

Oxnard School District Special Education Department

Policies & Procedures



OSD
PRIDE

2018



Oxnard School District
Special Education Department
Policies and Procedures

Introduction to the Special Education Policies and Procedures Manual

Dear Parents,

The Oxnard School District is leading the way in education by being completely committed to meeting the growing needs of all of our students — including our students with special needs.

OSD is experiencing growth in the area of Special Education and we have developed programs and services to meet those needs. This is happening not only on the state level, but also throughout Ventura County. Due to this growth, the Special Education Department is continuing to develop systems and protocols to meet the needs of the special education students and the wonderful staff that serves this population.

This manual serves as an integral part of the growth that the district is experiencing in Special Education by informing parents and the community about the policies and procedures. This manual also serves as the resource for all staff in the school district as students with special needs participate in programs and services across the school district.

Sincerely,

Dr. Cesar Morales, Superintendent
Oxnard School District

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I

INTRODUCTION

A message from the Special Education Director

In education, it is easy to get wrapped up in the “business” or teaching, the curriculum, the timelines and the paperwork. We see the children as students and sometimes in Special Education, we see the parents as a titular partner in developing IEPs. We get wrapped up in the minuta of Ed Code, SIRAS and data collection. We can forget that the Student we are writing and talking about is the most important being in the sight of the parent. We are the professionals and the parent is “visiting” our milieu. They can be worried, nervous, confused and overwhelmed by our jargon and forms.

It is our responsibility to include parents as fully participating partners in this process. Their child is our Student; the Child is their life; together we are the family of Oxnard School District. It is up to us to help the parent to be just as comfortable with the process as the professionals. The following information is intended to help us accomplish that goal.

Acknowledgements

I would like to take this opportunity to thank the people who have been involved in the development of this Policies and Procedures Manual. Each of you have provided valuable input in contributing, writing and critiquing the contents of this document. I appreciate your cooperation and contributions that have made this a valuable tool to guide and improve our work. Through your hard work and dedication, students and families in the Oxnard School District will continue to have access to quality programs and services.

Vicki Barber, Consultant/ Advisor
Marlene Breitenbach, Principal
Kimberly Dapron, Speech Therapist
Gabriela Dena-Roman, Psychologist
Tiffany Grande, Psychologist
Maria Mendez, Itinerant Teacher, DHH
Jodi Nocero, Principal
Brasilia Perez, Principal
Leanne Powers, Itinerant Teacher, DHH
Leticia Ramos, Principal
Chelsea Rubino, Teacher. M/M
Wayne Saddler, Retired Administrator
Jennie Vargas, SLPA
Yvette Zendejas, Teacher, DLI

I look forward to your continued input and the input of all OSD staff as we implement and refine these policies and procedures.

Respectfully,
Amelia Sugden
Director of Special Education



Oxnard School District Vision Statement

“Empowering All Children to Achieve Excellence”

Oxnard School District Mission Statement

“Ensure a culturally diverse education for each student in a safe, healthy and supportive environment that prepares students for college and career opportunities.”

Special Education Department Goals

All students will demonstrate proficiency on individuals goals.

All students will Achieve High Academic Standards in a Nurturing, Creative and Technology rich learning Environment that prepares Students for College and Career Opportunities

Improve Communication with Parents, Community, and Staff

Introduction

The purpose of the Special Education Policies and Procedures Manual is to assist school personnel to understand and practice consistent with Federal, State, and District requirements. The Manual replaced the 2004 Special Education Handbook. Oxnard School District is committed to ensure compliance with such policies and procedures, It is expected that District personnel will serve students with disabilities and their families in a manner consistent with this Manual.

The Manual designed to be used as a:

- Structured process for implementing special education policies/law.
- Reference for answering questions.
- Staff development tool.
- Source for resources of support and assistance.

II
ANNUAL REVIEW
of
POLICIES & PROCEDURES
MANUAL

Capturing Input All Year

The contents of this document are intended to guide Oxnard School District in implementing the laws governing the operations of the Special Education Department. Both the Federal Law and Regulations and State law regarding the Individuals with Disabilities Education Act (IDEA) are continually reviewed and modified and these changes need to be reflected in this document. Therefore, this should be considered a “living document” which will be modified on a regular basis. In order to do so, there will be a Review Team that will gather input, meet on an annual basis and make recommended changes to this document.

This Policies and Procedures Manual will be distributed to all school sites but to ensure that this document remains current with the governing laws, the electronic copy maintained by the Director of Special Education will be the guiding document. As it is revised, school sites will be notified of changes.

Review Team and Scheduling

The Review Team will include invited representatives from the following job classifications:

- Director of Special Education
- Site Administration
- Pupil Services
- Education Services
- Special Education Administration
- School Psychologist
- General Education Instructional Staff
- Special Education Instructional Staff
- Speech Pathologist
- Related Service Provider(s)
- School Site Support Staff
- Classified Staff
- Parent Representative(s)

These meetings shall be held during the Spring. Revisions will be published the following School Year. School sites will be notified which changes are made and they will update their site copy to reflect the changes.

III

OVERVIEW

THE LAW AND PARENTS RIGHTS

Special Education Services-The Law

FEDERAL LAW:

In 1974, the United States Congress passed Public Law 94-142, which mandated public schools to provide a free, appropriate public education to all children with disabilities from ages 0-21. Since that time, the title of the Federal Law has changed from P.L. 94-142, the "*Education of the Handicapped Act*" (EHA), to P.L. 108-446, "*Individuals with Disabilities Education Act*" (IDEA). Services to children 3-22 years old are mandated in "*Part B*" of the law and for 0-2, "*Part C.*" For copies of the full texts of this law, you may contact your local U.S. Congressman or go to the Department of Education website at www.ed.gov/offices/osers/policy/idea/the_law.html.

CALIFORNIA LAW:

In California, the legislature created the Master Plan for Special Education in response to the Federal Law. Most of the specific laws for our state are contained in Education Code or Title 5 California Code of Regulations. The laws, regulations and policies are available online at the California Department of Education's website at www.cde.ca.gov/sp/se or you may write to:

California Department of
Education Special Education
Department
1430 N Street #2410
Sacramento, California 95814
Telephone: (916) 445-4613

CHILD FIND

"Child Find" is one of the most important special education legal obligations for school districts. The District has a general public notice responsibility requiring that the District inform and educate the public about the need to locate and identify all students with disabilities. The District also has an obligation to specific students when the District knows – or should have known – that a student may have a disability. The obligation to individual students is based on whether the student should be referred for a special education assessment, not whether or not the student will qualify for special education. If the District overlooks clear signs of a disability and offers no rationale justification for not evaluating the student, the District has violated its "child find" responsibility.

FREE APPROPRIATE PUBLIC EDUCATION (FAPE)

Special education programs in California are governed by a combination of state and federal laws. Under these laws, school districts must provide each student with a disability with a free, appropriate public education (FAPE). FAPE means special education and related services that are provided at public expense and without charge, meet appropriate standards, include preschool through secondary education, and conform with an Individual Education Program (IEP). [Title 20 United States Code (U.S.C.) Section (Sec.) 1401(9); Title 34, Code of Federal Regulations (C.F.R.) Sec. 300.17.]

LEAST RESTRICTIVE ENVIRONMENT (LRE)

Federal law provides that each local school district must ensure that:

... to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are not disabled, and special classes, separate schooling or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

[20 U.S.C. Sec. 1412(a)(5)(A); 34 Code of Federal Regulations (C.F.R.) Sec. 300.114(a)(2); Cal. Ed. Code Sec. 56342(b).]

State law provides that:

Students with disabilities shall be offered "special assistance programs that promote maximum interaction with the general school population in a manner that is appropriate to the needs of both."

[Cal. Ed. Code Sec. 56001(g).]

Special classes that serve students with similar and more intensive educational needs shall be available. The special classes may enroll the students only when the nature or severity of the disability... is such that education in the regular classes with the use of supplementary aids and services, including curriculum modification and behavioral support, cannot be achieved satisfactorily. These requirements also apply to separate schooling, or other removal of students with special needs from the regular educational environment.

... In providing or arranging for the provision of activities, each public agency shall ensure that each [student] participates in those activities with nondisabled students to the maximum extent appropriate to the needs of the [student with a disability], including nonacademic and extracurricular services and activities..

[Cal. Ed. Code. Sec. 56364.2.]

For students not yet receiving special education, but for whom special education eligibility is being considered, state law provides that:

A student shall be referred for special educational instruction and services only after the resources of the regular education program have been considered and, where appropriate, utilized. [Cal. Ed. Code Sec. 56303.]

Federal regulations provide:

Unless the IEP [individualized education program] of a child with a disability requires some other arrangement, the child is educated in the school that she would attend if non-disabled; [and] [i]n selecting the LRE [least restrictive environment], consideration is given to any potential harmful effect on the child or on the quality of services that she needs. [34 C.F.R. Secs. 300.116(c) & (d).]

INDIVIDUAL EDUCATION PLAN (IEP)

An IEP is a written statement that describes student with disabilities' present levels of performance, learning goals, school placement, and services. It is essentially the contract between the parent and the district, as to what will be provided to the student with disabilities to meet their individual needs. In order to obtain an IEP, a child must first be assessed. Starting from the date the district receives a

parent's written consent to assessment, the assessment(s) must be completed, and the IEP developed at a meeting within 60 calendar days. In counting days, the days in between regular school sessions or school vacation in excess of five school days are not counted. If an initial referral of a student to special education has been made 30 days or less before the end of the regular school year, an IEP shall be developed within 30 days after the beginning of the next school year. [34 C.F.R. Sec. 300.320; Cal. Ed. Code Sec. 56344 (a).]

Parent Rights

In 1975, the 94th Congress of the United States passed The Education for All Handicapped Children Act (Public Law 94-142), now called the Individuals with Disabilities Education Act (IDEA). [20 U.S.C. Secs. 1400 and following.] California has also passed its own laws, which generally parallel IDEA and form the basis for providing services in this state. [California Education Code (Cal. Ed. Code) Secs. 56000 and following.]

The federal and state laws contain most of the provisions governing delivery of special education and related services. However, sometimes the law is unclear or leaves something out. Where this has happened, both the federal Department of Education and the California State Department of Education (CDE) have created regulations under the authority of IDEA or state law. The federal regulations are at Title 34 of the Code of Federal Regulations, Part 300 (34 C.F.R. Sec. 300), and the state regulations are at Title 5, California Code of Regulations, Sections 300 and following (5 C.C.R. Secs. 300 and following.)

Federal law and regulations create the broad framework within which California must function as a recipient of federal funds under IDEA. Since California has enacted its own statutes and regulations, these generally will be followed in providing special education in the state. However, because of the Supremacy Clause of the U.S. Constitution, federal law and regulations must be followed whenever there is a conflict between state and federal law, except when the state law grants more rights to the individual. [Students of the California School for the Blind v. Honig (9th Cir. 1984) 736 F.2d 538.]

Under both federal and state statutes, as well as the regulations, there are extensive rights afforded to parents. A copy of the full parents' rights is included within the Appendix of this document.

Special Education Complaint Procedure

The California Department of Education (CDE) resolves special education complaints.

Who may file a complaint?

Anyone, including parents, students, teachers, and agency representatives, may file complaints. The person filing a complaint is the complainant. The complaint must meet requirements as explained in this document.

Why file a complaint?

A complaint is a formal request to the CDE investigate allegations of noncompliance with special education laws, federal or state. CDE ensures public agencies meet the educational needs of students with disabilities.

What is a complaint?

A complaint is a written document, including:

1. Statements that the school district or public agency violated special education law within one year prior to the complaint being filed
2. Facts on which such statements are based
3. Signature and contact information for the complainant
4. Child's name, address, and school if alleging violations that are child specific
5. Proposed resolutions

The complainant may use the [model complaint form](#) (PDF) or write a letter to file the complaint.

For issues involving Special Education the complete complaint process information can be found on the California Department of Education web site at: <https://www.cde.ca.gov/sp/se/qa/cmplntproc.asp>

Frequently Asked Questions

IV

CHILD FIND POLICY

Child Find Basics

Each state is required by IDEA to identify, locate, and evaluate all children with disabilities in the state who need special education and related services. To do so, states require each LEA/district to conduct what are known as Child Find activities. Such activities may include:

- Utilizing a “Child Find Notice Letter”
- Include targeted questions regarding areas of need and/or previous Special Education services in enrollment packets.
- Carefully screen the files and enrollment documentation of all children transferring into the LEA/district to identify children who may have been receiving special services in their prior LEA/district.
- Provide information to parents that explains the LEA’s/district’s special services and who to contact if they suspect their child may have a disability.
- Utilize a clear parent and teacher referral system (i.e. Student Success Team process).
- Provide annual in-service activities to assist teachers in making appropriate referrals.
- Review files of all students with a health plan to screen for suspected disabilities.
- Publish a child find notice in the LEA/district newsletter or website.
- Send Child Find notices to community agencies in conjunction with preschool screening activities.

Additionally, a LEA/district may be violating its Child Find duty by repeatedly referring a student for interventions rather than evaluating the student’s need for special education and related services.

The child-find process involves locating those possible students with disabilities who reside in the area. It is the intention of the participants (of which OSD is one) in the Ventura County Special Education Local Plan Area to actively solicit information about any such individuals. Aiding in this child-find process will be a focus for Community Advisory Committee (CAC) members. Special attention will be directed toward providing information in the primary language whenever possible. The CAC facilitates a Public Information Committee which conducts child find activities. These activities include maintenance of a website with information for families, various booklets and brochures, dissemination of information to school sites and community email lists, and articles in the news media. In addition, multiple copies of the “Child Find” Brochures are distributed to all public and private schools in the SELPA, and to all public libraries in the county every semester. The brochures describe the process for making a referral. One brochure is for infants, and one is for preschool and school-aged pupils. Both are available in English and Spanish.

In addition to the SELPA Child Find activities, OSD does the following:

- Enrollment Center interview of parents
- Beginning of the year review Child Find with teaching staff
- CST and referral system
- Vision and Hearing Screening (Grades TK/K, 2, 5, and 8)
- Annual review at beginning of the year orientation for all Teachers

Frequently Asked Questions

V

RESPONSE TO INSTRUCTION AND INTERVENTION CST AND SST

This section is an overview of the Coordination of Services Team(CST) and Student Success Team (SST) procedures for OSD. For detailed information and to access related forms contact the Pupil Services Department.

<https://www.oxnardsd.org/Domain/1381>

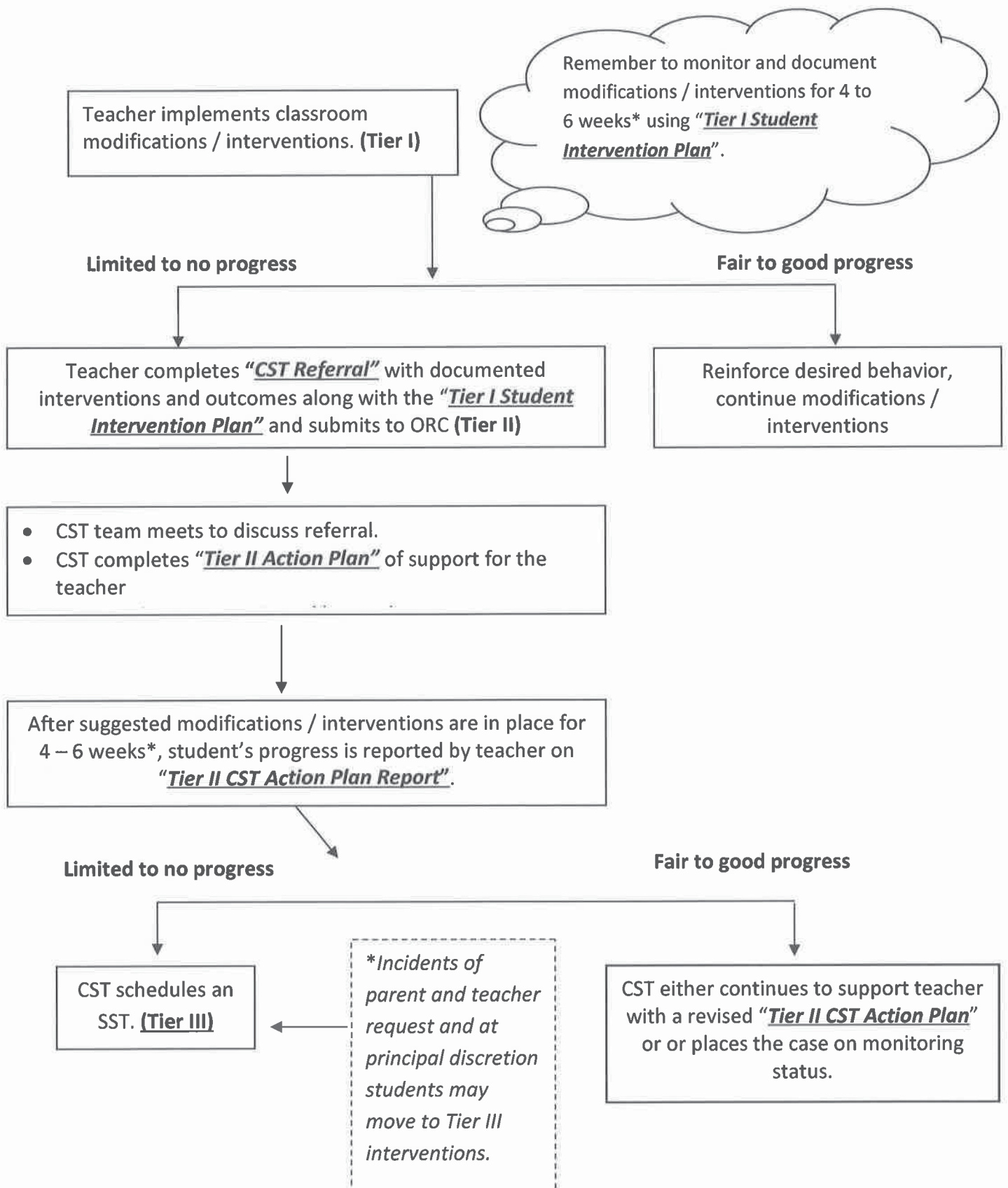
Oxnard School District

Coordination of Services Team (CST)/ Student Success Team (SST) Process (Revised 4-25-17)

RTI		Completed By
Tier I (Classroom interventions)	<ul style="list-style-type: none"> Teacher identifies concerns, applies classroom interventions, and <i>notifies parent of concern</i>. 	Teacher
	<ul style="list-style-type: none"> Interventions should be in place for minimum of 4-6* weeks with documented outcomes. 	Teacher
	<ul style="list-style-type: none"> If student shows little to no progress, teacher <i>must</i> make referral to CST. 	Teacher
Tier II (School site support staff and outside agency and community referrals)	<ul style="list-style-type: none"> Teacher completes "<u>Tier II CST Referral</u>" submits referral along with the "<u>Tier I Student Intervention Plan</u>" to ORC, and <i>notifies parent of concern</i>. 	Teacher
	<ul style="list-style-type: none"> CST team completes "<u>Tier II CST Action Plan</u>" form, sets a follow up date and provides copy to referring teachers and all stakeholders. 	Coordination of Services Team
	<ul style="list-style-type: none"> Members of CoST follow up with teacher to support actions indicated in "<u>Tier II CST Action Plan</u>". 	Coordination of Services Team
	<ul style="list-style-type: none"> Interventions should be in place for minimum of 4-6* weeks with documented outcomes. 	Teacher
	<ul style="list-style-type: none"> Teacher submits <u>Tier II CST Action Plan Report</u> to ORC by follow up date. 	Teacher
	<ul style="list-style-type: none"> CST reviews the "<u>Tier II CST Action Plan Report</u>" and communicates response to teacher: <ol style="list-style-type: none"> Scheduling of an SST Meeting Creation of a new "<u>Tier II CST Action Plan</u>" Assignment of case to "monitoring status" 	Coordination of Services Team
Tier III (Specialized team guides intervention efforts and monitors student response to intervention)	<ul style="list-style-type: none"> ORC coordinates SST meeting date and begins to prepare for meeting. OCR sends <u>SST Parent Brochure</u> home with meeting notice. ORC facilitates completion of the "<u>Language History Interview Form</u>" with parents. ORC provides teacher with "<u>SST Teacher Form for ELL Students</u>". 	Outreach Specialist
	<ul style="list-style-type: none"> Teacher completes <u>Teacher Form for ELL Students</u> and returns it to ORC prior to SST meeting. 	Teacher
	<ul style="list-style-type: none"> SST meeting held with Team, Parent, and Student (if appropriate). 	Student Study Team
	<ul style="list-style-type: none"> SST team completes "<u>Tier III Student Success Team Meeting Summary</u>". SST determines a follow up meeting date. Copies are provided to parents and all stakeholders. 	Student Study Team/ ORC
	<ul style="list-style-type: none"> SST action plan is implemented. 	Persons Responsible
	<ul style="list-style-type: none"> SST convenes in follow up meeting. SST either recommends psych / ed evaluation or a new action plan or places the case in monitoring status. 	Student Study Team

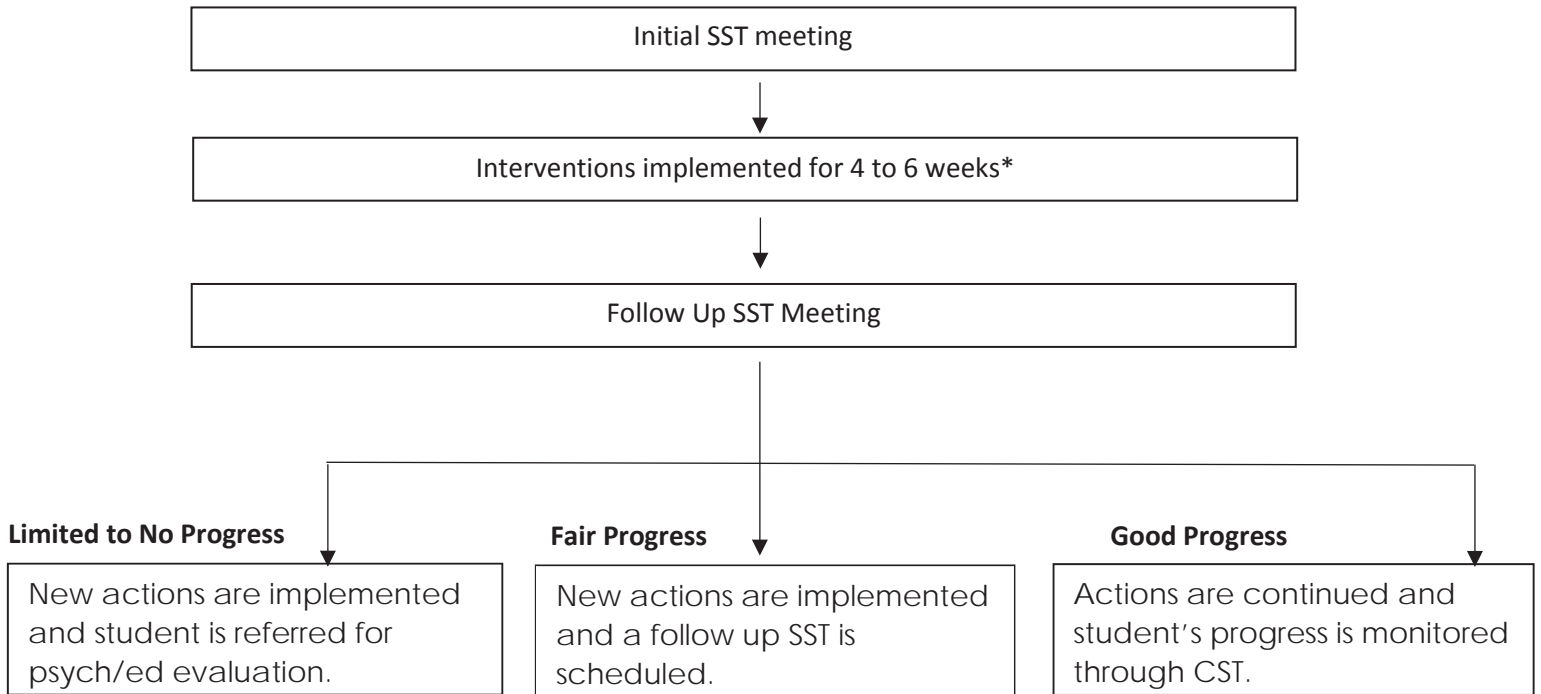
**Suggested intervention period reflects best educational practice; however; the intervention timeframe shall not be used to delay early identification of a student with a disability.*

CST/SST Referral Flowchart



**Suggested intervention period reflects best educational practice; however, the intervention timeframe shall not be used to delay early identification of a student with a disability.*

Oxnard School District SST Process



Term	Definition
<i>Limited to no progress</i>	<i>Student met few to no <u>"Tier III SST Action Plan"</u> goal(s)</i>
<i>Fair Progress</i>	<i>Student met roughly half of <u>"Tier III SST Action Plan"</u> goal(s).</i>
<i>Good Progress</i>	<i>Student met most to all <u>"Tier III SST Action Plan"</u> goal(s).</i>

** Suggested intervention period reflects best educational practice; however, the intervention timeframe shall not be used to delay early identification of a student with a disability.*

CST and SST Participants (revised 4-3-18)

Coordination of Services Team (CST)	
Mandatory Participants	Optional Participants
<ul style="list-style-type: none"> • Administrator • Outreach Specialist • School Counselor 	<ul style="list-style-type: none"> • School Psychologist • Teacher • RSP Teacher • Speech Therapist • District Nurse • After School Program Coordinator • Teacher on Assignment

Student Success Team (SST)	
Mandatory Participants	Optional Participants
<ul style="list-style-type: none"> • Administrator • Outreach Specialist • School Counselor • Parent/Guardian • Teacher(s) 	<ul style="list-style-type: none"> • Student • School Psychologist • RSP Teacher • Speech Therapist • District Nurse • After School Program Coordinator • Community Liaison • Teacher on Assignment • Paraprofessional • Behaviorist • Others invited as appropriate

**Suggested intervention period reflects best educational practice; however, the intervention time frame shall not be used to delay early identification of a student with a disability.*

Frequently Asked Questions

VI

SECTION 504

This section is an overview of the 504 procedures for OSD. For complete information refer to the 504 handbook available from the Pupil Services Department.

<https://www.oxnardsd.org/Domain/1381>

Site Procedures for Section 504

Who is responsible for Section 504?

Every school site has a **Section 504 Coordinator** who is also a site administrator. The **Section 504 Site Coordinator** is responsible for overseeing the 504 process for the school site by:

- Training site staff on Section 504 requirement, processes and procedures (including obligation of "child find")
- Ensuring school site compliance to Section 504 law, regulation and policy
- Receiving all requests for evaluation for Section 504 for eligibility for services
- Organizing the school site 504 team
- Communicating with students, staff and families regarding Section 504
- Conducting 504 meetings (including evaluation, eligibility, accommodations plan and yearly update)
- Maintaining documentation of Section 504 communication and records
- Overseeing staff implementation of Section 504 accommodations
- Conducting yearly updates to Section 504 plans
- Communicating with the District's Section 504 Coordinator regarding questions, policy updates and documentation

School staff who interact or may interact with a student with a Section 504 accommodation plan are responsible for compliance with and implementation of the content within the Section 504 plan, including:

- Teacher (general education, special education, teacher on assignment, support teacher)
- Administrator
- Paraprofessional (instructional aide)
- Health office staff (nurse, health technician, health assistant)
- Office staff (office manager, office assistant, attendance technician)
- Campus assistant/supervisor
- Other certificated and classified school site support staff (school counselor, outreach specialist, cafeteria staff, custodian)

**It is recommended that the Section 504 Accommodation Plan name (by job title) the specific school site personnel with whom the contents of the plan will be communicated.*

Where do I access templates for Section 504 documents?

Section 504 templates are located on the District's shared Team Drive. Be sure to access the templates via this shared drive, as it contains the most recent revision of the documents.

How do I properly “document” students with Section 504 services?

- First, be sure to use the most recent version of the Section 504 templates via the shared Team Drive.
- Once you have completed the process and have a completed “packet” (which contains the Section 504 Checklist as the first page), send a photocopy of the document to Pupil Services for review.
- Then, place the master copy in the cumulative (cum) file.
- Also, be sure to distribute copy of the packet to family and any staff who need to be aware of accommodations (including support staff such as campus assistant, coaches, office staff, cafeteria staff, health office staff).
- Once a completed packet has been received in Pupil Services, it will either be returned to the school site for correction or scanned and uploaded into the student information system. The District also maintains a paper copy of each Section 504 packet.

How do I access information about students with Section 504 services?

Section 504 information on individual students is contained with the cum file as well as an electronic copy in the student information system. In working within Q, information about 504 plans is contained within the programs module. If you do not have access to the programs module and need to have access in order to support students with 504s, please contact Information Technology (IT) to obtain access.

Who do I contact with questions regarding Section 504?

School site staff should consult with the site’s Section 504 Coordinator. School Site Section 504 Coordinators should consult with the District’s Section 504 Coordinator

Frequently Asked Questions

VII
REFERRAL
&
ASSESSMENT

Referral and Assessment

PARENT REFERRALS

Some referrals for Special Education assessment are made by parents. Parents are encouraged to work with their child's teacher and other specialists at the school to address concerns they may have. If they are concerned about their child's progress in areas such as academics, motor, social, language or daily living skills, they should make an appointment to discuss it with the teacher. If problems still remain, the teacher may be encouraged to refer the child to the Student Success Team (SST.)

The SST is a group that helps the teacher to find solutions to help children in the class who may be struggling. However, at some point the parent may be concerned that their child has a disability which results in the need for Special Education services. In this case, the parent is encouraged to discuss this with other professionals in the district, including the school psychologist or the Program Specialist for Special Education, who may help the parent decide on how to proceed.

Once the parent decides that they are ready to request Special Education assessment, they may do so at any time. The request needs to be in writing, and it should be signed and dated. The letter should be given to the principal or psychologist at the school. In the letter, the parent should indicate the area(s) in which there are concerns (e.g.: math, language) School staff shall assist the parent with composition of the written request if needed.

Once the parent requests assessment, the district has 15 calendar days to respond. The district will either develop an Assessment Plan which indicates the areas to be assessed and the persons who will be conducting the assessment, or it will inform the parent that the district declines to initiate assessment at this time. If the district declines to initiate assessment, they must give reasons why. This decision will be communicated to the parent through the Prior Written Notice (PWN.)

RESPONSE TO INSTRUCTION AND INTERVENTION (RtI²) (General Education Services)

By law, **“a pupil shall be referred for Special Education only after the resources of the regular education program have been considered and, where appropriate, utilized”**. This means that for many students, the first step is a referral to the school problem-solving team, which may be known as Student Success Team (SST) or Professional Learning Community (PLC). These teams are a function of general education and may be made up of a number of school professionals such as a school administrator, school psychologist, general education teacher, school nurse, counselor and others as necessary. The purpose of the SST/PLC is for general education teachers to identify the students' problems and to use all the resources available to the general education classroom to solve them. This may include providing increasing intensive interventions to help the student make appropriate progress.

Students should be referred to Special Education only after all other school resources have been considered and appropriately used in a general classroom experience. When a referral is initiated, Parents must be notified via a Prior Written Notice (PWN). Parents are strongly urged to utilize the general education intervention process before referring to Special Education.

In no case will the RtI² process be used as a barrier or to delay an appropriate referral by parent or staff for special education assessment.

For more information on RtI², go to:

<http://www.vcoe.org/cici/ResponseToInstructionInterventionRtI2/tabid/1918/Default.aspx>

ASSESSMENT

The School psychologist assigned to the school site is responsible for generating this Notice and Multidisciplinary Assessment Plan (MAP,) ensuring that the assessments are completed and scheduling the initial IEP meeting in a timely manner. If the referral is for Speech only, the Speech Pathologist is responsible for ensuring all timelines are followed.

After interventions have been attempted, the SST may recommend a student for assessment to determine Special Education eligibility. In this case, the parent would receive the Notice of Special Education Referral, and a Multidisciplinary Assessment Plan noting the areas and professionals who will be assessing. The student must be assessed in all areas of suspected disability by a team of qualified professionals. Both formal and informal assessment procedures may be used to determine the presence of a disability and to define the educational needs of the student.

Initial assessment for Special Education cannot be done without prior written consent of the parent. This requirement does not apply to the generalized screening and routine testing given to all students in school, but it does apply to any individual test that will lead to decisions about eligibility or services in Special Education.

The parent has the right to have a description of the areas to be assessed and the proposed assessors. If a parent has additional assessment information from another specialist (*e.g., doctor, therapist*), the Assessment Team will include this in their consideration.

After the assessment is completed the parent must be fully informed of assessment results, including a written copy of the findings. If a parent disagrees with school district assessment results, they have the right to request an independent assessment at public cost. However, if the district disagrees that an additional assessment is necessary, it may request a Due Process Hearing to prove that its assessment is appropriate.

Withdrawal of Assessment by Initiator

Parents or staff who reconsider their request for assessment must provide their withdrawal of the request in writing. In the absence of such documentation, the timelines described in this section remain in place.

Sample Referral Letter

Date

Name of School Administrator

Their address

Dear _____:

I am requesting that my child, _____, be assessed for Special Education services. He/she is a _____ grade student, in _____ class.

I am concerned that my child may have a disability that is affecting these areas
(Please give areas of concern and describe reasons why). _____

Sincerely,

Your Name

Address

Phone

Sample Withdrawal Letter

Date

Name of School Administrator

Their address

Dear _____:

I am withdrawing my request that my child, _____, be assessed for Special Education services. He/she is a _____ grade student, in _____ class.

I am no longer concerned that my child may have a disability.

Sincerely,

Your Name

Address

Phone

Prior Written Notice

Education Code §56500.4 requires that Prior Written Notice (PWN) be sent to parents/guardians of

- students in special education
- students who have been referred for special education assessment
- students on Section 504 Plans, or
- students who have been referred for a Section 504 assessment
- if the District proposes to initiate or change,
- or refuses to initiate or change, the identification, assessment, or educational placement of the child,
- or the provision of a free and appropriate public education (FAPE) to the child.

Situations requiring a PWN include denial of parent requests for Section 504 or special education assessment, change of placement, increase in services, etc. This letter is also known as a 300.503 letter, in accordance with §300.503 of Title 34 of the Code of Federal Regulations.

The PWN must include all of the following:

- A description of the action proposed or refused by the District
- An explanation of why the District proposes or refuses to take the action
- A description of each assessment procedure, assessment, record, or report the public agency used as a basis for the proposed or refused action
- A statement that the parents of an individual with exceptional needs have protection under the procedural safeguards and, if this notice is not an initial referral for assessment, the means by which a copy of a description of the procedural safeguards can be obtained
- Sources for the parents to contact to obtain assistance in understanding the provisions of the PWN
- A description of other options that the IEP team considered and the reasons why those reasons were rejected
- A description of other factors that are relevant to the proposal or refusal of the agency

All letters are written by District administrators or school psychologists. **All 300.503 letters denying request for services or assessment must be reviewed and approved by either a Program Manager or the Director of Special Education prior to being sent.** Please allow ample time for the administration to review the document prior to any time deadlines

**Ventura County Special Education Local Plan Area
Prior Written Notice to Parent of Action
Proposed or Refused by School District
(300.503 – Code of Federal Regulations)**

Date: [Click here to enter a date.](#)

District: [Click here to enter text.](#)

Student's Name: [Click here to enter text.](#)

Parent (s): [Click here to enter text.](#)

This notice is to inform the parent(s) of the above named student regarding the school district's: Proposal to initiate or change the: Identification of Evaluation of Placement of Provision of a free appropriate public education for

Refusal of your request to initiate or change the: Identification of Evaluation of Placement of Provision of a free appropriate public education for your child.

1. Description of action proposed or refused by district: [Click here to enter text.](#)
2. Explanation of reason for proposal or refusal: [Click here to enter text.](#)
3. Description of any other options district considered and why they were rejected or selected: [Click here to enter text.](#)
4. Evaluation procedure(s), test(s), record(s) or report(s) used as a basis for the proposed/refused action: [Click here to enter text.](#)
5. Other relevant factors: [Click here to enter text.](#)

As a parent(s) of a child with a disability, or suspected of having a disability, you have protections under state and federal laws. Please see attached "Parent Rights." If you need assistance in understanding these rights, you may call Ventura County SELPA at (805) 437-1560.

Additional resources for parents are available on our website: www.venturacountyselpa.com. If you have questions or need further assistance, please do not hesitate to call.

Signature

[Click here to enter text.](#)
Title

[Click here to enter text.](#)
Phone

NOTICE OF SPECIAL EDUCATION REFERRAL
Ventura County Special Education Local Plan Area

Dear Parent/Adult Student:

This is to notify you that you/your child has been referred for assessment for special education services by _____ on (date) _____.

Reason for referral (if known) _____

- Within 15 days of receipt of the referral, the district will send you a notice. The notice may indicate that the district declines to assess, and would specify the reason. If the district intends to assess, an Assessment Plan will be sent to you, indicating all areas of proposed assessment. If you have additional information to provide that will help us in making a decision, please arrange to have it forwarded to me as soon as possible. In either case, you will receive a copy of your rights under Special Education law.
- The district intends to assess. (See below)

Please feel free to call the person below with any concerns you may have.

School District: _____ **Date:** _____

School of Attendance: _____

Student's Name: _____

Birthdate: _____ **Age: Years:** _____ **Months:** _____ **Grade:** _____

Address: _____

Telephone Number: () _____

Native Language (according to Home Language Survey): _____

EL Status: ___ **If EL, overall level of English Language Development:** _____

Language Used to Communicate with Parent(s): _____

This portion to be filled out if district is proposing to assess at this time.

- Assessment to be initiated.

Reason for assessment: _____

Other options considered, and why rejected: _____

Evaluations, tests, reports used: _____

Other factors: _____

As a parent(s) of a child with a disability, or suspected of having a disability, you have protections under state and federal laws. If you need assistance in understanding these rights, you may call Ventura County SELPA at (805) 437-1560.

Additional resources for parents are available on the SELPA website: www.venturacountyselpa.com. If you have questions or need further assistance, please do not hesitate to call.

(Contact Person) _____
(Title)

Phone: () _____

OFFICE USE ONLY

Date forwarded to special education personnel: _____

Copy to: District Office Assessment Team Lead Parent/Adult Student

For Staff Only:
Date Received _____

ASSESSMENT PLAN
Ventura County Special Education Local Plan Area (SELPA)

- Initial Evaluation
- Triennial Review
- Other

Student Name _____ D.O.B. _____ Age _____ Grade _____ Date _____
Parent/Guardian/Surrogate Name _____ Address _____
Phone(s) Home _____ Cell _____ Work _____ Email _____
School _____ ID# _____ EL Status _____ Primary Language _____

REASON FOR ASSESSMENT/AREAS OF CONCERN _____

For Initial Evaluations only
Referral Source _____ Date Referred _____
School years interventions were provided in general education _____

The following assessments are proposed to assist in determining your child's educational needs. All assessments will be given by appropriately qualified personnel. The assessment will be in the areas checked below and may include pupil observation in a group setting, classroom work samples, district or statewide group assessments, individualized testing, teacher interview(s) and an interview with you. It also may include a review of reports you have authorized us to request or that already exist in current records. Assessments will be non-discriminatory, and alternative means of assessment may be used in situations when standardized assessments are inappropriate. Within 60 days of receipt of this signed assessment plan, an Individualized Education Program (IEP) team meeting will be held. You will be invited to attend and review assessment results and participate in determining your child's educational needs and eligibility for special education services.

PRE-ACADEMIC/ACADEMIC ACHIEVEMENT: Special Education Teacher Early Childhood Specialist Other: _____
Purpose: To determine current reading, writing, and math skills or pre-academic skills such as matching or sorting.

SOCIAL/EMOTIONAL BEHAVIOR: Psychologist Behavior Specialist Intensive School-Based Therapist
 Other: _____
Purpose: To evaluate how the student handles feelings and emotions and how he/she gets along with other people.

SELF HELP/ADAPTIVE SKILLS: Psychologist Special Education Teacher Other: _____
Purpose: To evaluate how the student functions in daily life activities needed in the educational setting.

MOTOR SKILLS DEVELOPMENT: Occupational Therapist Physical Therapist Adapted Physical Education Specialist
 Psychologist Early Childhood Specialist Other: _____
Purpose: To evaluate small and large motor functioning and/or psycho-motor skills related to access and performance in the educational environment.

LANGUAGE/SPEECH/COMMUNICATION DEVELOPMENT: Speech-Language Pathologist Early Childhood Specialist
 Other: _____
Purpose: To determine an individual's ability to understand, relate to, and use language and speech clearly and appropriately.

INTELLECTUAL DEVELOPMENT: Psychologist Early Childhood Specialist Other: _____
Purpose: To determine how well individuals remember what they have seen and heard, how well they can use that information to solve problems, and to assist in predicting the student's learning rate. Verbal and performance instruments may be used as appropriate.

HEALTH ASSESSMENT: School Nurse Audiologist Other: _____
Purpose: To evaluate developmental patterns and current health status as they relate to school functioning.

VOCATIONAL/PREVOCAIONAL: Special Education Teacher Psychologist Other: _____
Purpose: To determine the individual's interests and aptitudes as related to future job and/or career.

OTHER: Deaf/Hard of Hearing Functional Behavior Analysis Assistive Technology Augmentative/Alternative Communication
 Functional Vision Orientation & Mobility Special Circumstances Paraprofessional Other _____
Responsible Personnel: _____

If you have any questions contact: _____
Name/Title _____ Phone/Email _____

PARENTAL CONSENT FOR PUPIL ASSESSMENT

I understand the purpose of the proposed Assessment Plan and have received a copy of my Parent Rights. I authorize the use of a suitable interpreter or prerecorded tests in my child's primary language as appropriate. I further understand that no Individualized Education Program will result from this assessment without my consent. The box(es) checked below indicate my decision(s).

Yes, I give my permission to conduct the assessment as described above and will make my child available for the assessment. I understand that assessment cannot begin until a copy of this form has been signed and returned.

If yes, check any that apply:

- I give permission to the school district to bill the LEA Medi-Cal Billing Option Program for this assessment, if applicable. (Income from this program is used by the district to offset costs of providing special education services and will not affect the child's individual benefits.)
- Please consider the following Independent Educational Evaluation report(s) as part of the assessment process: _____

No, permission is denied.

Please sign and return, keeping one copy for your records.

Parent/Legal Guardian/Adult Student/Person Acting as Parent (Specify) _____ Telephone Number _____ Date _____

For more information about special education and your rights contact your district special education office or visit the Ventura County SELPA website at www.venturacountyselfpa.com

Copy to: District Office Cumulative File Case Manager Parent/Adult Student Related Services

Timelines for Assessment, IEP, and Review

WRITTEN REFERRAL

The school district has **15 days*** from the time it receives a written request for assessment from either the school SST or the parents to develop either an Multidisciplinary Assessment Plan or a notice that it will not be starting an assessment. A Notice of Referral is sent to the family immediately upon receiving the request. If a school district refuses to assess a student upon parent request, examples of reasons would be that there is no evidence of academic struggle, or the student was tested recently and found not to be eligible. Reasons for the denial **MUST** be put in writing and given to the parent within 15 days and requires Special Education Administration review.

ASSESSMENT PLAN

Signing the Assessment Plan provides the school district with the authority (*consent*) to proceed with the assessment. The parents or guardian have at least 15 days to sign and return the Assessment Plan. However, until the Assessment Plan is signed, the district may not proceed with assessment.

DEVELOPMENT OF THE IEP

After receiving the signed Multidisciplinary Assessment Plan, the school district has **60 days*** to complete the assessment and hold an IEP Meeting to review results of the assessment and to develop an IEP (if the child qualifies for services). If an Assessment Plan is signed within 30 days of the end of the school year, it must be completed within 30 days of the new school year.

IMPLEMENTATION OF THE IEP

After the IEP has been developed, the school district must implement the IEP within a **"reasonable period of time"** as determined by the IEP Team, which includes the parents. Most often, the IEP is implemented immediately unless there are circumstances noted in the summary notes, etc..

REVIEW OF THE IEP

The IEP team must meet to review the IEP annually. However, the IEP may be reviewed at any time if such a review is requested by the parents, legal guardian, or any other member of the IEP Team. If the parents are requesting the review, it should be made in writing. The IEP Review Meeting must be held within **30 days*** of receipt of the request.

* "Days" refer to calendar days. Exceptions include any breaks in the school year that are in excess of 5 days.

Roles and Responsibilities for IEP's

Who is the Case Manager?

- Initials– The resource specialist (RSP)
- Triennials – The current case manager
- Speech Only – The speech language pathologist (SLP)
- OT/PT services only – The RSP teacher (should be on page one as consult/collaboration)

Who Does What for Coordinating IEPs?

