participants believe the student needs and the reasons the School cannot provide those services.

f) The termination of a student's placement is an appealable issue under Impartial Due Process Hearing (89 Ill. Adm. Code 828). The School will inform the parents or guardians of their right to request an impartial hearing should the conference recommend termination of the student's placement.

g) When a student's placement at the School is terminated, the local school district or the LEA is responsible for securing an appropriate education placement for the student. The School is not responsible for providing interim education services; however, when applicable and appropriate, the School will assist with technical and program assistance.

(Source: Amended at 38 Ill. Reg. 20215, effective October 8, 2014)