

(8.16) My child, who is being expelled, has not been made eligible for special education, but since the incident occurred I have requested an evaluation. What will happen with my child's placement while we are waiting for the results of that evaluation?

When you have requested an evaluation for special education eligibility after the behavioral incident that led to the expulsion recommendation, the evaluation must be done more quickly. However, until the results of the evaluation are available, your child will remain in the educational placement determined by school officials. This means that your child can be expelled before the expedited assessment process is completed. [20 U.S.C. Sec. 1415(k)(5)(D); 34 C.F.R. Sec. 300.534(d)(2).]