Case Manager:

- Calendar IEPs with the IEP team
- Annuals: notify nurses for updated emergency/routine care plan
- Parent communication, including sending of IEP notices
- Compliance checklist
- Distribution of records (copies to parent, cumulative record, teacher, service providers and original to the district office)

Psychologist or SLP:

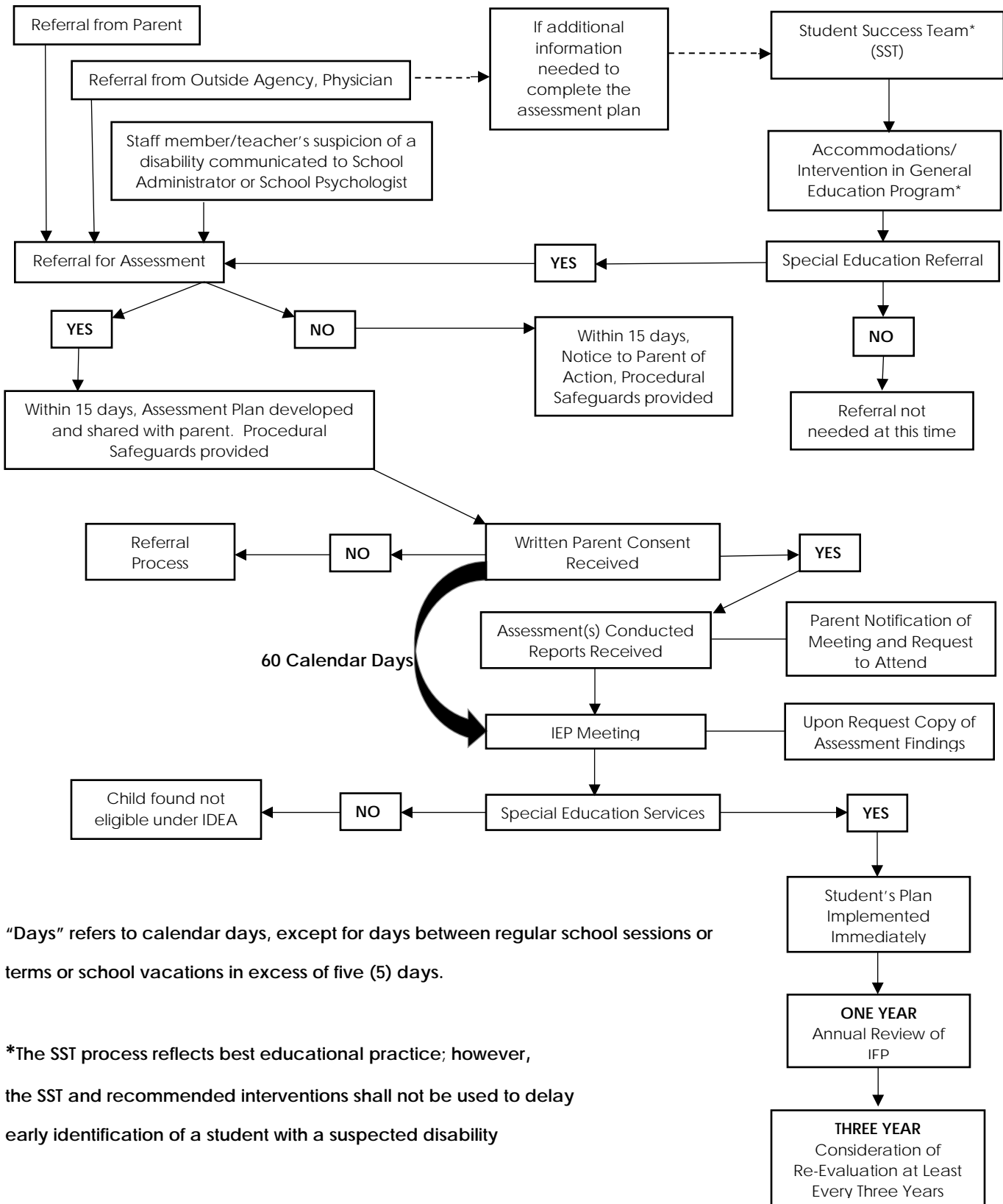
- Assessment plans
- Contact the CASEMIS Clerk in district office to add new students (provide name, D.O.B , Student ID, Names of Case Manager and Service Provider(s) (i.e. other assessors)
- Initials/Triennials: Notify the nurse assigned to your site of need for updated vision/hearing, health history or emergency care plan

What Do You Prep on the IEP documents?

Case Manager:

- All pages except FAPE and PSW SLD Summary page:
 - *Page one services, accommodations/supports, testing and FAPE page should be left blank and completed at the IEP*
- Present level Page
 - **Initials** – Psychologist does cognitive, adaptive, motor (unless OT/PT involved), social/emotional and impact of disability. Communication is also completed by the psychologist if SLP not involved
 - **Annuals** –Do not change cognitive or impact of disability. All other sections are to be updated by case manager and related services providers
 - **Triennials** - Psychologist does cognitive and Impact of disability. Psychologist adds to teacher/service provider information for adaptive, motor, social/emotional if assessed in those areas. Communication is also added to by the psychologist if SLP not involved.

Special Education Referral Process



"Days" refers to calendar days, except for days between regular school sessions or terms or school vacations in excess of five (5) days.

*The SST process reflects best educational practice; however, the SST and recommended interventions shall not be used to delay early identification of a student with a suspected disability

Students with Disabilities Attending Private Schools

Rights of children with disabilities enrolled by their families in private schools are different from those in public schools.

If the family would like to have a student assessed for Special Education, they have the right to request an assessment from the school district **where they live**, and the school district will assess. The school district will convene an IEP meeting to share the assessment results. If the student is **eligible** for Special Education, an IEP will be developed, with goals and objectives and services offered.

If the family agrees to enroll the student in the public school district, the IEP will be fully implemented. However, if the family decides NOT to enroll the student in the public school and to keep them in the private school, the child will NOT have the same rights as a student enrolled in the public school.

If the parent chooses to keep their child in private school an Individualized Service Plan (ISP) will be written by the district in which the private school is located. THESE SERVICES WILL USUALLY BE VERY LIMITED compared to an IEP. School districts are required to spend only a limited amount of funds (Federal funds only) on students enrolled by parents in private schools. Also, parents do not have the same due process protections under an ISP as an IEP, except concerning initial identification and assessment.

You can contact the SELPA office at (805) 437-1560 to obtain a copy of the "Services to Special Education Students Placed in Private Schools," or visit their website at www.vcselpa.org under "Publications."

Frequently Asked Questions

VIII

THE IEP OVERVIEW

The Individualized Education Program (IEP) Process

THE IEP

What it is:

- For all children who meet eligibility requirements and require special education services
- A written individualized statement
- Developed by a team which includes the parents
- Guarantees delivery of services stated

THE IEP TEAM

Minimum Membership Shall Include, but not be Limited to:

- One or both of the student's parents, a representative selected by the parent, or both.
- The regular education teacher if the child is or may be participating in general education.
- Administrator or representative of the district.
- Special Education teacher or provider.
- The student, if they will be at least 16 years old by the the time of the IEP meeting.

When Appropriate, the Team Shall Also Include:

- The student (*if 15 or under*)
- Other individuals, at the discretion of the parent, school district, SELPA, or county office of education.
- Persons who have assessed the student.
- For students with suspected learning disabilities, a person who has observed the pupil's educational performance in an appropriate setting.
- Anyone else whose competence is needed.

IEP Team Member Excusal:

- Prior to the IEP meeting a required member of the IEP team may be excused from all or part of the meeting with permission of the members of the team including the parent, if the Excusal of IEP Team Member form is completed and placed in the file.
- If the person's attendance is not necessary because their area of curriculum or related service is not going to be discussed at the meeting, nothing further than completion of the form is required.
- If the meeting involves a modification to or discussion of the member's area of curriculum or related service, the member shall submit a written report to be shared at the IEP meeting. There is no deadline for this report, but it must be available in time for consideration at the meeting.

Parent Attendance by Teleconference:

- If it is difficult for a parent to meet with the IEP team in person, they may participate by teleconference. The school members would use speakerphone to conduct the IEP meeting.

THE MEETING

For an initial referral, the IEP Team will review all the assessments which have been done. This should be explained to the family members in terms that can be understood, avoiding jargon as much as possible. Written copies will be presented to the family.

If, based on the assessment results, the IEP Team agrees that the child is not eligible for Special Education services, an IEP will not be written.

A child who is **not eligible** for Special Education services may be monitored by the SST Team for assistance with special needs and may be eligible for some accommodations under Section 504 of the Rehabilitation Act of 1973.

NOTICE OF INDIVIDUALIZED EDUCATION PROGRAM (IEP) TEAM MEETING

Ventura County Special Education Local Plan Area (SELPA)

This notice is to be sent to parents of students under 18. If Transition to Adult is listed below, the student must also be invited using this form or the Student Notice. Students 18 and older must receive this notice for all meetings; their parents are sent a copy for informational purposes only.

Student Name _____ D.O.B. _____ Date _____
School District _____ School _____
Parents _____ Address _____
Phone(s) Home _____ Cell _____ Work _____ Email _____

An Individualized Education Program (IEP) Team meeting has been scheduled for:

Date: _____ Time: _____ Place: _____

Meeting purpose:

Additional Information: _____

The following staff are invited to the meeting (In addition to the parent, the IEP team must include LEA Representative, special education provider, and general education teacher unless an "IEP Team Member Excusal" form is completed and signed by the parent.):

- Case Manager: _____
- LEA (District) Representative: _____
- School Psychologist: _____
- Special Education Teacher: _____
- Other Special Education Teacher(s): _____
- General Education Teacher: _____
- Speech-Language Pathologist: _____
- School Nurse: _____
- Counselor: _____
- Representative from District of Residence (if student resides in another district): _____
- Other (Interpreter, OT, APE, etc.): _____
- Early Start Service Coordinator (incoming 3 year olds only) : _____
- Community agency representative(s): _____

If you object to the attendance of any community agency representative, let me know within the next five days. You may invite others who you wish to attend the meeting, but please let me know in advance.

Parents or adult students may decide to send another adult to represent them at the IEP meeting. (Adult students may designate their parents if they choose). Please ask for the Ventura County SELPA form "Designation of Educational Representative" if you would like someone to represent you on a long-term basis. If you would like someone to represent you for this meeting only, please check the box below.

Please check the appropriate box below to indicate your intentions and return one copy of this form in the enclosed self-addressed envelope by _____. The other copy is for your records. Call me if you have any questions/concerns.

Name: _____ Title: _____ Phone: _____

PARENT RESPONSE

- I will attend the meeting.
- I would like to participate as scheduled by phone call. I can be reached at this number: _____
- I am not able to attend and would like to reschedule the meeting. Please arrange a new date.
- I authorize this person to represent me at the meeting: _____
(Name and Title—may be parents if adult student designates)
- I will not be able to attend at all. Please hold the meeting, and send the paperwork to me for review/approval.
- I require interpretation services, and I will not be able to bring an interpreter to the meeting. Please provide an interpreter. (Specify: Spanish, Sign Language, etc.): _____

Date: _____

Parent/Legal Guardian/Adult Student/Person Acting as Parent (Specify) _____ Telephone _____

If you would like a copy of the Parent Guide to Special Education, please call the SELPA office at 805-437-1560. For more information about special education and your rights contact your district special education office or visit the Ventura County SELPA website at www.venturacountyselpa.com

Copy to: District Office Cumulative File Case Manager Parent Student

EXCUSAL OF IEP TEAM MEMBER
Ventura County Special Education Local Plan Area (SELPA)

(This form to be filled out prior to IEP)

Student Name _____ D.O.B. _____ Date _____

The _____ School District is proposing the excusal of a required team member from all or part of the following IEP meeting:

IEP meeting date: _____

Meeting purpose: _____

IEP team member being excused: _____
Name and/or Title

The school district and parent/adult student agree that (check one):

- The attendance of the IEP team member listed above is not necessary because the team member's area of the curriculum or related service is not being modified or discussed.
- Although the meeting involves a modification to or discussion of the member's area of curriculum or related service, the team member shall submit written input to the parent/adult student and team in lieu of attending.

Comments:

If you have questions regarding this form, or if you have questions that you would like addressed at the IEP regarding the area of curriculum of the excused IEP team member, please contact:

Name	Title	Phone Number

Please check and return by: _____

- I agree to excuse the IEP team member listed above. Please address the following concerns at the meeting:

- I do not agree to excuse the IEP team member listed above.

Parent/Guardian/Adult Student Signature _____ Date _____

For more information about special education and your rights, please contact your district Special Education Office or visit the SELPA website at www.venturacountyselpa.com

Copy to: District Office Cumulative File Case Manager Parent/Adult Student Related Services Agency Other _____

Guide to Modifications and Accommodations

For Students Experiencing Difficulty in

General Education Classrooms

- ◆ WHAT IS THE DIFFERENCE BETWEEN “MODIFICATIONS” AND “ACCOMMODATIONS”?
- ◆ WHICH STUDENTS REQUIRE MODIFICATIONS AND ACCOMMODATIONS?
- ◆ AS A GENERAL EDUCATION TEACHER, WHAT ARE MY RESPONSIBILITIES?

Background

What is the difference between accommodations and modifications?

- ◆ **Accommodations** are changes to the course content, teaching strategies, standards, test preparation, location, timing, scheduling, expectations, student responses, environmental structuring and/or attributes which provide access for a student with a disability to participate in a course/standard/test which **DO NOT fundamentally alter or lower the standards or expectations of the course/standard/test.**
- ◆ **Modifications** are changes which **DO fundamentally alter or lower the standards or expectations of the course/standard/test.**

Source: Miriam Kurtzig Freedman, J.D. (1999) as quoted in “Guidelines For the Promotion and Retention of Special Education Students,” California Department of Education, Special Education Division

Ventura County Special Education Local Plan Area
(SELPA)

Regina Reed, Director of Personnel
Development (805) 437-1560
rreed@vcoe.org

*Developed by the Access to the Core Committee
Richard Jenkins, Moorpark Unified School District Chairperson*

General strategies for accommodations/modifications can be found in the Appendix

IEP Data Collection Responsibilities

The first service provider identified on the "Responsible Discipline" line of the Goals Page is responsible for monitoring progress toward goals and inputting progress data into the goals page at the identified reporting periods. Progress toward goals must be monitored using data collection techniques as specified in the goal. These techniques may be quantitative or qualitative and may include work samples when applicable. Each specialist is responsible for maintaining copies of the data that they have collected toward each student's goals/objectives. Progress reports must be provided to parents concurrent with general education reporting periods and at the annual review.

Submitting IEPs to the CASEMIS Clerk

Initial reviews must have the following:

1. Original IEP with signature page (uploaded onto SIRAS)
2. Original assessment plan signed by parent (dates entered and uploaded original into SIRAS)
3. Medi-cal form (signed by parent and uploaded into SIRAS)
4. Meeting notice (signed by parent and uploaded into SIRAS)
5. Referral notice or written request from parent (uploaded onto SIRAS)
6. Assessment report (uploaded onto SIRAS)
7. Any and all protocols used during assessment
8. Copy of excusal form (if applicable and uploaded onto SIRAS)
9. Compliance checklist

Annual reviews must have the following:

1. Original IEP with signature page (uploaded onto SIRAS)
2. Medi-cal form (signed by parent and uploaded into SIRAS)
3. Meeting notice (signed by parent and uploaded into SIRAS)
4. Copy of progress report
5. Copy of excusal form (if applicable and uploaded onto SIRAS)
6. Compliance checklist

Triennial reviews must have the following:

1. Original IEP with signature page (uploaded onto SIRAS)
2. Original assessment plan signed by parent (dates entered into SIRAS)
3. Medi-cal form (signed by parent and uploaded into SIRAS)
4. Meeting notice (signed by parent and uploaded into SIRAS)
5. Copy of progress report
6. Assessment report (uploaded onto SIRAS)
7. Any and all protocols used during assessment
8. Copy of excusal form (if applicable and uploaded onto SIRAS)
9. Compliance checklist

Other reviews must have the following:

1. Original IEP with signature page (uploaded onto SIRAS)
2. Meeting notice (signed by parent and uploaded into SIRAS)
3. Copy of excusal form (if applicable and uploaded onto SIRAS)
4. Compliance checklist
5. Any other forms indicated in the meeting review

Addendums must have the following:

1. Addendum page (uploaded onto SIRAS)
2. Any pages changed during the meeting.
3. Copy of excusal form (if applicable and uploaded onto SIRAS)
4. Compliance checklist

Required signatures for all IEP's:

1. General Education Teacher
2. Special Education Teacher
3. Parent
4. LEA rep (admin)
5. Additional service providers
6. If someone is not attending an IEP, an excusal form must be filled out and included in the IEP

IEP will be sent back if:

1. Signature page isn't uploaded
2. Assessment report isn't uploaded
3. Compliance checklist is missing
4. Compliance checklist is not completed

Do not, under any condition, un-finalize an IEP that has been previously finalized without authorization from a Program Manager or the Director.

Frequently Asked Questions

IX

THE IEP-SECTION BY SECTION

Planning and Scheduling IEPs

The Case Manager will meet with the school Psychologist at the beginning of the year to review the timelines for all students' annual and triennial reviews. Together they will develop a schedule of IEPs for the year to avoid overloading any one month with meetings and insure that all IEPs are reviewed in a timely manner. The Case Manager will inform the DIS staff about the schedule and develop a method to insure that data is gathered on a regular basis. This data is to be used to document growth on students' goals at reporting periods and develop recommendations for future IEPs.

When scheduling an IEP, the Case Manager will contact the parent to determine a mutually agreed upon time for the meeting. This process should be initiated well in advance of the IEP due date so that adjustments can be made if the parent(s) are not able to attend on the proposed date. Once that is established the Case Manager will generate the meeting notice and distribute this to all persons who are needed for the student's IEP. This will include:

- Parent(s) or their designee and/or invitees
- Case Manager
- General Education Teacher(s)
- Principal or Administrative Designee
- Related Service Personnel (as needed)
- Alternate School Representative (if student will transition to another school)

The meeting notice is to be sent out approximately 10 (or more) days prior to the IEP meeting date.

**VENTURA COUNTY SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)
INDIVIDUALIZED EDUCATION PROGRAM (IEP)**

AGENDA

The purpose of the IEP meeting is to exchange ideas and information about the student to develop a plan to meet his/her needs. All members of the team, parents and professionals, are equally important, and have a unique perspective to share about the student. The intent is for all members to work together in a collaborative way to support the student. If the student is in attendance at the meeting, he/she should be encouraged to be an active participant and decision-maker in this process.

To keep the meeting positive and productive all team members should follow acceptable meeting etiquette. The identified facilitator/leader is responsible for insuring that the agenda is followed, and that all members are treated respectfully and given an equal opportunity to participate. Decisions made at an IEP meeting are based on the consensus of all members of the team, who are encouraged to be open and creative in exploring options.

The development of an IEP is an ongoing process. The program that is developed at the meeting can be reviewed and modified at another IEP meeting if necessary.

Introductions - All members of the team introduce themselves, their role, and state how they would like to be addressed, if desired.

Meeting purpose - The Case Manager or meeting facilitator/leader reviews the purpose of the meeting.

Assessment - If assessment has been conducted, the written reports are shared by the assessor(s) and discussed by the team. For initial and triennial IEPs, or if eligibility is impacted by assessment results, the student's eligibility is established and noted. Additional documentation is required for "Specific Learning Disability."

Program Elements *(to facilitate discussion, team members may bring copies of proposed language for any IEP elements for review).*

- 1) Review of last years goals (if any)
- 2) Present Levels of Academic Achievement and Functional Performance- Parent and student express concerns and comments. All areas are addressed, noting strengths as well as areas of concern. Health/Emergency Care plan developed, if appropriate. The impact of the students disability on educational performance is discussed and noted.
- 3) Transition to Adult Life- If the student will be sixteen or older by the next IEP, his/her preferences for life after existing school are identified. At least 2 annual goals are developed, and services identified.
- 4) Annual Goals- Based on areas of concern from the present levels of performance and transition needs, annual goals are developed. (If student takes an alternate statewide assessment, objectives are written for each goal.)
- 5) Accommodations and Modifications- Any needed accommodations or modifications for instruction or grading are noted.
- 6) Statewide Testing-Alternate assessment for statewide testing will be identified (if any). Any universal tools, designated supports or accommodations will be noted.
- 7) Positive Behavior Support Plan- If the student's behavior interferes with his/her learning or affects others, a plan is written.
- 8) English Language Development- for English Learners, any accommodations or modifications for English Language testing are specified, as well as ELD goals and services.
- 9) Least Restrictive Environment- Promotion and retention are addressed if appropriate, Special factors are reviewed. Alternatives for placement and services are discussed, and the best option selected. Extended School Year is discussed.
- 10) Student Information and Services- All special education and related services are summarized.

Student Information and Services Page

This page includes the “demographics” about the student, Case Manager name/number and meeting purpose. It also indicates eligibility (disability), and all the Special Education and related services the student will receive.

It notes how often and where services will be provided, as well as overall percentage of time to be spent in general education. Specialized transportation, health, and therapy services are noted here.

If parents are not living together, please note **both** parents’ addresses if they are both to receive IEP notices and progress reports.

STUDENT INFORMATION AND SERVICES

Ventura County Special Education Local Plan Area (SELPA) Individualized Education Program (IEP)

Student _____ D.O.B. _____ Age _____ Grade _____ Sex _____ Meeting Date _____
 Parent/Guardian/Surrogate _____ Case Manager _____ Meeting Purpose _____
 Address _____ Case Manager Phone _____
 Phone Home _____ Cell _____ Work _____ Case Manager Email _____
 E-mail: _____ School Attending _____ Teacher (Elem. only) _____
 Parent/Guardian _____ Home School _____ Student ID # _____
 Address _____ Residence _____ SSID# _____
 Phone Home _____ Cell _____ Work _____ District of Service (DOS) _____
 E-mail: _____ Native Language _____ District of Responsibility _____
 EO IEP EL (see ELD page) RFEF Eligible for Migrant Program

Initial entry (0-22) Initial IEP Implementation (this plan)* Exit Reason * Contingent upon full IEP team approval of plan.	Dates		Agency Services (outside of IEP) <input type="checkbox"/> None <input type="checkbox"/> CCS <input type="checkbox"/> Social Services <input type="checkbox"/> Other Agency	Ethnicity/Race Hispanic/Latino _____ Race: _____	In General Education ____ Percent of the school day that the student is in the general education classroom/setting (ages 3-22). Physical Education <input type="checkbox"/> General <input type="checkbox"/> Modified General <input type="checkbox"/> Specially Designed <input type="checkbox"/> N/A
	Next Review Next Triennial Exit Date	Next Review Next Triennial Exit Date			
Eligibility (Check Primary) <input type="checkbox"/> Intellectual Disabilities <input type="checkbox"/> Speech/Language Impairment <input type="checkbox"/> Specific Learning Disability <input type="checkbox"/> Autism <input type="checkbox"/> Emotional Disturbance (3-4 year olds) Secondary (if any) _____ <input type="checkbox"/> Not Eligible (explanation/comments) _____ Special Education Services and/or Related Services All services on this IEP will continue until next review unless otherwise specified under End Date. 1. Primary _____ 2. _____ 3. _____ 4. _____ 5. _____ 6. _____ 7. _____ 8. _____ 9. _____ 10. _____ 11. _____ 12. _____	<input type="checkbox"/> Deafness (LI) <input type="checkbox"/> Visual Impairment (LI) <input type="checkbox"/> Orthopedic Impairment (LI) <input type="checkbox"/> Hard of Hearing (LI) <input type="checkbox"/> Deaf/Blindness (LI) LI = Low Incidence	<input type="checkbox"/> Regional Center (RC) <input type="checkbox"/> Mental Health (DMH) <input type="checkbox"/> Rehabilitation (DR)	<input type="checkbox"/> N/A <input type="checkbox"/> Specialized Physical Health Care Service(s) <input type="checkbox"/> Health &/or Emergency Care Plan <input type="checkbox"/> Behavior Intervention Plan <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, specify level: <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 Special Requirements: _____ Emergency Drop off: _____	Health / Behavior <input type="checkbox"/> Specialized Physical Health Care Service(s) <input type="checkbox"/> Health &/or Emergency Care Plan <input type="checkbox"/> Behavior Intervention Plan Special Transportation <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, specify level: <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 Special Requirements: _____ Emergency Drop off: _____	Transfer to: _____ Date: _____ Dismissed From Service: _____ Service: _____ Service: _____ Service: _____
	Special Education Services and/or Related Services All services on this IEP will continue until next review unless otherwise specified under End Date.		Begin Date (current yr) _____ End Date (optional) _____ Location _____ Frequency _____ Total Minutes _____ Provider _____		

Note: Services will only be provided on regular school days, per the student's school calendar, unless otherwise specified. For services with a frequency of "weekly," services may not be provided if school is not in session on the day(s) student is scheduled to receive services. For services with a frequency of "monthly" the total minutes will be prorated for months with less than 4 weeks of school. Services with "yearly" frequency include minutes provided during ESY.

Copy to: District Office General Education/Cumulative File Case Manager Parent/Adult Student Related Services Agency Other _____

STUDENT INFORMATION AND SERVICES

Ventura County Special Education Local Plan Area (SELPA) Individualized Education Program (IEP)

Student Salas, Redfern D.O.B. 1/24/1997 Age 15 yr. 7 mo. Grade 9th Sex M Meeting Date 9/13/2012
 Parent/Guardian/Surrogate _____ Case Manager Fran Arnet-Costello Meeting Purpose Annual Review
 Address _____ Case Manager Phone _____
 Phone Home _____ Cell _____ Work _____ Case Manager Email farneroo@vcoe.org Teacher (Elem. only) _____
 E-mail: _____ School Attending Providence Student ID # _____ SSID# _____
 Parent/Guardian _____ Home School _____ Providence _____
 Address _____ Residency _____ Parent or legal guardian _____ District of Service (DOS) County Office of Education (VCOE)
 Phone Home _____ Cell _____ Work _____ Native Language English District of Residence County Office of Education (VCOE)
 E-mail: _____ EO IEP EL (see ELD page) RFEIP Eligible for Migrant Program

Initial entry (0-22) <u>9/6/2005</u> Next Review <u>9/13/2013</u> Initial IEP <u>9/28/2014</u> Implementation (this plan)* <u>9/14/2012</u> Exit Date _____ Exit Reason _____ * Contingent upon full IEP team approval of plan.	Agency Services (outside of IEP) <input type="checkbox"/> None <input type="checkbox"/> Regional Center (RC) <input type="checkbox"/> CCS <input type="checkbox"/> Mental Health (DMH) <input type="checkbox"/> Social Services <input type="checkbox"/> Rehabilitation (DR) <input type="checkbox"/> Other Agency _____	Ethnicity/Race Hispanic/Latino <u>Yes</u> Race: <u>White</u>	In General Education 66% Percent of the school day that the student is in the general education classroom/setting (ages 3-22). Physical Education <input checked="" type="checkbox"/> General <input type="checkbox"/> Adapted <input type="checkbox"/> Modified General <input type="checkbox"/> Exempt <input type="checkbox"/> Specially Designed <input type="checkbox"/> N/A
Eligibility (Check Primary) <input type="checkbox"/> Intellectual Disabilities <input type="checkbox"/> Other Health Impairment <input type="checkbox"/> Speech/Language Impairment <input type="checkbox"/> Multiple Disability <input type="checkbox"/> Specific Learning Disability <input type="checkbox"/> Traumatic Brain Injury <input type="checkbox"/> Autism <input type="checkbox"/> Established Medical Disability <input checked="" type="checkbox"/> Emotional Disturbance (3-4 year olds) Secondary (if any) Specific Learning Disability _____ <input type="checkbox"/> Not Eligible (explanation/comments) _____	Health / Behavior <input type="checkbox"/> Specialized Physical Health Care Service(s) <input type="checkbox"/> Health &/or Emergency Care Plan Date <u>9/13/2012</u> <input checked="" type="checkbox"/> Positive Behavior Intervention Plan Date <u>9/13/2012</u> Special Transportation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, specify level: <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 Special Requirements: _____ Emergency Drop off: _____	Out of District Transfer Transfer to: _____ Date: _____ Dismissed From Service: _____ Service: _____ Service: _____	

Special Education Services and/or Related Services	Begin Date (current yr)	End Date (optional)	Location	Frequency	Total Minutes	Provider
1. Primary Specialized Academic Instruction All services on this IEP will continue until next review unless otherwise specified under End Date.	9/14/2012		Special ed class	Daily	220	District of Service
2. Individual counseling	9/14/2012		Special ed class	Monthly	90	District of Service
3. Occupational therapy	9/14/2012		Special ed class	Monthly	120	District of Service
4. Behavior intervention services	9/14/2012		Special ed class	Monthly	60	District of Service
5. Counseling and guidance	10/1/2012	2/14/2013	Special ed class	Weekly	45	District of Service
6. _____						
7. _____						
8. _____						
9. _____						
10. _____						
11. _____						
12. _____						

Note: Services will only be provided on regular school days, per the student's school calendar, unless otherwise specified. For services with a frequency of "weekly," services may not be provided if school is not in session on the day(s) student is scheduled to receive services. For services with a frequency of "monthly" the total minutes will be prorated for months with less than 4 weeks of school. Services with "yearly" frequency include minutes provided during ESY.

Copy to: District Office General Education/Cumulative File Case Manager Parent/Adult Student Related Services Agency Other _____

Present Levels of Academic Achievement and Functional Performance

This page gives a “snapshot” of the student’s functioning in all areas- both strengths and needs. This is the place where the parent or student can and should express concerns or comments.

If comments are made about the student’s functioning that the parent disagrees with, these should be noted.

It is critical that the “impact of the disability and how it affects progress in general curriculum” be carefully filled in to reflect the student’s needs. This is the part that general education teachers need in order to understand the disability. (Typically completed by School Psychologist, Speech Language Pathologist for Specific Language Impairment only students.)

PRESENT LEVELS OF ACADEMIC ACHIEVEMENT AND FUNCTIONAL PERFORMANCE

Ventura County SELPA IEP

Student Name _____ D.O.B. _____ Meeting Date _____

Describe present levels of performance in terms of general education expectations. Scores alone are not sufficient. Include specific strengths and weaknesses from the results of all evaluations including any state and/or district-wide assessments, as well as classroom performance. Areas of performance affected by the student's disability must be addressed in IEP; if not, provide rationale in the appropriate box below.

Parent/Student Educational Concerns and Comments: Academic: Reading		Cognitive Functioning	Vocational/Prevocational/Community Access			
Academic: Written Language		Communication	Self-Care/Independent Living			
Academic: Mathematics		Motor Abilities and/or Recreation/Leisure	Health Status/Summary Hearing: Date _____ <input type="checkbox"/> Passed <input type="checkbox"/> Failed Vision: Date _____ <input type="checkbox"/> Passed <input type="checkbox"/> Failed Corrective Lenses: <input type="checkbox"/> Yes <input type="checkbox"/> No Medication: <input type="checkbox"/> Yes <input type="checkbox"/> No Describe: _____			
Statewide Assessment Results		Social Emotional/Behavioral Functioning	Impact of Disability Describe how student's disability affects student's involvement and progress in the general education curriculum and/or participation in age appropriate activities:			
Area	Test	Score		Level	Date	
ELA	SBAC					
Math	SBAC					
Science	CST					
ELA	CAHSEE					
Math	CAHSEE					
Listening	CELDT					
Speaking	CELDT					
Reading	CELDT					
Writing	CELDT					
Overall	CELDT					
Additional Information:		Annual Goal(s)	Annual Goal(s)			

PRESENT LEVELS OF ACADEMIC ACHIEVEMENT AND FUNCTIONAL PERFORMANCE

Ventura County SELPA IEP

Student Name Sample, Mod Sev D.O.B. 10/9/1997 Meeting Date 10/2/2014

Describe present levels of performance in terms of general education expectations. Scores alone are not sufficient. Include specific strengths and weaknesses from the results of all evaluations including any state and/or district-wide assessments, as well as classroom performance. Areas of performance affected by the student's disability must be addressed in IEP; if not, provide rationale in the appropriate box below.

Parent/Student Educational Concerns and Comments: Preparation for Mod to get a job.

<p>Academic: Reading Sept 2014: Mod is able to identify all letters in the alphabet, both lower and uppercase. She reads words by stating the letter of the alphabet rather than reading the word. She can read single, double, and triple letter words with ease but often guesses and uses context clues when reading other words.</p> <p><input type="checkbox"/> Annual Goal(s)</p>	<p>Cognitive Functioning Previous testing done in September 2004 found Mod to demonstrate cognitive delays.</p> <p><input type="checkbox"/> Annual Goal(s)</p>	<p>Vocational/Prevocational/Community Access Mod states that she would like to work at McDonald's in the future. She says she has friends that work there. She knows the value of a penny, nickel and dime and says 25 cents for a quarter. Mod can tell time to the exact hour. In her vocational inventory, Mod demonstrated a liking for working with others and or helping other such as in a hospital or care-taking situation. She prefers to work in a busy environment and something that has a routine or same task.</p> <p><input type="checkbox"/> Annual Goal(s)</p>																																																							
<p>Academic: Written Language Sept 2014: Mod is able to write her full name with prompting and tends to write only her first name. She is unable to write her complete address without prompting. She can not write independently words such as "cat", "see" or "dog". She can write the first letter and ending letter but has difficulty with the vowel. Mod's writing strength is that she has legible writing.</p> <p><input type="checkbox"/> Annual Goal(s)</p>	<p>Communication Mod demonstrates oral language skills well below age and grade level expectations; however, these skills appear to be commensurate with estimated cognitive abilities. Mod demonstrates a moderate-severe articulation/phonological speech apraxia disorder. She speaks in short, one to two word utterances to maximize her ability to verbally communicate. Mod successfully participates in her functional skills program. She is able to modify her message if needed to assist the listener in understanding.</p> <p><input type="checkbox"/> Annual Goal(s)</p>	<p>Self-Care/Independent Living Sept 2014: Mod takes care of all her personal needs (toileting, dressing, feeding, etc.) at school independently. Mod can do simple cooking procedures with some assistance such as cooking a grilled cheese sandwich or making a snack. Mod has good mealtime behaviors; uses utensils, chews with her mouth closed, and refrains from stuffing her mouth or talking chewing with her mouth opened. Mod cannot read food labels but is able to correctly identify foods based on what they are.</p> <p><input type="checkbox"/> Annual Goal(s)</p>																																																							
<p>Academic: Mathematics Sept 2014: Mod is able to count to 20. She is able to count to 60 by 10's with the omission of 20. She is able to add one digit numbers by using her fingers. Mod can count to five using "ones" and recognizes different bills, one, five, ten and twenty. She can pay for items up to \$5.00 and \$10.00 using the exact amount. Mod is not able to name the different bills, ie., one five, ten, twenty. She is unable to count to 25 using "fives", and cannot count to 10 or 20 using mixed bills. Continued.</p> <p><input type="checkbox"/> Annual Goal(s)</p>	<p>Motor Abilities and/or Recreation/Leisure Mod enjoys playing games, sports, dancing, music and latchhook. Her printing is legible. Her gross and fine motor skills are commensurate with her ability. Mod is functioning below age expectancy in object control skills, gross motor skills and perceptual motor skills. She enjoys socializing with her peers in Adapted PE.</p> <p><input type="checkbox"/> Annual Goal(s)</p>	<p>Health Status/Summary Hearing: Date <u>3/19/2014</u> <input checked="" type="checkbox"/> Passed <input type="checkbox"/> Failed Vision: Date <u>10/2/2013</u> <input checked="" type="checkbox"/> Passed <input type="checkbox"/> Failed Corrective Lenses: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Medication: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Describe: Mod wears glasses.</p>																																																							
<p>Statewide Assessment Results</p> <table border="1"> <thead> <tr> <th>Area</th> <th>Test</th> <th>Score</th> <th>Level</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>ELA</td> <td>Alternate</td> <td>123</td> <td>Basic</td> <td>4/1/14</td> </tr> <tr> <td>Math</td> <td>Alternate</td> <td>100</td> <td>Below Basic</td> <td>4/1/14</td> </tr> <tr> <td>Science</td> <td>CAPA</td> <td>n/a</td> <td></td> <td></td> </tr> <tr> <td>ELA</td> <td>CAHSEE</td> <td>n/a</td> <td></td> <td></td> </tr> <tr> <td>Math</td> <td>CAHSEE</td> <td>n/a</td> <td></td> <td></td> </tr> <tr> <td>Listening</td> <td>VCCALPS</td> <td></td> <td>Advanced</td> <td>10/1/11</td> </tr> <tr> <td>Speaking</td> <td>VCCALPS</td> <td></td> <td>Advanced</td> <td>10/1/11</td> </tr> <tr> <td>Reading</td> <td>VCCALPS</td> <td></td> <td>Advanced</td> <td>10/1/11</td> </tr> <tr> <td>Writing</td> <td>VCCALPS</td> <td></td> <td>Early Advanced</td> <td>10/1/11</td> </tr> <tr> <td>Overall</td> <td>VCCALPS</td> <td></td> <td>Advanced</td> <td>10/1/11</td> </tr> </tbody> </table>	Area	Test	Score	Level	Date	ELA	Alternate	123	Basic	4/1/14	Math	Alternate	100	Below Basic	4/1/14	Science	CAPA	n/a			ELA	CAHSEE	n/a			Math	CAHSEE	n/a			Listening	VCCALPS		Advanced	10/1/11	Speaking	VCCALPS		Advanced	10/1/11	Reading	VCCALPS		Advanced	10/1/11	Writing	VCCALPS		Early Advanced	10/1/11	Overall	VCCALPS		Advanced	10/1/11	<p>Social Emotional/Behavioral Functioning Sept 2014: Mod is very cooperative and follows directions. Mod is very well liked by staff and peers alike. She participates in classroom discussions, pays attention and is a good student. She is becoming more social as the weeks progress. Mod is happy and polite and compliant with following through on the completion of classwork and homework with prompting.</p> <p><input type="checkbox"/> Annual Goal(s)</p> <p>Additional Information:</p> <p><input type="checkbox"/> Annual Goal(s)</p>	<p>Impact of Disability Describe how student's disability affects student's involvement and progress in the general education curriculum and/or participation in age appropriate activities: Due to Mod's cognitive and adaptive delays, she would continue to benefit from a functional skills program that would assist her in learning and living outside of the school environment.</p>
Area	Test	Score	Level	Date																																																					
ELA	Alternate	123	Basic	4/1/14																																																					
Math	Alternate	100	Below Basic	4/1/14																																																					
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Reading	VCCALPS		Advanced	10/1/11																																																					
Writing	VCCALPS		Early Advanced	10/1/11																																																					
Overall	VCCALPS		Advanced	10/1/11																																																					

Specific Learning Disability Eligibility Summary

This page must be filled out if the team is considering "Specific Learning Disability" as the student's disability. It must be completed at the Initial IEP and each Triennial Review.

The process for identifying a student with a learning disability may also be determined in an analysis of a student's response to increasingly intensive interventions or a "pattern of strengths and weaknesses."

SPECIFIC LEARNING DISABILITY ELIGIBILITY SUMMARY

Using a Discrepancy Model

Ventura County SELPA IEP

Student Name _____ D.O.B. _____ Meeting Date: _____

Signatures on this IEP signify agreement with the findings with respect to eligibility under Specific Learning Disability, unless a minority opinion is attached.

Note multiple sources of information used to determine discrepancy: Academic testing Individual Cognitive Testing Observation Review of records Teacher reports
 Report cards Work Samples SST notes Other _____

A. ABILITY TEST(S): _____ Scores: _____
 _____ Scores: _____

B. ACHIEVEMENT TEST(S):

Test Name	Subtest	Standard Score	Discrepancy

C. PROCESSING DISORDER: Auditory Processing Visual Processing Cognitive Abilities (including association, conceptualization, expression and memory) Sensory-Motor Skills Attention
 See the *Ventura County SELPA Pattern of Strengths and Weaknesses Model for Specific Learning Disability Eligibility Procedural Manual* for more information on processing disorders.

D. INFORMATION RELEVANT TO A SPECIFIC LEARNING DISABILITY:

1. Educationally relevant medical findings (if any): _____

2. Name of person (other than classroom teacher) who observed student in age-appropriate natural setting: _____

3. Behavior(s) of student during observation: _____

4. Relationship of behavior to student's academic functioning: _____

E. DISCREPANCY:

	YES	NO
1. Does the student have a severe discrepancy between the above measures of intellectual ability and achievement?		
2. Do other data sources indicate a severe discrepancy? If student has a processing disorder and standardized tests do not indicate a severe discrepancy, complete Collective Team Report form. <input type="checkbox"/> Collective Team Report attached as per Title 5 CCR 3030 (j)(4)(G)		
3. If a discrepancy exists, is it due primarily to:		
a. Limited school experience or poor attendance?		
b. Environmental factors, cultural differences, or economic disadvantages?		
c. Intellectual disabilities or emotional disturbance?		
d. Visual, hearing, or motor handicap?		
4. Can this discrepancy be corrected through other services or interventions in the regular program?		
5. Is the discrepancy corroborated by other assessment data?		

F. COLLECTIVE TEAM DECISION REGARDING ELIGIBILITY:
 Student demonstrates Specific Learning Disability and requires special education services.

SPECIFIC LEARNING DISABILITY ELIGIBILITY SUMMARY

Using a Pattern of Strengths and Weaknesses (PSW) Model

Ventura County SELPA IEP

Student Name _____ Meeting Date: _____

D.O.B. _____

A. Yes No The student has not achieved adequately to meet grade level standards in one or more of the following areas, when provided with differentiated instruction and intervention(s) appropriate for the student's age and/or grade level:

- | | | |
|--|--|--|
| <input type="checkbox"/> Reading Comprehension | <input type="checkbox"/> Oral Expression | <input type="checkbox"/> Mathematics Reasoning / Problem Solving |
| <input type="checkbox"/> Basic Reading Skills | <input type="checkbox"/> Listening Comprehension | <input type="checkbox"/> Mathematics Calculation |
| <input type="checkbox"/> Reading Fluency | <input type="checkbox"/> Written Expression | |

1. Norm-referenced academic assessments indicating academic achievement deficit(s):

Academic Achievement Deficit Area	Test/ Subtest	Standard Score	Percentile Rank

If the standardized academic testing scores do not substantiate an achievement deficit, explain the evidence that supports the team's rationale that an academic deficit exists.

2. The academic achievement deficit(s) found above are substantiated by a minimum of three of the following academic data sources:

- Grade level assessments Grades Work Samples Progress Monitoring Progress towards goals (triennials)

3. The academic deficit(s) found above are substantiated by observations of the student.

- Yes No

SLD SUMMARY FOR PSW MODEL Continued:

B. Yes No The student demonstrates a pattern of cognitive strengths and weakness(es) relative to the student's age or grade.

1. Psychological processing measures (including rating scales) indicating an otherwise normal cognitive ability profile (ONCAP):

Processing Area	Test/ Subtest	Standard Score/ T-score	Percentile Rank

2. Psychological processing measures (including rating scales) indicating processing weakness(es):

Processing Area	Test/ Subtest	Standard Score/ T-score	Percentile Rank

C. Yes No Research supports a link between the academic achievement deficit(s) and the processing weakness(es), according to the Ventura County Comprehensive Organizational Matrix of Processing-Achievement Relations, Evaluating Significance (COMPARES).

If the research within the COMPARES does not indicate a link between the academic achievement deficits and the processing weakness(es), but the team still believes the student is eligible under the classification of SLD, please explain the team's rationale for linking the processing weakness(es) and academic deficits.

D. If any of the following are checked "Yes", the student may not be identified as having a specific learning disability:

- Lack of progress is due primarily to limited school experience or poor school attendance. Yes No
- Lack of progress is due primarily to environmental or cultural differences or economic factors. Yes No
- Lack of progress is due primarily to intellectual disabilities or emotional disturbance. Yes No
- Lack of progress is due primarily to a visual, hearing, or motor disability. Yes No
- Lack of progress is due primarily to limited English proficiency. Yes No
- Lack of progress can be corrected through other regular or categorical services offered within the regular instructional program. Yes No
- Lack of progress is due to a lack of appropriate instruction. Yes No

Yes No The IEP Team concludes that the student meets the eligibility requirements for Special Education under the classification of Specific Learning Disability.

Goals/Objectives

The student's **needs** are the cornerstone of the IEP. Goals should be developed to address the needs.

Students who participate in alternative assessments (such as California Alternate Performance Assessment) also must have objectives for each goal. Objectives are **benchmarks** which measure progress along the way.

The parent will receive reports on how the student is progressing toward the goals and objectives at regular report card times in OSD, and they will be reviewed annually.

ANNUAL GOALS
Ventura County SELPA IEP

SAMPLE

Student Name Salas, Redfern Meeting Date 9/13/2012
 D.O.B. 1/24/1997

Area of Need: Social/Emotional

Responsible Discipline(s): Special Education Teacher, SESS

Reason for goal (Describe current needs in this area. Summarize progress on last year's goal in this area, if applicable.):
 Redfern has been receiving counseling services since the seventh grade in the area of anger management from a private therapist. She continues to express feelings of frustration to her parents and occasionally the classroom assistant. She will state that she feels "dumb" and that the other students make fun of her. She doesn't believe that the adults in the classroom want to help her. When frustrated with school work, she will scream and yell, throw materials, and run from the classroom.

