

## Free Appropriate Public Education (FAPE) Responsibility by Residence

Student's "residence"	Local Education Agency (LEA) responsible for FAPE	Notes
Home with parent or other adult	Resident district unless open enrolled or attending district under tuition waiver.	In general, <a href="#">Thayer</a> rule applies for students living apart from parent(s). <u>Parentally placed private school students</u> , including students enrolled by their parents in 4 or 5K program in a private school: LEA where school is located is responsible for child find and service plan. Resident district is responsible for providing FAPE should the student reenroll in public school. <u>Open Enrollment or Tuition Waiver</u> - district where student attends school.
Homeless or unaccompanied youth	LEA where the student who is homeless is currently living.  When the parent, guardian, or unaccompanied youth requests the student remain in the student's school of origin, the two districts may agree the school of origin LEA remains responsible for FAPE.	Each LEA assigns a liaison for children and youth who are homeless. The LEA liaison is responsible for ensuring all homeless children and youth, including unaccompanied children and youth (not in the physical custody of a parent or guardian), receive FAPE consistent with the provisions of the McKinney-Vento Homeless Assistance Act.  "School of origin" is the school the child or youth attended when permanently housed or the school in which the child or youth was last enrolled.  Based on the needs of the student, the student's IEP team may determine whether it would be appropriate to continue the student's placement in the school of origin or change the student's placement.
Hospital, county jail, juvenile detention, group home, foster home	LEA where facility is located	Except if the student is temporarily excused from compulsory attendance per state statute.
Residential Care Centers (RCCs), certain Department of Health Services (DHS), Department of Children and Families (DCF), and Department of Corrections (DOC) facilities	LEA responsible BEFORE placement in RCC UNLESS the student is placed in an RCC from certain facilities operated by DHS/DCF or DOC (including a Type 1 secure correctional facility). In this case, the district where the RCC is located is responsible for FAPE.	Applies to RCC placements made by a county or a state agency. Most students placed in RCCs attend the RCC's educational program, and the county or state agency that placed them is responsible for all costs of education. If a student placed in an RCC attends an LEA school program, the district is eligible for state categorical tuition aid.  For a list of RCCs, see: <a href="http://dcf.wisconsin.gov/childrenresidential/Directories/CW-Directories.HTM">http://dcf.wisconsin.gov/childrenresidential/Directories/CW-Directories.HTM</a>  For DHS and DCF facilities, see: <a href="http://dhs.wisconsin.gov/MentalHealth/DCTF/mh_facilities.htm">http://dhs.wisconsin.gov/MentalHealth/DCTF/mh_facilities.htm</a> <a href="http://dhs.wisconsin.gov/Disabilities/dd_ctr/DDcenters.htm">http://dhs.wisconsin.gov/Disabilities/dd_ctr/DDcenters.htm</a>  For DOC Type 1 Facilities, see: <a href="http://www.wi-doc.com/type1_facilities.htm">http://www.wi-doc.com/type1_facilities.htm</a>  <u>Other Exception</u> : Norris School District-Norris is the responsible LEA.
WI School for the Deaf (WSD) or WI Center for the Blind and Visually Impaired (WCBVI)	Student continues to be resident of the district where he or she lives when not at the school.	Following initial placement, state school representative is responsible for scheduling and preparing documents for subsequent IEP team meetings. Resident district LEA representative is an IEP team participant. State schools implement IEP.