

Special Education Handbook



ACKNOWLEDGMENTS

Welcome to the Lynwood Unified School District (“LUSD”) Special Education Handbook. It is with delight that I introduce you to this resource! In simple terms, this document was written to give the reader easy access to answers about how special education is supposed to be done, and how LUSD complies with the state and federal laws that are designed to assure that our children and youth with disabilities receive a free, appropriate public education. This handbook serves as the official source of directive for the adults in LUSD who are responsible for educating our students.

This handbook is a resource for staff and parents to understand the legal requirements and the way each aspect of special education should be implemented. While professional development will continue to be offered, and special education administrators and teachers are available as resources, I want to be clear that employees are responsible for following the procedures outlined in this handbook.

I want to thank all the people who helped to pull this information together, especially the Lynwood Teachers Association (“LTA”) members who were part of the Handbook Committee and work extremely hard to develop this handbook. These LTA members are as follow:

Stefanie Fairell-Smith, SDC Preschool teacher

Fahima Akbar, RSP Elementary Teacher

Kristen Godoy, SDC/CLM Lindbergh Elementary Teacher

Kandee Johnson, SDC Elementary Teacher

Justyn Brisbon, SDC/CLM Middle School Teacher

Daniel Gallegos, RSP Middle School Teacher

Tracye Ross-Hale, RSP Middle School Teacher

Jorge Bravo, SDC Firebaugh High School Teacher

April Hannon, RSP Lynwood High School Teacher

Calvert Wright, SDC/CBI Lynwood High School Teacher

Ivonne Lopez, School Psychologist

The following Special Education Department staff worked directly or indirectly to put together this handbook:

☐ Special Education Administrators

↪ Dr. Héctor H. Márquez-Mesa, Director of Special Education

↪ Dr. Rejielyn Cerdenio, Director of Occupational Therapy

↪ Ms. Lavyddya Anderson, Special Education Coordinator

↪ Dr. Yvette Mayhorn-Harps, Special Education Coordinator

↪ Mr. Matthew Adair, Special Education Coordinator

- ❑ Program Specialist
 - ↳ Mr. Kyu Park
 - ↳ Mrs. Dora Rios
- ❑ Health Services Specialist
 - ↳ Mrs. Sue Poh,
- ❑ Administrative Assistants
 - ↳ Ms. Alexandra Chavez, Secretary
 - ↳ Ms. Maribel Montes, Office Assistant
 - ↳ Mrs. Maria Romero, Office Assistant

These employees pulled together an amazing volume of information into an excellent tool, in a short period of time.

We understand the Special Education handbook does not have a finished date for it will need to be updated as needed in order to reflect new federal, state, local, and/or SELPA requirements. As such, this Special Ed Handbook will be a living document that will be updated on an annual basis.

Last but not least, we would like to thank our district leadership:

- Dr. Gudiel R. Crosthwaite, Superintendent
- Dr. Shawna Dinkins, Deputy Superintendent
- Dr. Gretchen Janson, Assistant Superintendent of Business Services
- Dr. Brian Lucas, Assistant Superintendent for Human Resources
- Dr. Patrick Gittisriboongul, Assistant Superintendent for Technology & Innovation

Special Education Department's Goals & Objectives

Special Education Department Goals

- 📖 Ensure students with disabilities are provided access to the general education curriculum and extra -curricular activities in the regular education setting to the maximum extent possible with assistive supports to maintain the student in the appropriate public school where the student would attend if not disabled.
- 📖 Support and facilitate parent involvement/participation in the special education process as well as parent/community workshops and training as it pertains to special education.
- 📖 Provide and sustain a balance of life skills, academic skills, social-emotional support, and transition curricular options base on student's and ever changing/evolving abilities, interest, and future goals.
- 📖 Promote collaborative practices across educational settings between regular staff, special educators, and related service providers.
- 📖 Maintain a constant effort towards continued staff development on current educational trends and educational issues.
- 📖 Ensure participation of all students with disabilities in state, school system, or alternative assessments.
- 📖 Ensure compliance with state and federal regulations regarding students' annual IEP reviews, re-evaluation procedures, and periodic program updates.
- 📖 Use state and federal guidelines to maintain timely procedures for the identification processes for students suspected of having disabilities.
- 📖 Ensure participation in and dissemination of information concerning the transition process for students with disabilities and their parents.
- 📖 Incorporate a formative evaluation process with a stakeholder advisory committee comprised of community members, local school system staff and parents, to maintain continuous improvement.
- 📖 Collaborate with local, state, private, and community agencies to establish, implement and maintain local interagency planning of programs for students with disabilities.

In order to fulfill its mission, the Lynwood USD Special Education Department supports:

- School administrators who welcome all children and strive to develop appropriate support for all children.
- Systemic and school-based practices that reflect the needs of all students.
- Efficient use of funds and educational resources for all students, including incentives for engaging in positive inclusive educational practices.

TABLE OF CONTENTS

Acknowledgments	2
-----------------	---

Special Education Department's Goals & Objectives	4
---	---

Chapters

1. Child Find Procedures	10
---------------------------------	-----------

2. Services for Infants and Toddlers with Disabilities	11
---	-----------

Assessments for Service Planning	12
----------------------------------	----

Eligibility	12
-------------	----

IFSP and Services	13
-------------------	----

Staffing	14
----------	----

3. Services for Preschool Age Students With Disabilities	15
---	-----------

New (Direct) Referrals	15
------------------------	----

Conducting The Evaluation	15
---------------------------	----

IEP Meetings/Content of IEPs	17
------------------------------	----

Services	17
----------	----

Transition to Kindergarten	17
----------------------------	----

4. Referrals	19
---------------------	-----------

Section 504	19
-------------	----

Special Education	19
-------------------	----

Determining Whether A Student Needs an Assessment	23
---	----

Section 504 and Special Education	25
-----------------------------------	----

5. Procedures for Determining Eligibility	25
--	-----------

Overview of Eligibility	25
-------------------------	----

6. Special Education Assessment & Evaluation	31
---	-----------

Developing a Special Education Assessment Plan	31
--	----

Conducting the Assessment	32
---------------------------	----

Re-Assessment	33
---------------	----

Assessment Report	34
-------------------	----

Discussing Results with IEP Team	35
----------------------------------	----

Parent Refusal to Allow Evaluation	35
------------------------------------	----

District Refusal to Conduct Evaluation	36
--	----

Timelines	36
-----------	----

IEP Team Assessment Review	37
----------------------------	----

Assessments for Related Services	38
Independent Education Evaluations (“IEE”)	38
7. Individualized Education Programs (“IEPs”)	40
Timelines	40
IEP Team Composition	41
Preparation for IEP Meeting	43
Structuring the IEP Meeting	45
Amending IEP Document	46
IEP Meeting Follow-Up	48
8. English Language Learners with Disabilities	49
9. Related Services	51
Speech and Language Pathology	51
Audiological Services	54
Orientation and Mobility Services	56
Vision Services	58
Specialized Services for Low Incidence Disabilities	59
Adapted Physical Education	62
Physical and Occupational Therapy	65
Counseling	67
School Health and School Nursing Services	68
Additional Adult Assistant (“AAA”)	74
American Sign Language Interpreting Services	75
10. Additional Adult Assistant (“AAA”)	77
Additional Adult Assistant Procedure	77
AAA: The Five Steps Process	80
11. Transportation	84
Factors to consider	86
12. Extended School Year	88
13. Behavior Interventions	92
Behavioral Interventions, Strategies, & Supports	92
Behavior Support & Intervention Within IEPs	93
Assessments	94
Emergency Interventions	95

Behavioral Emergency Report (“BER”)	96
14. Student Discipline Procedures	98
Behavioral Expectations for All Students	98
Manifestation Determination	103
45 Day Interim Alternative Educational Setting	105
Discipline for Students NOT Yet Eligible	107
Reporting Crimes to Law Enforcement	108
Appeal Process	108
Transportation During Suspension/Expulsion	109
15. Transition Between Grades & Schools	110
Preschool to Kindergarten	110
Elementary School to Middle School	110
Middle School to High School	111
Transition To/From Private/Charter Schools	111
Transition From More Restrictive Placement	112
Summary of Procedures for Mainstreaming NPS Students	112
16. Non-Public Schools (“NPSs”)	116
17. Charter & Private Schools	117
18. Home Hospital Instruction Procedures	118
Instruction in the Home or Hospital	118
19. Exiting Students from Special Education Program	121
Students No Longer Eligible for Special Education	121
Graduation/Completion	121
Summary of Performance Completion Guidelines	122
Student Transferred Out of LUSD	125
Revocation of Special Education Services	125
Truant Student Over 18	126
20. Post-Secondary Plans	128
Post-Secondary Education: Planning for the future	128
Transition Assessment	129
Individualized Transition Plans	130
Post-Secondary Goals	132
Course of Study	134

Summary of Performance/Post-Secondary Exit	136
Graduation Plan and Alternatives	137
Transfer of Education Rights to Students/Age of Majority	137
21. Procedurals Safeguards	139
22. Alternative Dispute Resolution (“ADR”)	141
Alternative Dispute Resolution Program at LUSD	141
23. Parent Rights/Informed Consent	143
Informed Parent Consent and Signature	143
Educational Rights Holder	143
Initial Evaluations	145
Reevaluations	146
IEP Notes	146
24. Records Requests	149
25. Acronyms in Special Education	150

APPENDICES

- A. Additional Adult Assistant Steps, Procedures, & Protocols
- B. Behavior Emergency Report (“BER”): SELPA
- C. Change of Placement (mild/moderate) Form
- D. Change of Placement (moderate/severe) Form
- E. AB 167/216 Notification Letter & Exemption Verification Form
- F. JV535 Form – Ed Rights Holder Request Form
- G. Parents’ Rights and Procedural Safeguards (English)
- H. Parents’ Rights and Procedural Safeguards (Spanish)
- I. Assessment Plan Form (English)
- J. Assessment Plan Form (Spanish)
- K. IEP MIS Cover/Data Report Form
- L. GLAAS Agreement
- M. LUSD Home Hospital Instruction Cheat Sheet
- N. Home Hospital Services Program How to ... IEPs
- O. LUSD Referral for Special Education Evaluation
- P. Least Restrictive Environment (“LRE”) Chart (English)
- Q. Least Restrictive Environment (“LRE”) Chart (Spanish)
- R. Release Of Information (“ROI”) Form (English)
- S. Release Of Information (“ROI”) Form (Spanish)

CHAPTER I

Child Find

The Child Find process requires Lynwood Unified School District (“LUSD”) to identify, locate, and evaluate all children with disabilities residing in its jurisdiction. This obligation includes all students who attend private (including religious) schools, migrant or homeless students, students who are wards of the State, and students with suspected disabilities who are advancing in grade level. (20 USC §1412 (a)(3)(A), 20 USC §1412 (a)(10)(A)(ii)(I), 34 CFR §300.111, 34 CFR §300.131, 34 CFR §300.111(c)(2), 34 CFR §300.101(c), 30 EC §56301)

It is important to note that Child Find is a screening process that identifies children who have a disability, or are suspected of having a disability, and may need special education and related services. Children identified through the Child Find process shall still be assessed to confirm eligibility. For more information on Disability Assessments, reference **Chapter VI: Procedures for Determining Eligibility**.

LUSD shall actively and systematically seek out all children with exceptional needs who reside within the school district by engaging in the following activities:

- ☐ Distribute written information to all schools in the area, as well as to other agencies that are likely to encounter children with special needs.
- ☐ Provide information on the internet.
- ☐ Offer training to private school employees.
- ☐ Develop pamphlets about the availability of special education services and how to access them.
 - ↳ Reach out to the City of Lynwood community through:
 - ↳ Early Start and special education disability referral information sent to doctors and clinics.
 - ↳ Public Service Announcements.

More specific information concerning Child Find is provided in the following chapters of this handbook:

- ☐ Chapter II: Service for Infants and Toddlers with Disabilities
- ☐ Chapter III: Services for Preschool Age Students with Disabilities
- ☐ Chapter V: Referrals
- ☐ Chapter XVIII: Students Enrolled in Private Schools by Parents

CHAPTER II

Services for Infants and Toddlers with Disabilities

The state's Early Start program is the service delivery system established by the [California Early Intervention Services Act](#). The program, which is also governed by the Early Support Services Act ([Part C of IDEA](#)), provides early intervention services to infants and toddlers up to 36 months of age who have a [developmental delay](#) or for whom there are [established risk conditions](#) or [high-risk biomedical factors](#) that could lead to a delay.

The individualized early intervention services for infants who are at high risk or who have a disabling condition, and for their families, provide educational, developmental, health, and social services. With active parent involvement, these supports can significantly reduce the potential impact of many disabling conditions and positively influence later development when the child reaches school age (California Early Intervention Services Act, *14 GC §95000*).

Infants and toddlers have unique needs and therefore require a unique service delivery model, which is different from the system for school age children. Specialized programs and personnel standards are specific to the needs of infants and toddlers who are at high risk or who have a disabling condition and to their families.

Partnership - Early Start services are services for eligible infants and toddlers. The [South Central Los Angeles Regional Center](#) (“SCLARC”) provides these services for families in the City of Lynwood. LUSD provides Early Start Services to solely low incidence eligible infants and toddler.

- ❑ *South Central Los Angeles Regional Center’s mission and responsibilities are the result of two major legislative acts: the [Lanterman Developmental Disabilities Services Act](#) and the [California Early Intervention Services Act](#). Additional information on services from SCLARC can be found at <https://sclarc.org/>*
- ❑ LUSD’s contracts with regionalized programs to provide Early Start programs to serves infants and toddlers eligible with “solely low incidence” disabilities (hearing impairments, vision impairments, or severe orthopedic impairments) who reside within the District’s geographical boundaries.

Child Find - As LUSD is responsible for serving solely low incidence eligible infants and toddlers, referrals are processed from the California Department of Education, St. Francis Medical Center, doctors and South Central Los Angeles Regional Center.

Assessments - South Central Los Angeles Regional Center and LUSD, through contracted regionalized programs, conduct evaluations to determine eligibility for Early Start services.

Services - Specialized instruction and other services are provided to eligible infants/toddlers and their families in their homes, at center-based programs and community preschool programs, including Early Head Start. An *Individualized Family Services Plan (IFSP)* is developed to document services agreed upon by the IFSP team. Services on the IFSP are provided to the maximum extent appropriate:

- ☐ In natural environments that are natural or typical for a same-aged infant or toddler without a disability, which may include the home or community settings; and
- ☐ In settings other than the natural environment that are most appropriate, as determined by the parent and the IFSP Team, only when early intervention services cannot be achieved satisfactorily in a natural environment. (34 CFR §303.26, 34 CFR §303.126, 34 CFR §303.13(a) (8), 34 CFR §303.344 (d))

A. ASSESSMENT FOR SERVICE PLANNING

Assessment Teams:

- ☐ Assessment for service planning for eligible infants or toddlers shall identify all of the following:
 - ⇒ The infant or toddler's unique strengths and needs in all areas of development.
 - ⇒ Early intervention and other services appropriate to meet the needs identified.
 - ⇒ The resources, priorities and concerns of the family and the supports and services necessary to enhance their capacity to meet the developmental needs of an infant or toddler with a disability.
- ☐ For purposes of service planning, South Central Los Angeles Regional Center and LUSD contracted regionalized program may use existing evaluation materials if the multidisciplinary team agrees that the existing resources adequately describe the levels of development and service needs for the infant or toddler.
- ☐ Assessment for service planning shall be based on age-appropriate methods and procedures, which may include any of the following:
 - ⇒ A review of information related to the infant or toddler's health status and medical history provided by qualified health professionals who have evaluated or assessed the infant or toddler.
 - ⇒ Developmental observations by qualified personnel and the parent
 - ⇒ Other procedures used by qualified personnel to determine the presence of a developmental delay, established risk condition or high risk for a developmental disability; and
 - ⇒ Standardized tests or instruments.
- ☐ Assessments of family resources, priorities and concerns related to enhancing the development of the infant or toddler shall be voluntary on the part of the family. The family assessment shall:
 - ⇒ Be conducted by qualified personnel trained to utilize appropriate methods and procedures.
 - ⇒ Be based on information provided by the family through a personal interview;
 - ⇒ Incorporate the family's description of its resources, priorities and concerns related to enhancing the development of the infant or toddler; and
 - ⇒ Be conducted in the language of the family's choice or other mode of communication unless it is not feasible to do so.
- ☐ Assessments for service planning shall be conducted in natural environments whenever possible.