Baseline (must include observable behavior or skill, current level of accuracy and consistency, & measurement instrument):
 Currently, Redfern can utilize an appropriate coping strategy (e.g. take a deep breath, count to ten, ask for a break, etc.) to calm self down when feeling angry or frustrated for in 2 of 5 opportunities within two weeks, as measured by teacher recorded data.

For EL students specify language of instruction: English Spanish Other: _____

Annual Goal 1
 By 7/25/2013, when frustrated, Redfern will utilize an appropriate coping strategy (e.g. take a deep breath, count to ten, ask for a break, etc.) to calm self down when feeling angry or frustrated in each occurrence within 2 weeks as measured by teacher recorded data.

Enables student to be involved/progress in general curriculum and/or Addresses other educational needs resulting from the disability
 Standard: Anger Management Domain: Social/Emotional Behavior
 Category _____ Number _____

Area of Need: Social/Emotional
Reason for goal (Describe current needs in this area. Summarize progress on last year's goal in this area, if applicable.):
 This goal is added to reduce Redfern's escape behaviors. On average, Redfern leaves the classroom 5 times per week when presented with a math activity. She will run from the classroom and remain in the hallways or the office area until the transition to nutrition break. She refuses to return to the classroom during math and will curse at staff who verbally prompt her to return.

Baseline (must include observable behavior or skill, current level of accuracy and consistency, & measurement instrument):
 Currently, Redfern engages in escape behaviors from undesired activities 5x per week over a period of 3 weeks as measured by observation record.

For EL students specify language of instruction: English Spanish Other: _____

Annual Goal 2
 By 7/25/2013, when asked to perform a non preferred activity, Redfern will reduce escape behavior from undesired activities from baseline to 1x per week for 3 weeks as measured by observation record.

Enables student to be involved/progress in general curriculum and/or Addresses other educational needs resulting from the disability
 Standard: Self-Management Frustration Tolerance Domain: Social/Emotional Behavior
 Category _____ Number _____

Parents will receive a report of progress on these goals at the intervals specified on the Agreement/Attendance page.

ANNUAL GOALS & OBJECTIVES
Ventura County SELPA IEP

Student Name _____ Meeting Date _____
D.O.B. _____

Area of Need: _____	Responsible Discipline(s): _____
Reason for goal (Describe current needs in this area. Summarize progress on last year's goal in this area, if applicable.): _____	
Baseline (must include observable behavior or skill, current level of accuracy and consistency, & measurement instrument): _____	
For EL students specify language of instruction: <input type="checkbox"/> English <input type="checkbox"/> Spanish <input type="checkbox"/> Other: _____	
Annual Goal By _____	
<input type="checkbox"/> Enables student to be involved/progress in general curriculum Standard: _____	and/or <input type="checkbox"/> Addresses other educational needs resulting from the disability Domain: _____
Objective: By _____	Number _____
Objective: By _____	
Objective: By _____	

Parents will receive a report of progress on these goals and objectives at the intervals specified on the Agreement/Attendance page.

Least Restrictive Environment

On this page, the team addresses whether or not the student will meet regular promotion standards. The team must address promotion/retention if your child is moving between:

- 2nd – 3rd grades
- 3rd – 4th grades
- 4th – 5th grades
- Elementary – middle School
- Middle School – High School

The child will be held to the SAME district standards for promotion as all other children unless the IEP team establishes alternate standards. Alternate standards must be expressed in terms of the district's regular standards.

In addition, the team notes any "special factors" that must be addressed to meet your child's needs. The "**special factors**" are:

- Behavior Interferes with learning of self or others
- Language needs of English Learners (ELs)
- Need for Braille instruction (blind or visually impaired)
- Communication needs (including deaf and/or hard of hearing students)
- Need for assistive technology (such as adaptive devices, software, etc.)
- Need for purchase of equipment for students with vision, hearing, or orthopedic impairments.

Also, a discussion is made about overall program (also known as the "**Offer of FAPE**" – a **Free, Appropriate Public Education**). This should include the location of the student in school throughout the day, all the services s/he will receive and any extracurricular activities. The team should discuss the pros and cons of every placement considered, and then come to consensus as to the one which is best at this time.

If the student is placed in other than the general education program, rationale must be given.

If s/he needs extended school year in order to keep from regressing in their skills, it is specified.

LEAST RESTRICTIVE ENVIRONMENT

Ventura County SELPA IEP

Student Name _____ Meeting Date _____

D.O.B. _____

Promotion and Retention Standards (Grades 2-8) Regular district criteria Individualized criteria, specify (reading for gr. 2 & 3; English/language arts and math for all other grades): _____

Special Factors Affecting Learning and Placement Do any of the following special factors apply? If yes, describe interventions, strategies and/or supports.

- Yes No Behavior interferes with learning (of self or others): _____
- Yes No Language needs of English Learner (EL): _____
- Yes No Braille instruction for students with blindness or visual impairment: _____
- Yes No Communication needs, including students who are deaf or hard of hearing: _____
- Yes No Assistive technology devices and services: _____
- Yes No Low Incidence Equipment to be acquired: _____

Program Considerations

- The IEP Team considered the following factors to determine the least restrictive environment for the student:
 - Placement with age-appropriate peers and participation with students without disabilities to the maximum extent appropriate in non-academic and extracurricular activities
 - Any potential harmful effect on the social and personal needs, the level of educational functioning, or the quality of services which s/he needs
- Check each program option discussed:
 - General education class(es) with special education monitoring, consultation, collaboration, accommodations or modifications
 - General education class(es) with special education services provided individually or in small groups in the classroom
 - General education class(es) with special education services provided individually or in small groups outside the classroom
 - Special education class(es) with part-time integration for academics in general education classroom
 - Special education class(es) with integration into non-academic and/or extracurricular activities in general education classrooms or settings.
 - Full-time special education class(es) in a public school
 - Full-time special education class(es) in a Nonpublic School (NPS)
 - Home/hospital instruction
 - (For preschoolers only) Related Services only
 - Other: _____

Offer of Free Appropriate Public Education (FAPE) - Describe student's overall school program, including supports needed for extracurricular activities (if any):

If placement in other than general education, provide rationale: _____
 If placement in other than home school, provide rationale: _____
 Other placement rationale: _____
 Additional supports for student: _____
 Supports needed for school personnel (i.e. consultation, training, planning time): _____

Support needed for transition between programs (i.e. special education to general education; preschool to kindergarten; middle school to high school):

Extended School Year Yes No If yes, fill out the services box below. See Meeting Summary for additional/more specific information regarding the ESY program.

Special Education Services and/or Related Services	Frequency	Minutes	Frequency	Minutes
1. Primary _____	_____	_____	4. _____	_____
2. _____	_____	_____	5. _____	_____
3. _____	_____	_____	6. _____	_____
			7. _____	_____

Preschool Page

This page is included in the IEP for 3-4-5 year olds not yet in kindergarten. It describes supports the child may need in the school environment, English language development needs (if applicable) and how the student will participate in the statewide testing program, the Desired Results Developmental Profile (DRDP) – access.

STRATEGIES and ADAPTATIONS for INSTRUCTION and ASSESSMENT
Preschool Level

Ventura County SELPA IEP

Student Name _____ Meeting Date _____

D.O.B. _____

CLASSROOM STRATEGIES / ADAPTATIONS

SETTING/EQUIPMENT	SCHEDULING	DIRECTIONS
SENSORY NEEDS	FEEDING NEEDS	TOILETING NEEDS

ASSESSMENT CONSIDERATIONS

Desired Results Developmental Profile (DRDP) access – mandatory for all special education preschoolers – administered in fall and spring each year (does not produce individual scores, but results are used for planning instruction) No adaptations needed With adaptations (if needed, specify below)

Preschool students are rated on their progress toward the following Desired Results:

1. Children are personally and socially competent (self-concept, social and interpersonal skills, self-regulation, and language skills).
2. Children are effective learners (curiosity & initiative, attention & persistence, memory, cause & effect, problem solving, pretend play, and beginning math & literacy skills).
3. Children show physical and motor competence (movement, balance, eye-hand coordination, grasp/release, and manipulation).
4. Children are safe and healthy (personal care routines, toileting & hygiene, dressing, feeding, personal safety, and understanding healthy lifestyle).

Preschool English Language Survey (PELS) – required for preschoolers with native language other than English on the Home Language Survey:

Administered on _____ Not applicable (English only)

Results: EL _____ EL goal number _____ Birthplace _____ (optional)

Note: The EL levels indicated above are intended for preschool only. Student will be reassessed for English language proficiency upon entry into kindergarten.
Suggested Language Development Assessment for Kindergarten CELDT VCCALPS

STRATEGIES and ADAPTATIONS for INSTRUCTION and ASSESSMENT
Preschool Level

Ventura County SELPA IEP

Student Name Sample, Melanie Meeting Date _____
D.O.B. 5/13/2012

CLASSROOM STRATEGIES / ADAPTATIONS

SETTING/EQUIPMENT	SCHEDULING	DIRECTIONS
Adapted tricycle	Picture schedule	Simple repetitive directions
Adapted scissors	Transition object	
	Warning before transitions	
SENSORY NEEDS	FEEDING NEEDS	TOILETING NEEDS
Low light	Assistance with feeding	Diapering
Limited food textures	Special spoon	
	Special cup	
	Special bowl	
	Special placemat	
	Pureed foods	

ASSESSMENT CONSIDERATIONS

Desired Results Developmental Profile (DRDP) access – mandatory for all special education preschoolers – administered in fall and spring each year (does not produce individual scores, but results are used for planning instruction) No adaptations needed With adaptations (if needed, specify below)
Visual support _____ Functional positioning _____

- Preschool students are rated on their progress toward the following Desired Results:
1. Children are personally and socially competent (self-concept, social and interpersonal skills, self-regulation, and language skills).
 2. Children are effective learners (curiosity & initiative, attention & persistence, memory, cause & effect, problem solving, pretend play, and beginning math & literacy skills).
 3. Children show physical and motor competence (movement, balance, eye-hand coordination, grasp/release, and manipulation)
 4. Children are safe and healthy (personal care routines, toileting & hygiene, dressing, feeding, personal safety, and understanding healthy lifestyle).

Preschool English Language Survey (PELS) – required for preschoolers with native language other than English on the Home Language Survey:

Administered on _____ Not applicable (English only)

Results: EL _____ EL goal number _____ Birthplace _____ (optional)

Note: The EL levels indicated above are intended for preschool only. Student will be reassessed for English language proficiency upon entry into kindergarten.

Suggested Language Development Assessment for Kindergarten CELDT VCCALPS

Accommodations & Modifications

(Preschoolers will not have this page)

This page is one of the most important ones for the general education teacher. Make sure every general education teacher gets a copy of it. The accommodations and modifications the student will need to be successful should be noted, in each subject, if necessary. Also, the team will note any special grading to be used. Brochures entitled "A+ - Access, Accommodations, Acceptance a Winning Combination" or "90 Ways to Help Students with ADHD" are available through the SELPA website at www.vcselpa.org For Families/Resources & Booklets for ideas for accommodations.

ACCOMMODATIONS and MODIFICATIONS for CLASSROOM INSTRUCTION & ASSESSMENT

Ventura County SELPA IEP

Student Name _____ D.O.B. _____ Meeting Date _____

ACCOMMODATIONS needed for student to be involved and progress in the core curriculum (must be related to student's disability):

Note: Accommodations do NOT fundamentally alter or lower standards of course/test. Students receiving accommodations in the classroom shall be eligible to receive the same grade. The accommodations listed below apply to all subjects and settings unless specified otherwise.

SETTING/ SCHEDULING	TEACHER DIRECTIONS	STUDENT RESPONSE
SENSORY NEEDS	ORGANIZATION / STUDY SKILLS	PERSONAL CARE / EQUIPMENT

MODIFICATIONS needed: *Note: modifications DO fundamentally alter or lower standards of course/test.*

SUBJECT	ASSIGNMENTS / TESTS		COURSES / SUBJECTS	
	MODIFICATIONS	GRADING	MODIFIED REQUIREMENTS	GRADING

ACCOMMODATIONS and MODIFICATIONS for CLASSROOM INSTRUCTION & ASSESSMENT

Ventura County SELPA IEP

Student Name Salas, Redfern D.O.B. 1/24/1997 Meeting Date 9/13/2012

ACCOMMODATIONS needed for student to be involved and progress in the core curriculum (must be related to student's disability):

Note: Accommodations do NOT fundamentally alter or lower standards of course/test. Students receiving accommodations in the classroom shall be eligible to receive the same grade. The accommodations listed below apply to all subjects and settings unless specified otherwise.

SETTING / SCHEDULING	TEACHER DIRECTIONS	STUDENT RESPONSE
Seat near teacher	Fewer items on a page	Reduced paper/pencil tasks
Warning before transitions	Ignore minor inappropriate behaviors	Use of calculator except for calculation tests
Frequent breaks	Allow extra classroom movement	None
	Warn student of environmental changes	
	Visual cues (models or pictures)	
	Task presented in small chunks	
	Use preferred activities for reinforcement	
SENSORY NEEDS	ORGANIZATION / STUDY SKILLS	PERSONAL CARE / EQUIPMENT
Use of self-monitoring strategies	None	None
Warn student of changes to schedule		
Frequent breaks		
Extra/immediate privileges/rewards		
None		

MODIFICATIONS needed: Note: modifications DO fundamentally alter or lower standards of course/test.

SUBJECT	ASSIGNMENTS / TESTS		COURSES / SUBJECTS	
	MODIFICATIONS	GRADING	MODIFIED REQUIREMENTS	GRADING
None				

Classroom Accommodations Menus

Setting/Scheduling	Teacher Directions	Student Response
None	None	None
Visual schedule	One word directions	Use of access switches
Warning before transitions	Directions given one at a time	Word processing software with tools turned off
Seat at front of room	Directions given in a variety of ways	Word processing software with spell check
Seat near teacher	Directions given through visual cues	Word processing software with grammar check
Seat away from distractions/noise	Simple repetitive directions	Dictate responses (oral or sign)
Designated seat at table	Questions or items presented orally	Use of pencil grip
Allow choice of two tasks	Answer choices read aloud	Specialized paper
Change in order of tasks	Fewer items on a page	Allow use of pen only
Visual barriers	Textbook on tape or CD	Allow use of pencil only
Choice in the order of tasks	Frequent checks for understanding	Increased verbal response time
Frequent breaks	Open book tests	Do very other problem on math
Low light	Short answer tests	Reduced paper/pencil tasks
Low noise	Mark correct answers, not mistakes	No penalty for spelling except on spelling task
Extended time to complete assignments	Ignore minor inappropriate behaviors	No penalty for grammar unless a grammar task
Extended time on tests	Allow extra classroom movement	Use of notes on tests or quizzes
Test at time most beneficial to student	Warn student of environmental changes	Use of calculator except for calculation tests
Test over more than one day	Praise for specific behavior	Use of manipulatives
Supervised breaks within a test period	Verbal encouragement	Alternative response mode (oral, or pointing)
Test individually	On-task reminders	Speech generating device
Test in small group	Secret signal	Oral or taped response to essay questions
Test in a quiet environment	Pages turned for student	No scantron answer sheets
Noise buffers or study carrel	Large print	Visual cues for student to wait
"Private office"	Braille transcription	Visual cues for student to wait for turn
Special lighting or acoustics	Sign language	Translation device
Adaptive furniture	Light physical prompts	Bilingual dictionary
Use of timer to cue task completion	Visual cues (models or pictures)	
Use of timer to signal end of break	Allow for increased verbal response time	
Use of visual countdown strip to signal end of task	Allow for alternative response mode	
Use visual countdown strip to signal end of activity	Demonstrate with manipulatives	
	Low voice volume	
	Use "First, Then" cards with pictures	
	Tasks presented in small chunks	
	Provide checklist of steps for tasks	
	Provide visuals of expectations	
	Use preferred activities for reinforcement	
	Allow student to select reinforcers	
	Provide reinforcement chart with visuals of choices	
	Primary language support in academics	
	Use of Hearing Assistive Technology (HAT)	

Sensory	Organization/Study Skills	Personal Care/Equipment
None	None	None
Low light	Visual schedule	Assistance with dressing for PE
Low noise	Extra set of books at home	Assistance with opening a lock
Use of self-monitoring strategies	Note-taking assistance	Special lock
Extra/immediate privileges/rewards	Assistance with recording assignments	Assistance with feeding
Warn student of changes to environment	Colored folders	Special spoon
Warn student of changes to schedule	Highlighters	Special cup
Frequent breaks	Use of place marker or colored markings	Special bowl
Fidget object	Late assignments accepted up to _____	Special placemat
Sensory diet at specific planned intervals	Alternative materials	Weighted utensils
Calming activities	Study guides or sheets	Pureed foods
Stimulating activities for alertness	Graphic organizer	Consideration of food allergies
Vestibular input (rocking/swinging)	Use of notes on tests or quizzes	Consideration of food texture
"Heavy work" before fine motor	No scantron answer sheets	Gavage feeding
Proprioceptive input (pressure)	Textbook on tape or CD	Assistance with toileting
Weighted vest	Reading pen	Adapted toilet seat
Weighted lap belt/pads		Changing table
Special seat (ball, cushion)		Diapering
Access to squeeze machine		Assistance with transferring to toilet
Access to Somatron pillow		Lift for transfers
Avoid light touch; firm touch only		Habit training
Use of i-pod or similar during non-instructional time		Product allergies or sensitivities
Use of MP3 player during non-instructional time		Adaptive furniture
Planned exposure to overstimulation to desensitize		Use of access switches
		Walker
		Stander
		Vestibulator
		Gait trainer
		Adapted bicycle or tricycle

Classroom Modifications Menus

Subjects	Modified Assignments	Grading on Assignments	Course Modifications	Report Card Grading
All subjects	Reduced number of standards	Grade on effort	Alternative curriculum	Credit-no credit
English	Increased assistance/support	Grade on content, not format	Essential standards only	Pass-fail
Language Arts	Eliminate evaluative questions	No penalty for spelling errors	Functional skills curriculum	Regular-note mod. assignments
Reading	Eliminate analytical questions	Pass-Fail	Reduced # of standards to master	Regular-note mod. curriculum
Writing	Focus on literal/factual questions	Grade on specific standards	Modified assignments/tests	Regular-note mod. requirements
Math	Different requirements for assignment	Indicate # of standards met	Course not modified	Credit-no credit
Science	Same assignment-different requirements	Grade on targeted skills		Pass-fail
History/SS	Backward mapped assignment			Alternate report card
Social Studies	Use of calculator			CAPA report card
P.E.	Formulas provided			
Elective	Participation only			
Lunch	Word prediction software for writing			
	Use of spell check for writing			
	Use of grammar check for writing			
	Use of notes on tests & quizzes			
	N/A – using modified curriculum			
	Test adapted for “comprehension”			
	Use of visuals, drawings, etc.			

California Assessment of Student Performance and Progress (CAASPP) Page

(Preschoolers will not have this page)

All students must participate in the **California Assessment of Student Performance and Progress (CAASPP)**, and the IEP specifies how they will participate. They may take tests with or without Universal Tools, Designated Supports, or Accommodations. For English language arts and math, students in grades 3-8 and 11 will participate in the Smarter Balanced Assessment Consortium (SBAC).

When the IEP specifies, students with significant cognitive disabilities participate in an alternate assessment for English language arts and math called the California Alternate Assessment (CAA or CalAlt). Students in grades 5, 8 and in high school will take the California Science Test (CAST) unless the IEP team has designated the student to take the CAA for science.

If the parent does not want the student to participate in ANY form of Statewide Achievement testing, the parent may indicate so in a letter to the school principal. This should be done OUTSIDE of the IEP process.

PARTICIPATION IN CALIFORNIA ASSESSMENT OF STUDENT PERFORMANCE AND PROGRESS (CAASPP)

Ventura County SELPA

Student Name _____ SSID _____ D.O.B. _____ Meeting Date _____

The IEP team considered various options for participation in statewide academic assessments, including the criteria for modified or alternate assessment, and agreed that the student will participate as follows:

ENGLISH LANGUAGE ARTS (For students in grades 3-8 and 11)

UNIVERSAL TOOLS - available unless turned off	DESIGNATED SUPPORTS (must use regularly in class)	ACCOMMODATIONS (must use regularly in class)
EMBEDDED Digital Notepad English Dictionary English Glossary Expandable Passages Global Notes Highlighter NON-EMBEDDED	Keyboard Navigation Mark for Review Spell Check Strikethrough Writing Tools Zoom (14 pt. font) NON-EMBEDDED	EMBEDDED NON-EMBEDDED

MATHEMATICS (For students in grades 3-8 and 11)

UNIVERSAL TOOLS - available unless turned off	DESIGNATED SUPPORTS (must use regularly in class)	ACCOMMODATIONS (must use regularly in class)
EMBEDDED Calculator Digital Notepad English Glossary Highlighter Keyboard Navigation NON-EMBEDDED	Mark for Review Math Tools Strikethrough Zoom (14 pt. font) NON-EMBEDDED	EMBEDDED NON-EMBEDDED

SCIENCE ASSESSMENTS: (For students in grades 5, 8 and 10)

UNIVERSAL TOOLS (select those applicable)	DESIGNATED SUPPORTS (must use regularly in class)	ACCOMMODATIONS (must use regularly in class)
NON-EMBEDDED	NON-EMBEDDED	NON-EMBEDDED

CONSIDERATIONS FOR USE OF NON STANDARD ASSESSMENTS (will result in student being assessed using modified or alternate achievement standards):

- The decision to participate in an alternate assessment rather than the standard assessment is based on the student's academic/cognitive ability and adaptive behavior that indicate a need for a functional skills curriculum.
- The decision to participate in the California Modified Assessment (CMA) rather than the California Standards Test (CST) for science is based on multiple measures (classroom assessment, eligibility, and other evaluations) that indicated student will not achieve grade-level proficiency within the year covered by the IEP.

PARTICIPATION IN CALIFORNIA ASSESSMENT OF STUDENT PERFORMANCE AND PROGRESS (CAASPP)

Student Name Samples, Mild Mod SSID 2211221122 D.O.B. 10/9/1999 Meeting Date 9/22/2014
 The IEP team considered various options for participation in statewide academic assessments, including the criteria for modified or alternate assessment, and agreed that the student will participate as follows:

ENGLISH LANGUAGE ARTS (For students in grades 3-8 and 11) Smarter Balanced with Designated Supports

UNIVERSAL TOOLS - available unless turned off	DESIGNATED SUPPORTS (must use regularly in class)	ACCOMMODATIONS (must use regularly in class)
Digital Notepad English Dictionary English Glossary Expandable Passages Global Notes Highlighter NON-EMBEDDED	Keyboard Navigation Mark for Review Spell Check Strikethrough Writing Tools Zoom (14 pt. font) NON-EMBEDDED	EMBEDDED Large Print (21 pt)- Zoom off EMBEDDED NON-EMBEDDED Noise Buffers NON-EMBEDDED
Breaks	Noise Buffers	NON-EMBEDDED

MATHEMATICS (For students in grades 3-8 and 11) Smarter Balanced with Designated Supports

UNIVERSAL TOOLS - available unless turned off	DESIGNATED SUPPORTS (must use regularly in class)	ACCOMMODATIONS (must use regularly in class)
Calculator Digital Notepad English Glossary Highlighter Keyboard Navigation NON-EMBEDDED	Mark for Review Math Tools Strikethrough Zoom (14 pt. font) NON-EMBEDDED	EMBEDDED Large Print (21 pt)- Zoom off EMBEDDED NON-EMBEDDED Noise Buffers NON-EMBEDDED
Breaks	Noise Buffers	NON-EMBEDDED
Scratch Paper		

SCIENCE ASSESSMENTS: (For students in grades 5, 8 and 10) Exempt-Outside of Required Grade Level

UNIVERSAL TOOLS (select those applicable)	DESIGNATED SUPPORTS (must use regularly in class)	ACCOMMODATIONS (must use regularly in class)
NON-EMBEDDED	NON-EMBEDDED	NON-EMBEDDED

CONSIDERATIONS FOR USE OF NON STANDARD ASSESSMENTS (will result in student being assessed using modified or alternate achievement standards):
 The decision to participate in an alternate assessment rather than the standard assessment is based on the student's academic/cognitive ability and adaptive behavior that indicate a need for a functional skills curriculum.
 The decision to participate in the California Modified Assessment (CMA) rather than the California Standards Test (CST) for science is based on multiple measures (classroom assessment, eligibility, and other evaluations) that indicated student will not achieve grade-level proficiency within the year covered by the IEP.

Agreement and Attendance

On this page the parent should initial all parts of the IEP that they agree with. Indicate whether they attended in person or by teleconference. They must sign on the signature line to indicate their participation **even if they are not in agreement with the entire IEP.**

If there is a part that the parent is not in agreement with, they are to note it.

It is important that the parent note everything that they are in agreement with so that the district can begin implementing them.

The IEP administrator will explain "next steps" in resolving areas in which there is disagreement.

AGREEMENT/ATTENDANCE
Ventura County SELPA IEP

Student Name _____ Meeting Date _____
 D.O.B. _____

The following components of the IEP were explained and discussed at this meeting. Parent/Adult Student initials below indicate agreement with respective provisions in this IEP document unless specified below.

- ____ Parent/Adult Student Rights – Within the last year, I have received a copy of and understand the rights afforded to me. I understand that this program will be reviewed annually and that I may request a review of this program at any time.
- ____ N/A Assessment Reports – I have received copies of all the reports discussed.
- ____ N/A Progress toward previous goals was reviewed, and I received a copy of the Progress Report.
- ____ This IEP was prepared, reviewed and communicated with me in understandable language, including abbreviations. I have had the opportunity to provide input in developing this program. The district facilitated parent involvement as a means of improving services and results for my child.
- ____ N/A Eligibility – I agree with the eligibility determination.
- ____ N/A Annual Goals – I agree with the goals in this IEP except as noted below.
- ____ N/A Services – I agree with the services stated in this IEP except as noted below.
- ____ N/A Progress Reports – I was informed that the custodial parent/adult student will receive written reports of progress toward goals concurrent with general education reporting periods at the school of attendance. Exception(s): _____ Language _____
- ____ N/A Parent/Adult Student offered translation Declined Accepted: _____
- High School / Postsecondary Only:**
- ____ N/A I was informed that all special education rights will be/were transferred to student upon reaching age of majority.
- ____ N/A I was informed that graduation from high school with a regular diploma ends the district's obligation to provide a free, appropriate public education.
- ____ N/A I give the district permission to exchange information with and invite to the next IEP meeting the adult agencies specified on the *Transitioning From Public School* page.

Parent/Adult Student Participation: _____ **Attended** _____ **Teleconferenced** _____ **Invited /Did not attend;** _____ **Approval:** _____ **Agree with IEP** _____ **Agree except as noted below:** _____

This IEP will be implemented except for areas of disagreement noted above. Comments, if any: _____

Parent/Guardian/Surrogate/Representative _____	Date _____	Parent/Guardian _____	Date _____	Student _____	Date _____
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Private School – This IEP represents the _____ District's offer of a Free Appropriate Public Education. As parents have chosen to enroll student/continue enrollment in a private school in the _____ District, any services to be offered will be in accordance with the private school guidelines of the district in which the private school is located. Parents were given information for contacting district where private school is located.

Signatures of other IEP team members. (Indicate members with Excusal Form on record.)

Special Education Teacher _____	Date _____	School Psychologist _____	Date _____	Interpreter _____	Date _____
General Education Teacher _____	Date _____	Occupational Therapist _____	Date _____	School Counselor _____	Date _____
Speech-Language Pathologist _____	Date _____	School Nurse _____	Date _____	Title/Agency _____	Date _____
LEA (District) Representative _____	Date _____	LEA (District) Representative _____	Date _____	Title/Agency _____	Date _____

For more information about special education and your rights, please contact your district Special Education Office or visit the SELPA website at www.venturacountyselpa.com

English Language Development Assessment Info

This page is used for all students who are considered “English Learners” according to the Home Language Survey or recent testing. It notes universal tools, designates supports or accommodations needed to take the English Language Proficiency Assessment for California (ELPAC), or alternate, which are required for all English Learners and given every year.

This page also indicates how the student will participate in English Language Development (ELD) and goals.

ENGLISH LANGUAGE DEVELOPMENT INFORMATION

Ventura County SELPA IEP

Student Name _____ D.O.B. _____ Meeting Date _____
 Primary Language (L1): _____ (Determined from information on Home Language Survey – does not ever change)
 Language used to communicate with parents: _____ Other languages spoken in home: _____
 Student's ELD level: Listening: _____ Speaking: _____ Reading: _____ Writing: _____
 Overall Level: _____ Assessment Instrument: _____ Date of most recent assessment: _____

The IEP team has decided to recommend the student for reclassification as Fully English Proficient based on alternative measures of English Language Proficiency and performance in basic skills (**only if allowed by district policy**). *If the box is checked, it is not necessary to complete the remainder of this form.*

English Language Proficiency Assessment Specify assessment to be administered – English Language Proficiency Assessments of California (ELPAC) Ventura County Comprehensive Alternate Language Proficiency Survey (VCCALPS):

	UNIVERSAL TOOLS Non-Embedded	DESIGNATED SUPPORTS Non-Embedded	ACCOMMODATIONS Non-Embedded
LISTENING			
SPEAKING			
READING			
WRITING			

ENGLISH LEARNER SERVICES:

PROGRAM MODEL:

- Structured English Immersion (SEI) – Consider for students with Overall ELD levels of Beginning or Early Intermediate
- English Language Mainstream (ELM) – Consider for students with Overall ELD levels of Intermediate and above
- Alternative Educational Program – May be considered for students at all levels _____

ELD INSTRUCTION: Location: _____ Frequency: for _____ minutes per _____
 Goal number(s) that address language needs of the English Learner _____ (must be at least one)
 Strategies and supports for accessing the core curriculum _____

Note: A copy of this page must be forwarded to school district office or site staff person responsible for English Language Assessment.

Copy to: District Office General Education/Cumulative File Language Acquisition Office

ENGLISH LANGUAGE DEVELOPMENT INFORMATION

Ventura County SELPA IEP

Student Name Sample, Jose D.O.B. 03/24/2002 Meeting Date _____
 Primary Language (L-1): Spanish_01 (Determined from information on Home Language Survey – does not ever change)
 Language used to communicate with parents: Spanish Other languages spoken in home: Filipino (Tagalog)
 Student's ELD level: Listening: Intermediate Speaking: Early Intermediate Reading: Beginning Writing: Beginning
 Overall Level: Early Intermediate Assessment Instrument: CELDT Date of most recent assessment: 10/14/2016

The IEP team has decided to recommend the student for reclassification as Fully English Proficient based on alternative measures of English Language Proficiency and performance in basic skills (only if allowed by district policy). If the box is checked, it is not necessary to complete the remainder of this form.

English Language Proficiency Assessment Specify assessment to be administered – English Language Proficiency Assessments of California (ELPAC) Ventura County Comprehensive Alternate Language Proficiency Survey (VCCALPS):

	UNIVERSAL TOOLS Non-Embedded	DESIGNATED SUPPORTS Non-Embedded	ACCOMMODATIONS Non-Embedded
LISTENING	Directions simplified or clarified	Point to multiple choice answer	
SPEAKING	Directions simplified or clarified		
READING	Extra time within a testing day	Administer at time most beneficial to student	
WRITING	Extra time within a testing day	Point to multiple choice answer	

ENGLISH LEARNER SERVICES:

PROGRAM MODEL:

- Structured English Immersion (SEI) – Consider for students with Overall ELD levels of Beginning or Early Intermediate
- English Language Mainstream (ELM) – Consider for students with Overall ELD levels of Intermediate and above
- Alternative Educational Program – May be considered for students at all levels _____

ELD INSTRUCTION: Location: General education class Frequency: for 55 minutes per day _____
 Goal number(s) that address language needs of the English Learner 4 7 (must be at least one)
 Strategies and supports for accessing the core curriculum: Outlines or reading guides Charts, graphs, pictures, diagrams
Compare / contrast meanings

Note: A copy of this page must be forwarded to school district office or site staff person responsible for English Language Assessment.

Copy to: District Office General Education/Cumulative File Language Acquisition Office

Due Process

Parents or school districts can pursue Due Process to attempt to resolve issues of disagreement on behalf of the child. A request for Due Process must be filed no later than two years after the issue occurred.

The steps to Due Process are:

(within 15 days, district offers Resolution Session)

Resolution Session held (unless both parties agree to waive)

(If not resolved,)

Mediation Held (unless either party declines)

(If not resolved, within 30 days of filing complaint)

Due Process Hearing Begins

(Final, written decision mailed no later than 45 days after expiration of Resolution/Mediation period, or within 90 days of hearing decision)

(If either party chooses to appeal)

Federal Court - Civil Action

9th Circuit Court of Appeals

U.S. Supreme Court

WHAT IS THE DIFFERENCE BETWEEN A UNIVERSAL COMPLAINT AND A SPECIAL EDUCATION DUE PROCESS COMPLAINT		
	Universal Complaint	Due Process Complaint
<i>Who can file a complaint:</i>	Any individual or organization can file a universal complaint	Only a parent or a school district may file a due process complaint
<i>Subject of the complaint:</i>	The universal considers violations of any state or federal education law.	The due process complaint considers the proposal or refusal to initiate or change the identification, evaluation or educational placement of a child with a disability, or the provision of Free Appropriate Public Education (FAPE) to the child.
<i>Time period for filing a complaint:</i>	Universal complaints must be filed within one year of the violation of the education law.	Due process complaints must be filed within two years of the violation of the special education law.
<i>Determination of what happened</i>	In a universal complaint, staff of the CDE investigate the allegations in the state complaint and determines whether there has been a violation of law.	In a due process complaint, the parents and school district staff each present their version of the disagreement to an impartial hearing officer through documents and oral testimony at a hearing. The parties to the hearing have an opportunity to present and cross-examine witnesses, to have a record of the proceedings, and to enter and object to evidence. Parties can subpoena witnesses and testimony is under oath.
<i>Timetable for a decision:</i>	A universal complaint is investigated and resolved within 60 days.	The due process hearing decision must be issued 45 days after the conclusion of the resolution process unless the hearing officer grants a request to postpone the hearing.
<i>Review of the decision:</i>	The universal complaint cannot be appealed. The staff person who conducted the investigation may consider new or additional information that has a bearing on the outcome of the investigation.	The decision of the due process hearing officer may be appealed to state or federal court.

The above is pertinent to procedures related to filing a Special Education Complaint. The district also has in place Universal Complaint procedures as detailed in Board Policy and Administrative Regulations 1312.3. The Board policy begins with the following language: *“The Governing Board recognizes that the district has the primary responsibility to comply with applicable state and federal laws and regulations governing educational programs. The district shall investigate complaints alleging failure to comply with such laws and/or alleging unlawful discrimination, harassment, intimidation, and bullying, and shall seek to resolve those complaints in accordance with the district’s uniform complaint procedures. (5 CCR 4620) A complaint may also be filed regarding violations of state laws or regulations related to pupil fees.”*

REQUEST FOR COMPLAINT INVESTIGATION

PLEASE NOTE: A complaint may be filed through the use of this form or by a written letter sent by fax or postal mail. E-mails cannot be accepted as formal complaints because they do not meet signature requirements under 34 C.F.R. 300.153(b)(3). If upon analysis of a request, a complaint is opened, a complaint investigation will be completed within 60 days of receipt in the California Department of Education (CDE) Special Education Division Procedural Safeguards Referral Service (PSRS) of all required information.

The written complaint must specify at least one alleged violation of state and/or federal special education laws that occurred not more than one year prior to the date the complaint is received by the CDE. The party filing a complaint must forward a copy of the complaint to the LEA or public agency serving the child at the same time the party files a compliance complaint with the CDE. [34 Code of Federal Regulations (CFR) 300.153(d)]

Please return the completed form to: California Department of Education; Special Education Division; Procedural Safeguards Referral Service; 1430 N Street; Suite 2401; Sacramento, CA 95814; Phone: (800) 926-0648; FAX: (916) 327-3704

Name of School District or other Public Educational Agency that allegedly violated state and/or federal special education laws:

Student Information (If alleging violations with respect to a specific child):

Complainant Contact Information:

Name _____

Address _____

City _____, CA Zip Code _____

Phone Numbers (Please note the best time to call):

(day) _____ (evening) _____

(work) _____ ext. _____ (fax) _____

Parent/Guardian Information (if different from above):

Name(s) _____

Address _____

City _____, CA Zip Code _____

Parent/Guardian Phone Numbers (if phone contact is permitted, please indicate the best time to call):

(day) _____ (evening) _____

(work) _____ ext. _____ (fax) _____

Name _____

Date of Birth _____ Current Grade Level _____

Address Where Student Resides (If different from Parent/Guardian information):

Address _____

City _____, CA Zip Code _____

School of Attendance (required) _____

Pursuant to 34 CFR 300.153(b)(1), I would like to file a complaint because I believe that the public education agency listed on page one has violated state and/or federal education laws. Here are the facts of what happened: (Include a specific statement of each alleged violation and the dates when the violation occurred, if necessary use additional pages (CFR 300.153(b)(2))

Who have you contacted regarding the above issue(s)? What was the outcome?

Proposed Resolution (34 CFR 300.153(b)(4)(v)):
A complaint investigation would not be necessary if:

Has your child been referred for special education? Yes _____ No _____

Was your child ever identified for special education? Yes _____ No _____

Does your child have an individualized education program (IEP)? Yes _____ No _____ If yes, please include a copy of the most recently signed IEP.

Include copies of any other documents that apply to this request for complaint investigation, such as assessment plans, written correspondence or mediation and settlement agreements.

Signature of Complainant _____ Date _____

Extended School Year

§3043 Extended school year services shall be provided, in accordance with 34 C.F.R. section 300.106, for each individual with exceptional needs who has unique needs and requires special education and related services in excess of the regular academic year. Such individuals shall have disabilities which are likely to continue indefinitely or for a prolonged period, and interruption of the pupil's educational programming may cause regression, when coupled with limited recoupment capacity, rendering it impossible or unlikely that the pupil will attain the level of self-sufficiency and independence that would otherwise be expected in view of his or her disabling condition. The lack of clear evidence of such factors may not be used to deny an individual an extended school year program if the IEP team determines the need for such a program and includes extended school year in the IEP pursuant to subdivision (e).

a Extended year special education and related services shall be provided by a school district, SELPA, or county office offering programs during the regular academic year.

b Individuals with exceptional needs who may require an extended school year are those who:
Are placed in special classes; or
Are individuals with exceptional needs whose IEPs specify an extended year program as determined by the IEP team.

c The term "extended year" as used in this section means the period of time between the close of one academic year and beginning of the succeeding academic year. The term "academic year" as used in this section means that portion of the school year during which the regular day school is maintained, which period must include not less than the number of days required to entitle the district, special education services region, or county office to apportionments of state funds.

d An extended year program shall be provided for a minimum of 20 instructional days, including holidays.

e An extended year program, when needed, as determined by the IEP team, shall be included in the pupil's IEP

f In order to qualify for average daily attendance revenue for extended year pupils, all of the following conditions must be met:

1. Extended year special education shall be the same length of time as the school day for pupils of the same age level attending summer school in the district in which the extended year program is provided, but not less than the minimum school day for that age unless otherwise specified in the IEP to meet a pupil's unique needs.
2. The special education and related services offered during the extended year period are comparable in standards, scope and quality to the special education program offered during the regular academic year.

g If during the regular academic year an individual's IEP specifies integration in the regular classroom, a public education agency is not required to meet that component of the IEP if no regular summer school programs are being offered by that agency.

1. This section shall not apply to schools which are operating a continuous school program pursuant to Chapter 5 (commencing with Section 37600) of Part 22, Division 3, Title 2, of the Education Code.

Extended School Year (ESY) Worksheet

Not all students in special education qualify for Extended School Year placement. It is the IEP Team's decision as to whether a student needs ESY. The SELPA has developed the following form to help determine if ESY is warranted for a student

Ventura County SELPA IEP

Student Name:

D.O.B.:

School:

IEP Date:

1. Describe student's disability, including severity:

2. Describe the degree of actual or likely regression following a school break:

3. Describe the amount of time it takes or may take the student to regain the prior level of knowledge skills, benefits or functioning following a school break:

4. Identify other issues including physical, medical, emotional, social, behavioral, mental health, family, academic and/or vocational, which may affect student's ability to recoup skills after a break:

Based on the IEP team discussion, the team believes that one of the following is true:

The student has, in the past, experienced a serious loss of knowledge or skills over a school break that he/she was unable to recoup in a reasonable amount of time, and is therefore eligible for ESY.

The student may experience a serious loss of knowledge or skills over a school break that he/she will be unable to recoup in a reasonable amount of time, and is therefore eligible for ESY.

The student is not likely to experience a serious loss of knowledge or skills over a school break that he/she will not recoup in a reasonable amount of time upon return to school, and is therefore not eligible for ESY.

If the IEP team agrees that ESY services are necessary, describe on the IEP.

Extended School Year Criteria

A. Regression and Recoupment

Regression refers to how much knowledge or how many skills a student loses due to a break in educational programming. Typically, students demonstrate some skill regression after a break in instruction.

Recoupment refers to the ability and corresponding length of time students require to relearn knowledge or skills previously achieved. For a typical student in general education, it may take 4-6 weeks of review or re-teaching to regain knowledge lost over an 8-12 week break in instruction.

B. Critical Skills for Students Accessing the Alternate Curriculum

Critical skills for students accessing the alternate curriculum refer to those skills that lead to independent functioning for students with serve disabilities. Development of these skills can lead to reduced dependency on future caretakers and enhance student's integration with nondisabled individuals.

The IEP team should consider: Does the data demonstrate that ESY services are necessary to prevent the loss of independent functioning and critical self sufficiency skills?

C. Special Circumstances

Special Circumstances refer to the evidence of other factors that prevent goal attainment. These may include students at a critical stage in life skills or developmental skills acquisition or who may have frequent health related, medically documented absences.

The IEP Team should consider: Does the data show evidence of other factors that prevent goal attainment? Is the student at a critical stage in development of life skills (i.e. eating, mobility, toileting, communicating, etc.?) Does the IEP document evidence of frequent health- related absences?

D. Augmented District Policy

The above criteria defines legally who would qualify for ESY services. These criteria are to be used to identify students with an IEP who will be recommended for services during the extended school year. The District has the option to do more. As resources are available, extended school year services are to be extended to all students in the SDC program.

Frequently Asked Questions

X

**EARLY CHILDHOOD SPECIAL
EDUCATION**

EARLY CHILDHOOD SPECIAL EDUCATION

A. EARLY START INFANT/TODDLER SERVICES (Part C)

THE LAW

The California Early Intervention Services Act is designed “to provide a statewide system of coordinated, comprehensive, family-centered, multidisciplinary, interagency programs, responsible for providing appropriate early intervention services and support to all eligible infants and toddlers and their families.” [California Government Code (Cal. Gov. Code) Sec. 95002.]

Part C (formerly known as Part H) governs the federal “early intervention” program for infants and toddlers, aged birth through two years. The purpose of Part C is:

- (1) To enhance the development of infants and toddlers with disabilities and to minimize their potential for developmental delay;
- (2) To reduce educational costs by minimizing the need for special education and related services after infants and toddlers with disabilities reach school age;
- (3) To minimize institutionalization of individuals with disabilities and maximize their potential for independent living;
- (4) To enhance the ability of families to meet their infants and toddlers’ special needs; and
- (5) To enhance the capacity of public agencies and service providers to identify, evaluate, and meet the needs of “historically underrepresented populations” (especially minority, low-income, inner-city and rural).

[20 United States Code (U.S.C.) Sec. 1431(a).]

EARLY START PROGRAM, 0-2 YEARS OLD: Building Early Success Together (BEST) Program

Early Start is a program mandated by the Individuals with Disabilities Education Act (IDEA) to provide early intervention services to infants 0-2 years of age with developmental disabilities or at risk for developmental disabilities. In California the law has been put into place under the [California Early Intervention Services Act](#).

The lead administrative agency for Early Start in California is the Department of Developmental Services (DDS), which implements services through the Regional Centers. Ventura County SELPA interacts with two Regional Centers- the [Tri-Counties Regional Center](#) (serving residents of Ventura County) and the [North Los Angeles County Regional Center](#) (serving residents of Los Angeles County).

Tri-Counties Regional Center is the single point of entry for all Early Start infant and toddler referrals. Law requires the public schools to collaborate with the Regional Centers and serve

any students with solely an orthopedic impairment, hearing impairment, vision impairment, or any combination of those “low incidence” disabilities.

If available to do so, public schools may also dually serve any child eligible for Early Start services with a low incidence disability in combination with another disability that qualifies for Early Start services.

In the Ventura County SELPA, four local districts are responsible for collaborating with the Regional Centers and servicing all other districts with the SELPA. The Oxnard Elementary School District is the regional provider for Oxnard Elementary, Hueneme Elementary and Ocean View Elementary School Districts.

Early Start services can include service coordination, specialized academic instruction, speech-language therapy, physical therapy, occupational therapy, deaf/hard of hearing services, vision services, health and nursing services and/or orthopedic impairment services.

B. PRESCHOOL (Three to Five) (Part B)

THE LAW

Under California law, all school districts have a mandate to provide special education and services for all eligible children between the ages of three to five years, inclusive. [Cal. Ed. Code Secs. 56001(b) & 56440(c).]

