

Residential Program Guidance FAQ: Section Topics

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Residential Program Definitions

In Texas there are different types of educational programs and settings related to education that have a residential component. There are nonpublic residential programs and residential facilities (RFs) that fall under Texas Education Agency (TEA) jurisdiction in some manner. To clarify:

A nonpublic residential program or school supports students with disabilities who for educational reasons have been placed in educational and residential purposes via an admission, review and dismissal (ARD) committee determination at the nonpublic residential program or school. Through an individual education plan (IEP) process, an ARD committee may make the determination that a student requires placement in a nonpublic day or nonpublic residential placement to meet their educational needs.

A nonpublic day school is a private school or facility that supports students with educational needs that cannot be met in a public school setting. This placement is determined by an ARD committee. Nonpublic day schools do not provide residential programs. Instead, local education agencies (LEAs) provide transportation to students attending these schools.

A residential facility (RF) or a residential treatment center (RTC) supports students 22 years of age or younger who reside in the facility for detention, treatment, foster care, or any non-educational purpose providing 24-hour custody or care of students. RTCs are required to offer access to educational programs and are denoted as RF in ASKTR and within TEA systems. For the Texas Education Agency, RFs and RTCs are the same.

Both general education and special education students can be placed in RF settings. TEA provides guidance for the educational components provided by RFs. However, the RF operates the residential services under the licensure of another state agency such as Health and Human Services or the Department of Corrections.

LEAs are required to serve students with disabilities residing in RFs located within the LEAs' geographic boundaries and/or jurisdiction. Some charter schools operate campuses within RFs. The Commissioner and the TEA have jurisdiction over these educational entities.