B. ELIGIBILITY

Early Start assessment team evaluates infants and toddlers with solely low incidence disabilities: Vision Impairment, Hearing Impairment and Orthopedic Impairment. The eligibility for infants and toddlers with a low-incidence disability is the same as for school-age students. Refer to Chapter VI: Procedures for Determining Eligibility in this manual for more information.

C. IFSP AND SERVICES

Parents must be invited to participate in the IFSP and given the option to request the meeting be rescheduled if they are unable to attend at the offered time.

The IFSP shall include a statement of the major outcomes expected to be achieved for the child and family, as well as the criteria, procedures, and timelines used to determine:

- ☐ The degree to which progress toward achieving the outcomes is being made; and
- ☐ Whether modifications or revisions of the outcomes or services are necessary (34 CFR §303.344(c))

Early education and related services shall be based on the needs of the infant and the family as determined by the Individualized Family Service Plan (IFSP) team and shall be specified in the IFSP. Any early education or related service may be provided only upon written parent/guardian consent. (30 EC §56426.8(a))

The IFSP for any infant shall be developed in consultation with the infant's physician in order to ensure that the services specified in the plan do not conflict with the infant's medical needs. (30 EC §56426.8(b))

The IFSP shall include statements of the specific early intervention services necessary to meet the unique needs of the infant or toddler and the family to achieve the outcomes including: (17 CCR §52106(b)(6)(A)-(F))

- ☐ The frequency, intensity, and method of delivering the services
- ☐ The location where the services will be delivered
- ☐ The statements of location shall specify the natural environments such as home, child care, school program, or private program where early intervention services shall be provided
- ☐ The statement shall include a justification of the extent, if any, to which the services will not be provided in a natural environment
- ☐ The projected date for initiation of each service
- ☐ The anticipated duration of the services
- ☐ The scheduled days when services/programs will not be available when the service provider operates a program which has a fixed schedule, which includes breaks in service for periods such as holidays or vacations; and
- ☐ The service provider providing each early intervention service

These services are provided by either South Central Los Angeles Regional Center or LUSD contracted regionalized program.

Services provided are home-based programming until the child is 18 months old. A center-based model is available for deaf and hard-of-hearing toddlers based upon recommendation from the IFSP team. California Children's Services (CCS) provides all medically necessary OT and PT for CCS eligible children/infants.

- ❑ In the event the infant or toddler or infant or toddler's parent/guardian is not eligible to receive CCS services, or funding for the program is unavailable, the required early intervention services shall be provided by the South Central Regional Center or by LUSD if the child is eligible for the solely low incidence program
- ❑ The parent shall be informed in writing of this provision during the initial 45-day evaluation and assessment period and/or during the IFSP meeting.

D. STAFFING

Early education services for infants/toddlers with solely low incidence disabilities shall be provided by contracted regionalized program staff. Each team member shall be responsible for providing and coordinating early education services for one or more infants and their families and shall serve as a consultant to other team members and as a provider of appropriate related services to infants in the program. *(30 EC §56426.6(a))*

A person who is authorized to provide early education or related services to infants shall have appropriate experience in normal and atypical infant development and an understanding of the unique needs of families of infants with exceptional needs, or, absent that experience and understanding, shall undergo a comprehensive training plan for that purpose. The plan shall be developed and implemented as part of the staff development component of the local plan for early education services. *(30 EC §56426.6(d))*

Credentialed personnel with expertise in vision or hearing impairments shall be made to early education programs serving infants identified as a student with a visual impairment, hearing impairment or deaf-blindness and shall be the primary providers of services under those programs whenever possible. *(30 EC §56426.6(b)), (5 CCR §3030 (a), (b))*

Transition from the Early Start Program

Chapter III: Services for Preschoolers with Disabilities describes the process of transitioning from Early Start to Preschool. In addition:

- ❑ Any child who becomes three years of age while participating in Early Start services may continue until June 30 of the current program year if the IEP team determines that the preschooler is eligible, develops an IEP, and determines that the early childhood special education services remain appropriate.
- ❑ No later than June 30 of that year, the IEP team shall meet to review the preschooler's progress and revise the IEP accordingly. The IEP team meeting shall be conducted by LUSD. Representatives of the early childhood special education program shall be invited to this meeting. If a child's third birthday occurs during the summer, the child's IEP team shall determine the date when services under the IEP will begin. *(34 CFR §300.101(b)), (EC §56426.9(d)).*

Chapter III *Services for Preschool Age Students With Disabilities*

Federal laws for preschool children fall under Part B of IDEA. LUSD shall identify preschool children aged 3 to 5 with disabilities through:

- ☐ Child Find activities listed in Chapter 1: Child Find Procedures of this handbook.
- ☐ Direct referrals from parents, preschools, physicians, members of the community, etc. More information regarding referrals is located within Chapter IV: General Education Interventions.
- ☐ Identification of children who are in transition from the Early Start Program with South Central Los Angeles Regional Center or regionalized Early Start Program for children with solely low incidence disabilities.

LUSD shall serve eligible children with disabilities ages 3 to 5 to the greatest extent possible with typically developing peers. As with school aged youth, a range of services is provided for early intervention in the least restrictive environment. All services are based upon assessment and eligibility as determined by the IEP team.

Each eligible preschool child shall receive a transition IEP meeting to prepare for kindergarten.

A. New (Direct) Referrals

- ☐ If parent/guardian or staff is concerned about the development of a preschool aged child, the school can hold an SST meeting and develop school-based interventions to address the concern.
- ☐ Parents and school employees can request the SST directly at the school site.
- ☐ The parent/legal guardian can skip the SST procedures and make a direct request to assess their child for special education services.
- ☐ For a Referral Packet, contact the Special Education Department at:

Preschool Intake Team
4050 E. Imperial Hwy
Lynwood, CA 90262
Phone: 310.886.1600 x8139 or Fax: 310.639.6096

- ☐ Per Ed Codes 56043(b) & 56321(c)(4), within 15 calendar days of receipt of a request for assessment (or a referral packet), the family will receive either an assessment plan or letter known as prior written notice (“PWN”) outlining why an evaluation is not warranted at this time.
- ☐ An evaluation shall be conducted (with parent/guardian consent) for all suspected disabilities.
- ☐ Per Ed Codes 56043(c) & 56302.1 an IEP meeting reviewing the evaluation report and offering placement and services (if any) shall be held within 60 calendar days of the parent/guardian consent on the assessment plan.

B. Conducting The Evaluation

In conducting the evaluation, evaluators shall use a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the child, including information provided by the parent that may assist in determining whether the child is a child with a disability under IDEA. Please refer to Chapter VII: Special Education Assessment and Evaluation for further information on initial assessment.

A preschool child, between the ages of three and five years, qualifies as a child who needs early childhood special education services if the child meets the following criteria: *(EC §56441.11(b))*

- ☐ Autism
- ☐ Deaf-blindness
- ☐ Deafness
- ☐ Hearing impairment
- ☐ Intellectual disability
- ☐ Multiple disabilities
- ☐ Orthopedic impairment
- ☐ Other health impairment
- ☐ Serious emotional disturbance
- ☐ Specific learning disability
- ☐ Speech or language impairment in one or more of voice, fluency, language, and articulation
- ☐ Traumatic brain injury
- ☐ Visual impairment
- ☐ Established medical disability
 - ↳ This means a disabling medical condition or congenital syndrome that the individualized education program team determines has a high predictability of requiring special education and services *(EC §56441.41(d))*

When standardized tests are considered invalid for children between the ages of three and five years, alternative means which include scales, instruments, observations, and interviews shall be used as specified in the assessment plan. *(EC §56441.41(e))*

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

- ☐ Unfamiliarity with the English language *(EC §56441.41(c)(1))*
- ☐ Temporary physical disabilities *(EC §56441.41(c)(2))*
- ☐ Social maladjustment *(EC §56441.41(c)(3))*
- ☐ Environmental, cultural, or economic factors *(EC §56441.41(c)(4))*

Transitioning from the Early Start Program - LUSD receives notification from South Central Los Angeles Regional Center ("SCLARC") of a potentially eligible child 90 days before the child's third birthday.

- ❑ The transition Individual Family Service Plan ("IFSP") meeting shall take place no later than 90 days and as early as 6 months before a child's third birthday. The parent/guardian, SCLARC service coordinator, and a school district representative shall discuss the referral and assessment process. No service decisions shall be made, but the team shall develop an informal transition plan that includes school referral and care options. The LUSD district representative shall either mail an assessment plan, or a letter (Prior Written Notice) explaining why the District will not go forward with the assessment.
- ❑ An assessment shall be completed once consent has been provided. An IEP meeting will determine eligibility and design services with the intent for these services to begin on the child's 3rd birthday if they are eligible as a child with a disability under IDEA.

C. IEP Meetings/Content Of IEPs

An LUSD representative shall attend the Transition IFSP meeting prior to an IEP for a child turning 3 years old. The initial IEP meeting (no longer an IFSP) at age 3 shall include all the required components of the IEP for school-aged students. The content of the child's IEP shall include information related to enabling the child to be involved in and progress in the general education curriculum (or for a preschool child, to participate in appropriate activities). (20 USC §§1414(b)(1)-(3), and 1412(a)(6)(B), 34 CRF §300.304(b)(1)(i-ii)) Refer to Chapter VIII: Individualized Education Program ("IEP") for more information on development of the IEP.

D. Services

Delivery Options

Students shall be provided services in the least restrictive environment ("LRE") as determined by the IEP team. The following descriptions broadly describe service delivery options available in Early Education settings to assist in IEP development:

- ❑ **Related Services:** Related services are designed to address specific, specialized interventions when necessary for a student to benefit from special education services. Services are provided by a credentialed or licensed specialist or by a specifically trained instructional aide under the direction of the specialist. These services may include speech and language therapy, physical therapy, occupational therapy, vision services, orientation and mobility, nursing, audiological services, and mental health services.
- ❑ **Preschool Behavior Intervention Services:** Behavioral Intervention Services shall be provided based on methodologies and best practices for children with Autism. Programs are developed and implemented based on students' unique strengths, needs and motivations.

- ☐ **Special Day Class:** Early Childhood Special Educators shall provide intensive instruction to support goal progress and peer engagement. This program provides 4 hours per day, 5 days per week of service provided by a Special Education teacher in a separate classroom.

Location of Services

A range of services is available to support the child's success in their early education environment including

- ☐ LUSD Early Education and Pk-5 co-located settings
- ☐ Related Services settings
- ☐ Head Start preschool programs

As Early Education and Special Education continue to collaborate to jointly meet the unique needs of our students, location and type of services may change.

E. Transition to Kindergarten

Exiting the Preschool Program and Transitioning to Kindergarten:

- ☐ Every Preschool aged child with an IEP whose last assessment was more than one year ago, shall be offered an assessment prior to entering kindergarten in order to determine if the child is still eligible for services as well as to determine goals, services, and placement for kindergarten.
- ☐ During the spring semester, an assessment plan shall be generated and sent to the preschool child's parent/guardian to initiate the assessment process.
- ☐ The assessment team shall complete an assessment before the student enters kindergarten to determine if the student continues to be eligible for special education under Part B of IDEA.
- ☐ The student's case manager shall coordinate a meeting with assessment staff and receiving kindergarten staff to review results and complete the IEP to aid in the transition to kindergarten. Representatives of the preschool providers and the new kindergarten providers are to participate in this transition IEP.

Exiting the Preschool Program to General Education

- ☐ Prior to transitioning a child from a preschool program to kindergarten, an appropriate reassessment shall be conducted to determine if the child still requires special education and related services.
- ☐ Gains made in the special education program for children who received special education and services in preschool are not to be lost by too rapid a removal of individualized programs and supports for these students.
 - ↳ As part of the transitioning process, a means of monitoring continued success of the student shall be identified by the IEP team for those students in kindergarten or first grade equivalency who are determined to be eligible for less intensive special education programs.
 - ↳ For a child who is exiting special education after preschool, the IEP team shall note the present levels of performance and learning styles. This information shall be made available to the assigned general education teacher upon the student's enrollment in kindergarten or first grade (30 EC §56443(d)).

Chapter IV

Referrals

Protections and services are available to students with disabilities under Section 504 and special education. Students who require accommodations, such as assistance on stairways or nursing services for monitoring Type I diabetes, are served under the protections of Section 504. If the student may require specially designed instruction (including adapting the content, methodology, or delivery of instruction) to ensure access to the general curriculum or meet other needs resulting from the disability, (34 C.F.R Sec 300.39(b)(3)) the student shall be referred for evaluation to determine eligibility for special education. Students who are eligible for special education services also have the protections of Section 504.

A. Section 504

Section 504 of the Rehabilitation Act of 1973 (updated May 2022) protects individuals with disabilities against discrimination. It applies to all members of the community with disabilities, both adults and students. The LUSD **Section 504** Rehabilitation Act Program (Section 504) enables a student who, because of a disability, needs or is believed to need special accommodations and/or related services to access these accommodations/services.

504 Nondiscrimination Provision - The primary areas that apply to public schools are those that focus on employment practices, program accessibility, and preschool, elementary and secondary education. **Section 504** mandates that no qualified individual with a disability shall, on the basis of disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity of any entity that is a recipient of Federal financial assistance. (34 CFR §104.4(a))

Definition of 504 Disability - Under **Section 504**, a disabled person is one who has:

- ☐ A mental or physical impairment that substantially limits one or more major life activities,
- ☐ Has a record of such an impairment, or
- ☐ Is regarded as having an impairment.

B. Special Education

Through the referral and assessment process, LUSD must determine whether a student is eligible to receive special education and related services to meet their educational needs. Some students may display learning or behavioral problems that could be addressed through a multi-tiered system of support ("MTSS") interventions within the general education setting.

Referral for Assessment for Special Education

The identification of a student who has a disability that requires special education intervention shall be based on stakeholder's referrals/requests. As required by Education Codes 56043(a) & 56321(a) the district must send the parent/legal guardian with educational rights a notice of intent to assess the student and an assessment plan for their written approval within 15 calendar days of receipt of the referral.

Individuals Who May Request an Assessment -

A student may be referred for an evaluation for special education services at any time by the student's parent/legal guardian, teacher, or other service provider. Staff of other public agencies may also request an assessment of students. Referrals pertain to students enrolled in LUSD, residing in LUSD boundaries, or attending a nonprofit private school in LUSD's boundaries.