- (1) If a child is already receiving “early intervention” or “Early Start” services from the district, the district must ensure that the child experiences a smooth and effective transition to preschool programs. [20 U.S.C. Sec. 1437(a)(8); Cal. Ed. Code Sec. 56426.9(a).]
 - a. The district must participate in transition planning conferences arranged by the Regional Center. [20 U.S.C. Sec. 1437(a)(8); Cal. Ed. Code Sec. 56426.9(c).]
 - b. If a child is determined eligible for special education services, the district must ensure that an individual education program [IEP] is developed and implemented by the time of the child’s 3rd birthday. [Cal. Ed. Code Sec. 56426.9(b); 34 Code of Federal Regulations (C.F.R.) Sec. 300.124(b).]
 - c. If a child turns three during the summer months, the IEP team must determine the date when IEP services will begin. [Cal. Ed. Code Sec. 56426.9(d).]
- (2) If a child is not receiving Early Start services and referred to the school district on or after the third birthday, the district will respond to the referral within 15 days of receipt and, if appropriate, complete a special education assessment within 60 days of receipt of parent permission

If you have a child under three (3) years of age and you have concerns, please contact the Building Early Success Together (BEST) program at San Miguel School (805) 385-1518

PRE-SCHOOLERS AGE 3-5

At the ages 3-5, children qualify for services under the categories same as for K-12. In addition to meeting the criteria of one or more of the disabling conditions, a child must need “specially designed instruction or services” to qualify for special education. Also, the child must have needs that cannot be met by modifying the home or school (or both), without ongoing

monitoring or support. [Cal. Ed. Code Secs. 56441.11(b)(2) & (3).]

A child is not eligible for special education and services if the child does not otherwise meet the eligibility criteria and the child's educational needs are due primarily to:

- (1) Unfamiliarity with the English
- (2) language; Temporary physical disabilities;
- (3) Social maladjustment; or
- (4) Environmental, cultural, or economic factors

Primary Special Education Services which may be provided to preschoolers are:

1. Individual and Small Group (ISG) Services provided in a preschool setting
2. Intensive Individualized Instruction (III), which is extra adult support for all or part of the day in A preschool setting
3. Language and Speech Services provided individually, in small groups, or as a consultation with the preschool teacher

In addition to the Primary Special Education Services, an IEP Team may also decide a child needs a Related Service, which are services to assist the child in benefiting from their special education program. These services include:

1. Occupational Therapy
2. Physical Therapy
3. Deaf/Hard of Hearing Services
4. Health and Nursing Services
5. Vision Services, including orientation and mobility

If you have a child between the ages of three (3) and five (5) and have concerns, please contact the Oxnard School District Preschool program at 385-1578 ext. 7400

Frequently Asked Questions

XI

English Learners

This section addresses Special Education considerations in the English Learners Master Plan. For the complete ELMP contact the Director of English Learner Services at (805) 385-1501 x 2320.

Signs of a Possible Disability Checklist

SOAP Checklist

SIGNS that may indicate a disability and may support a referral for multilingual or bilingual special education assessment include:

	A family history of speech, language, or academic difficulties
	Delayed developmental milestones
	A newcomer who was in a special education program or school in their native country
	Student displays signs of more severe disabilities (i.e. autism, intellectual disability)
	Poor academic achievement in their native country despite consistent attendance
	Poor or delayed academic, language, or social emotional development compared to siblings at the same age
	Poor or delayed academic, language, or social emotional development compared to peers with similar language/cultural backgrounds

From www.bilingualassessment.org

English Learner Considerations in Special Education

Refer to the Oxnard English Learner Master Plan for complete information on the following areas related to the linguistic and educational needs of English Learners:

- Understanding and meeting federal and state legal requirements
- Maintaining high-quality, standards-based language instruction leading to full academic engagement
- Acquiring 21st century skills in curriculum and instruction
- Reporting and using data to manage instruction
- Monitoring and evaluation of program implementation
- Valuing, honoring, and embracing native heritage and cultural assets
- Engaging, informing and supporting the family and community

https://ca01802636.schoolwires.net/cms/lib/CA01802636/Centricity/Domain/16/Final_Draft_ELMP_r_1_1-1-16.pdf

Reclassification Criteria and Process

The California Department of Education's English Learner Reclassification Guidelines stipulate the following criteria:

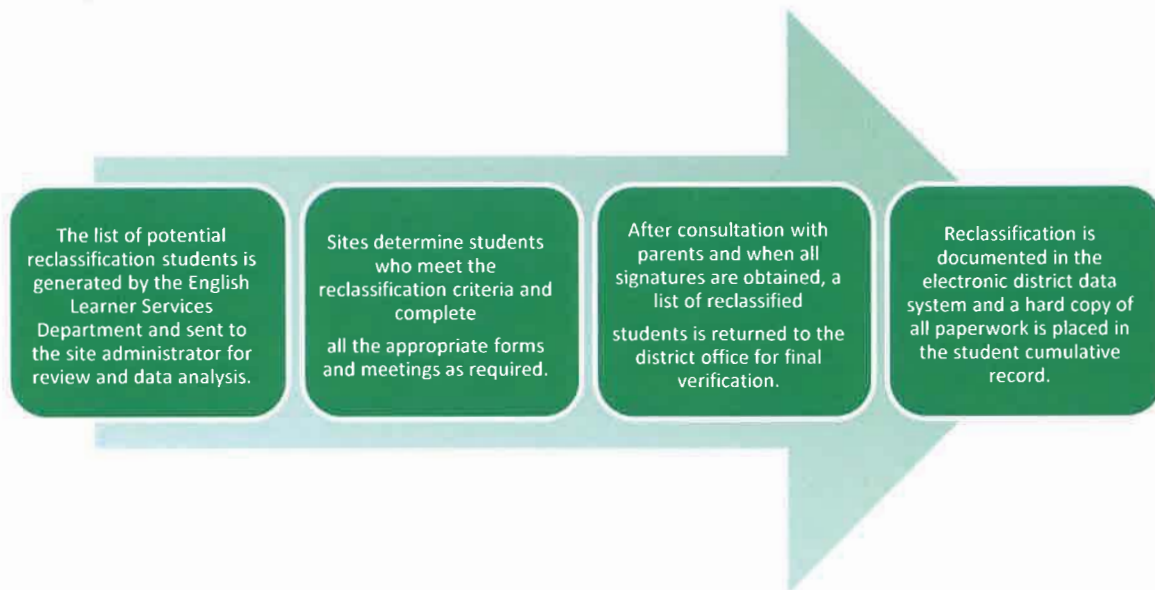
The LEA must reclassify a pupil from EL to proficient in English by using a process and criteria that include, but are not limited to:

- a) Assessment of English language proficiency (*EC* § 313(d)(1); 5 *CCR* § 11303(a).)
- b) Comparison of pupil's performance in basic skills against an empirically established range of performance in basic skills based upon the performance of English proficient pupils of the same age that demonstrate whether the pupil is sufficiently proficient in English to participate effectively in a curriculum designed for pupils of the same age whose native language is English. (*EC* § 313(d)(4); 5 *CCR* § 11303(d).)
- c) Teacher evaluation that includes, but is not limited to, the pupil's academic performance. ("Teacher" refers to the classroom teacher and other certificated staff with direct responsibility for teaching or placement decisions of the pupil.) (*EC* § 313(d)(2); 5 *CCR* § 11303(b).)
- d) Opportunities for parent opinion and consultation during the reclassification process. (*EC* § 313(d)(3); 5 *CCR* § 11303(c).)

Oxnard School District's RFEP criteria adhere to state guidance and are outlined in Table 4.5.

Table 4.5 Reclassification Criteria		
Area	Data Gathered	Reclassification Criteria
English Language Proficiency	Most recent state-mandated English language proficiency assessment (ELPAC)	Overall level: CELDT Advanced or Early Advanced/ELPAC Bridging Listening: CELDT Intermediate or higher/ELPAC Expanding or higher Speaking: CELDT Intermediate or higher/ELPAC Expanding or higher Reading: CELDT Intermediate or higher/ELPAC Expanding or higher Writing: CELDT Intermediate or higher/ELPAC Expanding or higher
Academic Criteria	Academic Assessment data to determine if English Learner student has sufficient English proficiency to be reclassified as a fluent English speaker.	Grades 3-8 Local Assessment Data
Teacher Evaluation	Teacher's recommendation form, student work samples, and current report card	Grades 3-5 <ul style="list-style-type: none"> Teacher completes required forms and attaches student work that demonstrates satisfactory achievement in grade-level academic core area Report card indicates that student is approaching standards in all areas Student is approaching or meeting grade level benchmarks in English reading and writing Grades 6-8: <ul style="list-style-type: none"> Performs at or above grade level Minimum of "C" in academic areas on most current report card Student is approaching or meeting grade level benchmarks in English reading and writing
Parent Opinion	Description and results of consultation with parent	After reviewing the data the parent agrees that reclassification is appropriate

Provision for Reclassification of English Learners with Disabilities



If an English Learner student has an Individualized Education Program (IEP), the following procedures are followed:

Students with Mild/Moderate Disabilities

The reclassification process used for general education students is also used for students with IEPs who are being instructed using the general education curriculum with accommodations and/or modifications. The student's Case Manager is included as a LAT Team member. If a student being considered for reclassification fails to meet the reclassification criteria within the expected time frame, the IEP team may determine that due to the nature of the identified student's disability, an alternative assessment may be considered in lieu of the ELPAC. The alternative assessment must be identified in the IEP and given each year. Results are compiled and presented to the parents/guardians for review on a yearly basis, along with other measures determined by the district to assess student's progress towards reclassification. Once the criteria for reclassification is met, parents are notified and a review meeting is convened at which time the IEP team along with parents/guardians determine if reclassification is in the best interest of the student.

Students with Moderate/Severe Disabilities

An alternative reclassification process is used for students with moderate to severe disabilities whose IEP teams have determined that they are unable to participate in one or more parts of the ELPAC even with accommodations and/or modifications. Reclassification for these students is based upon alternative proficiency testing. The IEP team reviews the data and makes the decision about reclassification.

Follow-up Progress Monitoring of Reclassified Students

Site-level administrators are responsible for overseeing the progress monitoring of reclassified English Learners at the end of each grading period for at least two academic years following a student's reclassification (EL-09 Reclassification Follow-up form). To support sites in this effort, the English Learner Services department will annually generate a list of reclassified students who need to be monitored during the two year monitoring period.

As part of the monitoring process, student performance on critical achievement and performance measures is documented. If a student begins to fall behind on appropriate measures of achievement related to grade level standards, a student/parent/teacher conference is held and the Language Appraisal Team meets to develop an intervention plan for the student. Services that may be provided include but are not limited to:

- Specialized academic assessment
- Tutoring
- Specialized reading instruction
- English Language Development instruction
- Primary language support
- Participation in targeted intervention provided by the school

The student's reclassification form (EL-09 Reclassification Follow-up form) is reviewed at each

monitoring period, documenting continued progress toward proficiency in the content areas. After two years of monitoring reclassification, student is reviewed to determine that the student demonstrates sufficient progress. Forms documenting this progress (EL-09 Reclassification Follow-Up Form) are placed in the student's English Learner folder, and the monitoring is terminated. If a student does not make sufficient progress, the monitoring process will continue.

Assessments Used to Monitor Student Progress

The California English Language Arts/English Language Development Framework (2014) details two purposes for assessment:

- (1) Formative (assessment for learning) defined as the provision of —information about student learning minute-by-minute, day-to-day, and week-to-week so that teachers continuously adapt instruction to meet students' specific needs and secure progress and
- (2) Summative (assessment of learning)intended to-provide information on students' current levels if achievement after a period of learning has occurred.

Oxnard School District monitors student progress at least annually, based on a set of state mandated and district-adopted assessments. These assessments are used to determine English language proficiency as well as to evaluate students' academic performance. They include:

- (1) State-mandated English language proficiency assessments; CELDT/ELPAC
- (2) State-mandated summative assessments for English Language Arts and Mathematics
- (3) District-adopted summative and formative assessments aligned to Common Core State Standards (CCSS) for English Language Arts, Spanish Language Arts (for Transitional Bilingual Education and Dual Language) Mathematics, and the California ELD Standards for language proficiency

For further information regarding specific State and District tests please see Chapter 4 in the OSD Master Plan for Services to English Learners:

https://ca01802636.schoolwires.net/cms/lib/CA01802636/Centricity/Domain/16/Final_Draft_ELM_P_r_11-1-16.pdf

Requesting Translation Services

Translation/interpretation services for Special Education related matters are provided by the Special Education Department, at 385-1501 Ext 2170. Please contact Program Managers' clerical staff and utilize the Translation and Interpretation Request Form located in the Referral Forms for OSD Assistance chapter below.

Frequently Asked Questions

XII

BEHAVIOR INTERVENTIONS

BEHAVIOR ASSESSMENTS/BEHAVIOR PLANS/EMERGENCY INTERVENTIONS

The IEP team must consider, when appropriate, “strategies, including positive behavioral interventions, strategies, and supports to address that behavior.” This type of behavior intervention is referred to as a behavior intervention plan, although there is no statute or regulation that uses this term.

IEP Team Responses to the Behavior of Students with Disabilities

1. IEP Considerations for a Student Whose Behavior Impedes Learning

In developing the IEP, the IEP Team shall, in the case of a child whose behavior impedes the child’s learning or that of others, consider the use of positive behavioral interventions and supports and other strategies to address that behavior. The IEP must include a statement of the “special education, related services, supplementary aids and services, and program modifications or supports” that will be provided to the child. There are no unique requirements regarding the documentation of any positive behavioral interventions and supports and other strategies that are identified. If a behavior intervention plan is developed, it should be included in the IEP and aligned with the goals in the IEP.

2. IEP Team Considerations for Students Requiring a Manifestation Determination

The District is required to conduct a manifestation determination for a special education student who has been suspended/removed from his/her current educational placement for more than 10 days, for the same or separate incidents of misconduct, within the same year. If it is determined that the conduct leading to the student’s removal from the current educational placement was a manifestation of the child’s disability, then the District must either:

- i Conduct a functional behavioral assessment, unless the District had conducted a functional behavioral assessment before the behavior that resulted in the change of placement occurred, and implement a behavior intervention plan for the child; or
- ii If a Behavior Intervention Plan already has been developed, review the BIP, and modify it, as necessary, to address the behavior.

If it is determined that the student’s conduct was not a manifestation of the child’s disability, the LEA must ensure that the student receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications, which are designed to address the behavior violation so that it does not recur

The IDEA does not provide specific guidance regarding the conduct or form of a functional behavioral assessment (FBA), as opposed to other types of assessment.

3. Requirements and Considerations Following the Use of an Emergency Intervention

Emergency behavioral interventions may only be used to control unpredictable, spontaneous behavior that poses clear and present danger of serious physical harm to the individual with exceptional needs (or others) that can't be "immediately" prevented by a response less restrictive than the temporary application of a technique to contain the behavior. California law continues to require that educational agencies complete a Behavioral Emergency Report when emergency interventions are used for a student with a disability, or if serious property damage occurs.

Emergency intervention may not include any of the following:

- Any intervention designed to or likely to, cause physical pain
- Noxious, toxic, or otherwise unpleasant sprays, mists, or substances in proximity to the individual's face
- Denial of adequate sleep, food, water, shelter, bedding, physical comfort, or access to bathroom facilities
- Verbal abuse, ridicule, humiliation, or other procedures expected to cause excessive emotional trauma
- Physical restraint by a device, material, or object that simultaneously immobilizes all four extremities, including prone containment or similar techniques, unless the restraint is used by personnel who are trained in the technique and it is used only as an emergency intervention.
- Locked seclusion unless it is in a facility otherwise licensed or permitted by state law to use a locked room
- Any intervention that leaves a student without adequate supervision
- Any intervention that deprives the student of one or more senses

Emergency Intervention Reporting

Whenever an emergency intervention is used, the case manager must immediately contact the Principal and Program Manager or the Director of Special Education. The case manager must then complete a Behavioral Emergency Report (located in SIRAS under "Added Forms") and send it to the Special Education Department. The Department will then include a copy of the report in the student's special education file and forward a copy of the report to the SELPA. Before the end of the day of the incident, the case manager must notify the student's parents of the incident and the interventions used.

If the student does not already have a behavior plan in the existing IEP, an IEP meeting must be scheduled within two days to review the emergency report, determine the need to conduct a behavior assessment and determine the necessity for an interim behavior plan. The IEP team shall document the reasons for not conducting a behavior assessment and/or not developing an interim plan.

If the student does have an existing behavior plan in the IEP but the incident involves a previously unseen serious behavior problem, or where a previously designed intervention is not effective, an IEP meeting must be held to determine if the behavior plan should be modified.

Functional Behavior Assessments (FBAs)

The purpose of an FBA is to determine the function (or purpose) of the inappropriate behavior that is interfering with learning, to determine a more appropriate replacement behavior that serves a similar function, and to develop strategies to teach and reinforce the replacement behavior. The case manager or a school psychologist can conduct an FBA. An assessment plan is required only if new data is being collected. If existing data (i.e. behavior charts, progress on goals, input from teachers) is sufficient to conduct the functional behavior assessment, no assessment plan is required. A behavior intervention plan is developed once the functional behavior assessment is complete; the behavior plan contains all the information collected as part of the functional behavior assessment; no additional report is required. A behavior intervention plan should be included in IEPs of students who exhibit behaviors that interfere with learning if the behaviors have not been improved through the use of accommodations and other less formal strategies.

POSITIVE BEHAVIOR INTERVENTION PLAN Ventura County SELPA

Student Name Paul S. Meeting Date XXX

D.O.B. XXX (6 years 2 months)

Behavior interfering with learning (Problem Behavior): *(include frequency, duration and/or intensity as appropriate)*

Inappropriate touching of peers, defined as initiating physical contact with a peer by running up to the peer from the front and grabbing and squeezing the peer's head or upper torso with mild (not causing pain or marks) to moderate (causing pain and red marks) intensity while screaming in the peer's face
Frequency: 1-2 times per hour

Communicative function of behavior:

Escape Attention Sensory Tangible

Describe: *(include antecedents/consequences as appropriate)*

Paul appears to be seeking sensory input and social interactions during transitions and in unstructured settings when peers are close by

Positive/Replacement Behavior: *(serves the same function as the problem behavior – not simply the absence of the problem behavior)*

When Paul seeks sensory stimulation or social interactions, he will verbally request a sensory object (ball, squeeze toy) and/or ask a peer to play with him.

Reduction of Problem Behavior: *(note strategies, who will implement and when)*

- OT and case manager will collaborate to implement a sensory diet for Paul and teach Paul's Special Circumstances Professional (SCP) to implement it on a daily basis.
- Principal will ensure that several sensory activities and items are available on the playground for Paul to request ("crash mat", therapy ball, etc.).
- Principal will increase adult supervision and assistance on the playground and in other unstructured settings, to redirect problem behaviors and prompt and reinforce replacement behaviors.
- Social/Emotional Services Specialist (SESS) will train and coach playground staff and yard supervisors to redirect Paul's problem behaviors in a positive and helpful way.
- General education teacher will coach peers to respond to Paul's problem behaviors in a consistent and calm way and prompt him to ask to play with them.

Increase of Positive/Replacement Behavior: *(note strategies, who will implement and when)*

- OT will teach Paul how to request sensory items and activities in weekly individual OT sessions, with consultation for the general education staff for daily applications.
- Case manager will meet with Paul three times per week during RSP sessions to teach him how to request social interactions with peers.
- General education teacher will model and role play appropriate social interactions in daily group/circle.
- SCP will cue, prompt, and reinforce positive/replacement behaviors in unstructured settings and provide Paul with one "caught him being good" ticket whenever she observes him using a positive social behavior and/or replacement behavior.

Reinforcement: *(note reinforcers, who will administer and when)*

- SCP and other applicable staff working with Paul will provide him with a "caught him being good ticket" every time they observe him engaging in a positive and/or replacement behavior on the playground.
- Principal will collect Paul's tickets at the end of the school day and provide him with social reinforcement and special recognition.
- Case Manager will e-mail parents daily to inform them of Paul's day and the number of tickets earned, and parents will reward Paul with a special snack at home if he earns at least 5 tickets.

Reactive Strategies: *(if problem behavior occurs)*

- When Paul is observed to run up to a peer, all applicable adults will remind him of his replacement behaviors (requesting a sensory object, asking a peer to play).
- If Paul makes contact with a peer, the peer is to shake his head and walk away without saying anything, with adult prompting and reminders. Adults will ignore the inappropriate behavior and quietly praise the peer and hand the peer a "catch him being good" ticket.
- As soon as Paul ends the problem behavior and engages in an appropriate social behavior, the applicable adult will give him a thumbs up and smile at him.

Personnel responsible for overseeing plan: Case Manager, SESS, General Education Teacher

See IEP goal(s) related to this plan. Goal number(s): 5, 6

COMPREHENSIVE BEHAVIOR INTERVENTION PLAN

Ventura County SELPA IEP

(For students whose behavior impedes learning of self or others, or disciplinary action is resulting in a change of placement)

Student Name Lady G. D.O.B. XXX (10 years 5 months) Meeting Date XXX

This Positive Behavior Support Plan is based upon:

Team meeting Observational data Student interview Staff interview(s) Behavior Analysis/Review Worksheet Functional Behavioral Assessment

Description of INAPPROPRIATE BEHAVIOR which interferes with learning (PROBLEM BEHAVIOR – must be observable/measurable):

Aggressive behaviors to staff, typically involving kicking with both feet at staff's lower body or extremities while lying on the ground, rolling on the ground, and refusing to transition as requested (noncompliant episodes).

Current frequency/intensity/duration of problem behavior:

Frequency: average once per hour

Intensity: moderate (painful to the average person but not leading to injury) to severe (leading to bruising, swelling or other injury)

Current predictors (ANTECEDENTS) for problem behavior:

Physical prompting/redirection while student is on the ground in a noncompliant episode; the communication book is not available or is in another location; denial of a request or being prevented or blocked from reaching a desired item (typically food item)

Most typical outcomes (CONSEQUENCES) of problem behavior:

Lady G. receives access to a tangible and attention from preferred staff following aggression and noncompliance

IEP team believes behavior occurs because (hypothesis of function)

Escape Attention Sensory Tangible Describe:

Lady G. is seeking access to preferred items and activities and is expressing her protest when preferred items or activities are unavailable, inaccessible, or when physical redirection is used

Description of POSITIVE BEHAVIOR/REPLACEMENT BEHAVIOR (what student should do to gain the same outcome as the problem behavior in an acceptable way; NOT simply the absence of the problem behavior; should be something the student is capable of learning/doing):

1. When needing to access preferred items and activities, Lady G. will communicate her needs appropriately (through gestures, words, and pictures) and/or accept contingencies (first this, then that) in order to earn access, with verbal and visual prompts and access to a portable communication book (modified PECs).
2. When needing to protest, Lady G. will express her needs through appropriate vocalizations ("Oh, no"), with verbal modeling.

Current frequency of positive/replacement behavior:

1. Not as specified (she is able to communicate her needs through a modified PECs book when it is available and in the Speech and Language setting)
2. One incident over two weeks

TEACHING / ACTION PLAN

REDUCTION OF PROBLEM BEHAVIOR	
<p>Interventions: (Eg, Altering teaching strategies; making curricular, material or environmental modifications; changing antecedents; giving choices; preventing "triggers".)</p> <p>Specify frequency and responsible personnel.</p>	<p>Reinforcement: (Indicate behavior, rate of behavior, interval, reinforcer, and responsible personnel for reduction of problem behavior)</p>
<ol style="list-style-type: none"> 1. Teacher and support staff will consistently use the modified PECs book in all educational environments. 2. SLT will ensure that photographs of preferred items and activities are included in the communication book. 3. Teacher and support staff will consistently implement a sensory diet, under OT's guidance. 4. Program Specialist will ensure that all staff working with Lady G. is trained in NCPI strategies and provide additional training on site as needed. 5. Teacher will provide Lady G. access to the outdoors and favorite activities through her daily schedule. 6. Teacher will work with Lady G. at least twice per day in the environment where she is. 7. Behavior Specialist will develop a token economy and train teacher and support staff in its consistent use. 8. Behavior Specialist will develop task analysis for difficult or non-preferred transitions and train teacher and support staff to break down transitions into small steps and reinforce each step, using tokens and social reinforcement for each completed step in a non-preferred transition, with immediate access to an A+ reinforcer upon completed transition. 9. On days when Lady G. is sleep deprived, teacher and support staff will reduce demands and increase sensory activities and rest periods on Lady G.'s schedule. 	<p>For each completed step in a non-preferred transition (without aggression), teacher and/or support staff will provide one token on the token board, paired with specific verbal praise and social reinforcement.</p> <p>For each completed transition without aggression, teacher and/or support staff will provide Lady G. with five goldfish crackers or gummy candy.</p> <p>For each hour of no aggression, teacher and/or support staff will provide Lady G. with verbal praise (nice hands, good job), attention, and access to a sensory activity of her choice (from communication book).</p>
<p>Plan for fading interventions and reducing reinforcement for problem behavior:</p> <p>When aggressive behaviors decrease to less than daily, teacher will gradually increase tokens needed for reward (from 5 to 6).</p>	
INCREASE OF POSITIVE/REPLACEMENT BEHAVIOR	
<p>Interventions: (Eg, Teaching, practicing or modeling; providing communication means; teaching social skills, assertive skills or problem solving.)</p> <p>Specify frequency and responsible personnel for each strategy.</p>	<p>Reinforcement: (Indicate behavior, rate of behavior, interval, reinforcer, and personnel to increase positive/replacement behavior):</p>
<ol style="list-style-type: none"> 1. In individual sessions with SLT twice per week, SLT will teach Lady G. to use the communication book to request tangible items and activities, through direct teaching, hand over hand, modeling, and direct reinforcement. 2. In individual sessions with SLT twice per week, SLT will teach Lady G. to express protest through her communication book, using modeled expressions and photographs of feelings. 3. SLT will teach staff on the use of the communication book and demonstrate how to use the "I want..." sentence strip with photographs. 4. Teacher and support staff will use the communication book throughout the school day and have it accessible for Lady G., to practice and strengthen her appropriate communications. 5. Teacher and support staff will honor each appropriate request or attempt (verbal, gestures, pictures) as long as it does not involve dropping to the ground or aggression to staff, and will model and prompt use of appropriate communications throughout the school day. 	<p>When Lady G. hands a picture to staff, makes a verbal request, or uses a gesture (pointing) to make a request, staff will verbally praise Lady G. and provide her with the requested item/activity.</p> <p>If the request cannot be granted, use the "first...then..." card to show Lady G. when she can have the requested item/activity. Provide verbal praise for asking nicely.</p>
<p>Plan for fading interventions and reducing reinforcement for positive/replacement behavior:</p> <p>When Lady G. makes an appropriate request with pictures, verbally, or through gestures in 4 out of 5 difficult transitions, gradually fade staff prompting and supports and ask Lady G. to get her communication book and bring it to staff. Teacher will inform Behavior Specialist when criterion is reached, to develop fading plan together.</p>	

REACTIVE STRATEGIES TO EMPLOY AND DEBRIEFING PROCEDURES TO USE IF THE PROBLEM BEHAVIOR OCCURS:

At precursor/first sign of problem behavior (e.g., prompt to use replacement behavior, offer choices, proximity, redirect):

Upon dropping to the ground, present Lady G. with her communication book and prompt her to "show me what you want. I want..." Assist as needed. Honor each appropriate request (verbal, pointing, picture) as long as is does not involve aggression.

- **Personnel who will implement:** ___ Teacher, Support Staff _____

If problem behavior continues or escalates (include staff response to maintain safety if needed):

If aggression occurs, move to a safe distance while remaining calm and firm. Avoid touching or moving Lady G. as long as she is noncompliant. Wait for Lady G. to stop aggression, then prompt her again to show what she wants. Repeat the request until she makes an appropriate request.

- **Personnel who will implement:** ___ Teacher, Support Staff _____

Debriefing/follow up with staff and/or student if necessary:

After aggression ends, praise Lady G. for having calm hands and feet. Assist her in accessing her choice. Reintroduce the token board and award tokens as applicable.

- **Personnel who will implement:** ___ Teacher, Support Staff _____

See IEP goal(s) related to this plan: Goal Number(s):

7, 8, 9

- **The above goal(s) are intended to:** increase positive replacement behavior decrease problem behavior general skill development

Communication:

- Family/Caregiver School staff Outside providers Service providers Other **Describe:**

Monthly meetings among all service providers to update team of progress and changes in home and school program.
Daily home-to-school and school-to-home e-mails between teacher and parents, using Spanish translation.

Data Collection:

- Progress toward goals Problem Behavior Positive/Replacement Behavior Interventions Reinforcement Other **Describe:**

Daily data collection forms for problem and replacement behaviors maintained by classroom staff; bi-weekly observational data collected by Behavior Specialist

Personnel Responsible for Monitoring Plan Implementation:

- Principal School Psychologist Behavior Specialist Case Manager Behavior Support Staff Other _____

Discipline of Special Education Students

Special Education students have specific protections in place regarding discipline, and special education personnel must be aware of their responsibilities in addressing behaviors that interfere with learning. In order to maintain a proactive focus as well as compliance with state and federal law, OSD has outlined specific policies and procedures regarding the development of behavior support plans and the monitoring of suspensions.

Initial Suspension of the Year

When a special education student is suspended, a mechanism must be in place at each site that would provide for immediate notification of the case manager. It is the responsibility of the case manager to review the suspension and determine the following:

1. Whether there are interventions that can be put into place that would not require an IEP meeting
2. Whether an IEP meeting is needed to develop additional interventions accommodations, behavioral supports (e.g., a Functional Behavior Assessment, Behavior Intervention Plan, etc.), or goals
 - o Review and revise, if appropriate, current Positive Behavior Intervention Plan (PBIP) if one exists.
 - o Functional Behavior Assessment (FBA)
 - o Reviews existing records/information with or without collection of additional assessment data.
 - An assessment plan must be signed if new data is going to be collected
 - A formal FBA should be conducted if the IEP team feels that one is needed to assist in the development of a PBIP
 - Use the existing data, or results of the functional Behavior Assessment, to develop a PBIP; add the PBIP to the IEP at an IEP meeting
 - A goal (or goals) that corresponds with the elements of the PBIP (measuring an increase in the positive replacement behavior and/or decrease in the inappropriate behavior that led to the suspension) should also be added to the IEP at the IEP meeting

Multiple Suspensions

The case manager should schedule an IEP meeting to discuss the suspensions and the impact the behaviors are having on learning. The team should review the most recent behavioral assessment and the current Positive Behavior Intervention Plan (PBIP) (assuming one is in the IEP, since more than one suspension has occurred).

1. If no PBIP is in the existing IEP, the team will need to determine whether sufficient information and data exists to develop a PBIP and corresponding goals.
2. If there is an existing PBIP, the team should review the PBIP and any previous behavioral assessments, and determine whether new data is necessary. If additional data is needed to either develop a PBIP when none exists, or to revise an existing PBIP, the team should consider conducting a Functional Behavior Assessment.
3. If a Functional Behavior Assessment is required, an assessment plan must be developed and parent consent obtained.

10 Cumulative Days of Suspension

After **10 cumulative days of suspension in the same school year, prior to any subsequent days of suspension**, school personnel (the case manager and at least one other school representative familiar with the student) must determine if subsequent suspensions will result in a pattern that constitutes a change of placement. In making this determination, school personnel must consider whether a pattern exists by reviewing the **length** of each suspension, the **proximity** of the suspensions to each other, the **total time** out of school, and whether the misconduct is **substantially similar** to behavior in previous suspensions. (The *Worksheet for Determination of Pattern of Suspensions* should be completed to document that the analysis of the pattern of suspensions was thorough and appropriate.)

- ***If it is determined that no pattern exists***, additional suspensions for separate incidents up to 20 total days of suspension at one school site during the school year may be assigned. However, the “pattern of behavior” analysis should be conducted after each subsequent incident.
 - If not a pattern, a group of educational representatives familiar with the student (at least one of the student’s general education teachers and the case manager, at a minimum) should determine if services are needed to enable the student to participate in the general curriculum and make progress, if suspended beyond ten days. (CFR 300.530 (d) (4)) The *Worksheet for Determination of Pattern of Suspensions* should be used to document the services, if any, that are to be provided during subsequent suspensions.
 - These services can include work being sent home, an opportunity to receive related services, a certain number of hours of instruction from credentialed staff after school, etc.
- ***If it is determined that a pattern exists***, additional days (i.e. the 11th day) of suspension during the school year would constitute a change in placement. Consequently, a manifestation determination meeting must be held within 10 school days and prior to additional days of suspension. (See below for review of manifestation determination meeting.) The case manager must notify the Director of Pupil Services or the Special Education Program Coordinator **immediately** if a student is going to be suspended for a 10th day.

Manifestation Determination IEP Meeting

If it is determined that a pattern of suspensions exists that results in a change of placement, prior to any additional days of suspension, the case manager must schedule an IEP meeting in order to determine whether the behavior causing the suspension(s) are a manifestation of the student’s disability. The purpose of this Manifestation Determination meeting is to determine whether the behavior was caused by or had a direct and substantial relationship to the disability.

- If the IEP team determines that the behaviors **were** a manifestation of the student’s disability, an FBA must be conducted, or, if an FBA has recently been completed,, the team must review the current PBSP and revise if appropriate.
 - If additional data must be collected for the FBA, an interim PBSP should be developed while the FBA takes place.
- If it is determined that the behavior **was not** a manifestation of the disability, the student can be suspended up to 20 cumulative days in the same school year.
- The “Manifestation Determination Review Worksheet” must be completed at the IEP in order to document the determinations made at the IEP meeting.
- If the parents disagrees with the Manifestation Determination finding, they can appeal

the decision by requesting a due process hearing.

Expulsion

The principal must immediately notify the Director of Pupil Services or the Program Specialist if a special education student is being considered for recommendation for expulsion.

There are five violations of the Ed Code that result in mandatory recommendation for expulsion. These violations are:

1. Possessing, selling or furnishing a firearm. *Ed. Code 48915 (c)(1)*
2. Brandishing a knife to another person. *Ed. Code 48915 (c)(2)*
3. Unlawfully selling a controlled substance. *Ed. Code 48915 (c)*
4. Committing or attempting to commit sexual assault or sexual battery. *Ed. Code 48915 (c)(4)*
5. Possession of an explosive. *Ed. Code. 48915 (c) (5)*

A Manifestation Determination meeting must be held **within 10 days of the determination to move forward with the expulsion process**. Parents must be notified at least 48 hours in advance of the meeting and they may request a postponement for up to 72 hours.

- If it is determined that the behavior subject to expulsion **was** a manifestation of the disability or if the conduct was the direct result of the District's failure to implement the IEP, the student **will not** be expelled.
- If it is determined that the behavior **was not** a manifestation of the disability, the student may be recommended to the board for expulsion as may any other student. However, if a Special Education student is expelled, the district is still responsible for the provision of Special Education services during the period of the expulsion.
- The Ventura County Manifestation Determination IEP form must be completed at the IEP meeting to document the determination made by the team.
- If the parents disagree with the outcome of the Manifestation Determination, they can appeal the decision by requesting a due process hearing.
- A follow up IEP meeting must be convened, once the school board makes the determination to expel the student, to recommend placement and services outside the district during the terms of the expulsion. (Gateway Community School is operated by VCOE and designed to provide educational services to students in the county who have been expelled.)

Interim Alternative Education Settings

Special Education students may be recommended for an Interim Alternative Educational Setting (IAES) for not more than 45 school days (unless extended by a Hearing Officer) if any of the following occur at school or a school function:

- Carries or possesses a weapon
- Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance
- Has inflicted serious bodily injury upon another person (CFR 300.530 (g))

The Director of Pupil Services or the Special Education Program Coordinator must be contacted prior to consideration of an IAES placement.

The IAES placement shall be determined by the IEP team and must enable the student to continue

to receive services so that he/she can participate in the general curriculum, although in another setting, and to progress toward meeting the IEP goals. In addition, the IAES must include behavior interventions and modifications designed to address the behavior so that it does not recur. The IAES may include home/hospital instruction, alternative, or nonpublic schools.

The District may move forward with the IAES placement even if the parent does not agree. The parent can appeal by requesting a Due Process Hearing to determine the appropriateness of the placement.

Use of an IAES in Special Situations

The Director of Pupil Services can request a Due Process Hearing to order an IAES for a student who has *not* committed a weapons, drug offense or serious bodily injury. If the district can show evidence that maintaining the current placement is substantially likely to result in an injury to the student or others (CFR 300.532 (a)). A Hearing Officer will decide whether to return the child to the original placement or to an IAES for 45 school days, during the pendency of the Due Process Hearing. An expedited Due Process hearing must be held within 20 school days of the district's request.

Frequently Asked Questions

VENTURA COUNTY SELPA

WORKSHEET FOR DETERMINATION OF PATTERN OF SUSPENSION
RESULTING IN CHANGE OF PLACEMENT Cfr 300.536

Student Name:----- D.O.B.-----

1. Suspensions this school year: (Suspension includes any time student is sent home from school all or part of the school day including both formal and informal suspensions.)

Dates	Reason

Total days: _____

Check any of the following that apply:

- The behaviors resulting in the suspensions were substantially similar to each other
- One or more suspensions were unusually long (a disruption to the student's education)
- The suspensions were close enough together to cause a disruption to the student's education

If any of the above are checked, the suspensions are considered to be a pattern (resulting in a change of placement). A Manifestation Determination Review must be conducted, prior to suspending student beyond ten cumulative school days.

If not a pattern, note the services needed to enable the student to participate in the general curriculum and make progress toward IEP goals, if suspended beyond ten days. (CFR 300.530 (d)(4)) (Requires at least one of the student's teachers)

Signature	Title

MANIFESTATION DETERMINATION REVIEW WORKSHEET (CFR 300.530)

(for behavior subject to suspension beyond ten days or expulsion)

VENTURA COUNTY SELPA IEP

Student Name _____ D.O.S. _____ Meeting Date _____

Describe behavior subject to disciplinary action: _____

Disciplinary action proposed: D Suspension beyond 10 days (if pattern of removals) D Expulsion proceedings

The district, parent, and relevant members of the IEP team must review all pertinent information in the student's file, to include:

- IEP
- *Relevant information provided by the parent and/or student*
- *Teacher observations*
- *Health, counseling, discipline, confidential file records (as appropriate)*

The team agrees:

- .. The behavior in question was caused by, or had a direct and substantial relationship to, the student's disability. D Yes D No
- .. The behavior in question was a direct result of the district's failure to implement the IEP. D Yes D No

(If either of the items is checked "yes," the behavior must be considered a manifestation of the disability.)

THE IEP TEAM AGREES THAT THE BEHAVIOR IS A MANIFESTATION OF THE STUDENT'S DISABILITY. D Yes O No

If yes:

1. If the IEP was not implemented appropriately, the following steps will be taken to remedy the **problem**: _____
2. The team must conduct a functional behavioral assessment (FSA) and develop a behavior intervention plan (SIP) for the student. If a SIP based on a FSA has already been developed, it will be reviewed and modified as appropriate to address the behavior. The student will return to his/her current program, unless a change is agreed to by the IEP team.
3. The student will not be recommended for expulsion or suspended further at this time. If the behavior was a result of the district's failure to implement the IEP, and that failure is resolved, a Manifestation Determination review may be conducted if the behavior occurs again.

If no:

The relevant disciplinary procedures applicable to all students may be used.

D Student placed in Interim Alternative Education Setting (IAES) per CFR 300.530(a).

Dates (not to exceed 45 business days): From _____ To _____ Location _____

Plan for providing special education services in IAES _____

RECORD OF SUSPENSIONS
 Ventura County Special Education Local Plan Area (SELPA)

Student **Name** _____ D.O.B. _____ Date _____

_____ If a student is excluded from school for all or any portion of a school day, it counts as one day of suspension.

In-school suspensions do not count as a day of suspension if the student has the opportunity to work on curriculum and receives special education services.

Check if student has:

Behavior Intervention Plan

Positive Behavior Support Plan

	Date of Suspension	Number of Days	Reason
1st Incident			
2nd Incident:			
3rd Incident:			
4th Incident:			
5th Incident:			
6th Incident:			
7th Incident:			
8th Incident:			
9th Incident:			
10th Incident:			

*Consider using the "Worksheet for Determination of Pattern of Suspensions" before student reaches the tenth day of suspension. May not suspend beyond ten days if the suspensions are a "pattern," and determined to be a manifestation of the disability.





Behavior Emergency Report

Ventura County SELPA

EC56521.1 (a): “Emergency interventions may only be used to control unpredictable, spontaneous behavior that poses clear and present danger of serious physical harm to the individual with exceptional needs or others and that cannot be immediately prevented by a response less restrictive than the temporary application of a technique used to control the behavior.” EC 56521.1 (e). To prevent emergency interventions from being used in lieu of planned, systematic behavioral interventions, the parent, guardian, and residential care provider, shall be notified within one school day if an emergency intervention is used or serious property damage occurs. This form is to be completed when a medium or high level hold is used. All school districts in the Ventura County SELPA and Non-Public Schools serving Ventura County SELPA students may only use techniques of emergency intervention taught by a certified instructor of the Nonviolent Crisis Intervention® program.

Student: _____ Date: _____ Time of incident: _____

Age: _____ School: _____ SSID: _____ District: _____

Setting & Location of Incident: _____

Emergency Intervention holding skills used:

Medium Level Holding

- Seated Position
- Standing Position
- Transport (moderate resistance)
- Children’s Control Position

Higher Level Holding

- Seated Position
- Standing Position
- Transport
- Children’s Control Position
- Team Control

Description of Incident: _____

People involved (names/titles): _____

Staff person(s) completing report (names/titles): _____

Amount of time *emergency holding procedure* was used: _____

Injury/Medical involvement: _____

Law Enforcement Agency called: Yes No
If Yes - Name of Person Who Took The Report: _____

Incident Report Number: _____

This student has an FBA-based Behavior Intervention Plan: Yes No

Date FBA was completed _____

Staff Involved will review incident and complete the information on the Behavior De-briefing Worksheet.



Behavior De-briefing Worksheet

Reminder: Form to be used for medium or high-level hold.

EXAMPLES OF OBSERVABLE BEHAVIOR		DESCRIBE STUDENT BEHAVIOR/DESCRIPTION OF INCIDENT	CHECK STAFF RESPONSE USED/EMERGENCY INTERVENTION	EXAMPLES OF STAFF BEHAVIOR/ INTERVENTION TECHNIQUES
Pacing, nervousness, shaking, change in eye contact, change in facial expression, change in posture, movement to specific area, change in rate, tone, volume of speech	ESCALATION STAGE	ANXIETY: (change in behavior)	<input type="checkbox"/> proximity <input type="checkbox"/> counseling <input type="checkbox"/> restructure routine/environment <input type="checkbox"/> accommodate materials/expectations <input type="checkbox"/> referral to: _____ _____ _____	Relax/downplay; Move close to student w/o invading personal space; active reflective listening; attend to complaints/requests; simplify work; change directions; offer help; separate from bothersome stimuli; calming techniques; give choices; use visual supports; interrupt; redirect; when and then
Loud noises or speech, questions, refusal, swearing, name calling, challenging, threatening, increase in breathing and/or heart rate.		DEFENSIVE: (question, refuse, verbal release, intimidate)	<input type="checkbox"/> calmly restate direction <input type="checkbox"/> interrupt and redirect when and then <input type="checkbox"/> if and then <input type="checkbox"/> minimize attention <input type="checkbox"/> separate student from group <input type="checkbox"/> separate the group from student	Use simple clear language; prompt, gesture, visual support; when and then; restate positive consequences; if and then; separate from group; remove dangerous objects; allow verbal release; additional support;
Hit/kick/throw objects <u>at other people</u> , running in dangerous area (e.g., street), self injury (e.g. pounding on windows, stabbing with pencil). Note: For "serious property damage," restraints may not be used unless individual harming self or others.	RISK BEHAVIOR	RISK BEHAVIOR: Physical aggression toward self or others	Intervention Team: _____ <input type="checkbox"/> clear area <input type="checkbox"/> visual supervision <input type="checkbox"/> block <input type="checkbox"/> disengagement <input type="checkbox"/> transport <input type="checkbox"/> holding skills child control team control <input type="checkbox"/> call administrator <input type="checkbox"/> other _____	Maintain safe distance from acting out person; remove bystanders if still in area; plan for team intervention if necessary; implement non-harmful, physical intervention as a last resort.
Reduction of above behaviors, can answer simple questions rationally, can follow simple directions such as "Take a deep breath", briefly discuss incident w/o re-escalation, breathing and heart rate return to resting rate.	SELF CONTROL RE-ESTABLISHED	TENSION REDUCTION:	<input type="checkbox"/> review events <input type="checkbox"/> review schedule <input type="checkbox"/> make plan: _____ _____ _____ _____ _____ _____ _____ _____	Give time to calm down; Nurture/support recovery; discuss incident, review incident with person who displayed risk behavior to find alternative behavior. For individuals w/cognitive limitations review expectations, review schedule, return to successful activity and reinforcement.
		INJURY/MEDICAL:		<input type="checkbox"/> sent to nurse/health office <input type="checkbox"/> first aid <input type="checkbox"/> CPR <input type="checkbox"/> 911 Paramedics

REMINDER: Refer to "Behavioral Emergency Report Checklist"



Behavior Emergency Report Checklist

Ventura County SELPA

Note date and initial of person responsible:

- 1. The parent and/or residential care provider shall be notified within one school day of the occurrence of the Behavior Emergency. ____ / _____

- 2. The Behavior Emergency Report shall immediately be completed and maintained in the student's file. ____ / _____

- 3. The Behavior Emergency Report shall immediately be forwarded to, and reviewed by, the designated responsible administrator. ____ / _____

- 4. If the Behavior Emergency Report was written regarding a student who:
 - a. **does not have** an FBA-based Behavior Intervention Plan, the designated responsible administrator shall, within two days, schedule an IEP team meeting to review the Emergency Report to determine the necessity for a Functional Behavior Assessment and to determine the necessity for an Interim Behavior Intervention Plan.
 - b. **does have** an FBA-based Behavior Intervention Plan, any incident involving a previously unseen serious behavior problem or where a previously designed intervention is not effective should be referred to the IEP team to review and determine if the incident constitutes a need to modify the plan.