- ☐ *Assessment plans in languages other than English are located in the Special Education Google Classroom.*

School Aged Students - The majority of students will be referred by school staff through the Student Study Team ("SST") process, 504 Plans, and/or by a general education teacher. Additional information on the SST may be found in Chapter IV: General Education Intervention. The SST process provides valuable information on the student's strengths and needs, response to general education interventions and possible indicators of a disability. Generally, the referring party should contact the school principal/designee at the local school site in which the student resides. The referring party shall first discuss the concern with the parent and obtain a release of information ("ROI") to any private professionals who have knowledge of the child's needs to facilitate communication with the referring party, the school staff, and the family. Usually the principal/designee will initiate the Student Study Team (SST) process to consider the concerns of the referring party and provide appropriate interventions and supports.

For students who were monitored through the SST process, documentation shall be included:

- ☐ Researched-based academic interventions implemented;
- ☐ Language/speech interventions implemented;
- ☐ Behavioral interventions implemented; and
- ☐ Student work samples, report cards, and review of records.

These interventions shall be done with fidelity and implemented for review by a pre-determined date.

Written Referral by Parent - A parent has the right at any time to refer his/her child for an assessment to determine if the child has a disability which requires special education services to receive educational benefit. **The SST or 504 Plan process cannot be a prerequisite for assessment.**

- ☐ ***LUSD Residents.*** LUSD resident parents of school-aged students shall contact their child's teacher, principal, or contact the Special Education Department to request an assessment.
- ☐ ***Non-LUSD Residents.*** Non-LUSD resident parents with children who attend a private school located within LUSD's jurisdiction shall contact their home district for assessment information and plan. Lynwood USD is required to comply with the Greater Los Angeles Area SELPAs ("GLASS") Private School Agreement.
- ☐ LUSD highly recommends that referrals must be in writing, signed, dated, and include a brief reason for the referral. However, this is not a legal requirement and a verbal request is sufficient to start the assessment process. Request for assessment can be made in any language.

- ❑ If the request is received orally or if a parent does not submit a written request, the individual receiving the request must communicate with the parent to learn the basis for the referral and document the information with the date the request was completed. A district employee must offer to help the parent put the request in writing. This includes assisting parents who may not understand the process or know how to request a referral.
- ❑ If the referral does not include the basis for concern, the district employee receiving the referral must ask the parent for this information, document the response/information, and attach it to the request. The principal/designee may ask the parent to provide any relevant information about the student, including any reports, prior assessments, health records, school records from other schools, etc., to avoid duplication of information and to assist the school psychologist or speech language pathologist in making appropriate decisions.
- ❑ The principal/designee should explain the SST process, if appropriate, and recommend the SST review the referral and suggest appropriate interventions. The interventions could include a referral for an assessment to determine if the child has a disability within the 15 calendar days required by Education Codes 56403(a) & 56321(a).
- ❑ The parent, however, has the right to decline participation in the SST process and proceed directly to the special education assessment process.
- ❑ If the parent declines the SST, within 15 calendar days of receipt of the referral, the district representative must send a Prior Written Notice, with an enclosed copy of the Notice of Procedural Safeguards, and either:
 - ↳ Explain the reason(s) the district declines to assess the child for special education eligibility at the time, or
 - ↳ Include the assessment plan describing the areas of proposed assessment for parent signature and indicate to whom the assessment plan shall be returned.

Written Referral by Other Individuals outside School - LUSD's extensive Child Find efforts, as outlined in Chapter I: Child Find, inform other professionals in the community, including other agency staff and physicians, about the process for referring students they suspect may have a disability for an evaluation. This may include homeless students, students in foster care, students who are wards of the court, incarcerated students, etc.

Young Children - The Special Education Pre-k Intake Unit receives referrals for children younger than school age. Refer to Chapter II: Services for Infants and Toddlers with Disabilities and/or Chapter III: Early Education Students for additional information on early childhood referrals.

Immediate Referral - For students described below, the SST process shall be followed to gain more information, but will concurrently require Immediate Referral for special education evaluation.

- ❑ ***Students with Certain Disabilities.*** Students suspected of having significant

disabilities, such as hearing impairment, visual impairment, deaf-blindness, severe and recent traumatic brain injury, intellectual disability (moderate or severe), multiple disabilities, and some students with severe autism, severe orthopedic impairments and/or significant health issues.

- ☐ ***Students with Mental Illness.*** For students suspected of exhibiting a significant mental illness, the school psychologist shall evaluate the student's needs and, as appropriate, contact the Special Education Administrator for consultation and/or initiate a referral for a special education assessment.

Follow-Up Activities

The individual receiving the special education assessment referral shall immediately deliver the referral to the school principal, Special Education Department, school psychologist or speech language pathologist for processing. The employee receiving the signed permission to assess ("PTA") shall date stamp the PTA the same day it is received. A case manager must be assigned to monitor the process.

The assigned IEP case manager shall:

- ☐ Maintain a contact log documenting all actions related to the entire IEP process in order to verify adherence to timelines
- ☐ Notify the school principal and other school site staff members, as appropriate, that a referral has been made for a particular student
- ☐ Facilitate a review of the referral and underlying information to determine if an assessment is appropriate for the student
- ☐ Contact the Special Education Technician assigned to the school in order to add the student to SEIS and his/her caseload. Follow the SEIS Procedure for Special Education Evaluation.

Criteria for Appropriate Assessment Referral - LUSD shall gather the following information to support an appropriate assessment referral whenever possible:

- ☐ **SST Referral** - Evidence that data-based interventions were not sufficient to address the student's needs and the basis for SST's determination that the student may have a disability.
- ☐ **Immediate Referral** - Documentation from medical professionals and/or other agencies that the student has a significant disability, such as hearing impairment, visual impairment, deaf-blindness, severe and recent traumatic brain injury, intellectual disability (moderate or severe), multiple disabilities, and some students with severe autism, severe orthopedic impairments and/or significant health issues.
- ☐ **Suspected mental illness.** Documentation from medical professionals, treatment records and/or other agencies.

Inappropriate Basis for Referral - To ensure that a student is not inappropriately referred for an assessment, LUSD shall provide data-based documentation that the student's lack of educational progress is not **primarily** due to the following:

- ☐ **Reading.** Lack of appropriate, explicit, and systematic instruction in reading which

includes the essential components of reading instruction: phonics, phonemic awareness, fluency, comprehension, and vocabulary.

- ❑ **Math.** Lack of appropriate instruction in math (e.g., if more than 50 percent of the class falls below benchmark on universal screening, lack of appropriate instruction might be suspected)
- ❑ **English Language Acquisition.** If the student's primary language is not English, the teacher or SST members shall consult with the site English Language Development ("ELD") teacher/coordinator and/or staff from the English Language Learner ("ELL") as needed, to ensure that appropriate documentation of the child's English proficiency has been completed. This documentation provides information about the student's proficiency in his/her primary language and helps the team in determining whether there is a learning disability or language difference. Contact English Language Support Services for relevant documentation. The teacher and/or SST shall employ a variety of intervention and support strategies within the general education classroom to accommodate the student's language and cultural background and help resolve the targeted learning and behavior problems.
- ❑ **Cultural & Linguistic Interventions.** Interventions to help resolve difficulties that arise from differences in cultural and linguistic background or from difficulties with the schooling process.
- ❑ **Socio-Linguistic Interventions.** Interventions to help resolve difficulties that arise from differences in socio-linguistic development might include:
 - ↳ Instruction in English language development
 - ↳ Bilingual assistance
 - ↳ Primary language development
 - ↳ Assistance in developing basic interpersonal communication skills
- ❑ **Cultural Factors.** For students from culturally and linguistically diverse backgrounds, data indicates that the school and classroom teacher have been sensitive toward the students' diverse learning needs. In referring culturally and linguistically diverse students for special education services, LUSD shall take care to determine whether learning, language/speech, and/or behavior problems demonstrated by the student indicate a disability or, instead, manifest cultural, experiential and/or socio-linguistic differences.
- ❑ **Environmental or Economic Disadvantage** (e.g., if a majority of low-income students in the class fall below benchmark on universal screening, environmental or economic barriers as a primary factor might be suspected)
- ❑ **Temporary Physical Disabilities**
- ❑ **Social Maladjustment.** Generally, students with emotional disabilities are viewed as having behavior of an "involuntary nature." Students with social maladjustment are viewed as having behavior that is intentional in nature and are generally conceptualized as having a conduct problem.
 - ↳ A Federal District Court viewed social maladjustment as "a persistent pattern of violating societal norms...a perpetual struggle with authority, easily frustrated, impulsive and manipulative." These students are viewed as being capable of behaving appropriately, but they intentionally choose to break rules and violate norms of acceptable behavior. Socially maladjusted students view rule breaking as normal and acceptable. They do not take responsibility for

their actions and often blame others for their problems.

C. Determining Whether A Student Needs an Assessment

The Case Manager shall review the Referral and supporting documentation with the assessment team members. The assessment team members may determine:

- ❑ ***Assessment Is not Warranted*** - If it is determined that an assessment is not warranted, LUSD shall provide the parents a written explanation of the reason for the decision using the *Prior Written Notice* and *Notice of Procedural Safeguards* within **15 calendar days** of receipt of the referral.
- ❑ ***Additional Interventions*** - One option the team may consider is that the student would benefit from additional interventions and progress monitoring. *Note that Additional interventions shall be provided during the assessment process.*
- ❑ ***Assessment Is Warranted*** - Follow the procedures outlined in Chapter VI: Procedures for Determining Eligibility.

Note: This process is not intended to supersede parent-generated requests or delay a request for a special education evaluation as defined in Chapter I: Child Find Procedures for Locating and Identifying Children With Disabilities.

D. Section 504 and Special Education

Referrals to Special Education Eligibility Assessment - If a student with a 504 plan is not making appropriate progress in school with the support of the 504 accommodations and aids and services, and the team believes the student may be eligible for special education; then the 504 Plan team can referral the student for special education assessment.

Referrals for 504 assessment after a student is determined not eligible for special education - If a student was assessed for special education and was not found eligible, the team shall refer to the SST team for consideration or to the 504 assessment to see if the student is eligible as a student with a disability under Section 504. The student must meet the criteria for Section 504 eligibility. This may include students who were in special education but no longer require the services and are no longer eligible for special education. They may have a disability under Section 504 and continue to require accommodations. The site 504 team needs to complete their own assessment or review to determine eligibility.

Students with disabilities do not simultaneously have a 504 plan and an IEP - If a student moves from 504 Plan to special education, the IEP includes all the accommodations and services that the student requires in order to benefit from his/her education. Two separate plans are not maintained. A special education student is not referred simultaneously for a section 504 plan.

Chapter V

Procedures for Determining Eligibility

The federal Individuals with Disabilities Education Act (2004) specifies the broad requirements of national law to provide special education protections and services for eligible students. More specific federal implementation directives are found in the federal regulations. (34 CFR §300)

Each state must enact state law and implement regulations compatible with federal law. California law and regulations are found in Education Code and Title 5 regulations. (30 EC §56000, 5 CCR §3000). In some sections California refers to “individuals with exceptional needs” (IWENS) as another name for federal references to children with disabilities. The following information describes the LUSD procedures for identifying and serving children with disabilities.

A. Overview of Eligibility

In order to qualify to receive special education and related services, a student must first meet the following age and disability eligibility requirements:

Age Requirements

The student must be between the ages of 3 and 18 and students age 0 - 2 with low incidence disabilities. A student aged 19 through 21 is only eligible for special education if the following conditions exist:

- ☐ He/she must have been in special education at the time he or she turned 19
- ☐ He/she has not met “proficiency standards”
- ☐ He/she has not completed the “prescribed course of study” for a regular diploma
- ☐ He/she has not graduated from high school with a regular high school diploma. (*EC §§56026(c)(4) and 56026.1*)

Eligibility Criteria

A child with a disability may be eligible for special education services if he or she meets the criteria as having one or more of 13 specific disabilities. IDEA and the California Education Code define these disabilities as follows:

☐ **Autism (AUT)**

- ↳ Autism means a developmental disability significantly affecting verbal and nonverbal communication and social interaction, generally evident before age three that adversely affects 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. (*34 CFR §300.8 (c)(1)(i)*)
- ↳ Autism does not apply if a child's educational performance is adversely affected primarily because the child has an emotional disturbance. (*34 CFR §300.8 (c)(1)(ii)*)
- ↳ A child who manifests the characteristics of autism after age three could be

identified as having autism if he/she satisfies the above criteria. (34 CFR §300.8 (c)(1)(iii))

❑ Deaf-blindness (DB)

↳ Deaf-blindness means concomitant hearing and visual impairments, the combination of which causes such severe communication and other developmental and educational needs that they cannot be accommodated in special education programs solely for children with deafness or children with blindness. (34 CFR §300.8 (c)(2))

❑ Deafness or Deaf (DF)

↳ Deafness means a hearing impairment that is so severe that the child is impaired in processing linguistic information through hearing, with or without amplification that adversely affects a child's educational performance. (34 CFR §300.8 (c)(3))

❑ Emotional disturbance (ED)

↳ Emotional disturbance means a condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree, which adversely affects a child's educational performance:

📖 An inability to learn that cannot be explained by intellectual, sensory, or health factors (34 CFR §300.8 (c)(4)(i)(A))

📖 An inability to build or maintain satisfactory interpersonal relationships with peers and teachers (34 CFR §300.8 (c)(4)(i)(B))

📖 Inappropriate types of behavior or feelings under normal circumstances exhibited in several situations (34 CFR §300.8 (c)(4)(i)(C))

📖 A general pervasive mood of unhappiness or depression (34 CFR §300.8 (c)(4)(i)(D))

📖 A tendency to develop physical symptoms or fears associated with personal or school problems (34 CFR §300.8 (c)(4)(i)(E))

📖 Emotional disturbance includes schizophrenia. *The term does not apply to children who are socially maladjusted, unless it is determined that they also have an emotional disturbance under the criteria listed above.* (34 CFR §300.8 (c)(4)(ii))

❑ Hearing Impairment (Hard of Hearing) (HH)

↳ Hearing impairment means impairment in hearing, whether permanent or fluctuating, that adversely affects a child's educational performance but that is not included under the definition of deafness (above). (34 CFR §300.8(c)(5))

❑ Intellectual Disability (ID)

↳ Intellectual Disability means significantly below average general intellectual functioning existing concurrently with deficits in adaptive behavior and manifested during the developmental period, which adversely affect a student's educational performance. The term "intellectual disability" was formerly known as "mental retardation". (34 CFR §300.(c)(6))

❑ Multiple Disabilities (MD)

- ↗ Multiple Disabilities means concomitant impairments (such as mental retardation-blindness or intellectual disabled-orthopedic impairment), the combination of which causes such severe educational needs that they cannot be accommodated in special education programs solely for one of the impairments. Multiple Disabilities does not include deaf-blindness. (34 CFR §300.8 (c)(7))

❑ Orthopedic Impairment (OI)

- ↗ Orthopedic impairment means a severe orthopedic impairment that adversely affects a child's educational performance. The term includes impairments caused by a congenital anomaly, impairments caused by disease (e.g., poliomyelitis, bone tuberculosis), and impairments from other causes (e.g., cerebral palsy, amputations, and fractures or burns that cause contractures). (34 CFR §300.8 (c)(8))

❑ Other Health Impairment (OHI)

- ↗ Other health impairment means having limited strength, vitality, or alertness, including a 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, sickle cell anemia, and Tourette's syndrome (34 CFR §300.8 (c)(9)(i))
 - 📖 Adversely affects a child's educational performance. (34 CFR §300.8 (c)(9)(ii))

❑ Specific Learning Disability (SLD)

- ↗ 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 manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations, including conditions such as:
 - 📖 Perceptual disabilities
 - 📖 Brain injury
 - 📖 Minimal brain dysfunction
 - 📖 Dyslexia
 - 📖 Developmental aphasia (34 CFR §300.8 (c)(10)(i))

Specific learning disabilities **do not** include learning problems that are primarily the result of visual, hearing, or motor disabilities, of intellectual disabilities, of emotional disturbance, or of environmental, cultural, or economic disadvantage. (34 CFR §300.8 (c)(10)(ii), 5 CCR §3030(10)(A))

LUSD uses the Patterns of Strengths and Weaknesses (PSW) model for determining eligibility under the *Specific Learning Disability* category. The PSW approach is defined by California Education Code 5 CCR § 3030 as:

The pupil exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, State-approved grade-level standards, or intellectual development, that is determined by the group to be relevant to the identification of a specific learning disability.

The criteria to qualify includes five main points:

1. Identification of a normative weakness in an area of academic achievement: oral expression, listening comprehension, basic reading skills, reading fluency, reading comprehension, math calculation, math reasoning, and written expression.
2. Identification of a deficit in an area of psychological processing. The basic psychological processes include *attention*, *visual processing*, *auditory processing*, *phonological processing*, *sensory-motor skills*, and *cognitive abilities* including *association* (e.g., short term memory, long-term memory, orthographic processing), *conceptualization* (e.g., fluid reasoning), and *expression* (e.g., language processing, crystallized knowledge).
3. Cognitive functioning is otherwise within normal limits.
4. Exclusionary factors (visual, hearing, or motor disabilities, intellectual disability, emotional disturbance, cultural factors, environmental or economic disadvantage, limited English proficiency, limited school experience, poor school attendance or lack of appropriate instruction in reading or math) are not the primary cause of either the academic or cognitive deficits.
5. There is a research-based consistency between the cognitive and academic weaknesses.

According to California Education Code 5 CCR § 3030, to ensure that underachievement in a pupil suspected of having a specific learning disability is not due to lack of appropriate instruction in reading or math, the group making the decision must consider:

- ☐ *Data that demonstrate that prior to, or as a part of, the referral process, the pupil was provided appropriate instruction in regular education settings, delivered by qualified personnel; and*
- ☐ *Data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of student progress during instruction, which was provided to the pupil's parents.*

A qualified professional shall observe a student suspected of having a learning disability in his or her regular learning environment. The IEP team reviewing the assessment information shall certify in writing the conclusion reflects his or her conclusions regarding:

- ☐ Whether the child has a specific learning disability;
- ☐ The basis for making the determination;
- ☐ The relevant behavior, if any, during the observation and the relationship of that behavior to the child's academic functioning;
- ☐ The educationally relevant medical findings, if any;
- ☐ Whether the child
 - ↳ does not achieve adequately for the child's age to meet state-approved grade level standards.

- ↳ The child exhibits a pattern of strengths and weaknesses in performance, achievement, or both.

For students transferring into LUSD with an active IEP indicating a specific learning disability based on the discrepancy model, the district accepts the eligibility based on the prior IEP. At the next triennial, LUSD will utilize the PSW model to determine on-going eligibility.

❑ **Speech or Language Impairment (SLI)**

Speech or language impairment means a communication disorder, such as stuttering, impaired articulation, a language impairment, or a voice impairment, that adversely affects a child's educational performance. (34 CFR §300.8(c)(11)) There are four categories of SLI:

↳ **Articulation disorder**

📖 The student displays reduced intelligibility or an inability to use the speech mechanism which significantly interferes with communication and attracts adverse attention. Significant interference in communication occurs when the student's production of single or multiple speech sounds on a developmental scale of articulation competency is below that expected for his or her chronological age or developmental level, and which adversely affects educational performance. (5 CCR §3030(b)(11)(A))

📖 A student does not meet the criteria for an articulation disorder if the sole assessed disability is an abnormal swallowing pattern.

↳ **Abnormal Voice:** A student has an abnormal voice which is characterized by persistent, defective voice quality, pitch, or loudness.

↳ **Fluency Disorders:** A student has a fluency disorder when the flow of verbal expression including rate and rhythm adversely affects communication between the student and listener.

↳ **Language Disorder:** The student has an expressive or receptive language disorder when he or she meets one of the following criteria: (5 CCR §3030(b)(11)(D))

↳ The student scores at least 1.5 standard deviations below the mean, or below the 7th percentile, for his or her chronological age or developmental level on two or more standardized tests in one or more of the following areas of language development: morphology, syntax, semantics, or pragmatics. When standardized tests are considered to be invalid for the specific student, the expected language performance level shall be determined by alternative means as specified on the assessment plan, or

↳ The student scores at least 1.5 standard deviations below the mean or the score is below the 7th percentile for his or her chronological age or developmental level on one or more standardized tests in one of the areas listed in sub (A) and displays inappropriate or inadequate usage of expressive or receptive language as measured by a representative spontaneous or elicited language sample of a minimum of fifty utterances. The language sample must be recorded or transcribed and analyzed, and the results included in the assessment report. If the student is unable to produce this sample, the language, speech, and hearing specialist shall document why a fifty-utterance

sample was not obtainable and the contexts in which attempts were made to elicit the sample. When standardized tests are considered to be invalid for the specific student, the expected language performance level shall be determined by alternative means as specified in the assessment plan.

❑ **Traumatic Brain Injury (TBI)**

- ↳ Traumatic brain injury means an acquired injury to the brain caused by an external physical force, resulting in total or partial functional disability or psychosocial impairment, or both, that adversely affects a child's educational performance. (34 CFR §300.8 (c)(12)) Traumatic brain injury applies to open or closed head injuries resulting in impairments in one or more areas, such as:

- 📖 Cognition
- 📖 Language
- 📖 Memory
- 📖 Attention
- 📖 Reasoning
- 📖 Abstract thinking
- 📖 Judgment
- 📖 Sensory, perceptual, and motor abilities
- 📖 Psychosocial behavior
- 📖 Physical functions
- 📖 Information processing
- 📖 Speech

- ↳ Traumatic brain injury does not apply to brain injuries that are congenital or degenerative, or to brain injuries induced by birth trauma. (34 CFR §300.8 (c)(12))

❑ **Visual impairment (VI)** Visual impairment including blindness means impairment in vision that, even with correction, adversely affects a child's educational performance. The term includes both partial sight and blindness. (34 CFR §300.8 (c)(13))

Chapter VI

Special Education Assessment & Evaluation

When a student is suspected of having a disability which may require special education intervention, the child should be referred for an assessment. The terms “assessment” and “evaluation” are used interchangeably for this purpose. Additional information on the referral process may be found in Chapter V: Procedures for Determining Eligibility. The assessment shall be based on the area(s) of the student’s suspected disabilities and shall be conducted by qualified personnel. The results of the assessment shall be shared at an IEP Team meeting, including the parents, when the evaluation is complete.

A. Developing a Special Education Assessment Plan

Upon receipt and acceptance of a referral to determine disability eligibility, a proposed assessment plan which includes the Prior Written Notice requirements (34 C.F.R §300.503) shall be developed. Assessment plans in languages other than English are available in the Special Education Google Classroom. The proposed assessment plan shall be sent to the parent within 15 calendar days from the date of receipt of the referral unless, the parent or guardian, agree in writing to an extension (not counting calendar days between the student's regular school sessions or terms or calendar days of school vacation in excess of five school days). (EC §56321(a)) The parent or guardian shall have at least 15 calendar days from the receipt of the proposed assessment plan to arrive at a decision and return the document to LUSD. (EC §56321(c))

The proposed assessment plan given to the parents or guardians should include the Case Manager contact information. The assessment plan shall meet the following requirements:

- ☐ Be in a language easily understood by the general public.
- ☐ Be provided in the native language of the parent or guardian or other mode of communication used by the parent, unless to do so is clearly not feasible.
- ☐ Explain the types of assessment to be conducted and the titles of the individuals who will be conducting each assessment.
- ☐ State that no special education services will be provided to the student without parent written consent.

Assessment plans in English and other languages are available in the **Special Education Google Classroom** and from the **LUSD Special Education Department**.

Upon receipt of the signed assessment plan, LUSD shall determine whether the student has a disability by conducting an assessment. Tests and procedures conducted pursuant to these assessments may include, but are not limited to, a minimum of two (2) classroom observations, at least one (1) other observation where the student interacts with other peers and/or staff, rating scales, interviews, record review, one-on-one testing, or some other types or combination of tests and are conducted by a single assessor or combination of the assessors depending on the reason for referral:

- ☐ School Psychologist
- ☐ Speech and Language Pathologist
- ☐ Occupational and/or Physical Therapists
- ☐ Special Education Teacher

- ❑ Other trained personnel as determined by student needs and the suspected disabilities

B. Conducting the Assessment

Students evaluated for initial and three-year reviews shall have a hearing and vision screening unless parental permission is denied (*34 CFR §300.532, 30 EC §56320(f), 5 CCR §3027*). Eligible students are re-assessed at least once every 3 years.

In conducting the assessment, the assessment team shall;

- ❑ Use a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the student, including information provided by the parent, that may assist in determining;
 - ↳ Whether the student is a student with a disability; and
 - ↳ The content of the student's IEP, including information related to enabling the student to be involved in and progress in the general education curriculum (or for a preschool child, to participate in age-appropriate activities);
- ❑ Not use any single measure or assessment as the sole criterion for determining whether a student is a student with a disability and for determining an appropriate educational program for the student; and
- ❑ Use technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors (*20 USC §1414(b)(2)(C), 34 CFR §300.304(b)(3)*)
- ❑ Ensure the student is assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities;
- ❑ Assess all English Learners (EL) in the student's primary language, unless it is not feasible to do so, by evaluators who are qualified specialists and proficient in the student's primary language. The assessment report shall address the validity and reliability of the assessments considering the student's language background and interpreted in a language that is accessible to the student's parents.
 - ↳ Evaluators who does not speak the student's primary language will need to contact the Special Education Department to evaluate the situation and if needed provide evaluators who speak the student's primary language.
- ❑ Ensure the evaluation is sufficiently comprehensive to identify all of the student's special education and related services' needs, whether commonly linked to the disability category in which the student has been classified.
- ❑ Utilize assessment tools and strategies that provide relevant information that directly assists persons in determining the educational needs of the child.
- ❑ (*CFR §300.304, 20 USC §§1414(b)(1)-(3) and 1412(a)(6)(B), 30 EC §56320*)
- ❑ Ensure that assessments are administered by qualified personnel who are competent in both the oral or sign language skills and written skills of the student's primary language or mode of communication and have a knowledge and understanding of the cultural and ethnic background of the student. If it clearly is not feasible to do so, an interpreter shall be used, and the assessment report shall document this condition and note that the validity of the assessment may have been affected.

- ☐ Verify the evaluators are knowledgeable of the normal process of second-language acquisition, and manifestations of dialect and socio-linguistic variance shall not be diagnosed as a disabling condition.
- ☐ (EC §§56320, 56324 and 56327, 34 CFR §§300.304, 300.305 and 300.310)

Materials used to assess a student:

- ☐ Are selected and administered so as not to be discriminatory on a racial or cultural basis;
- ☐ Are provided and administered in the student's native language or other mode of communication and in the form most likely to yield accurate information on what the student knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to do so;
- ☐ Are used for the purposes for which the assessments or measures are valid and reliable;
- ☐ Are administered by trained and knowledgeable personnel;
- ☐ Are administered in accordance with any instructions provided by the producer of the assessments;
- ☐ Assessments and other evaluation materials include those tailored to assess specific areas of educational need and not merely those that are designed to provide a single general intelligence quotient;
- ☐ Assessments are selected and administered so as best to ensure that if an assessment is administered to a student with impaired sensory, manual, or speaking skills, the assessment results accurately reflect the student's aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the student's impaired sensory, manual, or speaking skills (unless those skills are the factors that the test purports to measure).

Any psychological assessment and any individually administered tests of intellect or emotional functioning are administered by a credentialed school psychologist who is trained and prepared to assess cultural and ethnic factors appropriate to the student being assessed. (34 CFR §300.308, 30 EC §56320(b)(3), EC §56324(a) Any health assessment of students shall be conducted by a credentialed school nurse or physician who is trained and prepared to assess cultural and ethnic factors appropriate to the student being assessed. (EC §56324(b))

In addition, assessments for students with severe and low incidence disabilities who may have need for specialized services, materials and equipment are consistent with the guidelines for Deaf-Blind, Deaf and Hard of Hearing, Visually Impaired, and Severely Orthopedically Impaired. (30 EC §§56320(g), 56327(h), and 56352(a))

C. Re-Assessment

Once a student has been identified by an IEP team as having a disability and needing special education, the student shall be reassessed, unless the parent and LUSD agree that it is unnecessary, at the following times (20 USC §1414 (a)(2), 34 CFR §300.303(b), 30 EC §56043(k)):

- ☐ Every three years (triennially)

- ☐ At any time, at the request of the parent(s) or LUSD staff, except it shall not occur more frequently than once a year unless the parent and LUSD agree
- ☐ When LUSD determines that the educational or related service needs (including improved academic achievement and functional performance) warrant an evaluation
- ☐ To determine continued eligibility prior to transitioning from a preschool program to kindergarten, or to first grade (30 EC §56445)

Generally, the purpose of a reassessment is to address one or more of the following concerns:

- ☐ That the student may no longer have a disability
- ☐ That the student may have an additional or different disability
- ☐ That the student is not adequately progressing in achieving the goals and objectives set forth in his/her IEP
- ☐ That the student's current special education and related services may no longer be appropriate
- ☐ That the student may no longer need special education and related services

LUSD uses the required members of the IEP team and other qualified professionals, as appropriate, to review existing evaluation data, and on the basis of that review and input from the student's parents, to identify what additional data, if any, are needed to determine whether the student continues to have a disability, and to identify the student's educational needs. (20 USC §1414(c), 34 CFR §300.305, 30 EC §56381(b))

The information to be reviewed includes:

- ☐ Information provided by the parent (20 USC §1414(c)(1)(A), 34 CFR §300.305(a)(1)(i), 30 EC §56381(b))
- ☐ Teacher and related service provider information (20 USC §1414(c)(1)(A), 34 CFR §300.305(a)(1)(iii), 30 EC §56381(b))
- ☐ Current classroom based, local, or State assessments and classroom-based observations (20 USC §1414(c)(1)(A), 34 CFR §300.305(a)(1)(ii), 30 EC §56381(b))
- ☐ A hearing and vision screening of the student unless parental permission is denied (34 CFR §300.304(c)(4), 30 EC §56320(f), 5 CCR §3027).

D. Assessment Report

LUSD Personnel shall document the information gathered during the assessment process within an Assessment Report. The Assessment Report shall include the following per regulations:

- ☐ Results of tests administered in the student's primary language by qualified personnel (20 USC §1412(a)(6)(B), 34 CFR §304(c)(1)(i), 30 EC §56320)
- ☐ If a test was administered through an interpreter
- ☐ The written report includes a statement regarding the validity of the assessment (30 EC §56320(b), 5 CCR §3023(a))
- ☐ A description of the extent to which testing varied from standard conditions (20 USC §1414(b)(3)(A)(iii), 5 CCR §3023(a))
- ☐ Information related to enabling the student to be involved in and progress in the general education curriculum or, for preschool students, to participate in appropriate activities (20 USC §1414(b)(2)(A)(ii))

- ☐ A determination of whether the student needs special education and related services (30 EC §56327(a))
- ☐ Information on relevant behavior noted during observation of the student in the appropriate setting (30 EC §56327(c))
- ☐ Educationally relevant health, developmental and medical findings, if any (34 CFR §300.532, 30 EC §56327(e))
- ☐ A determination of the effects of environmental, cultural, or economic disadvantage, where appropriate (30 EC §56327(g))
- ☐ A description of the need for specialized services, materials, and equipment for students with low incidence disabilities (30 EC §56327(h))
 - ↳ For additional information on low incidence disabilities, reference the section covering IEP considerations for students with low incidence disabilities in Chapter VII: Individualized Education Program.
- ☐ Consideration of independent evaluations (34 CFR §300.502(b), 30 EC §56329(b))
- ☐ The basis for making the determination of eligibility for students with specific learning disabilities (34 CFR §300.311(a)(2) 30 EC §56327(b))

Following completion of a student's Assessment Report, LUSD shall provide a copy to the student's parents/legal guardians. (20 USC §1414(b)(4)(B), 34 CFR §300.306(a)(2), 30 EC §56329)

E. Discussing Results with IEP Team

The assessment team shares its findings with the student's Individualized Education Program ("IEP") team. The IEP team determines if the student is eligible as a student with a disability and if so, requires special education and related services.