- Date FBA completed _____ ____ / _____

- 5. Responsible administrator will forward copy of the Behavior Emergency Report to the District Office and SELPA. If an NPS, a copy shall also be forwarded to a representative of the District of Responsibility. ____ / _____

Reviewed by: _____ Designated Administrator

XIII

PARENT RIGHTS

Parent Rights to Access Records

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."

- Parents or eligible students have the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.
- Parents or eligible students have the right to request that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.
- Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):
 - School officials with legitimate educational interest;
 - Other schools to which a student is transferring;
 - Specified officials for audit or evaluation purposes;
 - Appropriate parties in connection with financial aid to a student;
 - Organizations conducting certain studies for or on behalf of the school;
 - Accrediting organizations;
 - To comply with a judicial order or lawfully issued subpoena;
 - Appropriate officials in cases of health and safety emergencies; and
 - State and local authorities, within a juvenile justice system, pursuant to specific State law.

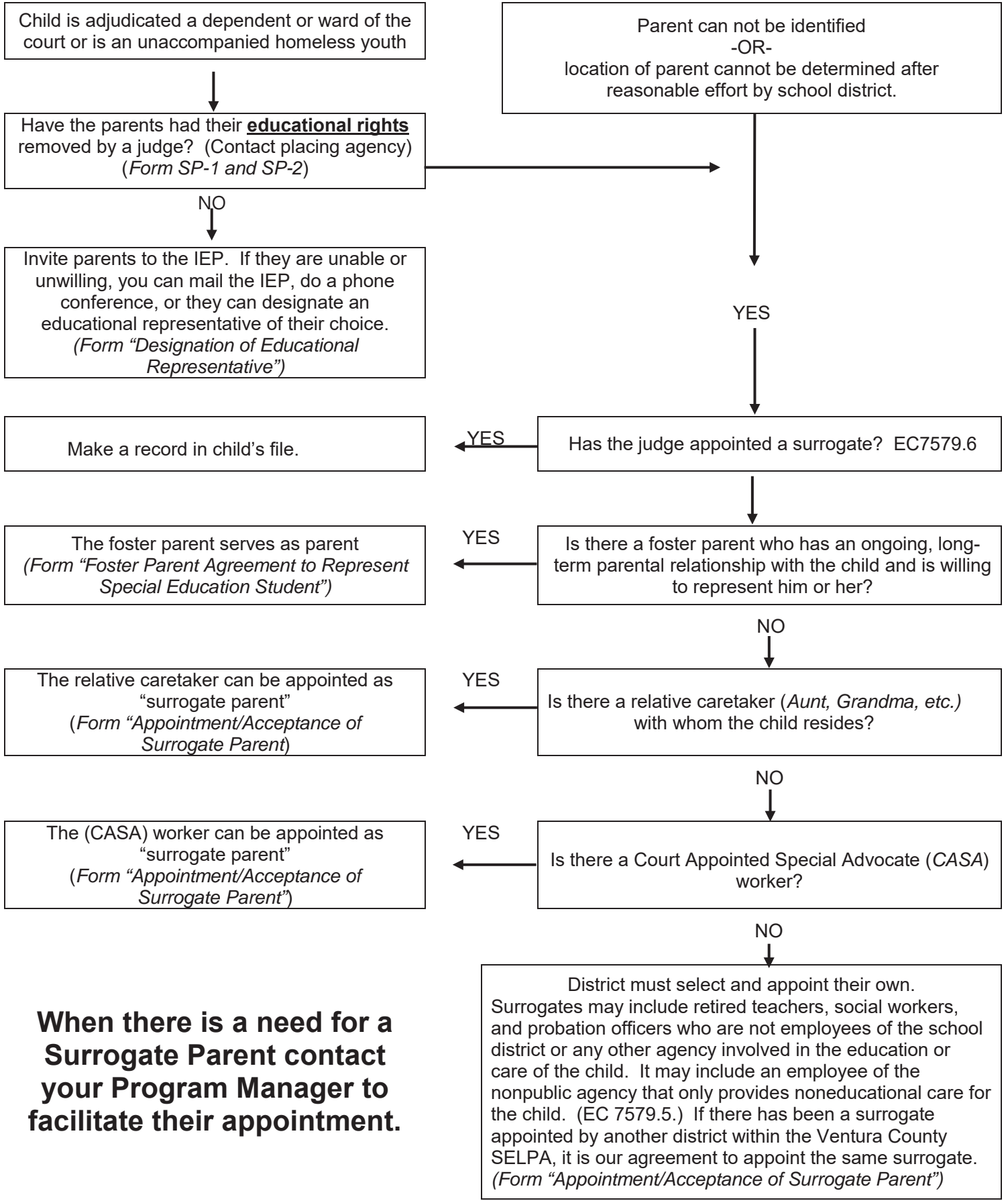
Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, schools must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify parents and eligible students annually of their rights under FERPA. The actual means of notification (special letter, inclusion in a PTA bulletin, student handbook, or newspaper article) is left to the discretion of each school.

For additional information, you may call 1-800-USA-LEARN (1-800-872-5327) (voice). Individuals who use TDD may use the [Federal Relay Service](#).

Or you may contact us at the following address:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-8520

**VENTURA COUNTY SELPA
DECISION-MAKING PROCESS
FOR SURROGATE PARENTS FOR SPECIAL EDUCATION**



Surrogate Parents

The LEA shall ensure that procedures are established and maintained for the assignment of an individual to act as a surrogate for the parents upon referral of the child to a LEA for special education and related services or, in cases where the child already has a valid IEP, under the following circumstances: whenever the parents of the child are not known, the agency cannot, after reasonable efforts, locate the parents, or the child is a ward of the State and the parents have had their educational rights removed by a court of law.

If the child lives in a foster home, and the parents have had their educational rights removed, the Foster Parent may fulfill the role of "parent" for educational purposes as long as the child resides in the home. A foster parent shall include a person, relative caretaker, or non-relative extended family member who has been licensed or approved by the county welfare or probation department or the State Department of Social Services or who has been designated by the court as a specified placement. A foster parent does not have to be designated as a surrogate.

The individual appointed to act as a surrogate shall not be an employee of the State education agency, the LEA, or any other public or private agency that is involved in the education or care of the child. The surrogate shall have no interest that conflicts with the interest of the child he or she represents and shall have knowledge and skills that ensure adequate representation of the child. An individual who would have a conflict of interest means a person having any interest that might restrict or bias his or her ability to advocate for all of the services required to ensure a free appropriate public education for the child with a disability. As far as practical, a surrogate parent should be culturally sensitive to his or her assigned child.

When appointing a surrogate parent, the LEA shall, as a first preference, select a relative caretaker, or court appointed special advocate, if any of these individuals exist and are willing and able to serve. If none of these individuals is willing or able to act as a surrogate parent, the LEA shall select the surrogate parent of its choice. If the child is moved from the home of the relative caretaker who has been appointed as a surrogate parent, the LEA shall appoint another surrogate parent.

Except for individuals who have a conflict of interest in representing the child, individuals who may serve as surrogate parents include, but are not limited to, retired teachers, social workers, and probation officers who are not employees of a public agency involved in the education or care of the child. If a conflict of interest arises subsequent to the appointment of the surrogate parent, the LEA shall terminate the appointment and appoint another surrogate parent.

The surrogate parent shall serve as the child's parent and shall have the rights relative to the child's education that a parent has as specified in the IDEA. A surrogate parent may represent a child with a disability in matters relating to identification, assessment, instructional planning and development, educational placement, reviewing and revising the Individualized Education Program, and in other matters relating to the provision of a free appropriate education to the individual. This representation shall include the provision of written consent to the IEP including non emergency medical services, mental health treatment services and occupational or physical therapy services. The surrogate parent may sign any consent relating to IEP purposes.

A surrogate parent shall not be appointed for a child who is a dependent or a ward of the court unless the court specifically limits the right of the parent or guardian to make educational decisions for the child or for a child who has reached the age of majority unless the child has been declared incompetent by a court of law.

A surrogate parent shall be held harmless by the State of California when acting in his or her official capacity except for acts or omissions that are found to have been wanton, reckless, or malicious.

The parent or guardian of a child with a disability may designate another adult individual to represent the interests of the child for education and related services. This may be done for one meeting only by indicating the name of the representative on IEP meeting notice, or on a long-term basis by filling out the "Designation of Educational Representative" form.

Frequently Asked Questions

XIV
SOCIAL/EMOTIONAL
SERVICES

Ventura County SELPA
 Social/Emotional Services
 Continuum of Options for Special Education Students

All services and supports are focused on student’s performance and access to education

<u>Social Emotional Services Continuum</u>	<u>School Placement Options Continuum</u> (General Guidelines)
<p><u>School Based Services:</u></p> <ul style="list-style-type: none"> ● Behavior Interventions – Positive Behavior Support Plans, Behavior Intervention Plans ● School-based Counseling <p style="text-align: center;"><i>If not successful <u>enough</u></i></p>	<p>General Education with Special Education Services Special Education Class</p>
<p>Pre-ERSES:</p> <ul style="list-style-type: none"> ● Behavior Interventions – Deeper analysis, hypothesis testing, data collection, consultation and follow-up with teachers ● Counseling groups – short term, “topical” or “process” groups ● Individual counseling – 6 months – 1 year <p>(No minimum requirement for Pre-ERSES before referral to ERSES)</p> <p style="text-align: center;"><i>If student needs longer term counseling, social work, school-home communication, parent referrals or parent education and training</i></p>	<p>General Education with Special Education Services Special Education Class Class for students with Emotional Disturbance (ED)</p>

ERSES (Educational Related Social Emotional Services):

- Ongoing behavior Interventions and follow-up
- Counseling – individual – longer term relationship
- Counseling groups
- Social Work Services – Linking therapy – behavior – home – school – resources

(After 3 months, if student needs a program with intensive therapeutic support and “time in counseling” to be successful, may refer to Phoenix School; or if student and family need supports at home to be successful at school, may refer to COEDS)

If student needs more support at home, parent needs in home support, education, etc.

General Education with Special Education Services
Special Education Class
ED Class
ED Class with on-site ERSES
Phoenix School
Triton Academy
Nonpublic School –
- Casa Pacifica NPS must be ERSES
- TLC+ and Passageway may receive
- ERSES
Out of county NPSs may provide ERSES

<p align="center"><u>Social Emotional Services Continuum</u></p>	<p align="center"><u>School Placement Options Continuum</u> (General Guidelines)</p>
<p><u>Collaborative Educational Services (COEDS) (In-home ERSES Services)*:</u></p> <ul style="list-style-type: none"> ● <i>Option 1 – Behavior Interventions, student level support (Youth Partner)</i> ● <i>Option 2 – Social work services (Family Case Manager) and Parent-to-Parent support (on LRE page)</i> ● <i>Option 3 – Youth Partner, Family Case Manager, Parent Partner support</i> <p align="center"><i>If student not accessing school, not safe at school</i></p>	<p>General Education with Special Education Services Special Education Class ED Class ED class with onsite ERSES Phoenix School Nonpublic School</p>
<p><u>Residential Treatment Services*:</u></p> <p><i>24/7 therapeutic services, closely aligned with the classroom program. Ongoing monitoring by the IEP team to bring student home as soon as possible. Support by SELPA Residential Placement Consultant.</i></p> <ul style="list-style-type: none"> ● <i>Student has social/emotional needs which result in significant ongoing difficulties in accessing his/her special education program and/or</i> ● <i>Student not safe at school, and</i> ● <i>Student has not been responsive to lesser intensive supports (ERSES, COEDS) and,</i> ● <i>Student requires a 24/7 comprehensive therapeutic setting in order to benefit from educational services</i> 	<p>Special Education Class only Nonpublic School</p>

*Both COEDS and Residential Treatment are reviewed every six months.

Ventura County SELPA Educational Related Social Emotional Services (ERSES)

Program Details Matrix

- Special Education Eligible student
- Lesser restrictive school-based services have been tried-or-Residential Placement pending
- ERSES Assessment:
 - Educational Related Social Emotional Services
 - Assessment Plan/Report
 - DSM Diagnosis
- IEP team determines need
- Available options and details:

Service & CASEMIS Code	Consult/Collaboration Available	Service Provider Qualification	Location	Location on IEP	Goals	Frequency on IEP	COEDS	24/7 Crisis?	Prerequisite
Individual Counseling 510	No	MFT or intern, or LCSW or assoc	Special Ed Class/ Other Loc Svs Prov Loc	SIS Page	Yes	Minutes per week, month			
515 Counseling and Guidance(Group Counseling)	No	MFT or intern, or LCSW or assoc	Special Ed Class/ Svs Provider Loc	SIS Page	Yes	Minutes per week, month			
Behavior Intervention Services 535	No	MFT or LCSW Implementation must be under supervision of above	Special Ed class or Other Location	SIS Page	Yes *and PBSP or BIP	Total number minutes per mo. (not to exceed 4 months if COEDS-Option 1) Average 480-1208 min/mo	Option 1 Option 3	Option 3	Must have ERSES Counseling for COEDS Must have FAA/FBA for COEDS 1 or 3
Parent Counseling and Training 520	Yes	MFT or intern, LCSW or Assoc, Special Ed Teacher, School Psychologist	Special Ed class or other location	SIS or LRE	Yes if SIS	Total number minutes per mo. (unless LRE- addt'l supports)			
Social Work Services 525	Yes	LCSW or Associate, MFT or MFT Intern	Special Ed class/Service Provider location/or Other location	SIS or LRE Page	Yes if SIS	Total number minutes wk/mo. Range 240-960 for COEDS requires review every 6 mo	Option 2 Option 3	Yes if Option 2 or 3	Must have ERSES Counseling for COEDS
Residential Treatment Services 545	No	Facility Team, including on staff therapist	Facility	SIS Page, also Specialized Out of District	Yes	1,440 min/day			Should have ERSES Counseling to return to district
Parent to Parent Support not CASEMIS	No	Parent	Other location	LRE Page	No		Option 2 Option 3	Yes if Option 2 or 3	Must have ERSES counseling for COEDS
Phoenix Schools Onsite counseling 510/515 Time in Not CASEMIS	No	MFT, LCSW, Time in provided by paras	Special Education Class	LRE also Specialized Out of District	Yes and PBSP or BIP	LRE page in the Offer of FAPE-no minutes			Must have ERSES Counseling for 3 months

Social/Emotional Services

Pre- Educationally Related Social Emotional Services (Pre-ERSES)

OSD provides Social/Emotional Services to students with IEPs as needed to achieve their social, emotional or behavior goals. These may include:

- Behavior Interventions (see preceding section)
- Group Counseling
- Individual Counseling (short term)

These services are provided by educational staff such as Counselors, School Psychologists, Therapists and Special Education Teachers.

Educationally Related Social Emotional Services (ERSES)

Some students need more intensive services, provided by licensed clinical professionals including Marriage and Family Therapists and Licensed Clinical Social Workers Services may include:

- Group Counseling
- Individual Counseling (long term)
- Social Work Services
- Parent Counseling

These services are called Educationally Related Social Emotional Services (ERSES) and would be provided only if less intensive services were not successful. A special ERSES assessment would be conducted by the School Psychologist in collaboration with a clinician known as the Intensive School- Based Therapist (ISBT). The student must have a Diagnostic and Statistical Manual (DSM) diagnosis of a mental health disorder which impacts functioning in school.

Some students and families may require additional supports in the home or community to address the student's needs at school. The SELPA provides the Collaborative Educational Services (COEDS) program to address these intensive needs.

Collaborative Educational Services (COEDS)

COEDS may be provided in one of three levels, as determined by the IEP team:

1. Behavior Interventions
2. Social Work Services and parent-to-parent supports only
3. Behavior Interventions, Social Work Services, and parent-to-parent support

This program is designed to be provided from 6 months to one year, and services may be faded as families and students become more successful. Students must have received ERSES for at least 3 months before COEDs would be considered.

There is also a 24/7 "on call" support option available.

Residential Treatment Services

A very small number of students will require placement in an out of home Residential Treatment facility in order to access their education and be safe at school. Residential Treatment Services would be provided by the IEP team only after an intensive assessment. Behaviors which would and would not be related to the IEP team's responsibilities for Residential Treatment are:

IEP Related	Not IEP Related*
<i>Behaviors:</i>	<i>Behaviors primarily:</i>
<ul style="list-style-type: none"> • Are primarily due to social/emotional issues or symptoms and resulting in significant, ongoing difficulties in educational performance (and/or) • Are presenting frequent, ongoing safety risks <i>at school</i> to self and/or others, (and) • Are not sufficiently responsive to extensive supports and services which have been provided at school and/or home, to address educational needs (and) • Require and student is likely to benefit from a comprehensive full time therapeutic setting in order to access their educational services 	<ul style="list-style-type: none"> • Are related to social maladjustment or conduct disorder (and/or) • Are result of substance abuse (if any) (and/or) • Are observed in the home and community but student is still able to benefit from his or her educational program (and/or) • Are due to Intellectual or Developmental Disabilities which preclude the ability to benefit from a comprehensive, therapeutic setting. <p>*Students displaying these characteristics may be candidates for placement by agencies.</p>

All Social/Emotional services will be measured by IEP Annual Goals for the student's performance **in school**. They will be provided at no charge to families.

Frequently Asked Questions

XV

Low Incidence Services

Roles of the Deaf/Hard of Hearing (DHH) Teacher And Educational Audiologist

Deaf/Hard of Hearing (DHH) Teacher

Annual Review

All students with a primary disability of Deaf or Hard of Hearing must have a DHH credentialed teacher consult with the IEP team on at least an annual basis. Their name should be included as a provider in SIRAS. This may include:

- Reviewing the progress on goals for the year
- Interviewing the teacher and/or Case Manager
- Reviewing any other new reports
- Consulting with the Audiologist regarding current audiological information
- Consulting with the Educational Audiologist regarding current functional performance in the educational environment and use of hearing assistive technology

The DHH teacher will provide updated information to the Present Levels of Performance, and participate in development of any Annual Goals related to the hearing loss.

When the DHH teacher is present at the meeting, he or she will share any updated information regarding the student, and participate in the discussion about needed services and supports. If they are not able to attend, the parents will be asked to agree to the Team Member Excusal, and the DHH teacher will provide updated information and recommendations about services and supports.

Initial and Triennial Assessment

For initial or triennial assessment, all students with a diagnosis of deafness or hard of hearing in the record should have a DHH teacher as part of the assessment team check "Deaf/Hard of Hearing - Other" on the Assessment Plan and indicate DHH Teacher. The DHH teacher will either conduct assessment and give input for a combined Multidisciplinary Psychoeducational Report, or will produce a "stand along" DHH Report (located on the SELPA website under "Assessment Reports")

For students with a secondary disability of Deaf or Hard of Hearing, the IEP team should consider whether or not it is necessary to have a DHH teacher consult regarding development of the IEP. This may be done by review of the file and progress reports and phone interview with the Case Manager or teacher. Input would be noted on the Present levels of Performance.

The DHH teacher will collect or collaborate with other professionals in determining the following information for the assessment if relevant:

- Auditory discrimination skill
- Following verbal directions

- Auditory memory and sequencing
- Listening for details in a message
- Listening vocabulary skills
- Listening grammatical skills
- Listening in background noise
- Overall auditory comprehension skills

If it is determined that a student who is Deaf or Hard of Hearing needs regular, direct or consultative services from the DHH teacher, the services will be noted on the Student Information and Services page, and at least one corresponding goal will be written. Consultative services to be provided on an “as needed” basis will be noted on the LRE page under “Additional Supports for Staff.”

The Educational Audiologist

Annual Review

Working with the DHH teacher and Special Education Case Manager, the Educational Audiologist will assist classroom staff in monitoring the student’s ability to access the educational learning environment. The Educational Audiologist will advise, monitor and consult regarding hearing technology including hearing aids, cochlear implants and hearing assistive technology.

Educational Audiological services will be indicated on the LRE page on an “as needed” basis, unless the severity of need requires frequent ongoing support of the Educational Audiologist. In this case, the service and frequency will be noted on the Student Information and Services page, and a corresponding goal will be developed. Goals related to Educational Audiology may be related to student self-advocacy in use of technology or other areas related to use of listening supports.

Initial and Triennial Assessment

The Educational Audiologist should be considered for participation in every initial or triennial assessment of students with Deafness or Hard of Hearing as an area of suspected disability. The Educational Audiologist will work with the DHH Teacher to interpret audiological results from the private audiologist (if there is one) to determine hearing level and functional performance. The Educational Audiologist may conduct audiological and/or assessment of functional performance in the classroom as needed.

The Educational Audiologist will send findings to the Assessment Team Lead in a brief summary for inclusion into the Psychoeducational Report. The findings will be included under “Health and Developmental Information.”

Deaf/Hard of Hearing Teacher

- Consult with Educational Audiologist and private audiologist regarding current audiological information
- Collaborate with Educational Audiologist and other school staff regarding correct and consistent use of hearing equipment, including monitoring function and need for repair
- Consult with IEP teams regarding needed specialized services, goals and/or classroom accommodations
- Provide direct or consultative services with other professionals and paraprofessionals to support the student, which may include: Speech, speech reading or auditory training Instruction in oral, sign and/or written language development Adaptation of curriculum, media and/or learning environment Student self-advocacy
- Provide guidance and direction to educational sign language interpreters as needed
- Collaborate with Special Education Case Manager to train, support and monitor paraeducators as needed
- Consult with families regarding child's educational needs, home programs, and other community supports
- Collaborate with Special Education Case manager regarding services and supports for transitioning to adult life

Educational Audiologist

- Assess range, nature and degree of hearing loss or other auditory dysfunction
 - Counsel families and educators regarding test results and educational impact
 - Monitor hearing levels, auditory behavior and functional performance with and without hearing equipment
 - Collaborate with and assist families in accessing community professionals regarding a student's hearing loss or other auditory dysfunction and hearing equipment
 - Monitor student's ability to use hearing and hearing equipment in the classroom, including analysis of and recommendations regarding the classroom acoustics and listening environment
 - Determine needs, select, implement and monitor group and/or individual hearing assistive technology in the educational setting
 - Consult with families, the Deaf/Hard of Hearing teacher, and other school staff regarding strategies and accommodations to address student's educational needs as a result of the hearing loss or other auditory dysfunctions
 - Interpret audiological results and provide training to Special Education Case Managers, classroom teachers and other personnel on hearing loss and other auditory dysfunctions, and monitoring of hearing equipment (hearing aids, cochlear implants, hearing assistive technology)
 - Consult with IEP teams in the evaluation, educational placement, and accommodations for hearing loss or other auditory dysfunction

Consultation for Students with Orthopedic Impairments

All students with Orthopedic Impairment (OI) as their primary disability must have a credentialed OI teacher as a member of the team. Examples of duties may include any of the following, as appropriate:

- Conduct assessment and submit findings to a combined Psychoeducational Assessment Report for Initial or Triennial reviews - Check "Motor Development-Other" on the Assessment Plan and indicate Teacher of Students with Orthopedic Impairments
- Review records and interview people (either electronically, by phone, or in person):
 - Review the student's file
 - Review progress reports on goals
 - Talk to Special Education Case Manager
 - Talk to classroom teacher(s)
 - Talk to parents
- Provide input in SIRAS on Present Levels of Performance
- Suggest needed Annual Goals
- Recommend needed services and/or accommodations and modifications
- Attend the IEP (or)
- With a Team Member Excusal, send a written report to the IEP meeting

When you have a student who has OI as their primary disability and you need a credentialed OI teacher as a member of the IEP team contact your Program Specialist at least two weeks before the IEP Meeting.

Services for Students with Visual Impairments

All students with Visual Impairment (VI) as their primary or secondary disability must have a credentialed VI teacher as a member of the team. Examples of duties may include any of the following, as appropriate:

- Conduct assessment and submit findings to a combined Psychoeducational Assessment Report for Initial or Triennial reviews - Check "Functional Vision and/or Orientation & Mobility - Other" on the Assessment Plan and indicate Teacher of Students with Visual Impairments
- Review records and interview people (either electronically, by phone, or in person):
 - Review the student's file
 - Review progress reports on goals
 - Talk to Special Education Case Manager
 - Talk to classroom teacher(s)
 - Talk to parents
- Provide input in SIRAS on Present Levels of Performance
- Suggest needed Annual Goals
- Recommend needed services and/or accommodations and modifications

- Attend the IEP (or)
- With a Team Member Excusal, send a written report to the IEP meeting

Visual impairments change the way children obtain information about the world around them and limit opportunities to learn through observation of visual elements in the school curriculum and elsewhere. This means that, in addition to regular classroom studies, children who are blind or visually impaired need to learn specialized skills (frequently referred to as the Expanded Core Curriculum) from teachers and others who are properly trained to teach such skills, such as certified teachers of visually impaired children and orientation and mobility specialists. The specialized skills children who are visually impaired must learn include:

- Technology and computer proficiency—using computer equipment, such as a screen reader, to read information on monitors or in print
- Literacy—reading and writing with braille, large print, optical devices, or training in effective use of available vision
- Age-appropriate career education—exploring career preferences, participating in job experiences using nonvisual methods
- Safe and independent mobility—using specific orientation and mobility techniques, long canes, or other mobility tools
- Social interaction—understanding body language and other visual concepts
- Independent living skills—learning specialized techniques for personal grooming, food preparation, money management, and other tasks

When you have a student who has VI as their primary or secondary disability and you need a credentialed VI teacher as a member of the IEP team contact your Program Specialist as soon as possible to insure all VI needs are addressed.

Specialized Physical Health Care

The parent/guardian of students who require specialized physical health care (SPHC) services during the school day shall provide a written request for the needed physical health care service. The student's physician shall submit a written statement authorizing the administration of the specified physical health care service. (Code of Regulations, Title 5, Section 3051.12(b)(3)(E))

The program administrator shall name the qualified school personnel who will perform the service in accordance with standardized procedures.

A qualified school nurse, public health nurse, or licensed physician and surgeon shall supervise physical health care services in the school setting in accordance with law. (Education Code 49423.5; Code of Regulations, Title 5, Section 3051.12)

Schools shall provide appropriate accommodations for safety and necessary physical care services. The student's personal privacy and dignity shall be assured. (code of Regulations, Title 5, 3051.12)

Staff designated to perform the specialized service shall maintain and sign a daily record of these services on a district form. (Code of Regulations, Title 5, Section 3051.12(b)(1)(E)) This form shall be kept either in the student's classroom or in the school health office, depending on the health services being provided.

For more information, contact your school nurse.

Frequently Asked Questions

XVI
REFERRAL FORMS FOR
OSD ASSISTANCE



OXNARD SCHOOL DISTRICT
1051 SOUTH "A" STREET • OXNARD, CALIFORNIA 93030
805/385-1501 • FAX: 805/483-7426

Transportation as a Related Service

SCHOOL BUS SERVICE GUIDELINES

The student's IEP will reflect that the related services of transportation is necessary. The student's individual needs will be addressed in the least restrictive environment based on the following guidelines:

Level of Service (LOS) to be circled on request form

LOS #1

Students having significant needs such but not limited to, medical fragility, severe behavioral disorders or severe cognitive deficits will be assigned a bus stop at the closest safe accessible curbside to their home or service address. However, if the IEP team determines that a student's disability warrants a different level of service, it will be provided.

LOS # 2

Preschool children and students requiring the use of a wheelchair will be assigned to bus stops within two tenths (0.2) of a mile of their homes or service addresses. Students residing within two-tenths (0.2) of a mile of their assigned schools will not be eligible for transportation services. However, if the IEP team determines that a student's disability warrants a different level of service, it will be provided.

LOS #3

Elementary school students requiring the use of a wheelchair will be assigned to bus stops within four-tenths of a mile of their homes or service address. Students attending the resident school or living within one (1) mile of the assigned school will not be provided transportation services. However, transportation will be provided to student's residing within one (1) mile if the student disability warrants a different level of service, it will be provided.

LOS #4

Middle and high school students not requiring the use of a wheelchair will be assigned to bus stops within one (1) mile of their homes or service address. Middle and high school students attending the resident school or living within two (2) miles of the assigned school will not be provided transportation services. However, if the IEP team determines that a student's disability warrants a different level of service, it will be provided.

If no authorized individuals is at the bus stops to receive a student on their return trip the school bus driver will return the student to:

- The school of attendance before 4:00 PM
- The Transportation Service Center after 4:00 PM The district does not provide transportation outside of District boundaries. Students will be referred to Ventura County of Education (VCOE) Transportation Department for the following:
 - Students who are transported in wheelchairs Students who attend programs outside the district
 - Students who attend OSD programs but live outside of the district

Oxnard School District Special Education



Transportation Request 2017 – 2018

Start Date: *ASAP*

Student Name:	School:	DOB:	Grade:
Age/Weight:	Level of Transportation <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5	Additional information <input type="checkbox"/> Cul-de-sac <input type="checkbox"/> Gated	
Days: <i>Mon – Fri</i>	School Hours:	Teacher:	
Parent/Guardian Name (s):	Home Address:	City/Zip:	
Home Phone:	Cell Phone:	Work Phone:	
Emergency Contact:	Relationship:	Phone:	
Emergency Contact:	Relationship:	Phone:	

Special Equipment

Safety Vest Car seat Seatbelt Safety lock
 Child Needs Transportation: AM PM None at this time

Pick up:	Name:	Phone:
Drop off:	Name:	Phone:

Student can be allowed to leave the bus unattended: Yes No

If child can be allowed to leave the bus unattended in the afternoon, parent must complete the Release from responsibility form. (Special Education students only)

FOR SPECIAL EDUCATION USE ONLY

Today's Date: Add Change Drop Other _____

Special Education Placement: SDC/MM SDC/MS DHH VI RSP

FOR TRANSPORTATION USE ONLY

Rt:	AM:	Time:	Rt:	PM:	Time:
Effective:			Parent Notified:		

1051 South "A" Street • Oxnard, CA 93030 • (805) 385-1501

- New Student
- Change of Address
- Drop from Transportation
- Change of:

Ventura County Office of Education
 Transportation Request Form
 Email to: transportation@vcoe.org



Today's Date:
 Date to Begin:
 Date to End:

School:	CSIS#:	Class Hours:	Teacher:	Other:
Student Name:	Sex:	Grade:	Birthdate:	Home Language:
Resident Address:	City:	Zip:	Home Phone #	District of Residence Name:
Parent's Name:	Work phone #	Cell phone # :	Authorized Person for Release	SD/OI ?
				Transportation Level of Service:

Special Requirements

- Wheel Chair
- Safety Vest
- Non Verbal
- Hearing Impaired
- Medication Transported
- Seizures
- Other:
- Oversize W/C
- Car Seat
- Emergency Plan
- Visually Impaired
- Allergies
- Behavior Concerns

Transportation Information (service address)

Students needs to be picked up or delivered on a continual basis to an address other than the home as follows:

Pickup: (must be the same for every day of week)	Name:	Phone #
Delivery: (must be the same for every day of week)	Name:	Phone #

I.E.P. Approved Therapy Transportation

Location:	Times:	Days of week:
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Special Transportation Needs:

Emergency Information :

Name:	Address:	Phone:	Alt phone #
Name:	Address:	Phone:	Alt phone #
Name:	Address:	Phone:	Alt phone #

Prepared by:	Site Location:	Contact #	Email:	District Authorization:
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Oxnard School District
1051 South "A" Street, Oxnard, CA 93030 (805) 385-1501

Special Education Department

TRANSLATION AND INTERPRETATION REQUEST FORM

Translation/interpretation services for Special Education related matters are provided by the Special Education Department, at 385-1501. Please contact Lisette Solis at extension 2162, email: lsolis@oxnardsd.org, Laura Dean at extension 2174, email: ldean@oxnardsd.org, or Edith Guzman at extension 2174, email: e2guzman@oxnardsd.org.

Instructions:

1. Prior to submitting the translation & interpretation request form, the following must be completed. This form is not required for IEP translation documents. Please DO NOT mail the request directly to district translators. Submit to your supervisors for approval and then submit to Kristin Haidet, Nadia Villapudua, or Katrina Madden, Special Education Managers.
2. Translation & interpretation services: Are processed in the order they are received.
3. Deadlines: The translation office will make every effort to comply with the deadlines. However, if more time is required for a particular documents, the translator will advise the requester when such circumstance occur.
4. Volume: Please allow a longer turnaround time for lengthy documents.
5. Document Format: Requester must submit documents electronically in Word format or provide hard copies. All documents will be returned in a PDF format.
6. Revised versions: The translation office will try to provide an accurate translation, if a certain document has been translated in the past and a revised version is resubmitted on a later date with corrections or new changes, *the requester must indicate and highlight the corrections to be made.*

Date: _____	School: _____
IEP MEETING ONLY: Will an advocate be attending? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> RSP <input type="checkbox"/> M/M <input type="checkbox"/> DHH <input type="checkbox"/> Autism <input type="checkbox"/> VI <input type="checkbox"/> Initial <input type="checkbox"/> Annual <input type="checkbox"/> Triennial <input type="checkbox"/> High Profile <input type="checkbox"/> Other Review <input type="checkbox"/> San Miguel <input type="checkbox"/> BEST Program <input type="checkbox"/> Infant Program	
Name of Requester: _____ Ext.: _____ Email: _____	
Student's Name: _____ Date of IEP _____ Start time _____ End time _____	
ORAL INTERPRETATIONS:	
Student's Name: _____ Meeting Location: _____	
Name of Requester: _____ Ext.: _____ Email: _____	
Date of Meeting: _____ Number of attendees: _____ Start time _____ End time _____	
Title of Meeting: _____ (Please enclose program/agenda or speech outline)	
Please provide a specific description of the meeting: _____	
DOCUMENT TRANSLATIONS:	
Name of Requester: _____ Ext.: _____ Email: _____	
Name of Document: _____ Number of pages: _____ Preferred means of return: <input type="checkbox"/> Inter-district <input type="checkbox"/> Email	
FOR DISTRICT USE ONLY – SUPERVISOR APPROVAL:	
District Administrator's Signature _____ Date: _____	
Spanish Translator/Interpreter Initials: _____ Date completed: _____	



OXNARD SCHOOL DISTRICT
1051 SOUTH "A" STREET • OXNARD, CALIFORNIA 93030 • (805) 385-1501 ext. 2351

Department of English Learner Services

Mixteco Interpretation Request Form

Indicate each appointment separately

Today's Date: _____ School: _____

School Contact: _____ Position: _____

Phone Number: _____ email: _____

Date of Interpretation Services Requested: _____

Appointment Time Requested: _____

Alternate Date/Time if 1st Choice is Not Available: _____

Purpose of Interpretation: _____

Estimated Amount of Time Requested _____

Please indicate Interpretation preference: _____ Mixteco to English _____ Mixteco to Spanish
_____ English to Mixteco _____ Spanish to Mixteco

Email to aalvarado@oxnardsd.org in ELS Dept. for approval.

Your request for a Mixteco interpreter has been:

_____ Approved for _____ min./hrs.

_____ Denied

ELS Approved _____ Date: _____ Completed by: _____

SECTION 2-A: Approval (Site Contact)

Please contact aalvarado@oxnardsd.org or nzarate@oxnardsd.org to set up and confirm your appointment.

SECTION 2-B: Extra Hours Approval (Only needed when outside regular work hours: 8-5pm)

_____ Approved

_____ Denied

Director Signature _____ Date: _____

Email to: aalvarado@oxnardsd.org or nzarate@oxnardsd.org, School Office Manager, & Site Contact

SECTION 3: After Appointment complete ONLY if interpreter is coming from MICOP.

(Site Contact: Complete & email to nzarate@oxnardsd.org or aalvarado@oxnardsd.org within 3 days of appointment)

The interpreter from MICOP worked at _____ School on _____
Date

From _____ to _____
Time Time

Site Contact _____

Date _____



OXNARD SCHOOL DISTRICT

1051 SOUTH "A" STREET • OXNARD, CALIFORNIA 93030 • (805) 487-3918, ext. 2351

Department of English Learner Services

Translation Request Form Other Language

(Not for Spanish or Mixteco)

Use One Form per Appointment

SECTION 1: Prior to Appointment

(Site Contact Complete Section 1 and email to: emurillodejeronimo@oxnardsd.org)

Today's Date: _____ School: _____

School Contact: _____ Position: _____

Phone Number: _____ email: _____

Date of Translator Services Requested:

Appointment Time Requested: _____

Language Requested: _____

Purpose of Translation:

Estimated Amount of Time Requested:

American Language Services is located in Los Angeles and charge by 1/2 day (up to 3 hrs) or full day (3-6 hrs).

Email to emurillodejeronimo@oxnardsd.org in ELS Dept. for approval

SECTION 2: ELS Department Approval

Your request for a translator has been

Approved for: 1/2 day full day

Denied

Director Signature: _____ Date: _____

Email to: interpreting@alsglobal.net, School Office Manager, & Site Contact

SECTION 3: Appointment (Site Contact)

Site Contact: please contact American Language Services at (310) 829-0741 or email interpreting@alsglobal.net to set up and confirm your appointment.

SECTION 4: After Appointment

(Site Contact: Complete & email to emurillodejeronimo@oxnardsd.org within 3 days of appointment)

The translator worked at _____ School on _____ Date

From _____ to _____
Time Time

Site Contact Date



OXNARD SCHOOL DISTRICT PROTOCOL for ADAPTED PHYSICAL EDUCATION

If the student has a qualifying disability under IDEA a request for an APE observation can be made

by:

<p><i>Program Specialist School Psychologist School Nurse</i></p>	<p><i>Special Education Teacher School Counselor Parent</i></p>	<p><i>General Ed. Teacher D.I.S. Professional Staff School Administrator</i></p>
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STEP 1

Adapted Physical Education Observation

- Complete APE Observation Form and send to Manager of Special Education; K. Madden
- Complete Parent Permission to Observe Form
- APE Specialist Complete Observation
- Hold IEP or 504 to discuss the need for assessment

Does Student Need Assessment?

YES



NO



STEP 2



APE Assessment

Findings

1. Signed Assessment Plan
2. 60 Day timeline begins

IEP / 504 Meeting to Discuss

1. Classroom/Parent Activity Suggestions

Assessment Tools May Include:

- Professional observations in general physical education, recess, 1:1 setting
- Parent and teaching staff interview
- Parent questionnaire
- Standardized Gross Motor Assessment
- Test of Gross Motor Development II: TGMD II
- Adapted Physical Education Assessment Scale II: APEAS II
- Kounas Assessment of Limited Mobility Students: KALMS(R)
- Curriculum, Assessment, Resources, & Evaluation-Revised: CARE-R
- File Review

STEP 3

IEP Determination of APE Services

STEP 4

Exit Criteria



OXNARD SCHOOL DISTRICT
1051 SOUTH "A" STREET • OXNARD, CALIFORNIA 93030
805/385-1501 • FAX: 805/483-7426

Request for Adapted Physical Education Observation

Date: _____

Child's Name: _____ DOB: _____

Parent Name(s): _____

Phone: (home) _____ (cell) _____

Primary Language: Parent(s) _____ Child _____

Translator Needed: YES _____ NO _____

School Site: _____ Grade: _____

Days of week & times that child is in P.E.: _____

Other days/times movement can be observed: _____

Qualifying Disability under IDEA (IEP or 504) _____

Reason for Request: _____

Requested by: _____

Title: _____ E-Mail: _____

Phone No.: _____ Ext.: _____



OXNARD SCHOOL DISTRICT
1051 SOUTH "A" STREET • OXNARD, CALIFORNIA 93030
805/385-1501 • FAX: 805/483-7426

Request for Adapted Physical Education
Permission to Observe

Child's Name: _____ DOB: _____ Age: _____

School: _____ Teacher: _____

Parent Name(s): _____

Address: _____

Phone: (home) _____ (cell) _____

Primary Language: Parent(s) _____ Child _____

I give permission for my child to be observed by the **OSD Adapted Physical Education Specialist**.

Area(s) of Concern:

I understand that the observations will be completed during my child's school day.

Parent/Guardian Signature

Date



Oxnard School District

1051 South "A" Street • Oxnard, CA 93030 • 805/385-1501 • Fax 805/487-9648

Occupational Therapy Observation/Consultation Request Form

Date: _____ Student Name: _____ School: _____ Grade: _____ DOB: _____

Referred by (School Contact): _____ Student Teacher: _____

Have you referred to the Occupational Therapy Accommodations for the Classroom booklet? (See SLEPA website)
Yes No If no, please consider suggestions before submitting this referral.

Please describe your concerns below. Make sure to indicate strengths and weaknesses. Attach work samples for all areas of concern. **Work samples are required for all referrals.**

Fine Motor Skills

Sensory Difficulties

What interventions and strategies have been utilized and what was the student's response?

Other concerns

Parent Signature: _____ Date: _____

Site Administrator Signature: _____ Date: _____

(Parent and Administrator signatures indicate that they are aware of the aforementioned child and that they permit the Oxnard School District Occupational Therapist to observe their child, if necessary, for strengths and weaknesses in the areas related to potential occupational therapy services). Mail this request form to Lisette Solis in Special Education or scan and email to lsolis@oxnardsd.org



OXNARD SCHOOL DISTRICT

1051 South "A" Street • Oxnard, CA 93030 • 805/385-1501 • Fax 805/487-9648

Director of Pupil Services- Chris Ridge
Director of Special Education- Amelia Sugden

Please submit all forms to Behavior Specialist-Julia Bolognino
jbolognino@oxnardsd.org

Received by: _____
Date: _____

Request for Behavior Consultation

This form is to be used by school site teams requesting guidance for a student with behavioral challenges

Requested by:

Date:

Name of Student:

Birth date:

School:

Grade:

Teacher:

Room #:

School Psychologist:

Contact information:

If this is a special education student please indicate the following:

Eligibility:

Program:

Case Manager:

ASSISTANCE NEEDED FOR:

- Assistance conducting a functional behavioral assessment (FBA)
 - Data collection
 - Observations
- Assistance developing a comprehensive behavior intervention plan (CBIP)
- Assistance developing a positive behavior intervention plan (PBIP)
- Assistance conducting a special circumstance paraeducator (SCP) assessment due to behavior concerns
- Assistance implementing ABA strategies
- Placement recommendations to more restrictive
- Setting up visual structures
- Data collection

Updated 9/28/16

- Social Skills (Social/emotional concerns)
- Observation of student's learning styles
- Consult with teacher regarding accommodations
- Other:

DESCRIPTION OF CONCERN:

CURRENT SUPPORTS INCLUDE:

- Visual Supports (describe or attach)
- Visual Schedule (describe or attach)
- 1:1 Paraeducator Name of para: _____ Hours: _____
- Positive Behavior Intervention Plan (attach)
- Sensory Supports (describe)
- Seating Modifications (describe)
- Speech/Language Services
- Occupational Therapy
- Counseling Provided by: _____
 - Group
 - Individual
- Integration / Inclusion %:
- Other:

Please attach SST/Consultation notes and progress monitoring data

*Reviewed and approved by Site Administrator _____
(Principal or Assistant Principal Signature)*

For District office use only:

Reviewed on: _____

Action:

- Approved - Assigned to District Behaviorist _____*
- Denied - Returned to school site*
Reason for denial:
 - Incomplete request*
 - Lack of evidence of prior intervention*
 - Not within scope of support of behaviorist*
- Recommended next step(s):*

Referrals to County Operated Programs

Notify your Program Manager when considering referring a student to programs operated by VCOE prior to filling out any referral forms. The most common programs OSD students referred to are the following:

REFERRAL PROCESS FOR VCOE ENHANCED ED CLASS: JAMES FOSTER, JR. SCHOOL

Appropriate Referrals:

- Student meets eligibility criteria as a special education student. In most cases, eligibility will be as a student with Emotional Disturbance, or if another disability, there must be clear documented history of significant emotional issues impacting educational performance.
- Behavior Intervention Plan (BIP) or Comprehensive Behavior Intervention Plan (CBIP) developed and implemented
 - Data on implementation, and data on effectiveness documented
- Social emotional goals developed and implemented
 - Progress on goals documented
- Ability to participate in ‘talk therapy ‘ individually and in small group *
- Any academic delay is likely caused by the student’s social-emotional needs as opposed to other cognitive disorders with the exception of specific learning disabilities.
- ERSES services on IEP
- District of Residence psychologist can call Foster School Psychologist/Site Principal for initial consultation and space availability.