-

Please note that a student may demonstrate a disability, but may **not** necessarily be eligible for special education and related services. *A student's IEP team will determine their eligibility based on the requirement that the student's disability negatively/adversely affects their educational performance to the extent that they require specialized instruction.*

F. Parent Refusal To Allow Evaluation

The administrator or designated staff member is responsible for ensuring that all assessments are conducted, reports completed, and an IEP meeting is held within the 60-calendar day timeline (60 calendar day timeline pauses for school holidays that exceed five school days). The SEIS IEP system will help monitor whether assessments are being completed on time. If the parent/guardian does not return a signed special education Assessment Plan within a reasonable amount of time (**15 calendar days**), the administrator/ designee shall do the following:

- ☐ Contact the parents to determine if plan was received and whether they intend to sign and return it
 - ↳ **Note:** Document any contacts made with the parents regarding signing the plan in SEIS Notes/Attachments. If necessary, send the parents another copy of the plan and document the date in SEIS Notes/Attachments.
- ☐ Provide the parents with information to answer any questions they may have

- ☐ If the parents refuse to sign the Assessment Plan, upload a copy to SEIS, document in *SEIS Notes/Attachments*, and notify the personnel identified on the plan of the parent's decision.
- ☐ Follow-up with a Prior Written Notice ("PWN") to parents
- ☐ For initials, update SEIS indicating student as DNQ/not receiving services

Parents are full participants in the planning and development of special education services for their child(ren). As such, parental rights related to their child's identification (eligibility), assessment, or educational placement, are as follows:

- ☐ To make a direct referral to LUSD for disability assessment for their child
- ☐ To receive and approve the proposed Assessment Plan/Permission to Assess (PTA)
- ☐ To present information to the individualized education program team in person or through a representative
- ☐ To participate in IEP meetings relating to eligibility for special education and related services, recommendations, and program planning.
- ☐ To receive a copy of the Assessment Report(s)
- ☐ To question the Assessment Findings
- ☐ To request an independent educational evaluation ("IEE") if they disagree with the results of the district's assessment(s)
- ☐ To receive a copy of the Individualized Education Program
- ☐ To give or revoke parent/guardian consent for service at any time
- ☐ To be informed of all the service options available in order to provide FAPE
- ☐ To be given prior written notice when the school district proposes or refuses to initiate a change in the identification, assessment, or educational placement of their child with special needs
- ☐ To be informed of and utilize due process procedures to resolve a dispute (*20 USC § 1412(d)*, *34 CFR §300.504*, *EC §§56301(d)(2)*, *56321*, and *56341.1(g)(1)*) or to file a state complaint. (*34 CFR §300.151*, *EC §§56043(p)*, and *56500.2*).

LUSD Best Practice: *If a parent denies an initial assessment, LUSD may, but is not required to pursue the evaluation. LUSD shall document its reasonable efforts to obtain parental consent.*

If a parent denies a reassessment and attempts to obtain parental consent have been documented, the IEP team should conduct a records review.

LUSD shall ensure that the Special Education Content Specialist and Special Education Administrator are fully informed of attempts to obtain consent, and provide guidance as to whether or not to take further action to pursue an evaluation.

G. District Refusal To Conduct Evaluation

If a student's parent requests an evaluation, and the IEP team determines that an evaluation is not required or otherwise warranted, parent should be provided with Prior Written Notice of LUSD's determination to refuse the evaluation.

Written Notice of Refusal shall state:

- ☐ A description of the action refused by LUSD.
- ☐ An explanation of why LUSD refuses to take the action.

- ☐ A description of any other options that LUSD considered and the reasons why those options were rejected.
- ☐ A description of each evaluation procedure, assessment, record, or report that LUSD relied upon when the action was refused.
- ☐ A description of any other factors that are relevant to LUSD's refusal.
- ☐ A statement that the parents of a student with a disability have protection under the procedural safeguards previously described.
- ☐ Sources for parents to contact to obtain assistance in understanding the provisions of IDEA.

All of these elements are embedded into LUSD's Prior Written Notice form.

H. Timelines

Special education laws and regulations outline specific timelines that LUSD shall meet when conducting a student's eligibility assessment. This ensures that a student's disability-related needs are addressed within a timely fashion. LUSD shall follow the following timelines related to disability eligibility. The designated IEP case manager shall provide the special education Assessment Plan and/or Prior Written Notice to a student's parents:

- ☐ Within **15 calendar days** from the date of receipt of a written request for an initial special education assessment (*34 CFR §300.503(a) and (c), 34 CFR §300.304(c)(1)(iv) and (v), 30 EC §§ 56321(a) and 356321(b)*)
- ☐ Within **15 calendar days** from the date of receipt of a written request for an assessment of a student currently receiving special education and related services (*34 CFR §300.503(a) and (c), 34 CFR §300.304(c)(1)(iv) and (v), 30 EC §§56321(a) and 356321(b)*)
- ☐ *There are exceptions to the **15 calendar days rule**, including not counting days between the student's regular school sessions or terms or days of school vacation in excess of five school days from the date of receipt of the referral, unless the parent or guardian agrees, in writing, to an extension*
 - ↳ However, in any event, the assessment plan shall be developed within 10 days after the commencement of the subsequent regular school year or the student's regular school term as determined by each district's school calendar for each student for whom a referral has been made 10 days or less prior to the end of the regular school year. In the case of school vacations, the 15-calendar day time shall re-commence on the date that the student's regular school days reconvene.
- ☐ Prior to conducting a reassessment of a student receiving special education and related services
 - ↳ **Note: the 3-year reassessment IEP cannot be held later than three years from the initial IEP or last 3-year IEP, even with parent permission.**
- ☐ When a change in a student's eligibility for special education or related services is being considered

For school-age children (3 to 22 years), the eligibility assessment shall be conducted within **60 calendar days** of LUSD's receipt of written parent/guardian consent for specified assessment activities (signed Assessment Plan), not counting days between the student's regular school

sessions or terms or days of school vacation in excess of five school days. For school holidays that exceed five days, the 60 calendar days timeline is extended by an equal number of days.

If the signed Assessment Plan is received 30 calendar days or less from the end of the school year, the evaluation must be completed by the 30th calendar day of the following school year. Timelines for schools on year-round schedules should follow the school calendar without interruption except for school holidays that exceed five days.

Extension of assessment timelines requires parental agreement in writing.

For infants and toddlers, the eligibility assessment shall be conducted within **45 calendar days** of the date of referral (*20 USC §§1416(a)(3)(B) and 1442*).

I. IEP Team Assessment Review

A student shall qualify, or be eligible, as a child with a disability if the results of the assessment demonstrate that the student meets criteria under one of the IDEA special education eligibility categories and the degree of the student's impairment/disability is so significant that the student requires special education and related services in one or more of the program options. The decision as to whether or not the assessment results demonstrate that the degree of the student's impairment requires special education shall be made by the complete Individualized Education Program (IEP) team. Additional information on the IEP process is found in Chapter VII: Individualized Education Program.

The IEP team shall take into account all the relevant material which is available on the student. No single score or product of scores shall be used as the sole criterion for the decision of the individualized education program team as to the student's eligibility for special education. (*EC §56026, 5 CCR §3030(a)*)

In making a determination of eligibility, a student shall not be determined to be an individual with exceptional needs if the determinant factor for the determination is one of the following:

- ☐ Lack of appropriate instruction in Reading
- ☐ Lack of appropriate instruction in Math
- ☐ English Language acquisition
- ☐ Cultural and/or linguistic factors
- ☐ Environmental or economic disadvantage
- ☐ Temporary physical disabilities
- ☐ Social Maladjustment

J. Assessments For Related Services

The student who is eligible for special education services may be assessed in all areas related to the suspected disability. The documented reasons for referral lead to the development of the assessment plan which identifies the areas to be assessed. If a LUSD staff member or parent feels a related service may be necessary, an evaluation by a qualified examiner(s) may be required to

provide input to the IEP team for specialized areas of related services. The most common related services assessments include:

- ☐ Adapted Physical Education (“APE”)
- ☐ Assistive Technology (“AT”)
- ☐ Behavior Interventions (“BI”)
- ☐ Counseling/DIS
- ☐ Health and Nursing
- ☐ Intensive Individual Services
- ☐ Language and Speech
- ☐ Occupational and/or Physical Therapy

K. Independent Education Evaluations (“IEE”)

If parents disagree with the results of the assessment conducted by the Lynwood Unified School District (LUSD), they have the right to ask for and obtain an independent educational evaluation (IEE) at public expense.

The parent is entitled to only one IEE at public expense each time LUSD conducts an evaluation with which the parent disagrees.

When a parent requests an IEE at public expense, LUSD must, without unnecessary delay, either ensure that an IEE is provided at public expense, or request a due process hearing if LUSD believes their assessment was appropriate and disagrees that an IEE is necessary. LUSD also has the right to establish the standards or criteria (including cost and location) for IEEs at public expense.

Chapter VII

Individualized Education Programs

The Case Manager for students with a disability who requires Special Education Services has the primary responsibility for implementing the IEP process. The Case Manager's responsibilities include the following:

- ☐ Coordination of meetings;
- ☐ IEP preparation;
- ☐ Facilitating the meetings;
- ☐ Collaboration with General Education Teachers and other Special Education Service provider(s) (if any) for related services;
- ☐ Appropriate lesson development; and
- ☐ Specialized Academic Instruction

LUSD must develop, review, and revise an Individualized Education Program ("IEP") annually. The IEP is the document that is written for each student who is eligible for and/or receives Special Education and/or related services. The purpose of the IEP is to outline a plan for providing special Education and/or related services to meet a student's specific disability related needs that will help the student be involved in and progress in the general education curriculum.

specialized instruction, lesson development, IEP preparation, coordination, collaboration with general education teachers, collaboration with other Special Education service providers (if any), and meeting facilitation.

Interim Placement

LUSD will develop and implement an Interim placement IEP (EC Sec 56043((m)(1)) for students who transfer into the district with an active IEP from another district. To create the interim IEP, the district will review the last signed IEP and will provide services comparable to those described in the previously approved IEP. Within 30 days, the district must convene an IEP meeting to adopt the current IEP or develop a new IEP to provide services within LUSD. All subsequent IEPs will follow the same timelines as students already enrolled in LUSD.

A. Timelines

LUSD must meet several timeline requirements for developing and maintaining IEPs. (20 USC §§1412(a)(4), and 1414(d), 34 CFR §300.320(1-7), 30 EC §56356343 &44) IEP timelines include:

- ☐ A student has received an initial assessment for Special Education. The IEP team must meet within 60 calendar days of obtaining written parent/guardian consent of the Assessment Plan, not counting the days between the student's regular school sessions, terms, or days of school vacation in excess of five school days, unless a written request for extension is on file.
- ☐ The student demonstrates a lack of anticipated progress.
- ☐ The student's teacher requests a review of the IEP
- ☐ Within **30 calendar days** of receipt of a written request for a meeting from a parent, not counting the days between the student's regular school sessions,

terms, or days of school vacation in excess of 5 school days, or days in July and August. (34 CFR §300.323(c)(1), 30 EC §56343.5)

- ❑ At least annually, to review the student's progress, the IEP, including whether the annual goals for the student are being achieved, the appropriateness of placement, and to make any necessary revisions.
- ❑ **Note:** *This has been interpreted to mean that the annual IEP review can be held early but not late. Annual means exactly 1 year to the day.)*

The IEP is *implemented* for each student (including students placed by LUSD in a private school or facility) **as soon as possible** after the IEP meeting (34 CFR §300.323(a) & (c)(2), 30 EC §56043(I), 5 CCR §3040(a)).

- ❑ In order to facilitate any placement, the Special Education Department must be notified of all initial placements and/or program changes that affect the Least Restrictive Environment (LRE) once the IEP meeting has been held and parents/legal guardian have consented to the offer of FAPE.
 - Case manager with the help of the school psychologist must complete and provide the “Change of Placement” form to the Special Education Department at least 10 work days prior to the IEP meeting.
 - Change of Placement Forms can be found on the Special Education Google Classroom and as appendix X for mild/moderate SDC and X for mod/severe.
- ❑ A LUSD school psychologist must be present at all IEPs affecting LRE program changes. Changes in LRE require an IEP and parent consent. The Special Education Department requires that the IEP and signature page are uploaded to SEIS to process any changes.

B. IEP TEAM COMPOSITION

Individualized Education Programs (IEPs) are developed via a team effort. IEP Teams must include the following members:

❑ Non-LUSD Personnel:

- One or both of the student's parents, a representative selected by a parent, or both (20 USC §1414(d)(1)(B)(I), 34 CFR §300.321(a)(1), 30 EC §56341(b)(2))
- The student, whenever appropriate (20 USC §1414(d)(1)(B)(vii), 34 CFR §300.321 (a)(6), 34 CFR §300.321(b), 30 EC §56341(d)(1))
- The student must be invited when the IEP team is considering post-secondary transition. If the student does not attend the IEP Team meeting, the Case Manager must take other steps to ensure that the student's preferences and interests are considered. (20 USC §1414(d)(1)(B)(vii), 34 CFR §§300.321 (a)(6), 34 CFR §300.321(b), 30 EC §56341(d)(1))
- With parent consent, representatives of any other agencies that are likely to be responsible for providing or paying for transition services (34 CFR §300.321(b)(3))
- At the discretion of the parent, guardian, or LUSD, other individuals who have knowledge or special expertise regarding the student, including related

services personnel or representatives of the student's private school, as appropriate. The determination of whether the individual has knowledge or special expertise regarding the student shall be made by the party who invites the individual to be a member of the IEP team. ((20 USC §1414(d)(1)(B)(vi), 34 CFR §300.321 (a)(6), 30 EC §56341(b)(6))

❑ **LUSD Personnel:**

- ✎ At least one general education teachers that can speak on the curriculum is required to be part of the IEP team meeting. If more than one general education teacher is providing instructional services to the student, one general education teacher may be designated by the district to represent the other(s). (20 USC §1414(d)(1)(B)(ii), 34 CFR §300.321(a)(2), 30 EC §56341(b)(2))
- ✎ The general education teacher participates in the development, review, and revision of the IEP and helps determine:
 - 📖 The appropriate positive behavioral interventions and supports, as well as other strategies for the student
 - 📖 Supplementary aids and services
 - 📖 Accommodations
 - 📖 Supports for school personnel
 - 📖 Program accommodations / modifications for the student and classroom (20 USC §1414(d)(3)(C), 34 CFR §300.324(a)(3)(I) &(ii), 30 EC §56341(b)(2), 30 EC §56341.1(b)(1))
 - 📖 At least one special education teacher/specialist, which is usually the student's Case Manager (20 USC §1414(d)(1)(B)(iii), 34 CFR §300.321(a)(3), 30 EC §56341(b)(3))
 - 📖 For a student suspected of having a *Specific Learning Disability*, at least one member such as a school psychologist, speech-language pathologist, or special education teacher, who is qualified to conduct individual diagnostic examinations of students, (34 CFR §300.308, 30 EC §56341(c))
 - 📖 An individual who can interpret the instructional implications of the evaluations (20 USC §1414(d)(1)(B)(v), 34 CFR §300.321(a)(5), 30 EC §56341(b)(5))
 - 📖 A LUSD school psychologist if a possible program change is to be considered
 - 📖 Additional LUSD personnel, as deemed necessary by the IEP Case Manager
 - 📖 For parents who are English Learners, an interpreter is required upon parent/guardian request.
 - 📖 A representative, usually a school administrator, who is qualified to provide or supervise specially designed instruction for students with disabilities, and who is knowledgeable about the general curriculum and the availability of resources of the school and district. This may be a school administrator, district representative or designee (20 USC §1414(d)(1)(B)(iv), 34 CFR §300.321(a)(4), 30 EC

§56341(b)(4).