A Complete Referral Packet Requires the Following:

- Cover letter requesting consideration for placement in the Foster ED program, outlining students’ needs including a description of current behavior which compels referral, strategies that are working or are promising and those that have not been effective and immunization status
- Most Recent Psychoeducational Assessment Report or multidisciplinary report with discussion of ERSES eligibility.
- Most Recent Progress Reports and Data from BIP/CBIP
- Reports from outside agencies

All referral packets may be emailed to the Executive Director at Ventura County Office of Education.

Packets may be mailed to: VCOE: Special Education Department

Attn: Executive Director
5189 Verdugo Way
Camarillo, CA 93012

Once a complete referral packet is received and reviewed and prior to IEP meeting:

- VCOE school psychologist/site principal will contact the district to arrange a case conference and determine who will contact parent to schedule tour of program (include student in tour if possible).

IEP Meeting:

- District of Residence is to schedule placement IEP with VCOE personnel at Foster School. Referring District will be responsible for all elements of this IEP.
- At IEP meeting, if all in agreement, parent will complete the additional VCOE forms:
 - o VCOE Consent for Parent Release of Information Form
 - o Intra SELPA Referral Form
 - o Enrollment Paperwork
 - o Transportation arranged by VCOE, unless determined otherwise.

** An integral part of this program is the therapeutic component*

For Additional Information:

Principal:

805-437-1440 Foster School

805-437-1440 805-985-7200 Dwire School

School Psychologist:

REFERRAL PROCESS TO PHOENIX/LOS NOGALES

Appropriate Referrals:

- Student meets eligibility criteria as a special education student. In most cases, eligibility will be as a student with Emotional Disturbance, or if another disability, there must be clear documented history of significant emotional issues impacting educational performance.
- The ability to benefit from a program, which includes intensive individual and group therapy combined with evidence, based behavioral strategies.
- For outside of SELPA/Out of California Placements, district of residence is responsible for transferring IEP into SIRAS.
- Please note for Out of California Placements, district of residence is responsible for conducting reevaluation.

A Complete Referral Packet Requires the Following:

- Phoenix Referral form (Background Information) – use your ISBT to assist in completing the referral
- Most recent IEP and any Addendums or Other Reviews to that IEP
- At least three months Progress Reports relevant to the social/emotional or behavioral goals
- Most recent full Psychoeducational Assessment Report, including assessment findings from the ISBT (if placement is made within 3 months of the Triennial due date, the referring district must complete the assessment).
- Any current OT, PT, Speech Therapy, and/or medical reports

After the case conference, the Phoenix staff will notify the referring district within two days regarding their recommendation about the appropriateness of a Phoenix placement for this student. If the referring district disagrees with the outcome, a meeting (can be a phone conference) will be held with the administrative staff of the Phoenix school. If the parties are unable to resolve the disagreement, the SELPA Assistant Superintendent will be consulted to assist in resolution.

If it is agreed that Phoenix is an appropriate option for the IEP team to consider for the student, the referring district staff will set up a parent/student tour of Phoenix at possible Phoenix site (in conjunction with Phoenix staff). An IEP meeting will be chaired by the referring district (at the appropriate Phoenix site) to discuss the placement.

If the team agrees to Phoenix placement, the parent will be given the enrollment packet, IntraSELPA Referral Form and VCOE Consent for Parent Release of Information Form.

The IEP will note the placement at Phoenix, needed transportation, and implementation date. The referring district will be responsible for initiating the IEP paperwork and entering it into the IEP software. Referring district will collaborate with Phoenix staff and ISBT to develop draft goals. New Student Information and Services and Least Restrictive Environment pages will need to be generated as this IEP will be an Other Review: Possible Change of Placement.

However, if the current goals are appropriate, they can be adopted. The annual review date can be adjusted to reflect the review of the goals (shortened timeline) or the annual goal date can be extended to reflect the one year annual review date. The form "Specialized out of District Placement" is completed and attached. See sample Phoenix placement IEP forms on the SELPA website.

REFERRAL PROCESS TO TRITON ACADEMY

Appropriate Referrals:

- Student must meet eligibility criteria as a special education student and must have an eligibility of Autism.
- Positive Behavior Intervention Plan (PBIP) or Comprehensive Behavior Intervention Plan (CBIP) developed and implemented
- Data on implementation and effectiveness
- Social/emotional/communication goals developed and implemented
- Progress on goals documented
- Ability to participate in social communication skills group.
- District of residence administrator/psychologist/program specialist may call Triton Principal or Assistant Principal for initial consultation and space availability.

Appropriate Assessment Materials May Include:

- Autism Diagnostic Observation Schedule (ADOS)
- Social Responsiveness Scale (SRS)
- Psychoeducational Profile: Third Edition (PEP-3)
- Autism Diagnostic Interview, Revised (ADI-R)
- Social Communication Questionnaire (SCQ)
- Gilliam Autism Rating Scale (GARS)

- Kaufman Assessment Battery for Children, Second Edition (KABC-II)
- Brigance Inventory of Early Development

A Complete Referral Packet Requires the Following:

- Cover letter outlining student’s needs and summarizing reason for the referral including a description of current behavior which compels referral, strategies that are working or are promising, and those that have not been effective and immunization status.
- Most recent psychoeducational assessment report.
- Most recent progress reports.
- Most recent data from PBIP/CBIP with supporting behavioral assessments such as an FBA.
- A Learning Environment Plan.
- An appropriate Triton Academy Student Profile (CCRC or CCR-CCRA).
- Any other pertinent data such as agency/hospital/medical and other relevant reports.

All referral packets may be e-mailed to: Triton Academy Administration, names and email addresses are to be found on www.vcoe.com

All referral packets will be sent to Triton Academy (attention the Principal)

at: 700 Temple Ave.
 Camarillo, CA 93010
 805-384-0205

Once a complete referral packet is received and reviewed and prior to IEP meeting, in the following order:

- Triton Academy will call referring district to schedule a student observation.
- Relevant members of the Triton Academy Referral Review Team will attend observation.
- A case conference will be scheduled by Triton Academy to be held at Triton Academy with members of the Triton Academy Referral Team and appropriate service providers from referring district (ex. district representative, teacher, psychologist, occupational therapist, etc.).
- Triton Academy Referral Team will meet to discuss accumulated information and determine if a placement at Triton Academy will best meet the needs of the referred student.
- Triton Academy Principal and/or Assistant Principal will notify referring district of decision within 48 hours.
- Referring district will schedule a tour of Triton Academy for family with Triton Academy Office Manager.

Transition IEP Meeting:

- If Triton Academy is determined as the appropriate placement, an IEP meeting is scheduled.
- District of residence will schedule placement IEP with Triton Academy Office Manager to be held at Triton Academy.
- At the IEP meeting, if all are in agreement, parent will complete the following additional forms:
 - Enrollment paperwork, provided by Triton Academy
 - VCOE transportation form, unless determined otherwise

- Southern California Ordinal Scales of Development – Cognition (SCOSD-C)
- Developmental Profile 3 (DP-3)

Frequently Asked Questions

XVII
LEAST RESTRICTIVE
ENVIRONMENT
AND
CHANGE OF PLACEMENT

Location of Special Education and Related Services

The IEP team will describe the program setting in which a student receives his or her Special Education services. Many services are provided in the general education classroom or other setting such as cafeteria and playground. A Special Education specialist who comes in and works directly with the student or a group of students, or who consults with the general education teacher may provide the services. Sometimes the general education teacher will be the provider of the Special Education services.

Sometimes, the IEP team will decide that a student needs to be “pulled out” of general education in order to be worked with more directly by a Special Education professional. This might be because the student needs a more controlled environment, different pace of curriculum, or fewer students in the classroom. Some student will receive all of the services in a Special Education classroom, other will not.

For some students, the IEP team may decide that the student needs to be placed in a school other

Options may include:

Home/Hospital Instruction-For students with serious medical and behavioral needs, Special Education services may be provided in the home. A teacher would come in on average of five hours per week.

Alternative School Campuses (Continuation School, Correctional Facility, Community School, etc.)

OSD Process to Change Placement

As members of the Ventura County SELPA, Oxnard School District is committed to providing quality Special Education and related services in the Least Restrictive Environment (LRE.) To the greatest extent possible, the district encourages participation in the general education program. Special Education and support services are thus provided in separate settings only when the regular program cannot be modified to meet the individual needs of a given student.

In response to the wide variety of individual educational needs, OSD offers a full continuum of Special Education and related services, which range from minimal monitoring of progress to full-time enrollment in Special Education classes. OSD believes in not making Special Education students any more “*different*” than they need to be. OSD also makes every effort to reduce a Special Education student’s dependency upon supports and services. This is done by periodic review of pupil progress and gradually increasing the percentage of time in the regular program when appropriate.

When a Case Manager perceives that either a student would be better served in a less or more restrictive setting the following procedure and forms are to be followed. All forms, current IEP, progress reports, report cards, any informal and/or formal assessments and current work samples that will substantiate the change of placement recommendation are to be submitted to the Program Specialist who will ensure that the process and placement are expedited.

Frequently Asked Questions



LRE Consultation Flow Chart

Team has questions/concerns regarding educational benefit of current special education program and services.

Contact the program specialist assigned to site to schedule consult. Meeting should include case manager, other service providers and school psychologist.

Gather all needed information to prepare for the meeting (draft goals, progress report, assessments, reports, observational data etc.)

Using LRE Consultation Form A, team will review concerns, develop an action plan (form B), and schedule a follow up meeting

At follow up meeting, review progress and determine next steps

If student's needs exceed the available resources, consultation packet & supporting documentation completed & reviewed with the manager of special education

If educational benefit and progress is noted and/or additional available resources/supports are identified, create new action plan and continue to monitor

If, after collaboration with district sped admin, team determines discussion of a change in educational environment is appropriate

Lack of progress and needs exceed the available resources

Need met through site resources. End process and re-REFER if needed

IEP Scheduled/ held to discuss placement needs

After IEP, Change of services/Location documentation submitted to D.O. (Directly to Lisette)

Location determined by D.O. and sites notified

Staff notified to arrange site visit, set up transportation and transfer student in Q

Student starts new program (Typically 2 weeks from IEP)



Oxnard School District

Least Restrictive Environment (LRE) Consultation Form A

This form is to be used to guide the team's discussion with the program specialist regarding student needs. Please be prepared with data and requested paperwork (draft goals, progress reports, assessments etc)

Background Information School: _____ Grade: _____

Date: _____ Tentative IEP meeting Date: _____

School Psychologist: _____ Case Manager: _____

Additional Members: _____

Student's Name: _____ Student's Age: _____

Student's Language Status: _____ Parent(s) Name: _____

SPED Eligibilities: _____ Medical Diagnosis: _____

Current Services: _____

Current Setting: _____

1. What are the primary areas of concern or specific goals the student is **not** making progress on? Describe:

2. For initials, briefly describe all areas that goals have been developed in and attach a copy of draft goals. For students already receiving services, please attach the last progress report.



Oxnard School District

3. Have the following factors been considered for ALL goals being drafted or currently existing:

YIN

- Does the child have the prerequisite skills necessary to obtain goals
- Based on the baseline and students learning ability, are the goals attainable?
- Do the goals specify the necessary scaffolding (accommodations/strategies/supports) to facilitate attainment?

4. For students already receiving services, please describe observational evidence that the above scaffolding is being implemented in all settings.
5. What services (both special ed. and non-special ed.) have already been implemented for the above mentioned goals? For initials, what services have been considered?
6. Why might these services not adequately meet the child's unique needs or allow them to make progress on the goals? Please be specific for each goal.
7. Are there other special factors (cognitive, sensory, social/emotional, behavioral, attendance, second language acquisition, vision/hearing issues... etc.) that may interfere with the child's ability to make progress towards goals?
8. Have concerns been shared with the parent? What has been their feedback and do they have any additional concerns or thoughts regarding their child's education needs?



Oxnard School District

Least Restrictive Environment (LRE) Consultation Action Plan/Follow-Up Form B

To be developed with the support of the program specialist
based on information gathered on Form A

School: _____ Meeting Date: _____

Child's Name: _____ D.O.B _____ Grade _____

Eligibilitie(s): _____ Medical Diagnosis: _____

Setting/Services: _____ Yrs in Special Education: _____

Participants:

1. Areas of need that lack educational progress:
2. Relevant parent information:
3. Recommended supports/actions (include timeline and who will follow-up)

Notes:

Next team meeting scheduled for: Date: _____ Time: _____ Location: _____



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Least Restrictive Environment (LRE) Consultation Action Plan/Follow-Up Form B

Meeting Date: _____ Previous meeting date: _____

Participants: _____

Follow up Notes: (review progress, actions items and next steps)

Next team meeting scheduled for: Date: _____ Time: _____ Location: _____



Oxnard School District

Change of Service/Location Staff Notification Form C

Current School: _____ **Current Case Manager:** _____

Student's Name: _____ D.O.B _____ Grade _____

SPED Eligibilities: _____ Medical Diagnosis: _____

- Case Manager completes below information and transportation request form (if placement will not be at home school)
- Copy of IEP, last Multidisciplinary report & FBA/ BIP/CBIP (if applicable)
- Copy of Emergency Care Plan or Health Care Plan (if applicable)

Current Levels of Performance (PRESCHOOL describe skill level in comments*)

Language Arts Curriculum Used: Grade Level Used:	Comments: 			
Math Curriculum Used: Grade Level Used:	Comments: 			
Social Skills (describe interactions with peers and adults): 				
Assessments: ___CAASPP ___Alternate ___CELDT ___VCCALPS				
Suggested areas for mainstreaming: 				
___ Behavior ___ Behavior Plan* ___ Goals ___ Attendance ___ Other explain:	___ Sensory ___ Seeking ___ Avoiding ___ Diet/Plan ___ Motor rm. ___ Other explain:	___ Communication ___ Nonverbal ___ ELD level ___ ___ Assistive Tech. ___ Pic. Schedule ___ Writ. Schedule ___ Other explain:	___ Health ___ Allergies ___ Feeding ___ Glasses ___ Hear. Aid ___ Amp. Sys ___ Meds. ___ Toileting ___ Care Plan*	___ Aide support* <small>(as written in IEP)</small> ___ Behavior ___ Health/med. ___ Wheelchair ___ Other explain:

District Admin Use Only: School: _____ Case Manager: _____ Start Date: _____

New Service Provides: _____

- Contact admin Psychs. parent visit Leticia transportation Veronica SIRAS
- Email packet to receiving site, cc sending team, & email attendance techs to drop/pick up in Q

XVIII

PARENTS AS PARTNERS

How to Prepare for an Individualized Education Program Meeting

Suggestions-

HANDY HINTS FOR PARENTS AT IEP MEETINGS

Preparing for the IEP Meeting

Set Expectations

- Set high, but realistic expectations for your child
- Focus on your child's strengths
- Keep an open mind and make a commitment to collaboration
- Be open to others' opinions
- Have a positive mindset and willingness to try new things
- Gather information about and with your child that you want to share with the team
- Examine the long-range goals you have set for your child and rethink those if necessary
- Consider annual goals that will have value for your child and your family, and which will help your child to accomplish his long range plans

Keep a notebook of your child's records

- Evaluations
- Medical/Outside Reports
- IEPs
- Progress Reports
- Samples of work

Review information on your child

- Progress reports
- Samples of work
- List your specific concerns or insights

Talk with your child

- What things are easy?
- Favorite activities?
- What things are hard?

Determine if your child should attend the IEP

- Prepare child for meeting
- Help child know how they might share their feelings about what is proposed
- If under 15, ask your child if s/he would like to attend. If over 15, they must be invited.

Do a positive profile as a way to prepare for the IEP meeting:

- (a) Who is _____ (Describe your child, including such information as place in the family, personality, likes and dislikes.)
- (b) What are _____s strengths (Highlight all areas where your child does well, including school, home, community, and social settings.)
- (c) What are _____s successes (List the skill your child needs to work on and the supports he or she needs.)
- (d) What are _____s greatest challenges (List the areas where your child has the greatest difficulties.)
- (e) What are _____s needs (List the skill your child needs to work on and the supports he or she needs.)
- (f) What are our dreams for _____ (Describe your vision for your child's future, including short-term and long-term goals.)
- (g) Other helpful information. (List all relevant information, including health care needs that has not already been described above.)

Write down things you feel must be included in the IEP

- What goals should be developed?
- How will your child's special needs addressed in the class?
- What type of support and/or service do you think is needed?
- What accommodations or modifications (if any) are needed?

Ask teachers to share their ideas about your child's program ahead of time.

- Visit your child's classroom if you have not been there in a while.

As a courtesy, inform the meeting contact person if you plan to bring another person to the meeting.

- Let the district know the role of the person will fill (friend, advocate, etc.) before the meeting
- 24 hours' notice is required if you plan to audio tape.

At the Meeting

Ask questions

- If you don't understand something ask for an explanation
- If your child attends, encourage him/her to participate appropriately in discussion.
- If you disagree with a comment or have a question, ask for backup information that supports the person's statement
- If you have different information be sure to share it
- Ask for clarification if you do not understand the present levels of educational performance statement, or ask for the data that supports the statement. Be sure that your comments are noted
- Ask where your child is in meeting core curriculum standards and how his/her goals support learning in this area
- Stay with one area until you feel the goal(s) addresses your child's needs
- If more data needs to be collected to write a functional level or goal ask to reconvene when that information is available

What if we don't agree?

- If the team cannot agree on a particular item, write it down and suggest coming back to it later
- Avoid getting stuck or into debating
- Communicate with the team in a reasonable and calm way
- Keep emotions under control
- Be respectful of each other even when you don't agree

After the IEP Meeting

- Review the IEP
- Call IEP Meeting contact person if you have any questions or concerns
- Give your child feedback
- Tell him/her what they have accomplished
- Tell him/her what you expect for the following year
 - Keep in contact with your child's Case Manager regarding progress toward and attainment of goals/objectives and transition activities
 - Work together as part of a team
 - Build relationships with each other
 - Be flexible

If I have a Problem that I can't Resolve, What do I do?

Check and organize your facts carefully

- Determine the solution you would like
- Determine who can remedy the problem
- Determine the process or procedure
- Follow the process – Forms for filing Due Process requests are on the SELPA website: www.vcselpa.org under for Families/Resolving Disagreements
- Focus on the solution – be creative – often there are more than one means to an end.

Solving Problems at the school site level

- Start with the special education Case Manager
- Schedule a time to meet
- Be specific about your concerns
- Focus on student/program needs
- Know what response you're seeking
- Be flexible and open to creative solutions
- Set a timeline for response
- Give feedback

Who to go to about specific issues

- Site administrator:
 - Safety
 - Personnel
 - School-wide issues (i.e. field trips, assemblies, playground)
- Psychologist:
 - Behavior
 - Assessment reports
- Program Specialist (or Coordinator if your district has one):
 - Program Options
 - Special Services
- Director of Special Education:
 - Special Education issues not resolved at the lower level
- SELPA Director – System-wide issues

Determine appropriate resolution process

Remember: Be sure to respond to the IEP notation sent to you! You are invited and encouraged to attend as a member of the team to develop, review, and/or revise your child's IEP. You may reschedule the meeting. If you need to do so, notify the school as soon as possible. Have a couple of alternative dates ready when you call.

Adapted from Puente Hills SELPA, Sandra L. Bridges, Director.

Guiding the Parent through the IEP Documents

Who is this student?

- Student Information and Services Page

What are Parent's concerns?

- Top of Present Levels Page

How is the student doing? Is student eligible?

- Present Levels Page
- Reports and SLD Eligibility Page

What are we going to focus on?

- Goals/Objectives Page

What supports will student need?

- Least Restrictive Environment Page

What will be different there?

- Accommodations Page

What about State tests?

- Accommodations and Modifications Page
- CAASPP Page

What about the student's second language needs?

- English Language Development Page
- ELCAP Accommodations

What's going to happen for the student?

- Student Information and Services Page - Services Section
- Agreement/Attendance Page

What will happen when the student changes schools?

- Records of Changes Page

Where will the student go?

- LRE Page Offer of FAPE

How will the student get to and from school?

- Student Information and Services Page - Special Transportation Section

Transitioning Students Between School Levels

Whenever a student transitions between programs or school sites it is vital that the parents are informed well ahead of time. The current program and staff is familiar to parents and student; moving to a new program and new staff can be challenging at each age level

- Pre-K to Elementary
- Elementary to Middle School
- Middle School to High School

These transitions need to be addressed through the IEP process and these transition IEPs are to be scheduled beginning in January of the school year prior to the move. A representative from the receiving level must be included in this meeting. As it may be difficult within OSD to ascertain at this point of the year what specific school the student and/or school psychologist / school counselor will attend the following year, the case manager needs to contact their Program Manager to help determine who the most appropriate representative would be. For students transitioning from 8th Grade, the case manager in consultation with their Assistant Principal and or School Psychologist and or School Counselor will contact Oxnard Union High School District (OUHSD) to determine which high school and contact person will be invited.

Sending Invitations for IEP Meetings

Parents/guardians shall be notified of the IEP team meeting “early enough to ensure an opportunity to attend.”

- Generally, IEP invitations should be sent at least 10 days prior to the proposed meeting date by the case manager.
- Best practice the case manager will call the parent the day prior to the meeting.

Responding to Parent Requests for IEP Meetings

If the parent makes an verbal request for an IEP meeting, he/she should be directed to put the request in writing in order to establish the timeline. When a written parent request for an IEP meeting is received, the following actions should take place:

1. The person receiving the request will contact the case manager **immediately**.
2. The case manager will schedule an IEP meeting **within 30 days** of the District’s receipt of the request. “Days” refer to calendar days. Exceptions include any breaks in the school year that are in excess of 5 days.

Responding to Parent Requests for Additional Services

When a parent of an existing student with disabilities requests additional services, the case

manager must schedule an IEP meeting to be held within 30 days of the parent request. The purpose of this meeting would be, "To discuss and consider parent request for __."

If the parent is requesting a change of placement or the addition of aide services, the case manager is to contact the Special Education Program Manager or the Director of Special Education immediately.

Responding to Parent Requests for School Records

Parents have the right and opportunity to examine all school records and to receive complete copies **within five business days** after a request is made by the parent/guardian, either verbally or in writing, and before an IEP, hearing, or resolution session. Therefore, when a request for records is received, the person receiving the request must **immediately** notify:

- The office manager at the school site.
- The Director of Special Education secretary.

Parent Is Unavailable for IEP

Education Code Section 56341.5 states that if no parent can attend the meeting, the District must use other methods to ensure parent/guardian participation, including individual or conference calls. If neither parent can attend the meeting, the case manager shall use other methods to ensure parent's participation, including video-conferences or individual or conference telephone calls.

An IEP team meeting may be conducted without a parent in attendance if the case manager is unable to convince the parent that they should attend. In such case, the case manager shall maintain a record of the attempts to arrange a mutually agreed upon time and place for the meeting including:

- Detailed records of telephone calls made or attempted and the results of those calls
- Copies of correspondence sent to the parent and any responses received
- Detailed records of visits made to the parent's home or place of employment and the results of those visits

The case manager shall take any action necessary to ensure that the parent/guardian understands the proceedings of the meeting, including arranging for an interpreter for parents with deafness or whose native language is not English.

At times parents will not sign or not return assessment plans or IEP documents. When this occurs, staff are to follow the policies and procedures listed below.

Unsigned Assessment Plans

If the assessment plan is **not returned** within 15 days, **the team member who sent the assessment plan** will contact the parents and request a response. More than one attempt to contact the parents should be made and must include a variety of methods (phone calls, email, etc.).

If an additional 60 days occurs without a response, the **School Psychologist** must contact the Program Manager in order to develop a Section 300.503 letter indicating the District's willingness to assess. All 300.503 letters must be reviewed by the Director of Special Education or the Special Education Program Manager prior to being sent.

Unsigned IEP Documents

Generally, there are three most common situations in which parents do not sign the IEP at the end of a meeting. The District's legal responsibilities vary depending on which scenario is presented. The following are the three most common scenarios and the actions required of the special education team:

1. The parents express disagreement with aspects of the offer of a free and appropriate public education (FAPE) during the meeting.

- The case manager must notify the Special Education Program Manager that the parents have signed disagreement with an IEP.
- The District must continue to implement the last agreed upon IEP. The proposed goals and services may not be implemented until consent is received. Parents may provide consent for some aspects of the IEP and not others. If this is the case, parents should specify the areas of disagreement in the "Agreement – except area(s) of disagreement, if any, noted below" section of the IEP signature page.

Procedures:

- The areas of disagreement must be carefully documented in the notes along with a description of the discussion that occurred regarding the disagreement. Be sure to document any ways in which the school based team considered and responded to the parents' suggestions.
- The case manager will notify the Special Education Program Manager of the disagreement immediately following the IEP meeting.

2. The parents do not indicate disagreement with the contents of the IEP, but wish to take the IEP home for review prior to providing their consent to the offer of FAPE.

- The District must continue to implement the last agreed upon IEP. The proposed goals and services may not be implemented until consent is received.

Procedures:

- The administrator/administrative designee will ask the parents to estimate a date by which they will likely complete their review of the IEP and come to a decision. The meeting notes should reflect that the parents did not indicate disagreement with the contents of the IEP as well as the date the parents estimated they would be prepared to respond.
- The student's program is not altered if the parent has not provided consent even if the parents verbally consent to the proposed changes during the meeting.
- The case manager will contact the parents on the date listed in the notes and request a response. If the parent is still reviewing the IEP, the case manager will ask for a date when the review will be completed.
- If the parents do not provide consent after the follow up phone call, the case manager will contact the Special Education Manager to determine the next step.

3. If the parent participated via teleconference, the case manager will follow the procedures as number 2.

Revocation of Consent for Special Education Services

Effective December 31, 2008, federal law was changed to allow parents who want their child to be exited from special education and related services the right to do so. Specifically, Title 34 CFR Section 300(b)(4) provides that, if at any time subsequent to the initial provision of special education and related services, the parent of a child revokes consent in writing for the continued provision of special education and related services, the public agency:

- May not continue to provide special education and related services but must provide prior written notice before ceasing the provision of special education and related services;
- May not use mediation or due process procedures in order to obtain agreement or a ruling that the services may be provided to the child;
- Will not be considered to be in violation of the requirements to make FAPE available to the child because of failure to provide the child with further special education and related services; and
- Is not required to convene an IEP meeting or develop an IEP for the child.

If a parent indicates a desire to unilaterally revoke consent for the provision of special education and related services, the case manager or administrator should direct the parent to put the request in writing. The request should then be forwarded to the **Special Education Program Manager**.

The Special Education Program Manager will provide the parent with prior written notice as required by law. The prior written notice will inform the parent that their child will no longer have protections as a child with a disability. **Services must continue in accordance with the last agreed upon IEP until the end date listed in the letter.** A copy of the letter will be forwarded to the school for the cumulative file, and the special education case manager.

Special Circumstance Educational Support

Every school district within the Ventura County SELPA is required to provide a full continuum of placement options for students with identified disabilities who are receiving special education services. The Individuals with Disabilities Education Act (IDEA) and California laws and regulations describe a continuum of placements such as instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions (CFR 300.551 (b) (1)).

The IDEA also defines related services as the utilization of aids, services, and other supports that are provided in regular education classes or other education-related setting to enable children with disabilities to be educated with non-disabled children to the maximum extent appropriate. This applies to any general education program or special education program in which the student may participate (34 CFR Part 300.550-300.556). There may be special circumstances when a student may need additional support in order to be successful in his/her educational placement.

If the IEP team is considering Special Circumstance Educational Support (SCES) as support for the classroom staff, the team must determine:

- a. Natural supports and/or existing staff supports are not adequate for the student to participate and progress in the current educational program;
- b. Additional support is necessary to assist classroom staff in facilitating the student in:
 - Advancing appropriately toward the annual goals and/or;
 - Involvement in and progress in the general curriculum and/or;
 - Participation in extracurricular and other nonacademic activities and/or;
 - Participation with other disabled and non-disabled students.
- c. How quickly it anticipates the support can be faded and develop a method for systematic evaluation toward independence and more natural supports.

[Special Circumstance Educational Support Guidelines](#)

School Site Observations by Parents

Any person wishing to visit a classroom for whatever purpose must have prior authorization from the site administrator. When a parent or guardian checks in at the office to visit a classroom, office personnel will immediately notify the teacher or the classroom of the parent's intent to visit the classroom. For a parent observation visit, the Teacher can request a meeting with administration to discuss possible limitations, restrictions, or support needed for the upcoming visit.

School Site Observations by Private Providers

If a parent requests that a private provider be allowed to observe the student on school grounds, the site administrator must ensure that the parent has provided current written authorization for the observation. The site administrator should contact Pupil Services and arrange for a District representative to accompany the private provider. Site staff should consider if SST is warranted.

Completion of Rating Scales by School Personnel for Private Providers

Teachers are not required to complete rating scales for private providers; this is completely at the discretion of the teacher. The site administrator should be contacted when a parent requests completion of rating scales for private providers. If the parent is requesting that the rating scales be forwarded to the private provider, the District may not require that the parent sign an authorization if the parent indicates that he/she will provide the rating scale to the private provider. Copies of completed questionnaires or rating scales should be kept in the student's school file. Please note that parents have access to school and medical records including copies of all teacher-completed rating scales. Site staff should consider if SST is warranted.

Phone interviews with Private Providers

Participating in phone interviews is completely at the discretion of the teacher. The site administrator should be contacted when a private provider requests a phone interview. The administrator will ensure the parent has provided current written authorization for the exchange of information. Comments made to private providers may be taken out of context or misunderstood; it is essential that a site administrator/designee sit in on phone interviews with private providers. Teachers are encouraged to refer private providers to report cards, attendance records, and other sources of data that are available in the student's records. Site staff should consider if SST is warranted.

Child Find Responsibilities

"Child Find" is one of the most important special education legal obligations for school districts. The District has a general public notice responsibility requiring that the District inform and educate the public about the need to locate and identify all students with disabilities. The District also has an obligation to specific students when the District knows – or should have known – that a student may have a disability. The obligation to individual students is based on whether the student should be referred for a special education assessment, not whether or not the student will qualify for special education. If the District overlooks clear signs of a disability and offers no rational justification for not evaluating the student, the District has violated its "child find" responsibility.

Requests for Special Education/504 Assessment

IDEA contains very specific requirements associated with parent requests for special education assessments. When a parent approaches a general education teacher regarding a special education assessment, the teacher may discuss with the parent other approaches to address parental concerns, such as utilizing the SST process, referring to the school counselor, etc. However, parents should be informed of their right to request a special education assessment and directed to put their request in writing should they continue to want a special education assessment. The District has 15 calendar days to respond to the parent request for assessment.

Section 504 versus Special Education

The responsibility to assess under Sec on 504 is triggered when the District has reason to believe that a student may have a disability and require accommodations. (When the District believes that a student may have a disability and require special education services, the District has a responsibility to assess under Special Education.) The District has the same requirements regarding implementation of plans under both Sec on 504 and Special Education.

Confidentiality

Maintaining student confidentiality is an essential and legally required function of all District staff. In particular, the Code of Federal Regulations holds that "parent consent must be obtained before personally identifiable information is disclosed to parties, other than officials of participating agencies." An authorization form must be signed by parents prior to the disclosure of any personally identifiable information. Inappropriate and illegal disclosure of personally identifiable information is not limited to educational records. Such disclosures may include informal verbal or written interactions with others (including other staff members who do not work with the student).

General Education Teacher Responsibilities

Participation of general education teachers in the assessment, eligibility determination, and placement decision is an essential component of special education legislation. General education teachers provide input through completion of rating scales, interviews with district assessors, providing curriculum-based data, participating in team meetings, and assisting with data collection. General education teachers provide feedback to parents regarding the student's participation in the general education program, and provide direction to special education instructional aides participating in the general education environment.

Bullying and Students with Disabilities

Research clearly indicates that bullying can undermine a student's ability to achieve. Students with disabilities are disproportionately affected by bullying. Any bullying involving a student with a disability that results in a loss of meaningful educational benefit may constitute a denial of an appropriate education. Contact your site administrator immediately regarding bullying incidents involving students with disabilities.

SELPA and Community Resources

Ventura County SELPA: <http://www.vcselpa.org/>

Ventura County Office of Education: <http://www.vcoe.org>

Tri-Counties Regional Center: <http://www.tri-counties.org/tcrc4/>.

Rainbow Connection Family Resource Center: <http://rainbowconnectionfrc.weebly.com>

Autism Society Ventura County: www.Autism-Society.org

Deaf Education and Family Project: <http://www.csun.edu/~deafproject/>

Ventura County Behavioral Health: <http://www.vchca.org/agency-divisions/behavioral-health>

Frequently Asked Questions

XIX
APPENDIX

OSD REPORT TEMPLATES

The following report templates are available in the appropriate shared folders on the OSD Google Drive:

School Psychologists

Psychoeducational Report Template

SLPs

Speech and Language Input

Speech and Language Assessment Report

Speech and Language Assessment Report (preschool)

Teachers

Bateria III Woodcock-Munoz Pruebas de Aprovechamiento (Test of Achievement) Input template

Brigance Comprehensive Inventory of Basic Skills: Readiness Assessment Input template

Brigance Comprehensive Inventory of Basic Skills Input template

Brigance Inventory of Early Development Input template

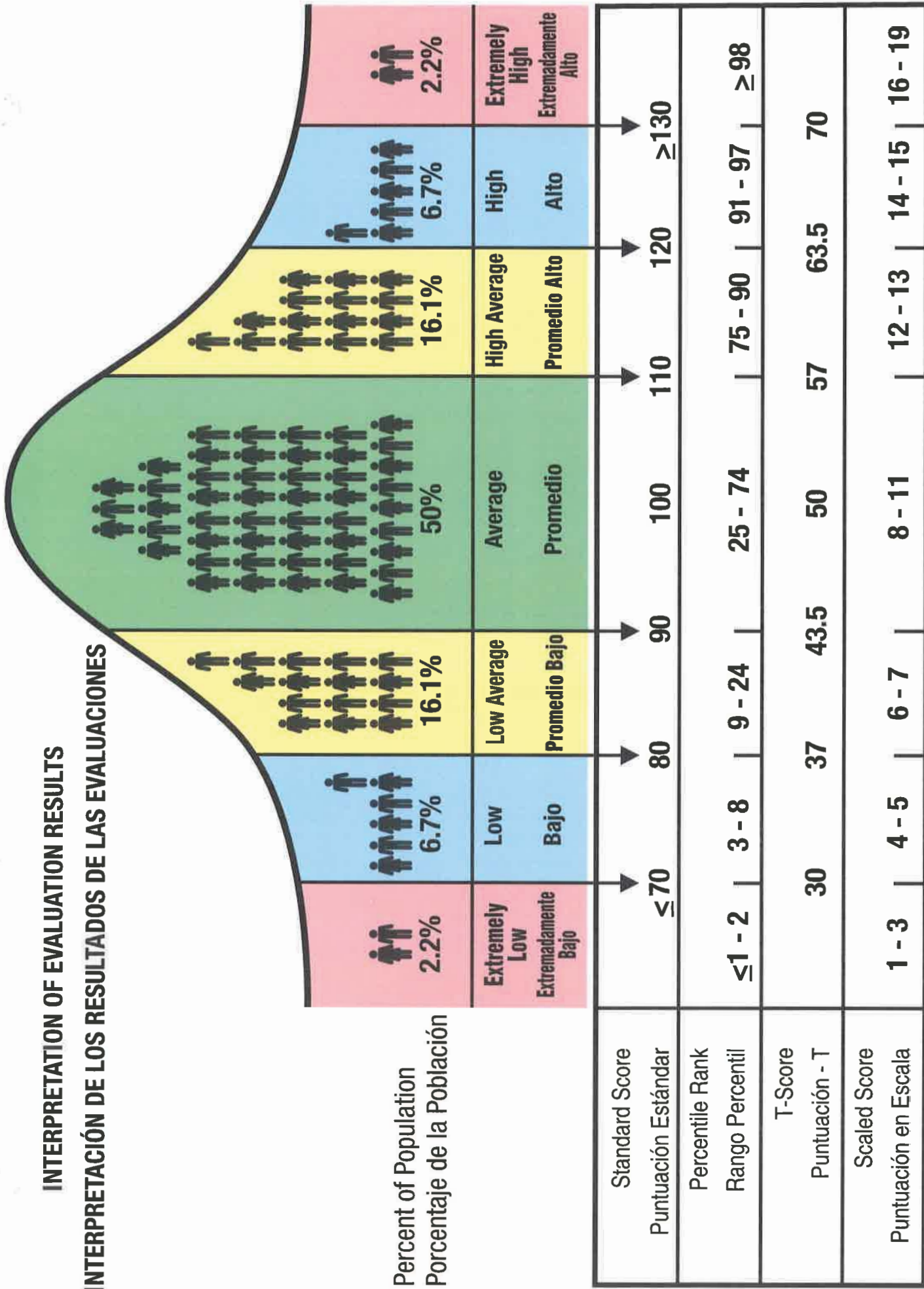
No Standardized Testing Input template

Wechsler Individual Achievement Test Input template

Woodcock-Johnson IV Test of Academic Achievement Input template

INTERPRETATION OF EVALUATION RESULTS
INTERPRETACIÓN DE LOS RESULTADOS DE LAS EVALUACIONES

Percent of Population
 Porcentaje de la Población



Glossary of Terms and Conditions

AB	Assembly Bill (CA State Assembly)
ADA	Average Daily Attendance A way of calculating attendance for accountability purposes -or- Americans with Disabilities Act A law which guarantees rights to people with disabilities.
ADHD	Attention Deficit/Hyperactivity Disorder (Also known as "ADD")
APE	Adapted Physical Education Specialized physical education services designed and provided by an Adapted Physical Education Specialist.
AT	Assistive Technology
BER	Behavior Emergency Report
BIP	Behavior Intervention Plan
CAA	California Alternate Assessment For students with significant cognitive disabilities who are unable to take the SBAC with supports.
CAASP	California Assessment of Students Performance and Progress Includes SBAC, CAA, CAST and STS
CAC	Community Advisory Committee Appointed by and functions in an advisory capacity to the governing board of the Local Plan Area. Composed of: parents of individuals with exceptional needs, parents of other pupils enrolled in school, pupils or other school personnel, representatives of public or private agencies.
CAST	California Science Test
CDE	California Department of Education
Certificate of Completion	For students who do not obtain a diploma but complete the course of study.
CHSPE	California High School Proficiency Exam
CMS/CCS	California Medical Services (also known as California Children Services) Provides specialized medical care and rehabilitation for children with physical handicaps.
Complaint	This may be filed with the State Department of Education any time anyone feels that a law or rule has been broken - an investigation will ensue.
CST	Coordination of Services Team
CST	California Standards Test Statewide standardized achievement test for all California Students grade 2-11.
DB	Deaf/Blind
DELAC	District English Learner Advisory Committee The agency that administers mental health services (known as "VCBH" in Ventura County)
DD	Developmental Disability
D/HH	Deaf/Hard of Hearing
DO	District Office
DOR	Department of Rehabilitation An agency that assists adults with disabilities to gain employment.
DPC	Due Process Claim The process for resolving differences regarding a child.
ED	Emotional Disturbance
EL	English Learner
ELAC	English Learner Advisory Committee
ELPAC	English Language Proficiency Assessments for California For assessment of English language development levels, replaced the CELDT in 2017-2018.
ERMHS	Educationally Related Mental Health Services
ERSES	Educationally Related Social Emotional Services

ESY	Extended School Year
FAPE	Free Appropriate Public Education
FEP	Fluent English Proficient
FERPA	Family Educational Rights & Privacy Access Guarantees parents access to educational records.
FMTA	Focused Monitoring and Technical Assistance The California Department of Education process for reviewing/supporting Special Education program in districts.
FRC	Family Resource Centers Mandated by California's Early Start Program to provide information and support to families of children served in Early Start.
GATE	Gifted and Talented Education
GED	General Education Development Alternative to high school diploma
GPA	Grade Point Average
HH	Hard of Hearing
HI	Hearing Impairment
IA	Instructional Assistant (also known as Instructional Aide, Paraeducator or Paraprofessional)
IDEA	Individuals with Disabilities Education Act
IEP	Individualized Education Program An IEP is an educational plan written by a team (<i>teachers, administrator, parents, and other individuals</i>) for each student identified as having disabilities.
IEP Team	The Individualized Education Program Team is composed of a representative of the district, the student's teachers (general and Special Education), and the parents. Other members may include the student, other individuals invited by the parent or the IEP Case Manager, and those who have conducted assessment of the student and/or provided services. The student who is 16 and over must be invited to attend.
IFEP	Initially Fluent English Proficient Students with a primary language other than English who took the CELDT within 30 calendar days of enrollment in a U.S. public school and who met the criterion for English Language proficiency are identified as IFEP.
IFSP	Individual Family Service Plan For families of infants and toddlers 0-36 months with special needs.
IIS	Intensive, Individualized Services Additional individual adult support for all or part of the day.
ISBT	Intensive School-Based Therapist – A licensed clinical professional providing Intensive Social/Emotional Services to support a student's IEP goals.
ISP	Individual Service Plan For students with disabilities in private schools.
IQ	Intelligence Quotient Used to define ability levels as measured by standardized assessments.
IWEN	Individual with Exceptional Needs
LEA	Local Education Agency Refers to school districts providing Special Education services within the SELPA.
LEP	Limited English Proficient A student who is still learning English.
LI	Low Incidence Refers to rarely-occurring disabilities including visual, hearing and orthopedic impairments.
LRE	Least Restrictive Environment Special Education services are provided in as close proximity to regular school programs as is educationally appropriate for each individual child.

Local Plan	Each Special Education Local Plan Area (SELPA) develops a plan for delivery of programs and services to meet the educational needs of all eligible individuals with exceptional needs in the area.
MAP	Multidisciplinary Assessment Plan
MH	Multiple Handicaps Known as "Multiple Disabilities"
M/M	Mild/Moderate Disabilities Includes students with learning disabilities, other health impairments, and other mild disabilities.
M/S	Moderate/Severe Disabilities Students with exceptional needs who require intensive instruction and training. Includes students with severe or profound intellectual disabilities, autism, multiple handicaps, or serious emotional disturbance.
MTSS	Multi-Tiered System of Support
NCLB	No Child Left Behind Federal legislation for school accountability
NLACRC	North Los Angeles County Regional Center
NPS	Nonpublic School
OCR	Office of Civil Rights The federal agency that oversees civil rights protections. (Sections 504 & ADA)
OHI	Other Health Impairment
OI	Orthopedic Impairment
OSERS	Office of Special Education and Rehabilitative Services The federal agency for Special Education.
OT	Occupational Therapy or Therapist
PAC	Parent Advisory Council District-level committees which provide advice to district administration on Special Education issues.
PBIP	Positive Behavior Intervention Plan
PBIS	Positive Behavior Interventions and Supports
PI	Program Improvement A designation for schools determined to be "under performing" according to NCLB
PL	Public Law Federal Laws
PLC	Professional Learning Community Team that monitors progress and interventions for general education students.
PSW	Pattern of Strengths and Weaknesses
PWN	Prior Written Notice
PT	Physical Therapy or Therapist
RC	Regional Center California agencies which provide services to people with developmental disabilities.
RFEP	Reclassified Fully English Proficient Students with a primary language other than English who were initially classified as English Learners, but who have subsequently met the LEA criteria for English Language Proficiency and are determined to be RFEP.
RTI	Response to Instruction and Intervention A method for analyzing a child's growth in core curriculum.
SAI	Specialized Academic Instruction Adapting the content, methodology or delivery of instruction to ensure access to the general curriculum for a student with a disability.
SARB	School Attendance Review Board

SB	Senate Bill – (CA State Senate)
SCES	Special Circumstances Educational Support
SDC	Special Day Class
SEAC	Special Education Advisory Committee
SELPA	Special Education Local Plan Area Consortium of school districts organized within a geographic area in accordance with the law to coordinate the administration and delivery of Special Education services.
SLI	Speech/Language Impairment
SLD	Specific Learning Disability Must be a discrepancy between the student’s ability and achievement, resulting from a basic processing disorder.
SLP	Speech-Language Pathologist Also known as “therapist” or “specialist”
SPHCP	Specialized Physical Health Care Plan
SPSA	School Plan for Student Achievement A plan required in order to utilize certain types of special funds.
SSDI	Social Security Disability Income
SSI	Supplemental Security Income (<i>Social Security Program</i>)
SST	Student Success Team
TBI	Traumatic Brain Injury
TCRC	Tri-Counties Regional Center
TPP	Transition Partnership Program A collaboration by certain school districts with Department of Rehabilitation for transition services.
VCBH	Ventura County Behavioral Health
VI	Visual Impairment
WAP	WorkAbility Program A work and career preparation program space for special education students.
504	Section 504 of the Rehabilitation Act A law which prohibits discrimination against people with disabilities.

Disabilities That Might Make A Student Eligible For Special Education Services

All children with any type of disability may or may not be eligible for “**Special Education**”. There are criteria for eligibility which must be met. These criteria are established after a complete assessment, in all areas of suspected disability, by a qualified team of professionals. The child must have one of the following disabilities. In addition, the IEP team must agree that the disability impacts the child’s educational performance to the extent that Special Education and related services are *needed*.

AUTISM:

CCR, Title 5, Section 3030(g)

(b) The disability terms used in defining an individual with exceptional needs are as follows:

- (1) Autism means a developmental disability significantly affecting verbal and nonverbal communication and social interaction, generally evident before age three, and adversely affecting a child's educational performance. Other characteristics often associated with autism are engagement in repetitive activities and stereotyped movements, resistance to environmental change or change in daily routines, and unusual responses to sensory experiences.

(c) Autism does not apply if a child's educational performance is adversely affected primarily because the child has an emotional disturbance, as defined in subdivision (b)(4) of this section.

(d) A child who manifests the characteristics of autism after age three could be identified as having autism if the criteria in subdivision (b)(1) of this section are satisfied.

DEAF/BLINDNESS:

Concomitant hearing and visual impairments, the combination of which causes severe communication, developmental, and educational problems.

DEAFNESS:

A hearing impairment which is so severe that the child is impaired in processing linguistic information for learning, with or without amplification, which adversely affects educational performance.

EMOTIONAL DISTURBANCE:

A pupil exhibits one or more of the following characteristics over a long period of time and to a marked degree, which adversely affect educational performance:

An inability to learn which cannot be explained by intellectual, sensory, or health factors.

An inability to build or maintain satisfactory interpersonal relationships with peers and teachers.

Inappropriate types of behavior or feelings under normal circumstances exhibited in several situations.

A general pervasive mood of unhappiness or depression.

A tendency to develop physical symptoms or fears associated with personal or school problems.

ESTABLISHED MEDICAL DISABILITY:

Used for preschool children (3-5 years) only. Defined as a disabling medical condition or congenital syndrome that the IEP team determines has a high predictability of requiring Special Education services.

HARD OF HEARING:

A hearing impairment, whether permanent or fluctuating, which adversely affects a child's educational performance but which is not included under the definition of "Deaf" in this section.

INTELLECTUAL DISABILITIES (10/8/10):

Significantly below average general intellectual functioning existing concurrently with deficits in adaptive behavior and manifested during the developmental period, which adversely affect a pupil's educational performance.

MULTIPLE DISABILITY:

Concomitant impairments (*such as Intellectual Disability/Blind, Intellectual Disability /Orthopedically Impaired, etc.*) the combination of which causes such severe educational problems that they cannot be accommodated in Special Education programs solely for one of the impairments. The term does not include Deaf/Blind children.

ORTHOPEDIC IMPAIRMENT:

A severe orthopedic impairment which adversely affects the pupil's educational performance. Such orthopedic impairments include impairments caused by congenital anomaly, impairments caused by disease, and impairments from other causes.

OTHER HEALTH IMPAIRMENT:

Other health impairment means having limited strength, vitality or alertness, including heightened alertness to environmental stimuli, that results in limited alertness with respect to the educational environment, that is due to chronic or acute health problems such as asthma, attention deficit disorder or attention deficit hyperactivity disorder, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, and sickle cell anemia.

SPECIFIC LEARNING DISABILITY:

Specific learning disability means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may have manifested itself in the imperfect ability to listen, think, speak, read, write, spell, or do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. The basic psychological processes include attention, visual processing, auditory processing, phonological processing, sensory-motor skills, cognitive abilities including association, conceptualization and expression.

SPEECH AND LANGUAGE IMPAIRMENT:

May include:

- Articulation Disorder
- Abnormal Voice
- Fluency Disorder
- Language Disorder

TRAUMATIC BRAIN INJURY:

An acquired injury to the brain caused by an external physical force, resulting in total or partial functional disability or psychosocial impairment that adversely affects educational performance. The term does not include brain injuries that are congenital, degenerative or caused by birth trauma.

VISUAL IMPAIRMENT:

A visual impairment which, even with correction, adversely affects a pupil's educational performance.

Disabilities That Alone Do Not Make a Child Eligible for Special Education Services

ATTENTION DEFICIT DISORDER:

A pupil whose educational performance is adversely affected by a suspected or diagnosed Attention Deficit Disorder and demonstrates a need for Special Education and related services must meet the criteria for “**Other Health Impairment**”, “**Emotional Disturbance**” or “**Specific Learning Disability**” as defined in order to qualify for Special Education.

For more information on Eligibility, you may order the Ventura County SELPA “Eligibility Guidelines” handbook. At www.vcselpa.org.

Special Education Primary and Related Services Definitions

Primary special education services- The primary service is the most necessary service to address the student’s needs related to the disability.

<ul style="list-style-type: none">• Specialized Academic Instruction – Adapting the content, methodology, or delivery of instruction to ensure access of the child to the general curriculum. (This category is to be used for school-age services formerly categorized as RSP, SDC, Inclusion and NPS). The IEP will specify the subjects, amount of time, and location(s) in which the student will receive Specialized Academic Instruction.
<ul style="list-style-type: none">• Intensive Individualized Services – Student requires additional support for all or part of the day. (Usually for additional paraprofessional support as a DIS Service.)
Individual and Small Group Instruction –Instruction delivered one-to-one or in a small group as specified in an IEP enabling the individual(s) to participate effectively in the total school program (30 EC 56441.2, 5 CCR 305.1) (ages 3 through 5 only)
<ul style="list-style-type: none">• Language and Speech – Remedial intervention for eligible individuals with difficulty understanding or using spoken language. Services may include specialized instruction and services, monitoring, reviewing, and consultation. They may be direct or indirect including the use of a speech consultant. May also be a “Related Service.”

<p>Adapted Physical Education – Direct physical education services provided by an adapted physical education specialist to pupils who have needs that cannot be adequately satisfied in other physical education programs and who may not safely, successfully or meaningfully engage in unrestricted participation in the vigorous activities of the general or modified physical education program.</p>
<p>Travel Training – Training a student in use of public transportation and community safety.</p>
<p>Vocational Training – Organized educational programs that are directly related to the preparation of individuals for paid or unpaid employment and many include provision for work experience, job coaching, development and/or placement, and situational assessment. This includes career counseling to assist student in assessing his/her aptitudes, abilities, and interests in order to make realistic career decisions.</p>

Related Services-Services which assist student in benefiting from a special education program.

Related Services are to be provided when it is necessary to help the student benefit from the educational instruction. In addition, the related services may be provided by a regular class teacher, the special class teacher or the resource specialist teacher, if the teacher or specialist is competent to provide such instruction and services and if the provision of such instruction and services by the teacher or specialist is feasible. If not, the appropriate related services specialist shall provide such instruction.

<p>Assistive Technology Services – Any specialized training or technical support for the incorporation of assistive devices, adapted computer technology or specialized media with the educational programs to improve access for students.</p>
<p>Audiological Services – Include measurements of acuity, monitoring amplification, and use of Frequency Modulations (FM) systems.</p>
<p>Behavior Intervention Services – Systematic implementation of procedures designed to promote lasting, positive changes in the student’s behavior.</p>
<p>Braille Transcription – Any transcription services to convert materials from print to Braille. It may include textbooks, tests, worksheets, or anything necessary for instruction. The transcriber should be qualified in English Braille as well as Nemeth Code (mathematics) and be certified by appropriate agency.</p>

<p>Counseling and Guidance – Counseling in a group setting, provided by a qualified individual pursuant to an IEP typically in social skills development. Guidance services include interpersonal, intrapersonal or family interventions, performed in an individual or group setting by a qualified individual pursuant to an IEP.</p>
<p>Individual Counseling Services – One-to-one counseling, provided by a qualified individual pursuant to an IEP. Individual counseling is expected to supplement the regular guidance and counseling program.</p>
<p>Interpreter Services – Sign language interpretation of spoken language to individuals whose communication is normally sign language, by a qualified sign language interpreter.</p>
<p>Music Therapy – A service in which music interventions are used to address individualized goals to meet the physical, emotional, cognitive, and social needs of the student.</p>
<p>Note Taking Services – Specialized assistance given to the student for taking notes when the student is unable to do so independently. This may include, but is not limited to, copies of notes taken by another student, transcription of tape-recorded information from a class, or aide designated to take notes.</p>
<p>Occupational Therapy (OT) – Services to improve a student’s educational performance including postural stability, self-help abilities, sensory processing and organization, environmental adaptations, use of assistive devices, motor planning and coordination, visual perception and integration, social and play abilities, and fine motor abilities. Both direct and indirect services may be provided within the classroom, other educational settings or the home; in a group or on an individual basis.</p>
<p>Orientation and Mobility Services – Training for students with visual impairments to develop skills to enable them to travel safely and independently around the school and in the community.</p>
<p>Other Health and Nursing Services – Services provided when a student has health problems which require nursing intervention beyond basic school health services.</p>
<p>Parent Counseling - Individual or group counseling provided by a qualified individual pursuant to an IEP to assist the parent(s) of special education students in better understanding and meeting their child's needs; may include parenting skills or other pertinent issues. IEP-required parent counseling is expected to supplement the regular guidance and counseling program. (34 <i>CFR</i> §300.31(b)(7); <i>CCR</i> Title 5 §3051.11).</p>
<p>Parent Training – Sometimes offered as a service for students on an ISP to pay for parents to attend SELPA trainings – should not be confused with Family Training (ages 0-2 only).</p>
<p>Physical Therapy (PT) - Includes, but is not limited to therapy for motor control and coordination, posture and balance, self-help, functional mobility, accessibility and use of assistive devices.</p>
<p>Psychological Services - These services, provided by a credentialed or licensed psychologist pursuant to an IEP, include interpreting assessment results to parents and staff in implementing the IEP; obtaining and interpreting information about child behavior and conditions related to learning; planning programs of individual and group counseling and guidance services for children and parents. These services may include consulting with other staff in planning school programs to meet the special needs of children as indicated in the IEP. (<i>CFR</i> Part 300 §300.24). IEP-required psychological services are expected to supplement the regular guidance and counseling program. (34 <i>CFR</i> §300.24; <i>CCR</i> Title 5 §3051.10).</p>

<p>Recreation Services – Therapeutic recreation and specialized instructional programs designed to assist pupils to become as independent as possible in leisure activities.</p>
<p>Residential Treatment Services – 24-hour out-of-home placement that provides intensive therapeutic services to support the educational program (Welfare and Institutions Code, Part 2, Chapter 2.5, Art. 1, Section 5671)</p>
<p>Social Work Services in Schools – Includes, but not limited to, preparing a social or developmental history of a child with a disability; group and individual counseling with the child and family; working with those problems in a child’s living situation (home, school, and community) that affect the child’s adjustment in school; and mobilizing school and community resources to enable the child to learn as effectively as possible in his or her educational program.</p>
<p>Specialized Deaf and Hard of Hearing Services – Services may include speech reading, auditory training and/or instruction in the student’s mode of communication, provided by a qualified specialist. May include adapting curricula, methods, and the learning environment; and special consultation to students, parents, teachers, and other school personnel.</p>
<p>Specialized Orthopedic Services – Specially designed instruction related to the unique needs of students with orthopedic disabilities, including specialized materials and equipment (CAC Title 5, §3030(e) & 3051.16)</p>
<p>Specialized Physical Health Care Services – Health services prescribed by the child’s licensed physician or surgeon, requiring medically related training of the individual who performs the services that are necessary during the school day to enable the child to attend school.</p>
<p>Specialized Services for Low Incidence Disabilities – Low incidence services are defined as those provided to the population of students who are: orthopedically impaired (OI), visually impaired (VI), deaf, hard of hearing (HH), or deaf-blind (DB). Typically, services are provided in education settings by a qualified itinerant teacher/specialist.</p>
<p>Specialized Vision Services – Includes assessment of functional vision and curriculum modifications including Braille, large type and aural media. Also includes instruction in areas of need such as concept development and academic skills, communication skills (including alternative modes of reading and writing), social, emotional, career, vocational, and independent living skills.</p>
<p>Teacher Training - Frequently offered as a service for students on an ISP to allow private school staff to attend SELPA trainings and paid for by the district.</p>
<p>Transcription Services – Any transcription service to convert materials from print to a mode of communication suitable for the student. This may also include dictation services as it may pertain to textbooks, tests, worksheets, or anything necessary for instruction.</p>

General Strategies for Accommodations/ Modifications

Step 1 – Break failure pattern; reduce pressure:

- ◆ Shorten assignments (lengthen gradually as student begins to cope):
 - Assign every other problem or question
 - Require fewer words or pages
- ◆ Allow extra time (particularly on tests)
- ◆ Provide easier materials
- ◆ Simplify requirements

Step 2 – Build motivation and self-esteem:

- ◆ Use *frequent* positive reinforcement:
 - Verbal – “Super!” “I knew you could do it!”, “You got that right!”
 - Non-verbal – Pat or simply touch on shoulder, big smile
 - Find something the student does well and acknowledge publicly
 - Make phone call home during the day with the student listening
 - Send a quick note home to parent complimenting student
- ◆ Provide frequent feedback

Step 3 – Modify testing procedures:

- ◆ Provide a written outline or review sheet or study guide
- ◆ Give exam orally (individually or to entire class)
- ◆ Type all tests or print clearly
- ◆ Avoid separate answer sheets
- ◆ Avoid long essay exams
- ◆ Include some recognition questions: multiple choice, matching, true-false, etc.
- ◆ Give shorter, more frequent tests
- ◆ Provide extra testing time
- ◆ Allow student to dictate answers
- ◆ Provide opportunity for projects in lieu of tests or as extra credit
- ◆ Test major points only
- ◆ Use study carrels

Step 4 – Adjust grading requirements:

- ◆ Mark items correct, not mistakes
- ◆ Notice and give credit for oral participation in class
Grade content areas on the basis of ideas/knowledge rather than on spelling, grammar, punctuation, etc. (or give two grades: one content and one mechanics)
- ◆ Look for and comment on strengths and areas of improvement rather than faults and areas of weakness
- ◆ Provide an opportunity to correct errors without penalty
- ◆ Be specific regarding specific requirements for a particular grade

Step 5 – Individualize teaching strategies:

- ◆ Simplify or reduce complexity of directions; be specific
- ◆ Use student's name or nonverbal signal to get his/her attention
- ◆ Provide reason for listening (tell student what to listen for)
- ◆ Present one concept at a time
- ◆ Break complex tasks into smaller steps
- ◆ Enhance verbal instructions by using lots of visual aids:
 - Direct eye contact
 - Key words on board
 - Notes on overhead projector
- ◆ Repeat directions when necessary; ask students to repeat
- ◆ Ask frequent questions during oral discussion to check for understanding
- ◆ Increase waiting time for response to questions
- ◆ Space repetition over a period of time
- ◆ Keep classroom quiet
- ◆ Provide structure; simplify student's environment
- ◆ Change seat and/or move desk if needed:
 - In front of room
 - Near you
 - Away from students most likely to distract
 - In a quiet, uncluttered corner
 - In a location of student's choice
- ◆ Consistent format for heading, margins, etc.
- ◆ Use of assignment sheet or notebook
- ◆ Post assignments on board
- ◆ Specify plan for communicating with parents:
 - Homework
 - Unfinished assignments
- ◆ Collect all work as soon as possible or as it is completed
- ◆ Post class rules/privileges and enforce consistently
- ◆ Reduce/simplify amount of material on a page:
 - Fold paper
 - Use index cards to cover part of the page
 - Larger print; fewer words or problems
- ◆ Alternate types of activities frequently during the day:
 - Group – individual
 - Sitting – moving
 - Verbal – quiet
 - Short – long
- ◆ Reward system for improved performance:
 - Notes home, privileges, stickers, graph of progress
 - Encourage self-competition rather than against others

Sample Strategies by Subject Area

READING

- Lower level book
- Skip non-relevant workbook pages
- Assign fewer book reports
- Provide opportunity for sharing books in a variety of ways
- Paired reading practice
- Individualized reading
- Language experience approach
- Peer or cross-age tutoring
- Color code important word parts
- Vocabulary cards and/or checklists
- Circle words or word parts in newspaper
- Games and centers for vocabulary/comprehension development

SPELLING

- Reduce number of words from class list
- Provide easier words, i.e., from reading book
- Use spelling book from lower grade level
- Teach regularities before irregularities
- Highlight spelling demons (unpredictable words)
- Underline difficult parts of words
- Easier follow-up work for skills practice
- Practice words on computer
- Practice words with a partner
- Practice words with a tape recorder
- Weekly spelling contracts
- Open-ended drill sheets
- Individual dictionary for difficult words
- Open-ended game boards for practice
- Give test individually to allow more time
- Teach use of reference books for poor spellers

Handwriting

- Use of pencil grip
- Use of paper with larger lines
- Write on every other line
- Accept homework typed by parent if student dictates
- Allow student to take work home to finish
- Encourage use of computer/word processor by student
- Reduce standards for neatness
- Photocopy some assignments rather than have student copy

MATHEMATICS

- Number line on desk
- Use of multiplication facts chart
- Put boxes around problems
- Use of visual clues to steps in computation
- Continued use of marks for carrying/borrowing
- Open-ended drill sheets for number facts
- Flash cards with another student or parents
- Use of finger multiplication
- Problems from book copied for student
- Photocopy problems from book
- Shorter assignments, i.e., odd or even only
- Fold paper to reveal fewer problems at one time
- Longer time limits on number facts drills
- Easier materials, i.e., lower grade level book
- Teach estimation and use of calculator
- Circle/highlight sign so student knows operation

ENGLISH/WRITTEN LANGUAGE

- Use textbook or workbook at student's reading level
- Skip non relevant pages
- Begin with the sentence as a unit of thought
- Gradually lengthen writing assignments
- Vary length of assignment by ability level
- Allow student to dictate longer stories
- Allow more time for writing
- Underline incorrectly spelled words
- Make individual spelling dictionary of frequently used words
- Teach use of reference books for poor spellers
- Peer or cross-age tutors

SCIENCE/SOCIAL STUDIES

- Text or workbook at student's reading level
- Provide course overview of what will be covered in what order
- Teach SQ3R (Survey, Question, Read, Recite, Review)
- Provide alternative activities to be used for grading (assignments/projects/reports/tests)
- Vary requirements for lesson by ability level
- Have consistent homework policy and time
- Prepare study guide for each unit
- Divide total project into series of short assignments
- Teach mnemonic devices and tricks as aids to memorizing facts/lists
- Use "hands on" experiences as often as possible
- Provide photocopy of your notes or those of a good student
- Emphasize major concepts with a few supporting facts and details in each chapter
- Use visual aids as often as possible (films, overhead, etc.)
- Preview or highlight important concepts in advance
- Tell the student what he needs to know for exams
- Provide opportunity for student to earn extra credit

"Adapted from: " Handbook for Modifying the Regular Education Program to Meet the Needs of Students Achieving Below Grade Level!"

Section 504 of the Rehabilitation Act of 1973

(Code of Federal Regulations (CFR) 104.33(b)(1)(i))

Requires "provision of regular or special education and related aids and services to meet individual needs of handicapped persons as adequately as the needs of non-handicapped persons are met."

The Individuals with Disabilities Education Act (IDEA) (PL 105-17):

- ◆ Code of Federal Regulations (CFR) 300.347 – (The IEP must contain) "a statement of the program modifications...that will be provided for the child...to be involved and progress in the general education curriculum...and to participate in extra-curricular and other non-academic activities."
- ◆ CFR 300.342 - "The child's (Individualized Education Program) IEP is accessible to each regular education teacher...and each teacher is informed of his or her specific responsibilities related to implementing the child's IEP and the specific accommodations and supports that must be provided in accordance with the child's IEP."

Case Law – Doe vs Withers (1993-West Virginia Circuit Court, Taylor County #92-C-92):

The parents of a student with learning disabilities brought legal action against a high school teacher for refusing to accommodate their son's disability in the classroom. The parents alleged that the teacher refused to provide their son with oral testing as required in his IEP. The jury held in favor for the parent and awarded \$5,000.00 in punitive damages and \$10,000.00 in compensatory damages, for which the teacher was held responsible.

To Summarize

Accommodations and modifications MUST be provided to students as written in their IEPs or 504 plans. Teachers who do not do so may be personally liable for damages.

Classroom teachers are required to attend IEP meetings and participate in **developing** the accommodations/modifications. In this way, teachers are involved in selecting strategies which work for them and make sense within the context of their classroom.

The IDEA requires that "The regular education teacher of the child, as a member of the IEP team, shall, to the extent appropriate, participate in the development of the IEP of the child, including the determination of appropriate positive behavioral interventions and strategies and the determination of supplementary aids and services, program modifications, or supports for school personnel..."
(CFR 300.346 (d))

Teachers should also be a part of 504 plan teams.

Further, some modifications/accommodations are great for **other** students who may be struggling also; don't be afraid to try these for any student who may need them!

Examples of how it looks on an IEP

Explanation of disability and how it affects progress in general curriculum

"Jim's difficulties in attention make it hard for him to concentrate in a large group setting. He often forgets to record assignments in his assignment notebook. He has difficulty memorizing basic information, such as math facts."

"Trevor's deficit in the area of auditory processing detract from his ability to comprehend orally presented material and impede his participation in class and in small group discussions."

Program modifications/accommodations needed in general education

"Jim will be allowed to use a calculator in math problem solving activities in science and social studies. Teachers will check assignment notebook daily for accuracy."

"Trevor may utilize tape recorded and/or get duplicate notes for lectures: have extra time to prepare for oral presentations: and be provided models, demonstrations, and example.

VENTURA COUNTY SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

Mary Samples, Assistant Superintendent

5100 Adolfo Road Camarillo, CA 93012

PHONE: (805) 437-1560 FAX: (805) 437-1599, www.vcselpa.org

These are your rights under state and federal law, as guaranteed under the Individuals with Disabilities Act (IDEA)-PL. 108-466 and related California Education Code. This document is for parents of students aged 3-18 years old who are being considered for or are receiving special education services. These rights apply to all foster parents and surrogate parents (appointed by the School District) acting on behalf of a special education student or a student being considered for special education. These rights are also for enrolled education students between the ages of 18-22 years old who have not yet obtained a high school diploma.

I. GENERAL RIGHTS

A. IDEA is a federal law that requires school districts to provide a “free, appropriate public education” (in English, referred to as FAPE) to eligible children with disabilities. A free, appropriate public education means that special education and related services are to be provided as a described in an individualized education program (in English, known as IEP) and under public supervision to your child at no cost to you.

B. To be eligible for this program, a child must be evaluated and found to have one of the following disabilities, and **need special education and/or related services**.

- Autism
- Deaf-blindness
- Emotional disturbance
- Hearing impairment (including deafness)
- Intellectual Disabilities
- Multiple disabilities
- Orthopedic impairment
- Other health impairment
- Speech or language impairment
- Specific learning disability
- Traumatic brain injury
- Visual impairment
- Established Medical Condition (preschool only)

C. You have the right to receive this notice in your native language, unless it clearly is not feasible to do so, and written in an easily understandable manner. If your native language or other mode of communication is not a written language, the notice is to be translated orally or by other means to you. The local education agency (“district”) shall take steps to ensure that you understand the content of the notice and shall ensure that written evidence exists that these requirements have been met.

D. The notice of Procedural Safeguards is required under IDEA and must be provided to you when:

- You ask for a copy
- The first time your child is referred for a special education assessment
- Each time you are given an assessment plan to evaluate your child
- Upon receipt of the first state or due process complaint in a school year, and
- When the decision is made to make a removal that constitutes a change of placement.

II. RIGHTS RELATED TO PARENTAL NOTICE

A. Written prior notice to the parents of the child is required whenever the district proposes to initiate or change or refuses to initiate or change the identification, evaluation, or educational placement of the child or the provision of a free appropriate public education.

B. The notice shall include a description of the action proposed or refused by the district, an explanation of why the agency proposes or refuses to take the action, a description of any other options that the agency considered and the reasons why those options were rejected. It also will include a description of each evaluation procedure, test, record, or report the agency used as a basis for the proposed or refused action, a description of any other factors that are relevant to the district's proposal or refusal, and a statement that the parents of a child with disability have protections under the procedural safeguards of the Individuals with Disabilities Act (IDEA). The notice will also include sources for parents to contact to obtain assistance in understanding the provisions of this part. It will also note a description of other options that the IEP team considered and the reasons those options were rejected (20USC1415[b] [3] and [4], 1415 [c] [1], 1414 [b] [1]; 34 CFR 300.503.

C. The notice may be provided via the IEP or in a separate format.

III. RIGHTS RELATED TO ASSESSMENT & REEVALUATION

A. Parents have the right to initiate a referral of their child for special education services.

B. If the district decides to assess, the parent shall be given, in writing, a proposed Assessment Plan within 15 calendar days of the referral for assessment, no counting days between school sessions or days of school vacation in excess of 5 school days, from the date of receipt of the referral. An Assessment Plan shall be developed within 10 days after the start of the new school year when a referral was made 10 days or less prior to the end of the regular school year. For pupil school vacations, the 15 day timeline continues when the regular school year reconvenes.

C. The Assessment Plan shall be provided in the native language of the parent, unless it is clearly not feasible to do so, and shall explain the areas of assessments to be conducted, the assessors, and the facts which make an assessment necessary or desirable.

D. Parents must be given their written consent for an initial assessment to determine if their child qualifies as a child with disability.

E. The parent shall have at least 15 calendar days from receipt of the proposed Assessment Plan to provide written consent. Assessment may begin immediately upon receipt by the district of the signed Assessment Plan.

F. If a parent refuses to provide consent for assessment, the district may continue to pursue an assessment by utilizing the mediation and due process procedures described later in this document.

G. If the district declines a parent request for assessment, notice shall be given in writing within 15 days of the parent written request. Notice shall include an explanation of why the district does not think assessment is needed including all elements of Notice Specified in Section II of this document.

H. Testing and assessment materials and procedures for evaluation and placement of children with disabilities will be selected and administered so as not to be racially, culturally, or sexually discriminatory. Such materials or procedures shall be provided and administered in the child's native language or mode of communication, unless clearly not feasible and no single procedure shall be the sole criterion for determining an appropriate educational program for a

child.

I. Parents have the right to initiate Due Process if they disagree with the district on the issue of assessment.

J. The parent have the right to receive a copy of all Assessment Reports when available.

K. As part of initial evaluation (if appropriate) and as part of any reevaluation, the IEP Team and other qualified professionals, as appropriate, shall review existing evaluation data on the child, including evaluations and information provided by the parents of the child, current classroom-based assessments and observations, and teacher related services providers' observations. On the basis of that review, and input from the child's parents they should identify what additional data, if any, are needed to determine: whether the child has a disability; the present levels of performance and educational needs of the child; whether the child needs special education and related services; and whether any additions or modification to the special education and related services are needed to enable the child to meet the annual goals set out in the child's Individualized Education Program and to participate, as appropriate, in the general curriculum.

L. A reevaluation of each child with a disability shall be conducted at least once every three years or if conditions warrant or if the child's parent or teacher requests a reevaluation.

M. The purpose of reevaluation is to determine ongoing eligibility and educational needs.

N. If members of the IEP Team including the parents and other qualified professionals, as appropriate, determine that no additional data are needed to determine whether the child continues to be a child with a disability, the district shall notify the child's parent of that determination and the reasons for it, and the right of the parent to request an assessment to determine whether the child continues to be a child with a disability. If the district feels it is necessary to conduct an assessment for reevaluation and is not able to get parent consent after reasonable attempts to do so, the district may proceed with assessment.

O. Vision and hearing screening will be conducted at the intervals specified in California Education Code and/or within one year of Reevaluation, unless the parent denies permission.

IV. INDEPENDENT EDUCATIONAL EVALUATIONS

A. Parents have the right to obtain one Independent Educational Evaluation (IEE) of their child at public expense for each evaluation conducted by the district if they disagree with an evaluation obtained by the district with no more than two years. The district shall provide to parents, on request, information about where an IEE may be obtained. If a parent requests an IEE at public expense, the district must either initiate a due process hearing to show that its evaluation is appropriate or ensure an IEE is provided at public expense. If the district prevails at the due process hearing, the parent still has the right to an IEE, but not at public expense.

B. The assessment tools used by an independent education evaluator must be individually selected for your child and must be administered by competent professionals.

C. Testing and evaluation materials and procedures must be selected and administered so as to not to be racially, culturally, or sexually discriminatory.

D. The materials or procedures must be provided and administered in your child's native language or mode of communication, unless it clearly is not feasible to do so.

E. No single procedure shall be the sole criterion for determining an appropriate educational program for a child.

F. IEE's must meet requirements for location, qualifications, costs and assessment instruments set forth by SELPA.

G. Information obtained in an IEE (regardless of who pays) shall be considered along with all other assessment data in developing the IEP.

H. If the district observes the student in his or her classroom during an assessment, or if the district would have been allowed to observe the student, an individual conducting an IEE must also be allowed to observe the classroom. If the school district proposes a new school setting for the student and an IEE is being conducted, the independent assessor must be allowed to first observe in the proposed new setting.

I. The district shall conduct a reevaluation for a student with a disability before determining that the student no longer meets the criteria for eligibility as a child with a disability.

J. The district must re-evaluate students transferring in from out of state if determined to be necessary.

K. Screening by a teacher or specialist to determine instructional strategies for implementation of the curriculum is not considered evaluation for eligibility purposes and does not require parent permission.

An Information packet for parents about IEEs is located under "Information for Parents"

V. RIGHTS RELATED TO THE INDIVIDUALIZED EDUCATION PROGRAM (IEP) TEAM MEETING

A. An IEP required as a result of an assessment of a child shall be developed within a total time not to exceed 60 days, not counting days between the child's regular school sessions, terms or days of school vacation in excess of five school days, from the date of receipt of the parent's written consent for assessment.

B. If the timeline is interrupted by a school vacation, the 60-day time shall re-commence on the date that pupil school days reconvene.

C. If a referral has been made 30 days or less prior to the end of the regular school year, an IEP shall be developed within 30 days after the commencement of the subsequent regular school year as determined by each district's school calendar.

D. Parents have the right to participate in meetings on the identification, evaluation and educational placement of their child and be informed of all program options, including alternative public and private programs.

E. Parents are entitled to receive written notice of the proposed meeting, including meeting purpose, and shall be notified early enough to ensure the opportunity to attend.

F. The IEP Team meeting shall be arranged at times and places mutually agreeable to the parent and the district.

G. Parents have the right to be a member of the IEP Team, and to present information to the team in person or through a representative.

H. The district shall take whatever action is necessary to ensure that the parents understand the proceedings at a meeting, and are able to participate in any group discussions relating to the educational placement of their child, including arranging for an interpreter for parents with deafness, or whose native language is other than English.

I. Parents may designate another adult to represent the educational interest of the child. This

may be done for one meeting only by indicating the name of the representative on the IEP Meeting Notice, or on a long term basis by filing out the "Designation of Educational Representative" form. (Available on the SELPA website, under "SIRAS IEP User's Manual/ Pre-IEP Forms")

J. Parents have the right to an IEP team which includes the student's present teacher, a representative of the district, one or both parents and a general educator if the student is or may be participating in the general educational environment. Also present, as appropriate, may be the student and other individuals at the request of parents or education agency who possess necessary expertise or knowledge. If the student has been assessed, a person who is qualified to interpret the results shall be present. If the student is suspected of having learning disabilities, at least one member of the team, other than the teacher, shall have observed the pupil in an appropriate educational setting.

K. If the IEP will discuss transition to adult life, the student must be invited to participate in transition planning. However, if the student is not yet 18, parents can decide whether or not he/she attends all or part of the meeting.

L. Parents have the right to include as members of the IEP Team other individuals who have knowledge or special expertise regarding their child.

M. As long as the team is made up of the required members, parents may not require that a specific individual be in attendance.

N. A required IEP team member whose area will be discussed may be excused from all or part of the meeting with written permission of district and parent.

O. An IEP team member whose area will be discussed may be excused from all or part of the meeting with written district and parent permission, but must submit a written report prior to the meeting in lieu of attendance.

P. If a special education student is placed in a non-public school, any IEP meetings may be convened by the non-public school in cooperation with the placing district. However, the placing district retains full responsibility for compliance with state and federal law.

Q. The IEP meeting shall be non-adversarial and conducted solely for the purpose of making educational decisions about the student.

R. For children with disabilities aged 3 through 5, an Individualized Family Service Plan may serve as the IEP if agreed to by the district and the child's parents.

S. Parents shall be given a copy a copy of the IEP at no cost, and a copy of the IEP shall be provided in the primary language at the request of the parents.

T. The IEP and placement of the student will be reviewed at least once each year by the IEP team.

U. Parents have the right to request a review by the IEP Team. A meeting of the IEP Team requested by a parent shall be held within 30 days, not counting days between the student's regular school sessions, terms or days of school vacation in excess of five school days, from the date of receipt of the parent's written request.

V. Parents and the district have a right to make an audiotape recording of the proceedings of the IEP Team meeting giving 24 hour notice to the IEP team of the intent to tape the meeting. If the district initiates notice of the intent to audiotape the meeting and the parent objects or refuses to attend, then the meeting shall not be tape recorded by either party.

W. The IEP may be held by teleconference, if all parties agree.

X. Written consent of the parent is required before any program placement or special education services may begin.

Y. The parent may refuse consent to the initial placement of their child in special education. The district may pursue Due Process on the issue of initial placement.

Z. Any time after the initial provision of special education and related services, a parent of an adult student may revoke consent **in writing** for the continued provision of services and supports. This revocation would include **all** special education services. The district may not continue to provide services, but must provide written notice before ceasing services indicating when the services will cease. An IEP meeting is not required. The district may not use mediation or due process to obtain agreement or a ruling that the services must be provided. If consent is revoked for special education services, the district is not required to amend the child's education records to remove any reference to receipt of special education and related services. Additionally, if you revoke consent for special education services, the child will be subject to the same disciplinary guidelines as any other student in the district. If a parent or adult student decides to re-refer the student for services the district will respond within 15 days. According to the law, the district has an additional 60 days to conduct assessment and hold an IEP at which time eligibility and services will be considered.

AA. On review of the IEP, the parent may consent to all or part of the new proposed IEP. Those parts that are agreed upon will be implemented. If the district determines that a part of the proposed special education program to which the parent does not consent is necessary to provide a free and appropriate public education to the child, a due process hearing shall be initiated unless a prehearing medication conference is held. If parents believe a change to the IEP is necessary, or disagree with a change proposed by the district, the parents may file for Due Process.

VI. RIGHTS RELATED TO THE CONTENTS OF THE IEP

A. The IEP will contain these elements:

- The strengths of the child and
- The concerns of the parents about their child's education, and
- The results of the most recent evaluations, and
- The student's present levels of academic achievement and functional performance, and
- The academic, developmental and functional needs of the student, and
- A statement of how the disability affects involvement and process in the core curriculum (or for preschoolers, how it affects participation on appropriate activities), and
- Measurable annual goals. For students who participate in alternate assessments, benchmarks or short-term objectives are also required, and
- A statement of how progress toward goals will be measured, as well as when periodic reports will be given to the parents, and
- Special education, related services and supplementary aides and services, and
- An explanation of the extent, of any, to which the student will not participate with children without disabilities in the general education classroom, and
- Accommodations or modifications needed for district and statewide assessments, If the student cannot participate in the regular assessment, the reasons why and the alternate assessment selected, and
- The projected date for beginning the services.

B. The team will also consider as appropriate:

- Behavior impeding learning of self or others, and/or
- Language needs of a limited English proficient student, and/or
- Braille for students who are blind or visually impaired and/or

- Communication needs of the child, including the child who is deaf or hard of hearing, and/or
- The need for assistive technology devices (does not include surgically implanted devices).

For additional elements included in the planning for transition to adult life, see Section VI (For students aged 15 and older)

C. Parents shall be informed of free, appropriate public education and all available alternative options, both public and non-public, per the Local Plan and Interdistrict Charts.

D. Special Education services mean specially designed instruction, at no cost to the parents, to meet the unique needs of the student with a disability.

E. These services may be provided in general education classes, special classes, special schools, the home, hospital, or institutions.

F. Children with disabilities have the right to be educated with children without disabilities to the maximum extent appropriate. This means the right to placement in the least restrictive learning environment that will also address their special education needs.

G. Extended school year services must be made available if the IEP team determines that are necessary for the provision of a free, appropriate public education.

H. The description of the student's overall program will include the location and type of services, but not specific individuals or classes.

VII. TRANSITION TO ADULT LIFE

A. Starting no later than the first IEP to be in effect when the student turns 16, planning for transition to adult life will be included in the IEP process.

B. Transition assessments will be conducted to determine the student's desired outcomes in the areas of educating and training, employment, and, as appropriate, independent living.

C. Measurable goals for student's desired outcomes for life after public school will be written.

D. Annual goals will be developed as appropriate to address the desired outcomes.

E. Necessary transition services to address the annual goals will be specified.

F. No later than one year before the student turns 18, the IEP will include a statement that the student will be informed that all special education rights will transfer to him or her upon reaching 18. See Rights of Adult Students in this document, Section VIII.

*For more information about transition, see our website "For Families/ Transition to Adult Life."
<http://www.vcselpa.org/For-Families/Transition-to-Adult-Life>*

VIII. RIGHTS RELATED TO STUDENT RECORDS

A. Parents have the right to receive notice in their native language which includes a summary of the policies procedures and rights related to personally identifiable information, including the rights under the Family Educational Rights and Privacy Act of 1974 (FERPA). The following information meets this requirement,

B. The district shall provide parents on request a list of the types and locations of education records collected, maintained, or used by the agency.

C. Parents shall have the right and opportunity to examine all school records of their child and to

receive copies within 5 business days after such request is made, either orally or in writing and before any meeting regarding an IEP or any hearing relating to the identification, evaluation, or educational placement of the child, or the provision of a free appropriate public education.

D. A district may charge no more than the actual cost of reproducing such records, but if the cost effectively prevents the parent from exercising the rights to receive such copy or copies, the copy or copies shall be reproduced at no cost.

E. The parent's right to inspect and review the educational records of their child includes the right to a response from the district to reasonable requests for explanations and interpretations of the records and the right to have a representative of the parent inspect and review the records.

F. The district may presume that the parent has authority to inspect and review records relating to his or her child unless the agency has been advised that the parent does not have the authority under applicable State law governing such matters as guardianship, separation, and divorce.

G. The parent may file a written request with the superintendent of the district to correct or remove any information recorded in the written records concerning his or her child which the parent alleges to be any of the following: (a) inaccurate; (b) an unsubstantiated personal conclusion or inference; (c) a conclusion or inference outside of the observes area of competence; (d) not based on the personal observation noted, (e) misleading; (f) in violation of the privacy or other rights of the pupil.

H. Within 30 days of receipt of a request as described above, the superintendent or superintendent's designee shall meet with the parent and the certificated employee who recorded the information in question, if any, if the employee is presently employed by the district. The superintendent shall then sustain or deny the allegations. If the superintendent sustains any or all of the allegations, he or she shall order the correction or the removal and destruction of the information. However, the superintendent shall not order a student's grade to be changed unless the teacher who determined the grade is, to the extent practicable, given an opportunity to state orally, in writing or both, the reasons for which the grade was given and is, to the extent practicable, included in all discussions relating to the changing of the grade.

I. If the superintendent denies any or all of the allegations and refuses to order the correction or the removal of the information, the parent may, within 30 days of the refusal, appeal the decision in writing to the governing board of the district.

J. Within 30 days of receipt of an appeal, the governing board shall, in closed session with the parent and the certificated employee who recorded the information in question, if any, if the employee is presently employed by the district and determine whether or not to sustain or deny the allegations. If the governing board sustains any or all of the allegations, it shall order the superintendent to immediately correct or remove and destroy the information from the written records of the pupil. However, the governing board shall not order a student's grade to be changed unless the teacher who determined the grade is, to the extent practicable, given the opportunity to state orally, in writing, or both, the reasons for which the grade was given and is, to the extent practicable, included in all discussions relating to the changing of the grade. The decision of the governing board shall be final.

K. Records of these administrative proceedings shall be maintained in a confidential manner and shall be destroyed one year after the decision of the governing board, unless the parent initiates legal proceedings relative to the disputed information within the prescribed period.

L. If the final decision of the governing board is unfavorable to the parent, or if the parent accepts an unfavorable decision by the district superintendent, the parent shall have the right to submit a written statement of his or her objections to the information. This statement shall become part of the pupil's school record until the information objected to is corrected or removed.

M. Parental consent must be obtained by the district before personally identifiable information is disclosed or released to other agencies.

N. School district officials can release confidential educational information to an agency caseworker or another representative of a state or local child welfare agency or tribal organization that has the legal responsibility for the care and protection of the student, without parent permission.

For more information regarding Family Educational Rights and Privacy Act (FERPA) visit <http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html>

IX. RIGHTS OF ADULT STUDENTS

A. When a student with a disability reaches the age of 18, the age of majority in California, (except for a student with a disability who has been determined to be incompetent under State law) the district shall provide any required notices to both the individual and the parents.

B. At the age of 18, all other rights accorded to the parents under the IDEA transfer to the child. The district shall notify the individual and the parents of the transfer of rights. All rights accorded to parents under the IDEA transfer to students who are incarcerated in an adult or juvenile Federal, State, or local correctional institution.

C. An adult student with a disability may appoint another adult to represent him or her in educational matters, if desired.

X. PARENT SURROGATES

A. The district shall ensure that procedures are established and maintained for the assignment of an individual to act as a surrogate for the parents in all special education matters whenever the parents of the child are not known, the agency cannot, after reasonable efforts, locate the parents, or the child is a ward of the State and the parents have had their educational rights removed by a court of law.

B. If the child lives in a foster home, and the parents have had their educational rights removed, the foster parent may fulfill the role of "parent" for educational purposes as long as the child resides in the home. A foster parent shall include a person, relative caretaker, or non-related extended family member who has been licensed or approved by the county welfare or probation department or the State Department of Social Services or who has been designated by the court as a specified placement. A foster parent does not have to be designated as a surrogate.

C. The individual appointed to act as a surrogate shall not be an employee of the state education agency, the district, or any other public or private agency that is involved in the education or care of the child. The surrogate shall have no interest that conflicts with the interest of the child he or she represents and shall have knowledge and skills that ensure adequate representation of the child. An individual who would have a conflict of interest means a person having any interest that might restrict or bias his or her ability to advocate for all of the services required to ensure a free appropriate public education for the child with a disability.

D. As far as practical, a surrogate parent should be culturally sensitive to his or her assigned child.

E. When appointing a surrogate, the district shall, as a first preference, select a relative caretaker or a court appointed special advocate, if one of these individuals exist and is willing and able to serve. If not, the district shall select the surrogate of its choice. If the child is removed from the home of the relative caretaker who has been appointed as a surrogate, the district shall appoint another surrogate.

F. Except for individuals who have a conflict of interest in representing the child, individuals who

may serve as surrogates include, but are not limited to, retired teachers, social workers, and probation officers who are not employees of a public agency involved in the education or care of the child. If a conflict of interest arises subsequent to the appointment of the surrogate, the district shall terminate the appointment and appoint another surrogate.

G. The surrogate shall serve as the child's parent and shall have all rights regarding the child's education that a parent has as specified in the IDEA. A surrogate may represent a child with a disability in matters relating to identification, assessment, instructional planning and development, educational placement, and/or reviewing and revising the Individualized Education Program, and in other matters relating to the provision of a free, appropriate public education to the individual. This representation shall include the provision of written consent to the IEP including non-emergency medical services, mental health treatment services and occupational or physical therapy services. The surrogate may sign any consent relating to IEP purposes.

H. A surrogate shall not be appointed for a child who is a dependent or a ward of the court unless the court specifically limits the right of the parent or guardian to make educational decisions for the child or for a child who has reached the age of majority unless the child has been declared incompetent by a court of law.

I. A surrogate shall be held harmless by the State of California when acting in his or her official capacity except for acts or omissions which are found to have been wanton, reckless, or malicious.

A flowchart of the Parent Surrogate process and necessary forms are available at the SELPA office.

XI. USE OF MEDICAID/MEDICAL PUBLIC BENEFITS

A. You must give consent before the district may access your child's MediCal benefits to pay for certain special education related services.

B. The district does not need to ask for your permission again unless the type, cost or amount of services changes.

C. There will be no cost to you if the district accesses your child's MediCal benefits. It will not impact your child's available lifetime coverage, result in your having to pay any co-pays or for other services that would otherwise be covered by the public benefits which are required by your child outside school, increase premiums or discontinue benefits, or risk loss for home and community based waivers.

D. You have the right to withdraw your consent for the district to use your child's name access MediCal benefits at any time. If you do this, the district will continue to be responsible to provide all services specified in your child's IEP.

XII. PROCEDURES FOR RESOLVING DIFFERENCES

A. Voluntary Pre-Hearing Mediation ("Mediation Only")

1. Parents may choose to participate in Mediation Only by filing the "Mediation Only Request Form." If this is requested before filing a Request for Mediation and Due Process Hearing, it is not considered to be part of the Due Process Hearing process, and attorneys and legal advocates cannot be present.

2. Either party may decide to participate in Mediation Only. Mediation Only is voluntary, and if one of the parties declines to participate, it will not occur.
3. The Mediation Only conference will be scheduled within 15 days of the request.