❑ IEP Team Attendance Excusal

- ✍ **Note:** *LUSD requires a Special Education Teacher and Administrator Designee to attend the entire IEP meeting for every student. Others may be excused under the following circumstances:*
- ✍ A required member of the IEP Team listed above is not required to attend an IEP Team meeting, in whole or in part, if the parent of the student and the district agree, in writing, that the attendance of the member is not necessary because the member's area of the curriculum or related services is not being modified or discussed in the meeting.
- ✍ A member of the IEP Team listed above may also be excused from attending an IEP Team meeting, in whole or in part, when the meeting involves a modification to or discussion of the member's area of the curriculum or related services, if
 - 📖 The parent, in writing, and the LUSD site administrator consent to the excusal; and
 - 📖 The member submits, in writing to the parent and the IEP Team, input into the development of the IEP prior to the meeting. (*20 USC §1414(d)(1)(B), 34 CFR §300.321*)

Note: Parental approval of IEP Team member excusal must be received in writing using the IEP Team Member Excusal Form.

C. Preparation for IEP Meeting

The following are key tasks that LUSD must complete when preparing for an IEP Meeting:

Interaction with Parents/Guardians to ensure family participation:

- ❑ **Parental Notice.** Ensure that the parents/guardians are notified of the IEP meeting in writing as specified in the Notice of Meeting Form, part of the student's IEP in SEIS. If an educational surrogate is appointed and the parent is allowed visitation, both parties should be invited. Notice of meeting identifies required IEP team members and provides notice
- ❑ **Parental Attendance by Phone.** If a parent/guardian cannot attend the IEP meeting, use other means to ensure parent/guardian participation including individual or conference phone calls (*34 CFR §300.322 (c-f)*)
- ❑ During and post COVID-19 pandemic, another method to allow parental participation is via video conference (such as Zoom or Google Meet).
- ❑ **Parent cannot attend.** If a parent/guardian states she/he cannot attend any proposed IEP meeting, record 3 attempts, in 3 separate Notice of Meetings, to arrange for a mutually agreed upon time and place such as:
- ❑ Detailed records of telephone calls made or attempted and the results of those calls (record notes from calls in the Notes/Attachments section under the student's Edit Student Record section);
- ❑ Copies of correspondence sent to the parents/guardians and any responses received (record notes from calls and upload emails or letters in the Notes/Attachments

- section under the student's Edit Student Record section) and;
- ❑ Detailed records of visits made to the parent's/guardian's home or place of employment and the results of those visits (record notes from visits in the Notes/Attachments section under the student's Edit Student Record section). (34 CFR §300.322 (c-e))
 - ❑ It is within the parents' rights to let the school hold the IEP meeting without his/her presence. However, the draft IEP document and signature page must be provided to the parent for parent to review and ask questions. Once questions have been answered, then parent may sign the IEP document granting consent to implement IEP.
 - ❑ **Meeting Recordings.** With notice, parents/guardians can electronically audio record their child's IEP meeting. (30 EC §56341.1(g)(1))
 - ↳ The parent/guardian or LUSD shall notify the members of the IEP team of the intent to audio record a meeting at least 24 hours prior to the meeting. If LUSD initiates the notice of intent to audio record a meeting and the parent/guardian objects or refuses to attend the meeting as a result, the meeting shall not be audio recorded. (EC §56341.1(g))
 - ↳ **Note:** *If a parent/guardian state she/he will audio record the meeting, LUSD will also record the meeting. The case manager or administrator designee will bring a recorder and recording medium to the meeting. However, if parent/guardian does not want the meeting to continue because LUSD is recording, then parent and LUSD shall not record the IEP meeting.*
 - ❑ **Surrogate Parents.** LUSD will appoint a surrogate parent when no parent can be located or if the court has specifically limited the right of a parent or guardian to make educational decisions for the student. (20 USC §1415(b)(2)(A), 30 EC §56028(5), 14 GC Chapter 26.5, §7579.5) For assistance, contact the Special Education Department at least 10 calendar days prior to the IEP meeting in order to locate a surrogate parent through our Mid-Cities SELPA.
 - ❑ **Parental Understanding.** LUSD is required to take any action necessary to ensure that the parent/guardian understands the proceedings at the IEP meeting, including arranging for an interpreter for parents with hearing limitations or whose native language is not English (34 CFR §300.322 (e), 30 EC §56341.5(I))
 - ↳ **Translations:** Parents are to be provided with their Procedural Safeguards in their native language at every IEP meeting; they are also to receive all IEP information, including reports and other relevant information, in their native language upon request. If translated information is not available at the time of the IEP meeting, since the IEP is a working document until the meeting has been completed, parents may request and are to be told of their right to request translated documents.
 - ↳ **Interpretations:** Parents are to be provided with an interpreter who speaks their native language in order to support their meaningful participation in IEP meetings. This support is to be provided by the District. Parents must inform the Case Manager that this service is required, and are to be told of their right

to request this. *The Case Manager is responsible for requesting an interpreter from the school site first. If there are none available, the case manager may contact the LUSD Special Education Coordinator who oversees the Interpreters/Translators with enough time to ensure an interpreter is available to attend the IEP meeting.*

The Interpreters/Translators act as the essential bridge of communication between English Learning (EL) families and the Lynwood Unified School District. We are committed to providing quality and professional translation (written) and interpretation (oral) services to families so that they can become an active agent of their children's education.

Due to high volume of requests and limited staff capacity, the Special Education Department asks that case managers let us know your needs as early as possible.

Case managers shall request all Translation Services online using the IEP Translation Requests Form that can also be found under the Special Education Google Classroom.

D. STRUCTURING THE IEP MEETING

Key IEP Considerations

During IEP meetings, IEP team members must consider the following:

- ☐ Strengths of the student (20 USC §1414(d)(3)(A)(I), 34 CFR §300.324 (a)(1)(ii), 30 EC §56341.1. (a)(1))
- ☐ Parent/guardian concerns for enhancing the education of the student (20 USC §1414(d)(3)(A)(ii), 34 CFR §300.324 (a)(1)(ii), 30 EC §56341.1(a)(2))
- ☐ Results of the initial evaluation, most recent evaluation, and results of statewide assessment of the student (20 USC §1414(d)(3)(A)(iii), 34 CFR §300.324(a)(1)(iii), 30 EC §56341.1(a)(3))
- ☐ Academic, developmental, and functional needs of the student. (20 USC §1414(d)(3)(A)(iv), 34 CFR §300.324(a)(1)(iv), 30 EC §56341.1(a)(4))

Additional IEP Considerations

- ☐ For a student whose behavior impedes his or her learning or that of others, the IEP team must consider providing positive behavior interventions and strategies and/or supports to address the behavior. (34 CFR §300.307(a)(3), 5 CCR §3030(j)(4)(B)) For English Learners (ELs), the IEP team must consider the language needs of the student as such needs related to the student's IEP and whether the IEP includes linguistically appropriate goals, objectives, programs and services (20 USC §1414(d)(3)(B)(ii), 34 CFR §300.324 (a)(2)(ii), 30 EC §§56345(b)(2) and 56341.1(b)(2))
- ☐ For a student who is blind or visually impaired, provide for instruction in Braille and the use of Braille unless the IEP Team determines, after an evaluation of the student's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the student's future needs for instruction in Braille or the use of Braille), that instruction in Braille or the use of Braille is not appropriate for the student (20 USC §1414(d)(3)(B)(iii))

- ☐ Consider the communication needs of the student and in the case of a student who is deaf or hard of hearing, consider the student's language and communication needs, opportunities for direct communication with peers and professional personnel in the student's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the student's language and communication mode (20 USC §1414(d)(3)(B)(iv))
- ☐ Consider whether the student needs assistive technology devices and services. (20 USC §1414(d)(3)(B)(v))

LUSD must structure IEP meetings in such a way as to ensure that parents/guardians are engaged as full participants in the IEP process. In addition, LUSD must structure meetings to cover all key topics related to meeting student needs.

Developing the IEP

All required components of IEP development are included on the student's IEP. It is important that case managers verify that each section of the IEP is designed to provide educational benefit for the student.

The IEP Meeting Case Manager is responsible for ensuring all participants, including the parents, are actively engaged in the discussion of the student's strengths and needs.

Best Practices

LUSD should follow the best practices below in order to ensure that IEP meetings run smoothly.

- ☐ From the beginning, ensure that the concerns of parent/guardians and the information they provide regarding the student are considered in developing and reviewing the student's IEP. This may be achieved by asking questions throughout the meeting, such as, "Tell us about your son or daughter," and "From your perspective, what helps in this situation?"
- ☐ Throughout the meeting, invite parent/guardian comments and questions, and check for parent/guardian understanding.
- ☐ Use language comprehensible to the general public and limit the use of educational jargon in order to ensure parents and IEP team members understand what is being communicated.
- ☐ Ensure that information provided by the parent/guardian, such as independent educational evaluations (IEEs) is received, considered, and documented within the IEP notes.
- ☐ Specify a time in the future when the parent/guardian will receive a response if a concern or question cannot be addressed at the meeting.
- ☐ Take every opportunity to make parent/guardians feel part of the team. Provide parent/guardians with a copy of the Community Advisory Committee (CAC) flyer and invite the parent/guardians to join.

D. AMENDING IEP DOCUMENT

Following review and finalization of a student's IEP, changes in circumstances may lead to the need for minor changes to the student's IEP. In making changes to a student's IEP after the

annual IEP Team meeting for a school year, the parent of a student with a disability and LUSD may agree not to convene an IEP Team meeting for the purposes of making those changes, and instead may develop a written document to amend or modify the student's current IEP. (34 CFR §300.324(a)(4)). Parental signature still required for implementing the amended section(s) of the IEP.

Amendments do **not** change the due date of when the next annual IEP is held and may only be done without an IEP meeting when the parent agrees to do so. Parental agreement to modify an IEP without an IEP meeting must be obtained in writing.

When determining whether an IEP Amendment can be used, IEPs fall into two main categories:

1. IEP Amendments that *do not require significant change are limited to a small change or limited to a particular service*. Examples include small changes to:
 - ☐ Student transportation details
 - ☐ Student goals/objectives, including adding one agreed-upon goal
 - ☐ Student Extended School Year (ESY) designation
 - ☐ Student instructional setting (such as for one or two periods or classes)
 - ☐ At a new semester or school year, that goals or services may need a slight adjustment to work in the new setting

In such instances, if the LUSD members of the IEP team and the student's parent/guardian(s) agree that the proposed amendment is not significant and choose to modify the IEP without convening an IEP meeting, the IEP can be modified using the procedure outlined above. If a member of the IEP team or parent/guardian feels the topic requires an IEP meeting discussion, then an IEP meeting will be scheduled.

IEPs requiring significant change

- ☐ Changes to the student's placement
- ☐ Changes in student's disability eligibility
- ☐ Significant changes in student behavior that warrant serious disciplinary action
- ☐ Add or revise present levels of performance and/or annual goals and objectives
- ☐ Add or delete a service based on current assessment
- ☐ Document the implementation of a Due Process Agreement
- ☐ Convene an IEP Meeting per parent or staff request.

In such instances, LUSD must schedule an IEP meeting to discuss the proposed changes and how they impact student needs and services.

When amending an IEP, the IEP teams must:

- ☐ Contact the student's parent/guardian(s) to discuss the proposed change
- ☐ Ensure that the original IEP is finalized before amending it
- ☐ Inform the parent/guardian(s) that the proposed change needs to occur through an IEP team process, and can happen with or without a meeting
- ☐ If the parent/guardian(s) request further discussion through a meeting process, the case manager must schedule an IEP meeting

- ❑ If the parent/guardian(s) and LUSD agree that the change(s) can occur without a meeting:
 - ↳ The parent/guardian(s) and LUSD discuss the IEP change(s)
 - ↳ LUSD notes the areas to be changed on the IEP within the Agreement
 - ↳ LUSD prints the Amendment IEP form for parent and district personnel written agreement.
- ❑ Provide copies of the Agreement to Amend the IEP to the student's parent/guardian(s)
- ❑ Upon request, a parent/guardian must be provided with a revised copy of the IEP with the amendments incorporated (*34 CFR §300.324(a)(6)) (20 USC §1414(d)(3)(F))*)
- ❑ When parent/guardian(s) permission is received,
 - ↳ The case manager must:
 - ↳ Inform the entire IEP Team of the amendments/changes made to the IEP (*34 CFR §300.324(a)(4), 20 USC §1414(d)(3)(D))*)
 - ↳ All service providers implement the Amended IEP

G. IEP Meeting Follow-up

Document the distribution of copies of the IEP to all staff responsible for implementation, including the general education teacher(s) and paraprofessional as applicable.

When parent/guardians do not agree with any part or all of the IEP, inform the parent/guardians of their rights, ensure that they have a copy of their procedural safeguards, and assist them in requesting an informal conference to learn about the Alternative Dispute Resolution Process. Also, inform appropriate LUSD personnel of the disagreement

- ❑ Make sure you informed your school principal and/or the Special Education Department Coordinator and Director that parents disagreed to one or more component of the IEP and/or assessments provided
- ❑ Provide the Special Education Department Coordinator and Director with any of the parents/legal guardians' concerns, requests for independent evaluations, and what disagreements they have.

In order to ensure that good faith effort has been made to gain parent participation in an Individualized Education Meeting (IEP) or gain consent, it is LUSD's Best Practice for IEP teams to maintain a Communication Log of all attempts to contact parents through personal contact, phone calls, emails, written notes, and letters, and the outcome of these attempts.

Chapter VIII

English Language Learners with Disabilities (ELLs SWD)

What's Required?

English Language Learners (“ELLs”) are students whose Home Language Survey indicates a language other than English is spoken in the home. Students who are ELLs who qualify for Special Education Services receive both Special Education Services and appropriate language acquisition support.

If the student has been determined to be Limited English Proficient, identify linguistically appropriate goals and objectives and English Language Development services to assist the student develop fluency in English.

During development of the assessment plan, the school psychologist and Special Education teacher shall select and administer tests and other assessment materials that measure the extent to which an English Language Learner has a disability and needs Special Education, rather than measuring the student's English language skills.

Action Items: What to do?