The "Mediation Only Request Form" is located on our website www.vcselpa.org under For Families; Special Education Parent Rights. You may also access the forms at <http://www.dgs.ca.gov/oah/SpecialEducation/Forms.aspx>.

B. Due Process

1. NOTICE OF DUE PROCESS COMPLAINT

- a. A parent or a public agency may file a Request for Mediation and Due Process Hearing if they disagree with any matters relating to the identification, assessment or educational placement of a student with a disability and would like to initiate Due Process.
- b. The Notice must be filed no later than two years after the parent or public agency knew or should have known about the alleged violation. (For complaints alleging violations after October 9, 2006)
- c. The two year time limit does not apply to the parent if they were prevented from filing a Request for Mediation and Due Process Hearing due to specific misrepresentation by the district that it has resolved the problem which is the basis of the complaint, or due to the district's withholding of information from the parent that was required to be provided.
- d. The Request must include these elements:
 - The child's name, address and school (if the child is "homeless" according to the McKinney- Vento Homeless Act, available contact information must be provided)
 - A description of the problem; including facts A proposed resolution of the problem
- e. The Request must be sent to the State Superintendent of Public Instruction, with a copy provided to all other parties named. (Office of Administrative Hearings (OAH), Special Education Division, 2349 Gateway Oaks Drive, Suite 200, Sacramento, CA, 95833, Telephone: (916)263- 0880, Fax (916)263-0890
- f. Either parents or district may challenge the sufficiency of the Request.
- g. The Request will be deemed to be sufficient unless the party receiving the Request notifies the Administrative Law Judge (ALJ) and the other party within 15 days of receipt that it believes the Request does not contain the required elements (above).
- h. Within five days of receipt of notification from either party that the Request is not sufficient, the ALJ will make a decision on whether the complaint contains the required elements.
- i. The party filing the Request does not have the right to a Due Process Hearing if the Request does not contain the required elements.
- j. A party may amend its Request only if the other party consents in writing and a Resolution Session is held, or if permitted by the ALJ, but not later than five days before a Due Process Hearing occurs. In case of amendment of the Request, all timelines start over.
- k. If a party files an amended Request for Mediation and Due Process Hearing, the timelines for the Resolution Session begin again.

I. If the district has not given the parent written notice about the subject matter contained in the parent's Request, the district must, within 10 days of receiving the Request, give the parent a written response (known as "Other Party Response") that contains all the elements in Section II of this document.

The "Mediation and Due Process Hearing" Request Form is located on our website www.vcselpa.org under For Families; Special Education Parent Rights. You may also access the forms at <http://www.dgs.ca.gov/oah/SpecialEducation/Forms.aspx>.

2. RESOLUTION SESSION

a. Within 15 days of receiving the parent's Request for Mediation and Due Process Hearing, and prior to initiation of a Due Process Hearing, the district must convene a meeting with the parent and the relevant members of the IEP team who have specific knowledge of the facts identified in the Request. The members are determined by the parent and district.

b. The meeting must include a representative of the district who has decision-making authority.

c. The district may not have an attorney present unless the parent is accompanied by an attorney.

d. The purpose of the meeting is to try to resolve the issues specified in the Request.

e. Unless both parties have agreed to waive the Resolution Session or agreed to participate in Mediation, the failure of the parent to participate in the Resolution Session will delay the timelines for the Due Process Hearing until the Resolution Session is held. If, after reasonable efforts, the district is unable to get the parents to participate in the Resolution Session within 30 days, the district may request the ALJ to dismiss the Request.

f. If the district fails to hold the Resolution Session within 15 days of receiving the Request from the parents, or fails to participate in the Resolution Session, the parent may ask the AJL to begin the Due Process Hearing timeline.

g. The 45 day timeline for Due Process Hearing begins if:

- Both parties agree in writing to waive the Resolution Session; or
- After the beginning of the Resolution period starts but before the end of the 30-day period, both parties agree in writing that the agreement is not possible; or
- The district has not resolved the issues in the Request to the satisfaction of the parents within 30 days; or
- Both parties agree in writing to continue the Resolution or Mediation period, but one of the parties later withdraws from the process.

h. A written settlement agreement will be developed if agreement is reached in the Resolution Session. The agreement will be:

- Signed by both the parent and the representative of the district with authority to commit the resources of the district, and
- Enforceable in State or Federal court.

i. The agreement may be voided by either party within 3 business days of its execution.

3. MEDIATION (AS PART OF Due Process)

a. Mediation as part of the Due Process will be completed within 30 days after receipt of the Request for Mediation and Due Process Hearing, unless both parties agree to a time extension.

b. The Mediation process is voluntary and may not be used to deny or delay a parent's right to a hearing or other rights afforded by the IDEA. Requesting or participating in a mediation conference is not a prerequisite to requesting a Due Process Hearing.

- c. The Administrative Law Judge (ALJ) shall encourage the parties to a Hearing to consider Mediation as an alternative to a Hearing.
- d. Mediation will be conducted by a qualified, impartial and trained Mediator.
- e. Parents have the right to receive a copy of a Mediation request initiated by the district.
- f. The Mediation session shall be scheduled in a timely manner and held in a location convenient to the parties.
- g. Any agreement reached in Mediation shall be documented in a legally binding written Mediation Agreement.
- h. Discussions in Mediation shall be confidential and may not be used as evidence in any subsequent due process hearings or civil proceedings. The parties to the Mediation may be required to sign a confidentiality pledge prior to commencement of the process.
- i. Written resolution of the Mediation will be mailed to the parent within ten days.

4. DUE PROCESS HEARING

- a. The Due Process Hearing will begin within 30 days of the filing of the Request for Mediation and Due Process Hearing, ("Request"), if efforts at Resolution and Mediation have not been successful.
- b. Parents have the right to a fair and impartial hearing at the state level. The Administrative Law Judge ("ALJ") appointed by the Calif. Dept. of Education ("CDE") will be trained and knowledgeable in the laws governing special education and administrative hearings and not an employee of the state or district.
- c. The CDE will keep a list of all ALJs and their qualifications.
- d. The party requesting a Due Process hearing may not raise issues that were not raised in the original Request.
- e. Upon receipt by the Office of Administrative Hearings or designees of the hearing request, all parties to the hearing shall immediately be notified of the request for the hearing and the scheduled hearing date. The notice shall advise all parties of all their rights relating to procedural safeguards and shall include a list of persons and organizations within the geographical area that can provide free or reduced cost representation or other assistance in preparing for the due process hearing.
- f. Parents have the right to:
 - Be accompanied and advised by an attorney or others with special knowledge or training of students with disabilities.
 - Present evidence, written and oral arguments and confront, cross-examine and compel the attendance of witnesses.
 - Prohibit the introduction of any evidence at the hearing that has not been disclosed to the other party at least five days before hearing.
 - Obtain a written or (at the option of the parents) electronic verbatim record of the hearing.
 - Obtain written or electronic findings of fact and decisions.
 - Have the child who is the subject of the hearing present.
 - Open the hearing to the public.
 - Examine all school records of the child and receive copies as per Section VII of this document.
- g. Each party must disclose to all other parties prior to hearing:
 - (Within five business days) All evaluations completed by the date and recommendations it intends to use.

- (Within five business days) A copy of all documents and a list of all witnesses and their general area of testimony.
- (Within ten days) A statement as to what the party believes are the issues to be decided at the hearing and the proposed resolution of those issues. Upon the request of a parent who is not represented by an attorney, a mediator will be provided to assist the parent in identifying the issues and the proposed resolution of the issues.
- (Within 10 days) Whether or not they intend to be presented by an attorney.

h. Either party has the right to prohibit the introduction of any evidence that has not been disclosed to the other party within five business days of the hearing.

i. The ALJ may:

- Question a witness on record before other parties do so.
- Within the consent of both parties, request that conflicting experts discuss an issue with each other on record.
- Visit the proposed placement site(s) when the physical attributes of the site(s) are at issue.
- Call a witness to testify if all parties consent or the hearing is continued for at least five days after the witness is identified and before s/he testifies.
- Order an impartial assessment to be conducted, and the hearing postponed until it is completed.
- Bar introduction of any documents and testimony of any witnesses not disclosed according to legal guidelines.
- Call independent medical specialists.
- Set reasonable limit on length of the hearing after considering the issues to be heard, the complexity of the facts to be proven, the ability of the parties (and their representatives if any) to present their cases, and the parties' estimate of the time needed.

j. The ALJ's determination of whether a child received a free, appropriate public education must be made on substantive grounds. In matters alleging a procedural violation on the part of the district, the ALJ would not consider the violation a denial of the child's rights unless it:

- Impeded the child's right to a free, appropriate public education, or
- Significantly impeded the parent's opportunity to participate in the decision-making process, or
- Caused a deprivation of educational benefit to the student.

The above criteria do not preclude an ALJ from ordering the district to comply with procedural requirements or ordering a compensatory remedy.

k. Parents may request Mediation at any point during the hearing process if both parties are willing to extend the forty-five day limit for a period equal to the length of the Mediation process.

l. Each party to the hearing may request an extension of the timeline for the hearing. The extension shall be granted upon a showing of good cause.

m. During the pendency of the hearing and any judicial proceedings, unless the state or district and the parents agree otherwise, the student shall remain in the then-current educational placement, or, if applying for initial admission to a public school, shall with the consent of the parents, be placed in the public school program until all such proceedings

have been completed.

n. An ALJ may not render a decision that results in the placement or reimbursement for the placement, of a special education student in a nonpublic school or agency unless the school or agency has been appropriately certified.

o. In decisions related to the placement, the ALJ will consider cost, in addition to all other factors.

p. The Calif. Dept. of Education will ensure that a final written, reasoned, decision is reached in the hearing and a copy of the decision is mailed to each of the parties ~~not later than~~ 45 days after the expiration of the 30 day Resolution/Hearing period.

q. The findings and decisions shall be made available to the public after any personally identifiable information has been removed.

r. The hearing decision shall be final and binding on all parties except that any party involved in such hearing may appeal the decision to a federal court as a civil action. An appeal shall be made within 90 days of receipt of the hearing decision.

5. ATTORNEY'S FEES

a. A court may award reasonable attorney's fees to the parent, guardian, or student if:

- The parent is the prevailing party in a due process hearing or subsequent judicial proceeding.
- The parent is the prevailing party and was substantially justified in rejecting the settlement offer.

b. Reimbursement of reasonable attorney's fees may be awarded to the district if:

- The attorney of the parents files a complaint that is frivolous, unreasonable, or without foundation.
- The attorney of the parent continued to litigate after the litigation clearly became frivolous, unreasonable or without foundation.
- The parent's request for Due Process Hearing was presented for an improper purpose, such as to harass, to cause unnecessary delay, or to needlessly increase the cost of litigation.

c. Attorneys' fees may not be awarded and related costs may not be reimbursed for legal services performed subsequent to the time of a written offer of settlement to the parent if an offer was made within 10 days before the Hearing began, the offer was not accepted within 10 days, and the ALJ finds that the relief finally obtained by the parent is not more favorable than the offer of settlement.

d. Attorneys' fees may not be awarded relating to any meeting of the IEP Team unless such meeting is convened as a result of an administrative proceeding or judicial action.

e. Fees awarded will be based on rates prevailing in the community in which the action arose.

f. The court shall reduce, accordingly, the amount of the attorneys' fees awarded whenever the court finds:

- The parent or their attorney unreasonably protracted the final resolution of the controversy, or
- The amount of the attorneys' fees otherwise authorized to be awarded unreasonably exceeds the hourly rate prevailing in the community for similar services by attorneys of reasonably comparable skill, reputation, and experience, or
- The time spent and legal services furnished were excessive considering the nature of the action or proceeding, or
- The attorney representing the parent did not provide the district the appropriate information required as part of the due process request.

XIII. STATE COMPLAINTS ALLEGING VIOLATION OF THE LAW

A. A complaint is different than due process. Due process is a system for resolving differences, while a complaint alleges a violation of the law. Examples of complaints would be an alleged failure to adhere to procedural requirements or to implement components of the IEP.

B. An individual may file a written complaint regarding the district's alleged violation of federal or state law with the superintendent of the district or the State Superintendent of Public Instruction with a copy to the district. Address complaint to the State Superintendent to: California Department of Education, Special Education Division, Procedural Safeguards Referral Service, Attn: PSRS Intake, 515 L Street, Suite 270, Sacramento, CA 95814, (800) 926-0648, Fax (916) 327-3704, <http://www.cde.ca.gov/spbranch/sed>.

C. A copy of the written resolution shall be received from the State Superintendent of Public Instruction within 60 days. The California Department of Education will carry out an independent investigation.

The "Request for Complaint Investigation" form is located on our website under For Families, Resolving Disagreements or at <http://www.cde.ca.gov/sp/se/qa/cmplntproc.asp>.

XIV. PAYMENT FOR EDUCATION OF CHILDREN ENROLLED IN PRIVATE OR NONPUBLIC SCHOOLS WITHOUT CONSENT OF OR REFERRAL BY THE DISTRICT

A. A district is not required to pay for the cost of education, including special education and related services, of a child with a disability at a private school or facility if that agency made a free, appropriate public education available to the child and the agents elected to place the child in the private school or facility.

B. If the parents of a child with a disability who previously received special education and related services through the district enroll the child in a private school without the consent of or referral by the district, a court or ALJ may require the parent to be reimbursed for the costs of the placement if it is found that a free, appropriate public education had not been made available to the child in a timely manner prior to that enrollment.

C. If a parent unilaterally places their child in a nonpublic school and proposes the placement in the nonpublic school to be publicly financed, the school district must be given the opportunity to observe the proposed placement and the child in the proposed placement. The school district may not observe or assess any other child at the nonpublic school without permission from the other child's parent or guardian.

D. The cost of reimbursement may be reduced or denied if:

1. At the most recent IEP meeting the parents attended prior to removing the child from public school, the parents did not inform the IEP Team that they were rejecting the placement proposed by the district and did not state their intent to enroll their child in a private school at public expense, or
2. 10 business days (including holidays that occur on a business day) prior to removing a child from public school, the parents did not give written notice to the district of the information described in (1), or
3. Prior to the parents' removal of the child from public school, the district informed the parents of its intent to evaluate the child (with notice including a statement of the purpose of the evaluation that was appropriate and reasonable), but the parents did not make the child available for the evaluation, or
4. There is a judicial finding that the actions taken by the parents were unreasonable.

E. The cost of reimbursement may not be reduced or denied if the parent failed to provide the notice as required in (1) and (2) above as a result of being illiterate and unable to write in English, or because providing such required notice would likely result in physical or serious emotional harm to the child, or the school prevented the parent from providing such notice, or the parents had not received procedural safeguards or otherwise been informed of the notice of the requirement to provide the information in (1) and (2) above.

F. The district in which the child and his family live is responsible for assessment for special education eligibility, regardless of the location of the private school.

G. If the district of residence offers a free, appropriate public education and the parents reject it and continue to enroll their child in a private school, the district has fulfilled its responsibilities.

H. Upon parent request, the district where the private school is located will develop an Individual Service Plan according to district guidelines. There are no due process protections to parents in development of the Individual Service Plan.

See the SELPA website under Publications/Private School Procedures.

XV. STUDENTS PLACED IN LICENSED CHILDREN'S INSTITUTIONS (LCI) OR FOSTER HOMES (FFH)

A. Students placed in a Licensed Children's Institution (LCI) or Foster Family Home (FFH) shall attend programs operated by the public schools unless one of the following applies:

1. The student has an IEP requiring placement in a nonpublic school/agency.
2. The parent or guardian, or other person holding the right to make educational decisions for the student determines that it is in the best interest of the student to be placed in another education program, or to continue in his/her school of origin.

B. The school district will invite to the IEP team meetings a representative of the group home in those cases in which a student has been placed in a group home by juvenile court.

XVI. STATE SPECIAL SCHOOLS

The State Special Schools provide services to students who are deaf, hard of hearing, blind, visually impaired, or deaf-blind at each of its three facilities: The California Schools for the Deaf are in Fremont and Riverside and the California School for the Blind is in Fremont. Residential

and day school programs are offered to students from infancy to age 21 at both State Schools for the Deaf and ages five through 21 at the California School for the Blind. The State Special Schools also offer assessment services and technical assistance. For more information about the State Special Schools, please visit the California Department of Education Web site at www.cde.ca.gov/sp/ss/ or ask for more information from the members of the IEP team.

XVII. STUDENT DISCIPLINE

A. SUSPENSION

1. A special education student may be suspended for any of the acts listed in Calif. Education Code Section 48900 which occur on the school grounds, on the way to and from school, during lunch period whether on or off campus, and during or coming from any school-sponsored activity. Students may only be suspended for a first-time offense from EC Section 48900 (a)-(e), or if the student's presence causes a danger to others. Students may not be suspended for first-time offenses from EC Section 48900 (f)-(r). School administrators must try other means before suspending.
2. Suspension may be up to ten cumulative school days in a school year, with no special education services provided during the suspension.
 - No single suspension may exceed five school days.
 - A portion of a day of suspension counts as one school day.
 - Bus suspensions count as a day of suspension if transportation is specified on the IEP and alternative transportation is not provided.
 - An in-school suspension in which the student is able to progress in the general education curriculum, receive the services specified on the IEP and participate with peers without disabilities does not count as a day of suspension.
3. School personnel determine if there has been a "pattern" to the suspensions. Elements which are considered in determining whether or not there is a pattern include:
 - Length of each suspension
 - Total amount of time suspended
 - The proximity of the suspensions to each other
 - Whether or not the behavior is substantially similar across incidents.
4. If the team determines there is not a "pattern," the student can continue to be suspended up to 20 days in a school year. School personnel, in consultation with the student's teacher(s) determine the extent that special education services are needed to enable the student to participate in the general education curriculum (although in another setting) and progress toward meeting their IEP goals.
5. If the team determines there has been a "pattern" to the suspensions, an IEP meeting is held within 10 school days and a Manifestation Determination Review must be conducted:
 - The IEP team determines which special education services are needed for any potential subsequent suspensions.
 - The team reviews all relevant information in the student's file, including the IEP, any teacher observations, and any relevant information provided by the parent.
 - The team considered the behavior across settings and time.
6. The team decides whether or not the behavior is a manifestation of the disability. It considers if:
 - Services were provided as per IEP
 - The behavior had a direct and substantial relationship to the disability.
7. If services were **not** provided as per the IEP, steps must be taken to resolve this before suspending the student further, and the behavior is considered to be a **manifestation of the disability**.
8. If it was determined that the **behavior had a direct and substantial relationship to the**

disability, it is Considered to be a **manifestation of the disability** and the student must not be suspended further. The IEP team may decide to change aspects of the program including the school placement.

9. If services were provided as per the IEP and the behavior did **not** have a direct and substantial relationship to the disability, the behavior is **not** considered to be a manifestation of the disability and the student may continue to be suspended as any other student.
10. If the behavior is determined to be a manifestation of the disability, a Functional Behavior Analysis (FBA) of the student's behavior which led to the suspensions must be conducted, and a Comprehensive Behavior Intervention Plan (CBIP) or Positive Behavior Intervention Plan (PBIP) developed. If a behavior support plan already exists, the team should review it and revise as necessary. If the behavior is determined not to be a manifestation of the disability, a FBA/CBIP- PBIP should be considered (or revised). *See SELPA website, "SIRAS IEP User's Manual/Optional IEP Forms All Meetings/Behavior Intervention Plans" for the FBA, CBIP and PBIP forms and instructions.*
11. If the parent disagrees with the decision of the IEP team regarding the Manifestation Determination Review, the parent may initiate a Due Process Hearing. See section X

See SELPA website under "Publications/[Guidelines for Suspension and Expulsion of Special Education Students](#)" for a handbook on of Suspension and Expulsion of Special Education Students."

B. EXPULSION

1. There are five violations of California Education Code that result in mandatory recommendation for expulsion. They are:
 - Possessing, selling, or furnishing a firearm
 - Brandishing a knife to another person
 - Unlawfully selling a controlled substance
 - Committing or attempt to commit sexual assault or sexual battery
 - Possession of an explosive
2. If a special education student is being considered for an expulsion, a Manifestation Determination Review must be conducted (see XII-A above) as part of an IEP meeting.
3. Parents must be immediately notified that the purpose of the IEP meeting is to consider expulsion and must receive a copy of these procedural safeguards. The meeting shall be held at a time mutually convenient to the parents and school officials, within the period, if any, of the student's pre- expulsion suspension. Each parent shall be given 48 hours' notice of the meeting. If required notice has been provided, the meeting may be held without parent participation, unless the parent requests postponement. A telephone conference call may substitute for a meeting.
4. A postponement may be for up to three additional school days. If a postponement has been granted, the district may extend any suspension of a pupil for up to three additional school days. If a postponement has been granted, the district may extend any suspension of a pupil for the period of postponement if the pupil continues to pose an immediate threat to the safety of himself, herself, or others and the district notifies the parent that the suspension will be continued during postponement. However, the suspension shall not be extended beyond 10 consecutive school days unless agreed to by the parent, or by a court order, with educational services recommencing as of the 11th day of any suspension. If a parent who has received proper notice of the meeting refuses a postponement, the meeting may be conducted without the parent's participation, if the required notice of the meeting was provided.
5. If there is no Behavior Plan in place, the IEP team will conduct a Functional Behavioral Assessment and develop a Positive Behavior

Support Plan or Behavior intervention Plan.

6. If the IEP team determines through the Manifestation Determination that the behavior was NOT a manifestation of the disability, the team may recommend expulsion. If the team determines that the behavior WAS a manifestation of the disability, the team shall not recommend expulsion.
7. Special education students may be placed in an Interim Alternative Education Setting (IAES) if any of the following have occurred at school, on school premises, or at a school function under the jurisdiction of the district:
 - Carried or possessed a weapon
 - Knowingly possessed or used illegal drugs, or solicited the sale of a controlled substance
 - Inflicted serious bodily injury upon another person.
8. If none of the above violations occurred, the district may file a request for Due Process Hearing to ask the Administrative Law Judge (ALJ) to order the placement of the student in an IAES if the district demonstrates that keeping the student in the current school placement is substantially likely to result in injury to the student or others.
9. Placement in an IAES shall not exceed 45 school days, unless parents and district agree to an extension. If the school year ends before the 45 days are up, placement in the IAES may resume in the subsequent school year for the remainder of the 45 school days.
10. An IAES may include home instruction, alternative or nonpublic schools.
11. The IAES must be planned for and determined by the IEP team. The IAES must enable the student to participate in the general curriculum, although in another setting, and continue to receive those services and supports described in the IEP to meet the IEP goals. It also will include services and supports to address the behavior so it does not recur. It may not exactly replicate the programs and services that the student was receiving at the school originally attended.
12. If the parent disagrees with the decision regarding the IAES, the district may move forward with placement in the IAES. The IAES becomes the "stay put" placement until the ALJ makes a decision or until the 45 days expires, whichever comes first.
13. If the ALJ determines that the removal to the IAES was in violation of the law, or that the behavior was a manifestation of the disability, the ALJ may order the student be returned to his or her placement from which he or she was removed.
14. If a child is placed in an IAES and school personnel propose to change the child's placement after expiration of the IAES, during the pendency of any proceeding to challenge the proposed change in placement, the child shall remain in the placement he or she was in prior to the IAES.
15. If a student is a foster youth, the Social Worker and attorney representing the student must be invited to all meetings, including the meeting to extend the suspension, the manifestation Determination Review and the Expulsion Hearing. The district must provide 10 calendar days written notice of the Expulsion Hearing to the foster student's attorney and social worker for one of the discretionary reasons for expulsion, and may provide notice for mandatory reasons.
16. If either parents or district file for Due Process Hearing on the issue of the Manifestation Determination or educational placement of a student who has committed a behavior which is subject to expulsion or considered to be likely to result in injury to student or others, an Expedited Due Process Hearing must be conducted within 20 school days of the date in which the complaint requesting the hearing was filed. The ALJ must make a determination within 10 school days after the hearing.
17. Unless the parents and district agree in writing to waive it, a Resolution meeting must be held within seven days of receiving the Request for Mediation and Due Process Hearing. The Due Process Hearing will proceed unless the matter has been resolved to the satisfaction of both parties within 15 days of receipt of the complaint.
18. If the district initiates expulsion procedures, it shall ensure that the special education and disciplinary records of the child with a disability are transmitted for consideration by the person or persons making the final determination regarding the expulsion.

19. If the school board decides to expel a student with an IEP who has committed an expellable act which has been determined to be NOT a manifestation of the student's disability, an IEP meeting will be held. The IEP team will determine how special education and services specified in the IEP will continue to be provided in order to enable the student to advance in core curriculum and achieve the IEP goals.
20. If a student with a disability is excluded from school bus transportation, and transportation is a necessary special education service on the IEP, the student is entitled to be provided with an alternative form of transportation at no cost to the pupil or parent.

See SELPA website under "Publications/Guidelines for Suspension and Expulsion of Special Education Students" for a handbook on of Suspension and Expulsion of Special Education Students."

C. DISCIPLINE OF STUDENTS NOT YET ELIGIBLE FOR SPECIAL EDUCATION

1. A student who has not been determined to be eligible for special education and related services and is subject to a long term removal from school may assert all due process protections included in the law if the district had knowledge that the student was a child with a disability before the behavior occurred.
2. A district shall be deemed to have knowledge that a student is a child with disability if:
 - The parent of the child expressed concern in writing to supervisory or administrative personnel, or the teacher, that the student is in need of special education and related services, or
 - The parent requested an evaluation, or
 - The teacher or other district personnel expressed specific concerns about a pattern of behavior in the student directly to the director of special education or other supervisor of the district.
3. A district would not be deemed to have knowledge that a student was a child with a disability if:
 - The parent did not allow an evaluation of the student, or
 - The parent refused services, or
 - The student has been evaluated and determined to not be a child with a disability.
4. If the district does not have knowledge that a student is a child with a disability prior to taking disciplinary measures against the student, he or she may be subject to the same disciplinary measures as apply to students without disabilities.
5. If a parent requests an evaluation of a child during the time period in which disciplinary measures are being taken, the evaluation shall be conducted in an expedited manner.
6. If the student is determined to be a child with a disability, taking into consideration information from the district's evaluation and information provided by the parents, the district will provide special education and related services.
7. Pending the results of the evaluation, the student shall remain in the educational placement determined by school authorities.
8. The district has a right to report a crime committed by a child with a disability to appropriate authorities, and state law enforcement and judicial authorities have the right to exercise their responsibilities in applying Federal and State law to crimes committed by a child with a disability.

D. DISCIPLINE OF FORMER SPECIAL EDUCATION STUDENTS- PARENT PERMISSION REVOKED

Students who were eligible for special education and related services and for whom parent permission has been revoked outside of the IEP process shall be subject to the same disciplinary guidelines as all other students without disabilities in the district.

Community Advisory Committee (CAC)

The Community Advisory Committee (CAC) of the Ventura County Special Education Local Plan Area (SELPA) is composed of parents of individuals with disabilities enrolled in public or

private schools, parents of other pupils enrolled in school, students and adults with disabilities, general education teachers, special education teachers other school personnel and representatives of other public and private agencies and persons concerned with the needs of individuals with disabilities. The majority of the CAC is composed of parents of students enrolled in schools in Ventura County SELPA; and a majority of such parents are parents of students with disabilities.

The CAC accepts as one of its main purposes the maintenance of open and free-flowing communication from the special education administration to the entire community, as well as directing information from the community to the administration. A rotation of members of the Operations Cabinet (Directors of Special Education) serve as liaison for the Operations Cabinet to the CAC, and the SELPA Assistant Superintendent represents the Superintendents' Policy Council. Recommendations of annual priorities are received and forwarded by these people. Ongoing input to the Superintendents' Policy Council agenda supports consideration of all CAC comments.

A major focus of the CAC is community education directed toward awareness and information about special education. As a group, and individually in their communities, CAC committee members encourage involvement in and knowledge of special education as well as the general education of students with disabilities and their parents.

Selection of school district representative members of the CAC is the responsibility of each District Administrator of Special Education, acting for the local Board, and with its approval. Annually staggered two-year terms are established so that no more than half of the members serve the first year of a term in any one-year.

CAC meetings are generally held once a month, September-June, and all meetings are open to the public. Free childcare is provided. For a meeting schedule, please call the SELPA office, or see the website "*For Families.*"

The CAC makes many brochures and booklets available free to families of students enrolled in special education programs in the Ventura County SELPA. All are available on our website at www.vcselpa.org under the "For Families" tab or may be ordered for free (*one per family at no cost*) at (805) 437-1560.

- *A Parent Guide to Special Education (English. Spanish)- Booklet*
- *90 Ways to Help Students with ADHD- Brochure*
- *A Parent guide to Transition Planning (English/Spanish)- Brochure*
- *A+ Access, Accommodations, Acceptance " A Winning Grade"- Brochure*
- *Adult Resources Directory- (English/Spanish)-Booklet*
- *Are You concerned About Your Child? (3-22 years old, English/Spanish)- Brochure*
- *Community Resource Directory (Families of Special Education Students)- (English/Spanish)- Booklet*
- *FamilyFact Sheet - Sorting through services to help you help your child. . . Regional Center or Schools? – (English/Spanish) –Brochure*
- *Going to College...or Thinking About it? – Booklet*
- *Independent Educational Evaluations – (English/Spanish) – Booklet*
- *Private School Procedures – (English/Spanish) – Booklet*
- *Procedural Safeguards Referral Service – Brochure*
- *My Child has Emotional & Behavioral Challenges...How Can I Find Help? – (English/Spanish) –Brochures*
- *My child with special needs is going to middle school. How can we get ready?*
- *Sensory Issues and Needs in Young Children Birth-Three (English/Spanish) –Brochures*
- *Transitioning to High School – A Guide for Parents of Special Education Students – Brochure*
- *What is Apraxia of Speech – A Guide for Parents of 3-5 year olds – Brochure*
- *What is a SELPA? – (English/Spanish) – Brochure*

For full text of California Education Code related to special education go to:

<http://www.leginfo.ca.gov/cgi-bin/calawquery?codesection=edc&codebody=&hits=20>.

For full text of California Education Code related to special education go to:

<http://cfr.law.cornell.edu/cfr/cfr.php?title=34type=chapter&value=3>

TERMS and ACRONYMS THAT YOU MIGHT FIND IN YOUR CHILD’S IEP:

CAA	California Alternate Assessment. An assessment of common core state standards designed for students in a functional skills curriculum.
Career Interest tool	Tool used to gauge career interests that a student may have
CBIP	Comprehensive Behavior Intervention Plan – A plan which addresses underlying causes of behavior and specific strategies to address it. Typically based on an FBA.
CCS	California Children Services - Public agency which provides medical services to eligible children. Website: http://www.vchca.org/dos/Program.asp?ProgID=62
CCSS	Common Core State Standards – Nationally and state-adopted curricular standard for all students.
Certificate of Achievement/Completion	For students who do not achieve a regular HS diploma, this document reflects that they participated in the course of study and/or achieved their IEP and Transition goals.
COE	County Office of Education – Provides services to students with disabilities according to the Local Plan.
COEDS	Collaborative Educational Services - Intensive, short-term in-home social/emotional services and supports for families with students receiving ERSES.
CST	CA Standards Test - Annual test of achievement in CA. State Curricular Standards given to all school children in the state, grades 2-11. (Not given after 2014)
DMH	Department of Mental Health – Public Agency providing counseling and medical services to people with emotional disturbance and mental illness. http://www.vchca.org/bh/index.htm (Knows as “VCBH” in Ventura County & “LACMH” in LA County)
DOR	District of Residence - District where child and family reside
DOS	District of Service - District providing primary special education services
DR or DOR	Department of Vocational Rehabilitation. Provides job training and supports to person with qualifying disabilities. Website: http://www.rehab.cahwnet.gov/
DRDP	Desired Results Developmental Profile - An assessment given to all 3,4 and 5 year old preschoolers twice a year to gauge developmental progress
EDD	Employment Development Department - CA agency which assists people to obtain jobs
EL	English Learner - A child who is learning English
ELA	English/Language Arts.
ELD	English Language Development – Strategies to assist English Learners to acquire academic-level English.
Emergency Health Care Plan	A plan that addresses steps to be taken in case of a medical emergency

EO	English only - A child who has English as his only language
ERSES	Educationally Related Social/Emotional Services – Counseling or Social Work services
FBA	Functional Behavior Assessment – An Assessment that looks at the function of behavior.
FEP	Fluent English Proficient - A child with other languages used in the home but who is determined to be proficient enough in English for participation in school
HAT	Hearing Assistive Technology
HS	Head Start – Services to low income children 3-4 years old. In Ventura County, provided by a non- profit organization, Child
ID	Intellectual Disabilities
ISS	Intensive Individualized Services – Additional adult support for a student for all or part of the school day.
ISBT	Intensive School-Based Therapist – A licensed clinician providing social work or counseling services to special education students.
ISG	Individual & Small Group Instruction – Special education services provide to <u>preschoolers only.</u>
Level of Service	Level of special transportation service specified on the IEP. Level One – closest safe accessible curbside Level Two – within 2 blocks of home/service address Level Three– within .4 mile of home/service address Level Four – within 1 mile of home/service address Level Five – closest neighborhood school
LI	Low Incidence - Disabilities that occur statistically rarely in society including visual, hearing and orthopedic impairments. Children with these disabilities qualify for a small amount of extra funding to offset costs of their unique service and equipment needs.
NPA	Non Public Agency – Agencies certified by the CA Dept. of Education to provide specific special education services
NPS	Non Public School - Schools that are certified by the CA Dept. of Education to provide special education services.
PBIP	Positive Behavior Intervention Plan – A plan which addresses underlying causes of a behavior and specific strategies to address it.
Promotion and retention standards	Standards for progress in core curriculum set by each district for promotion between certain grade levels. Consult your district policies.
RC	Regional Center - Provides supports to people with developmental disabilities of all ages. http://www.tri-counties.org/ (Known as “TCRC” in Ventura County & “NLACRH” in LA County)
Related Services	Specialized Services to assist the student in accessing his/her special education program
RFEP	Reclassified Fluent English Proficient - A child who was formerly an English Learner, but has met reclassification guidelines according to district policy
SAI	Specialized Academic Instruction Adapting the content, methodology or instruction to assist a student with disabilities to access the core curriculum.
SBAC	Smarter Balanced Assessment Consortium – Statewide test administered annually to all California school children, assessing achievement in common core standards.

SCES	Special Circumstances Educational Support – Additional support that may be provided to a student based on assessment and IEP determination.
SDAIE	Specially Designed Academic Instruction in English – Strategies for assisting English learners in accessing core content presented in English.
SELPA	Special Education Local Plan Area – Regional consortium of school districts to facilitate the provision of special education services to all children in the districts within the SELPA
Skills/Aptitude Tools	Tools to assess the student’s strengths and abilities toward specific jobs/careers
SLD	Specific Learning Disability. A disability characterized by poor performance in one or more academic areas due to a psychological processing disorder.
Specialized Physical Health Care Services Plan	A plan developed by a physician to address the unique health or medical needs of a student
TPP	Transition Partnership Project – A collaboration between certain school districts and the Dept. of Rehabilitation to provide career development and transition to adult life services.
Triennial/Reevaluation	A review of all areas of suspected disability of a student to determine continued eligibility as well as need for special education and related services and supports.
WRK-WorkAbility Services	School-based career preparation services.

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FREQUENTLY ASKED QUESTIONS

Frequently Asked Questions

1. What are the standards for assessment tests and tools?

A test and other evaluation material must be selected and administered so as not to be racially, culturally, or sexually discriminatory and must be administered in the student's primary language or other mode of communication. The test must also be validated for the specific purpose for which it is used. In addition, testing must assess specific areas of educational need and not merely produce a single general intelligence quotient. No single procedure can be used as the sole criterion for determining an appropriate educational program for the student. Finally, for a student with impaired sensory, manual, or speaking skills, the testing must ensure that the results accurately reflect the student's aptitude or achievement level, and not the student's impaired skills, unless those skills are to be measured by the testing. [20 U.S.C. Sec. 1414(b); 34 C.F.R. Sec. 300.304; Cal. Ed. Code Sec. 56320.]

2. Does the assessment have to be provided in a child's primary language?

Yes. This is a requirement of both federal and state law, unless it is not feasible and is so stated in the assessment plan. If the assessor is not bilingual, the district should provide an interpreter. In addition, state law requires that testing and assessment material be selected so as not to be racially, culturally, and sexually discriminatory. [20 U.S.C. Sec. 1414(b); 34 C.F.R. Sec. 300.304(c)(1)(i); Cal. Ed. Code Sec. 56320(a), (b).]

3. What are the legal requirements that ensure appropriate and accurate special education assessment for multicultural students?

Federal law requires:

- (1) Tests must be selected and administered so as not to be racially, culturally, or sexually discriminatory;
- (2) Tests must be administered in the student's primary language or other mode of communication;
- (3) Tests must be validated for the specific purpose for which they are used;
- (4) Testing must assess specific areas of educational need and not merely produce a single general intelligence quotient (no single procedure can be used as the sole criterion for determining an appropriate educational program for a student);
- (5) When a student with impaired sensory, manual, or speaking skills is being tested, the testing must ensure that the results accurately reflect the student's aptitude or achievement level, and not the student's impaired skills, unless those skills are to be measured by the testing; and
- (6) A student must be assessed in all areas related to a suspected disability, including, where appropriate, health and development, vision (including low vision), hearing, motor abilities, general ability, academic performance, self-help, orientation and mobility skills, career and vocational abilities and interests, and social and emotional status.

[34 C.F.R. Sec. 300.304.]

In addition, for a child with limited English proficiency, materials and procedures must be selected and administered to measure the extent of a child's disability rather than measuring the child's English language skills [Cal. Educ. Code Sec. 56320(a)(b) & (d).]

In addition, federal law requires that parents give informed consent for student evaluation

procedures and student placement. Informed consent means that a parent must be fully informed of all information relevant to the activity for which consent is sought, in their native language or other mode of communication. [20 U.S.C. Sec. 1415(b)(4); 34 C.F.R. Sec. 300.503(c)(1)(ii).]

State law requires the same protections included in federal law. In addition, the state requires that:

- (1) The assessment plan be provided in the primary language of the parent unless to do so is clearly not feasible;
- (2) Any psychological assessment of students be conducted by a credentialed school psychologist who is trained and prepared to assess cultural and ethnic factors appropriate to the student being assessed; and
- (3) For students whose primary language is other than English, linguistically appropriate goals, objectives, programs and services be included in a student's IEP.

[Cal. Ed. Code Secs. 56320(a), 56321(b)(2), 56324(a), & 56345(b)(2).]

4. A child has been diagnosed with a conduct/behavior disorder, such as oppositional defiant disorder. Can she qualify for special education?

A conduct or behavior disorder or an oppositional defiant disorder is not one of the categories for special education eligibility. However, such a condition may be accompanied by an underlying undiagnosed disability, such as a learning disability, emotional disturbance, or health impairment such as an attention deficit disorder. Therefore, an assessment should be done to determine whether the student qualifies for special education under another category. If not, a Section 504 plan should be explored. The Office for Civil Rights in California has specifically ruled in California that schools must convene a team of assessors to make a determination regarding eligibility under Section 504 for children with disorders such as ADD/ADHD and obsessive compulsive disorder even if the children do not qualify for special education. [*Manteca Unified School District*, 30 IDELR 544, 1998.]

5. If a student is eligible for services under section 504 only, can she receive special education services?

An OCR Memorandum written April 29, 1993, addresses this question:

Yes. If a child...is found to have a disability within the meaning of Section 504, she or she is entitled to receive any special education services the placement team decides are necessary. [19 IDELR 876.] Districts generally are not aware of this OCR legal interpretation. If you believe your child needs special education services to receive FAPE, you should inform the 504 planning team of the above memo before meeting.

6. Must an IEP for a student with a disability include annual goals that address all areas of the general curriculum?

No. The IEP needs to address only areas of the general curriculum affected by the student's disability. If your child's disability affects reading and writing, but not math skills, no general education math goals are required. Functional deficits that impact all or much of the general curriculum can also be addressed by providing appropriate accommodations or modifications to the student in the general education classroom. For instance, a student with attention deficits might be seated in the front of the classroom, or a student with an auditory processing problem might be given a student note-taker.

7. Under what circumstances should the regular teacher of a special education student participate in the IEP?

Federal law and regulations require that a child's regular education teacher, as a member of the IEP team, to the extent appropriate, participate in the development of the IEP. This includes the determination of appropriate positive behavioral interventions and strategies; the determination of supplementary aids and services, program modifications, support for school personnel; and the review or revision of the IEP. [34 C.F.R. Secs. 300.324(a)(3) & (b)(3); Cal. Ed. Code Sec. 56341(b)(2).]

A regular education teacher is required to attend the IEP meeting if the child is, or may be, participating in a general education program. Any member of the IEP team, including the regular education teacher, may be excused from attending if the district and the parent agree in writing. An excused member must still submit input to the team in writing, prior to the meeting, if the meeting is concerned with their area of service or curriculum. [34 C.F.R. Sec. 300.321.]

The law does not address how a school district decides which teacher should attend an IEP meeting. However, the regular education teacher should be someone who has knowledge of the student or a teaching intervention and/or is responsible for implementing a portion of the IEP.

For an IEP meeting at the middle or high school level, where there are multiple regular education teachers for a given student, the law does not require that they all attend. If parents are seeking modifications or accommodations in subjects taught by particular teachers, they may request their presence in writing.

8. What is the difference between a compliance complaint and a due process hearing?

Although people often confuse compliance complaints and due process, the main difference is:

- (1) When there is a disagreement about what should go into a student's IEP, or where to implement the IEP, then due process is appropriate; but,
- (2) When the district has not followed special education laws or procedures or has not implemented what is already specifically written into a student's IEP, then a compliance complaint is appropriate.

In other words, due process procedures involve a disagreement over what a student's program should include, while a compliance complaint involves a failure by the district to follow the rules or to do what has already been agreed to in writing in the IEP.

9. If my child cannot benefit from the regular academic program, can she participate in other school programs?

Yes. The law is clear that students with disabilities have the right to participate in nonacademic and extracurricular services and activities to the maximum extent appropriate to their needs. Further, districts must provide these activities in a way that gives students with disabilities an equal opportunity to participate. Such services and activities include meals, recess, counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs, and employment opportunities. [34 C.F.R. Secs. 300.117 & 300.107.] Every IEP must include a statement of the special education and related services that will be provided for the student to be involved and participate in extracurricular and other nonacademic activities. [20 U.S.C. Sec. 1414(d)(1)(A)(i)(IV); 34 C.F.R. Sec. 300.320(a)(4)(ii).]

10. A child is integrated into the regular classroom during the regular academic year. Should that integrated programming be available during the “extended school year”?

If “extended school year” (ESY) services are available to regular education students in the school district, and if the child’s IEP includes integration in the regular classroom during the regular academic year, those integrated services must be provided during the extended school year. [5 C.C.R. Sec. 3043(h).]

11. A child, who is being expelled, has not been made eligible for special education, but since the incident occurred the parent has requested an evaluation. What will happen with the child’s placement while waiting for the results of that evaluation?

When the parent has 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, the child will remain in the educational placement determined by school officials. This means that the 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).]

12. Can a child be expelled from just the transportation portion of his school program?

Yes. However, if the child is excluded from school bus transportation, and transportation is a part of his IEP, he is still entitled to an alternative form of transportation at no cost to the parent. [Cal. Ed. Code Sec. 48915.5(c).] An IEP meeting must be held before excluding the child from the bus, as this is a change in IEP service.

13. I am a special education student’s grandparent and the child lives with me. Am I authorized to act as the “parent” in the special education process?

A grandparent in this situation is authorized to act as the parent in the IEP and other special education processes under federal and state law. In fact, any individual acting in the place of a biological or adoptive parent, with whom the child lives, may also assume this role. This includes a stepparent, other relative caretaker, a guardian, etc. [34 C.F.R. Sec. 300.30(a)(4); Cal. Ed. Code Sec. 56028(a)(4).] A parent or guardian may designate another adult to represent the student. [Cal. Gov. Code Sec. 7579.5(n).]

14. If a child receives instruction at home, can the district require that a parent be present during periods of instruction?

Although there is no California law or case requiring a parent to be at home during periods of instruction, such a policy would probably be upheld for a child under 18. The one federal court of appeals that addressed this question found that such a policy does not violate the Individuals with Disabilities Education Act (IDEA) or Section 504. [*Daniel O. v. Missouri State Board of Ed.*, 210 F.3d 378 (8th Cir. 2000).]

15. Can the school district agree to provide a child with a person to perform needed health care services only during school hours, but not for after-school activities or while being transported?

No. For students with IEPs and those with 504 plans, Section 504 prohibits discrimination against students with disabilities. Preventing students with disabilities from participating in extra-curricular and non-academic activities (such as counseling services, physical and recreational activities, transportation, special interest groups or school-sponsored clubs, during or after school) is a form of

discrimination. [34 C.F.R. Sec. 104.37.] In addition, if a student's IEP specifies any of these types of activities, the related services necessary to enable that student to participate, such as nursing services, must be provided in order to comply with the IEP. [34 C.F.R. Sec. 300.107.]