When developing the IEP for students who are English Language Learners, the IEP team must:

- ☐ Include directions that the student must be assessed annually using the English Language Proficiency Assessments for California (ELPAC) or an alternative (VCCALPS) to determine English language proficiency (*30 EC 313, 5 CCR 11511, 5 CCR 11512.*)
- ☐ Consider the results of the ELPAC or alternate (*34 CFR 300.324(a).*)
- ☐ Include a determination of whether the ELPAC will be administered with or without modifications or accommodations, or whether English proficiency will be measured using an alternate assessment (*34 CFR 300.320, 5 CCR 11516.*)
- ☐ Include a statement of the student's present levels of academic achievement and functional performance, including how the student's disability affects their involvement and progress in the general education curriculum (*(34 CFR 300.320, 5 CCR 3001.)*)
- ☐ Note who will provide ELD services for student. Check one or more: Gen Ed or Special Ed, or both, according to the student's schedule (*34 CFR 300.320, 5 CCR 3001.*)
- ☐ Ensure that teachers who provide instruction to English Language Learners with disabilities have appropriate Special Education credentials as well as supplementary authorization to provide English Language Development and primary language support (e.g., CLAD, BCLAD, or equivalent) *30 EC 44253.1 to 30 EC 44253.10.*
 - ↳ **Note:** Primary language support include, but not limited to, scaffolding, provide visual/graphic organizers, supportive group work, and Guided Language Acquisition Design (“GLAD”) instructional strategies. It does not mean to provide instruction in the student's primary language.

- ❑ For each goal, specify the language of instruction by using the following phrase: “... in the language of instruction that will align with the ELL pathway at the school site that maximizes his/her primary language”
 - ↳ **Example:** By May 5, 2023, when reading a third-grade passage, [student name] will apply basic syllabication rules to decode multisyllabic [rules/words] that will align with English Language pathways as the school site maximizes his/her primary language as implemented by IEP team members (Special Education Teacher, General Education Teacher, Student, or other service providers) with 80% accuracy as measured by teacher observation
- ❑ Create an English Language Development (ELD) goal or objective that is related to English Language Acquisition (ELA) goals for all students identified as ELLs. Please utilize Goalbook Toolkit Software to help you create IEP goals that are standard based for English Language Learners.
- ❑ Ensure all students who are English Language Learners receive a minimum of 30 consecutive minutes of English Language Development targeted at their proficiency levels
- ❑ Offer the Parent/Guardian translated documents. Submit to the LUSD Special Education Department using the [IEP Translation Request Google Form](#) as soon as parents/legal guardians have signed the IEP.

Chapter IX

Related Services

Related Services include, but are not limited to developmental, corrective, and other supportive services as are required to assist a student with a disability to benefit from special education, including transportation. These services are required to enable the student to meet their special education goals. The IEP team makes the final determination of which, if any, related services the student with a disability requires for educational benefit. (34 §CFR 300.34(a); EC §56363))

Related services include, but are not limited to, the following:

- ☐ Speech and Language Pathology
- ☐ Audiological Services
- ☐ Orientation and Mobility Services
- ☐ Vision Services
- ☐ Specialized Services for Low Incidence Disabilities
- ☐ Adapted Physical Education
- ☐ Physical and/or Occupational Therapy
- ☐ Counseling Services
 - ✦ DIS Counseling is provided by school psychologist
 - 📖 Counseling and guidance services
 - 📖 Individual counseling
 - ✦ Educationally Related Mental Health Services (“ERMHS”) is provided by licensed clinical social worker (“LCSW”)
 - 📖 Individual counseling
 - 📖 Counselling and guidance
 - 📖 Parent counseling
 - 📖 Agency linkages
- ☐ School Health and School Nursing Services
- ☐ Vocational Education and Career Development
- ☐ Intensive Individual Support
- ☐ American Sign Language Interpreting services

The IEP team makes the determination of whether a specific related service is required based on an evaluation by a qualified professional who meets California state requirements in their area of expertise. The process requires a referral for an assessment in a suspected area of need, an assessment plan signed by the parent/guardian, and an assessment. The evaluator develops a report of the findings and recommendations. The assessment results are presented to the IEP team, which analyzes the results, identifies student’s needs, and determines whether specific related services are required to meet the needs.

A. Speech and Language Pathology (34 §CFR 300.34(c) (15), 5 C.C.R. §3051.1)

Speech and Language services are provided by Speech Language Pathologists (SLPs). Services include:

- ☐ Identification of children with speech or language impairments; (CFR §300.304 (c)(15)(I), CCR §3051.1)(a)(I))

- ☐ Diagnosis and appraisal of specific speech or language impairments, structures observation across school settings to determine needs or progress; (*CFR §300.304 (c)(15)(ii)*)
- ☐ Referral for medical or other professional attention necessary for the habilitation of speech or language impairments; (*CFR §300.304(c)(15)(iii)*)
- ☐ Provision of speech and language services for the habilitation or prevention of communicative impairments; (*CFR §300.304(c)(15)(iv)*)
- ☐ Counseling and guidance of parents, children, and teachers regarding speech and language impairments; (*CFR §300.304(c)(15)(v)*)
- ☐ Specialized instruction and services for students with disorders of language, speech, and hearing, including monitoring of student progress on a regular basis, providing information for the review, and when necessary, participating in the review and revision of IEPs; (*CCR §3051.1) (a)(2)*)
- ☐ Consultative services (training, collaboration, consultation) with students, parents, teachers, or other school personnel; (*CCR §3051.1) (a)(3)*)
- ☐ Coordination of speech and language services with a student's general education and special education program; (*CCR §3051.1) (a)(4)*)
- ☐ Materials preparation, including development or adaptation of augmentative and alternative communication materials or devices.

Refer to Chapter V: Eligibility for more information on the process to identify if the student has a Speech or Language impaired (SLI). If a student does not have another disability which requires special education intervention, Speech and Language may be a stand-alone special education service.

If the student receives another special education service including Specialized Academic Instruction ("SAI"), Speech and Language becomes a related service to the SAI for a different disability. A student who has other disabilities does not have to meet separate Speech Language Impaired (SLI) eligibility criteria if the IEP determines the student requires Speech and Language as a related service.

A student is eligible for speech and language pathology related services if his/her IEP team after a review of the specialist assessment concludes that the student meets the following standards, as applicable: (5 C.C.R. §3030. (b) (11)

- ☐ Articulation Disorder:
 - ↳ The student displays reduced intelligibility and/or an inability to use the speech mechanism which significantly interferes with communication and attracts adverse attention.
 - ↳ Significant interference occurs when the child's production of single or multiple speech sounds (phonemes) on a developmental scale of articulation competency is below that expected for his or her chronological age or developmental level.
- ☐ Abnormal Voice:
 - ↳ A student shall be determined by the IEP Team as having abnormal voice when the disorder adversely affects educational performance
 - ↳ When indicated, vocal assessment shall include a medical laryngeal

examination

⇒ The assessor and IEP team documents that the abnormal voice:

- 📖 Is noticeable to both familiar and unfamiliar listeners
- 📖 Interferes with communicating
- 📖 Is noticeable over a long period of time
- 📖 Is inappropriate for the student's age and/or sex

❑ Fluency Disorder

⇒ A student shall be identified by the IEP Team as having a fluency disorder when the student exhibits:

- 📖 Inappropriate rate or rhythm of speech
- 📖 Excessive repetition, revision, interjection, pauses, and other breaks in the flow of speech that do not enhance meaning
 - A certain degree of normal non-fluent behavior characterizes the speech of very young children
- 📖 In this case, periodic monitoring and parent education may be more appropriate than direct intervention

❑ Language Disorder

⇒ The pupil scores at least 1.15 standard deviations below the mean, or below the 7th percentile, for his or her chronological or developmental level.

⇒ A Multidisciplinary Team shall assess a student. Relevant information shall include the following:

- 📖 Assessment in one or more of the following areas of language development:
 - Morphology
 - Syntax
 - Semantics
 - Pragmatics
 - Language Disorder does not include:

- 📖 Students who have atypical patterns resulting from lack of familiarity with English, cultural differences, race, or environmental deprivation
- 📖 Students whose language is commensurate with his/her general cognitive functioning



Students who utilize alternative modes of communication, such as signing, picture education communication system (“PECS”), or alternative augmentative communication devices may require specialized assessment and determination of required speech and language related services.

The determination of recommended speech/language services is always made by the IEP team. If the IEP team determines services outside the range of services outside the guidelines of the Communication Severity Scales (CSS), the reason for the determination should be clearly documented in IEP Meeting Notes.

Note: Services may be provided by a paraprofessional working under the direct supervision of a credentialed language, speech, and hearing specialist if specified in the individualized education program. (CCR §3051.1) (c))

B. Audiological Services (34 §CFR 300.34(c)(1), 5 C.C.R. §3051.2)

A student may require audiological related services if he/she has a special education eligibility of Deaf or Hard of Hearing according to the following definitions:

- ☐ (Deaf) Deafness means a hearing impairment that is so severe that the child is impaired in processing linguistic information through hearing, with or without amplification, which adversely affects a child's educational performance. (CCR §3030(B)(3))
- ☐ (Hard of Hearing) Hearing impairment means an impairment in hearing, whether permanent or fluctuating, that adversely affects a child's educational performance but that is not included under the definition of deafness above. (CCR §3030(B)(3))

The IEP Team shall determine whether a student has *deafness* after reviewing the following assessments:

- ☐ A comprehensive audiological examination, including pure tone and speech discrimination tests, performed by an audiologist
- ☐ An assessment of the:
 - ↳ Health of the student, including a comprehensive examination of vision
 - ↳ Academic achievement of the student
 - ↳ Speech and language of the student

In addition, a comprehensive evaluation of the student also may include an assessment of the student's cognitive abilities, academic skills, and social and emotional needs.

A student is eligible for audiological related services if the IEP team concludes that the student meets the following standards, as applicable:

- ☐ Hard of Hearing (Hearing Impairment)
 - ↳ the student has the ability, if aided, to hear and understand most spoken words
 - ↳ the student's hearing mechanism, though defective, is sufficiently functional with or without the use of a hearing aid to allow a receptive flow of information
- ☐ Deafness
 - ↳ Routine auditory communication is impossible for the student, or nearly so, because of the student's inability to discriminate among and understand the sounds that reach the student
 - ↳ the sense of hearing of the student is nonfunctional for the ordinary purposes of life, whether as a result of congenital or post lingual deafness

If a parent requests that an outside observer/audiologist observe the student before the IEP, they must be accompanied by a district representative with the same role as an outside observer. If that person is not available, then a Special Education administrator must accompany them.

The audiologist's reports and services are an integral part of the educational program for a student who is deaf or hard of hearing (5 C.C.R. §3051.2) The educational audiologist holds a Clinical Rehabilitative Services Credential, a California License in Audiology, or both. Services include clinical diagnostic audiology services and additional educational audiology services include planning and delivery of (re)habilitation services following diagnosis, such as analyzing

instructional listening dynamics, recommending modifications for school environment or programs, and educating school personnel and parents to make instruction accessible to students with hearing loss for their academic and social success. In working with deaf and hard of hearing students, the educational audiologist respects and utilizes the preferred language and language mode of the student.

Designated audiological instruction and services may include:

- ☐ Aural rehabilitation (auditory training, speech reading, language habilitation, and speech conservation) and habilitation with individual students or groups and support for the hearing-impaired students in the general ed. classroom
- ☐ Monitoring hearing levels, auditory behavior, and amplification for all students requiring personal or group amplification in the instructional setting, and assistive listening devices.
- ☐ Planning, organizing, and implementing an audiology program for individuals with auditory dysfunctions, as specified in the individualized education program
- ☐ Providing Consultative services regarding test findings, amplification needs and equipment, ontological referrals, home training programs, if appropriate, acoustic treatment of rooms, and coordination of educational services for students with hearing impairments (*CCR §3051.2(a)*)
- ☐ Performing routine checking of hearing aids and external components of surgically implanted medical devices
 - ↳ **Hearing aids.** Each public agency must ensure that hearing aids worn in school by students with hearing impairments, including deafness, are functioning properly.
 - ↳ **External components of surgically implanted medical devices.** LUSD must ensure that the external components of surgically implanted medical devices are functioning properly.
 - ↳ For a student with a surgically implanted medical device who is receiving special education and related services under this part, a public agency is not responsible for the post-surgical maintenance, programming, or replacement of the medical device that has been surgically implanted (or of an external component of a surgically implanted medical device). (*20 USC §§1401(1) and 1401(26)(B)*), (*CFR §300.113*)

In addition, the audiologist is uniquely qualified to perform the following activities with students:

- ☐ Hearing screenings for all students, preschool through high school
- ☐ Training audiometric technicians or other appropriate personnel to screen for hearing loss
- ☐ Performing follow-up comprehensive audiological evaluations
- ☐ Interpreting audiological assessment results to other school personnel
- ☐ Serving as a member of the Section 504 or IEP team in the evaluation, planning, and placement process, to make recommendations regarding placement, related service needs, and modification of classroom environments for students with hearing impairments or other auditory problems

- ☐ Making recommendations about the use of hearing aids, cochlear implants, group and classroom amplification, and assistive listening devices
- ☐ Ensuring the proper fit and functioning of hearing aids, exterior components of cochlear implants, group and classroom amplification, and assistive listening devices
- ☐ Analyzing classroom noise and acoustics and making recommendations for improving the listening environment
- ☐ Managing the use and calibration of audiometric equipment
- ☐ Collaborating with parents, teachers, special support personnel, and relevant community agencies and professionals to ensure delivery of appropriate services
- ☐ Making recommendations for assistive devices (radio/television, telephone, alerting and convenience) for students with hearing impairments
- ☐ Providing services, including home programming if appropriate, in the areas of speech reading, listening, communication strategies, use and care of amplification, including cochlear implants, and self-management of hearing needs.

***Note:** Some of these responsibilities may be shared with the teacher of the deaf and the speech and language pathologist. Because of the overlap in the training and skills of these professionals, it is imperative that the professionals work in close collaboration in order to provide team-based provision of services to deaf and hard of hearing children and their families.*

At the student's IEP meeting:

- ☐ The IEP team reviews all assessments, informal and formal to determine the appropriate audiological services.
- ☐ All non-district assessments must first have been reviewed by a District Educational Audiologist. If the parent brings such an assessment report to the meeting, the team will need to reconvene after the District Audiologist has had appropriate time to review the report, as he/she deems necessary.
- ☐ The IEP determines if the student requires audiological services to receive educational benefit.
- ☐ Audiology services may be:
 - ↳ Direct service, which will require goals, including objectives if appropriate, and specific service time and location
 - ↳ Related services if the student is receiving other services. Goals and specific service time and location are required
 - ↳ Supplementary Aids, Services and Supports. Specify if the service is for the student/and or personnel. Include service frequency, time, and location. The IEP Meeting Notes should reflect which goals the supplementary audiological services are supported.
- ☐ Some services are general and provided to all students, and therefore are not written as a service in the IEP, but may be discussed in IEP Meeting Notes.

C. Orientation and Mobility Services (34 §CFR 300.34(c)(7)) 5 C.C.R. §3051.3)

In order to qualify for Orientation and Mobility (O&M) related services, a student ***must have a visual impairment*** as diagnosed by an ophthalmologist that even with best correction, adversely affects his/her ability to move about safely and purposefully within the environment. An evaluation by an Orientation & Mobility specialist is required to determine the student's need for

instruction in adaptive techniques for travel due to vision loss. This assessment will be presented to the IEP team to determine the need for services.

Orientation and Mobility Services

- ☐ Means services provided to blind or visually impaired children by qualified personnel to enable those students to attain systematic orientation to and safe movement within their environments in school, home, and community; and
- ☐ Includes teaching children the following, as appropriate:
 - ↳ Spatial and environmental concepts and use of information received by the senses (such as sound, temperature and vibrations) to establish, maintain, or regain orientation and line of travel (e.g., using sound at a traffic light to cross the street);
 - ↳ To use the long cane or a service animal to supplement visual travel skills or as a tool for safely negotiating the environment for students with no available travel vision;
 - ↳ To understand and use remaining vision and distance low vision aids; and
 - ↳ Other concepts, techniques, and tools. (*CFR §300.34 (c) (7)*)

Mobility instruction may include:

- ☐ Specialized instruction for individuals in orientation and mobility techniques.
- ☐ Consultative services to other educators and parents regarding instructional planning and implementation of the individualized education program relative to the development of orientation and mobility skills and independent living skills. (*CCR §3051.3 (a)*)

Teachers providing mobility instruction and services shall hold a credential as an Orientation & Mobility specialist. (*CCR §3051.3 (b)*)

At the student's IEP meeting, the IEP team must review the evaluation by the Orientation & Mobility specialist and determine and identify the following:

- ☐ That the student requires O&M services
- ☐ Initiation Date of O&M Services
- ☐ Duration of O&M Services
- ☐ Description of individualized service needs, including supports for school personnel
- ☐ Location of Service (i.e., where the student will receive the service)
- ☐ Minutes per Day & Sessions per Week:
 - ↳ Totaling the number of minutes in a special setting per week and the extent to which the student is removed from the general education class

O&M Specialists will collaborate with the student's teacher(s) of record to develop Present Levels of Academic Achievement and Functional Performance related to the area of concern associated with the student's independent ability to move about safely and purposefully within the student's environments, as well as determine goals (and objectives) required for the student.

Eye Specialists

An eye specialist is a licensed optometrist, ophthalmologist, or other licensed physician and surgeon who has training and expertise in low vision disabilities. (*5 CCR §3051.7(d)*)

An eye specialist must:

- ☐ Conduct an assessment of and provision for services to students with visual impairments
- ☐ Provide consultation to the student, parents, teachers, and other school personnel as may be requested by the student's IEP team. (5 CCR §3051.7(b))

Vision Therapy

Vision Therapy is not provided by a Teacher of the Visually Impaired.

Vision therapy may include:

- ☐ Remedial and/or developmental instruction provided directly by or in consultation with an optometrist, ophthalmologist, or other qualified licensed physician and surgeon providing ongoing care to the individual (5 CCR §3051.75(a))
- ☐ Vision therapy provided by an optometrist, ophthalmologist, or by appropriate qualified school personnel when prescribed by a licensed optometrist, ophthalmologist, or other qualified licensed physician and surgeon ((5 CCR §3051.75(b))
- ☐ Procedures which may be utilized by qualified personnel are those procedures authorized by federal and state laws and regulations and performed in accordance with these laws and regulations and standards of the profession. (5 CCR §3051.75(c))

D. Vision Services

LUSD must provide vision services to students through the use of credentialed teachers and/or eye specialists.

Referral Process:

If staff, parent, or an IEP team member feels the student may need Vision Services, a referral packet may be obtained from the Special Education Department.

- ☐ Submit completed referral forms directly to Special Education Department with a current ophthalmologist report documenting visual impairment.
- ☐ An Assessment Plan will be developed within 15 calendar days after the Special Education Department receives the completed referral packet.
- ☐ An assessment will be scheduled once a signed Assessment Plan is received.
- ☐ An IEP meeting will be scheduled to discuss assessment and recommendations within 60 calendar days after an Assessment Plan is signed.

- ☐ To be eligible for services from an Orientation & Mobility Teacher:
- ☐ A student must have a medically documented visual impairment which, even with correction, adversely affects his/her educational performance.
- ☐ A visual Impairment is a visual loss not correctable by glasses, (a corrected acuity in the better eye of 20/70 or worse or a visual field loss greater than 20°). This may include cataracts, glaucoma, retinopathy of prematurity, ocular albinism, retinitis pigmentosa, et cetera.
- ☐ A visual impairment does not include a visual perception or visual motor dysfunction solely from a learning disability.

Teacher of Students with Visual Impairment (TVI)

The goal of the TVI program is to ensure access to the core curriculum by teaching specific adaptive techniques which will enable students to participate in their school and community to their fullest potential. The TVI will provide:

- ☐ Consultative services to students, parents, teachers, and other school personnel (5 CCR §3051.7(a))
- ☐ Adaptations in curriculum, media, and the environment, which may include supplementing curriculum with a variety of tactile experiences and other sensory lessons, and as appropriate, provide large print and braille textbooks, optic aids, note taking devices, modified paper, adapted computer software.
- ☐ Instruction in special skills adaptive techniques.
- ☐ Other supports include
 - ↳ obtaining and interpreting current medical eye reports, and
 - ↳ setting up and conducting vision-only IEPs
- ☐ A TVI is not a medical vision therapist. The program teaches students adapted skills to improve visual efficiency, not vision.

E. SPECIALIZED SERVICES FOR LOW INCIDENCE DISABILITIES

A low incidence disability is a severe disabling condition with an expected incidence rate of less than one percent of the total statewide enrollment in kindergarten through grade 12. For purposes of this definition, severe disabling conditions are hearing impairments, vision impairments, and severe orthopedic impairments, or any combination thereof.

Summary of legal requirements

EC §56836.22 provides for funds to purchase specialized books, materials and equipment as required under the student's individualized education program (IEP) for students with low incidence disabilities as defined in EC §56026.5 (hard of hearing, deaf, deaf-blind, visual impairments, or severe orthopedic impairments, or any combination thereof).

As a condition of receiving these funds, the LUSD must ensure that:

- ☐ The appropriate books, materials and equipment are purchased
- ☐ The use of items is coordinated as necessary
- ☐ The books, materials and equipment are reassigned within LUSD once the student that originally received the items no longer needs them

Responsibility

Low Incidence funding is the legal responsibility of LUSD, including accountability of how the funds are used and reassignment of specialized books, materials, and equipment within LUSD. To meet this responsibility, a Low Incidence Committee has been established within the Special Education Department which is comprised of educators knowledgeable about low incidence disabilities. The LUSD Low Incidence Committee has established procedures and guidelines for purchases through the Low Incidence fund.

The Low Incidence Committee may include:

- ☐ Specialist for the visually impaired
- ☐ Specialist for the orthopedically impaired

- ☐ Specialist for the Hard of Hearing or Deaf
- ☐ Speech/Language Pathologist
- ☐ Audiologist
- ☐ Teacher or Specialist knowledgeable in assistive technology
- ☐ DIS Administrator

Eligibility

Low Incidence Funds may be used for all students with Low Incidence disabilities as defined in law, for both primary and secondary eligibilities. Some students counted as having an orthopedic impairment may not be eligible because they do not have a “severe orthopedic impairment” as per the definition of Low Incidence disabilities in EC §56026.5. Students who have severe orthopedic impairments require highly specialized services, equipment, and materials. (EC §5600.5(b))

Persons knowledgeable of a disability shall assess a student with a suspected low incidence disability. A low incidence disability does not guarantee the use of low incidence funds. (EC §56320(g))

The IEP team must review assessment data and determine the most appropriate items or services needed to address the student’s unique educational needs. These may or may not be specialized.

These guidelines were developed for serving students with severe low incidence disabilities who require specialized services and/or equipment and specialized materials to benefit from education. These students have the potential to access LUSD’s core curriculum with appropriate accommodations.

Low Incidence Funds (LIF) Parameters

- ☐ Prior to requesting purchase of new equipment, the DIS specialist must check other sources such as the Assistive Technology (AT) center for any availability
- ☐ Low incidence funds must not be used for the purchase of non-adapted computers and toys

Procedures

- ☐ Determine Eligibility: The IEP team must determine eligibility for low incidence disabilities. The Low Incidence eligibility must be documented on the IEP as a primary or secondary disability
- ☐ Determine Student Needs: The IEP team must determine the student’s educational needs for item(s) through educational assessment and documentation.
- ☐ Educational Assessment
 - ↳ Personnel who assess the student must prepare a written report, or reports as appropriate, of the results of each assessment. For students with low incidence disabilities, the report shall include, but not be limited to, the need for specialized services, materials, and equipment.
 - ↳ IEP Documentation: The requirements must be written into the IEP but are not limited to the following:

- 📖 How the materials, and/or equipment will assist the student's instruction in accordance with the IEP
- 📖 How often the materials, and/or equipment will be used or is needed
- 📖 How the materials and/or equipment facilitate participation in the classroom instruction
- 📖 Specific projected student outcomes
- 📖 Justification statement that is related to the student's unique educational needs as identified in the assessment information. Assessment, goals and objectives that are correlated to the justification statement of need
- 📖 A PLAAFP (present levels of academic achievement and functional performance) that reflects assessment information and the need for support
- 📖 Identification of personnel who will provide support to the student and will monitor and inventory adapted equipment and/or FM System (List position)
- 📖 Contact Related Services Provider: IEP teams must contact the appropriate Related Services Provider to receive copies of the "Low Incidence Request" Forms and complete the form. Include accurate ordering information including tax and shipping.
- 📖 Attach Current Annual IEP: IEP must be signed and legible. Attach amendment IEPs as appropriate
- 📖 Attach all Documentation: IEP teams must submit reports from OTs, PTs, audiologists, vision impairment specialists and/or speech/language pathologists.
- 📖 Attach IEP pages: Information/Eligibility, Special Factors, Goals, Consent page
- 📖 IEP teams must send the Request Packet to:
 - Special Education Department, Attention
 - IEP Teams must keep a copy of the request packet for their records

Cautions

- ❑ IEP teams must not list specific items in students' IEPs using specialized brand names. Rather, goals should be addressed generically. What the IEP must show is that the student has a unique educational need directly related to the low incidence disability and that this need can only be met with specialized books, materials, equipment, and services.
- ❑ Goals need to be written to address the unique educational needs, not the desired items or service
- ❑ If the Annual IEP goals do not specifically address this educational need, then the IEP team must create and submit an amendment IEP with goals that reflect the need for specialized books, materials, and equipment
- ❑ Once specific items are listed on the IEP, LUSD is ultimately responsible for purchasing the equipment

Student Transfers between districts:

- ❑ Student moves into LUSD: When a student moves into LUSD with LI equipment already purchased for the student in their last placement, the Local Education Agency (LEA) that issued the equipment must document that the equipment be transferred. If equipment is sent with the student, the LEA must complete an inventory form and send it to LUSD so it can be put into the Low Incidence Inventory database.
- ❑ Student moves out of LUSD: If the books, materials, and equipment issued to the student are still needed by other LUSD students with low incidence disabilities, LUSD is **not** required to send the equipment with the moving student. Providing LI is now the responsibility of the LEA where the student now resides. However, if materials and equipment purchased with Low Incidence Funds are unused, LUSD is encouraged to arrange with other school districts to share the unused equipment, books, and materials. LUSD may contact the California Department of Education (CDE) for assistance in locating another school district that has need of the unused equipment, books, or materials.
- ❑ Student graduates from high school: A graduating high school student with a LI disability cannot use the specialized equipment purchased for him/her by LUSD through low incidence funds in college. To do so would be a gift of public funds, which is a violation of the law. (EC §56822)

Books, materials, and equipment purchased with low incidence funds remain the property of the state. Since the student has graduated from high school, he/she is no longer eligible to receive special education services from LUSD. (EC §56822)

If LUSD no longer has use for the books, equipment, or materials, it must notify CDE so that CDE can find another school district that has need of these resources. If the student needs similar equipment upon graduating or aging out, he/she should contact the Department of Rehabilitation or South Central Los Angeles Regional Center (SCLARC).

❑ *Equipment*

- ↳ Lost or stolen equipment may be replaced using Low Incidence Funds (LIF)
- ↳ If the item(s) has been purchased for one student and is no longer being used by that student, LUSD should reassign the item to another student who is LI eligible. The IEP for that student must indicate the need for LI equipment
- ↳ IEP teams may want to recommend a trial basis on a piece of equipment. This can be accomplished through a lease agreement with the vendor prior to purchase

❑ *Management Information Documentation*

- ↳ An IEP team member must ensure that the student who receives LI equipment is listed as having a Low Incidence disability within a web-based IEP system.

F. Adapted Physical Education (5 C.C.R. §3051.5)

IDEA continues to ensure that all children with disabilities receive physical education. (*20 USC §1401 (29)*). Physical Education (“PE”) is defined as the development of physical and motor fitness, fundamental motor skills and patterns, and skills in aquatics, dance, and individual and group games and sports (including intramural and lifetime sports) and includes special PE,

Adapted PE (“APE”), movement education, and motor development. LUSD provides adapted physical education to students with disabilities who require developmental or corrective instruction and who are precluded from participation in the activities of the general physical education program, modified general physical education program, or in a specially designed physical education program in a special class.

LUSD must offer consultative services to students, parents, teachers, or other school personnel for the purpose of identifying supplementary aids and services or modifications necessary for a student’s successful participation in the general education physical education program or specially designed physical education programs. (*CCR §3051.5(a)*)

A credentialed APE specialist may work collaboratively with other school personnel including general physical education teachers, special day class teachers, and instructional assistants, to provide APE services.

Before referral for APE assessment:

When movement skill ability is suspected as contributing to or resulting from a disability, adaptations, accommodations, and modifications should be tried within the general or specially designed physical education program for a student before a referral to APE is made. The outcomes should be documented, including modifications to pre-referral interventions when appropriate.

Appropriate and meaningful intervention strategies should be based upon the student’s needs and age and upon the physical education curriculum. The APE specialist may provide consultation to assist general physical educators as to how they can modify instruction, equipment and participation for their students who have mild disabilities. Often, a student with mild disabilities can participate successfully in general physical education if rules are modified, equipment is changed, the student is permitted to play a specific position on a team, or provided with a peer tutor or “buddy.”

Exception: In some instances, the disability of the student is so apparent that a referral to APE is appropriate without implementations or adaptations, accommodations, and modifications, or the use of such are inappropriate or unsafe. However, on the IEP, there should be documentation that adaptations, accommodations, and/or modification have been considered, and an explanation of why they were not implemented. Examples:

- ☐ A student who has a significant sensory or physical disability
- ☐ A student with health impairment such as significant heart condition
- ☐ A student with autism who is unable to tolerate a large group setting

Observation prior to request for APE assessment:

It is preferable that the APE specialist consults or collaborates in the aforementioned ways. If not, the APE teacher must be invited to observe the student to determine if adaptations, accommodations, and modifications can be provided within the existing general physical education program, modified general physical education program, or in a specially designed

physical education program in a special class. If not, the APE specialist may recommend a formal assessment to determine specific needs in physical and movement abilities.

Assessment:

The student shall be assessed in all areas related to the suspected disability. The documented reasons for referral, leads to the development of the assessment plan which identifies the areas to be assessed. An APE specialist is part of the multidisciplinary team and may be involved in the assessment if the suspected disability involves physical and movement abilities.

The following should be considered in determining the most appropriate, least restrictive, physical education placement:

- ☐ Psychomotor, cognitive, and affective factors that would affect the student's ability to participate successfully and safely in general physical education
- ☐ Capability of the student to benefit from an APE program, including such considerations as ability to understand cause and effect; demonstration of emotional behavior to benefit from one-on-one instruction, capability for voluntary movement, ability to interact with another person
- ☐ Results of a comprehensive, ecologically based physical/motor assessment conducted by a certified PE teacher, qualified in APE.

Areas that may be addressed in the assessment plan to determine the need for adapted physical education and the appropriate level of service include, but are not limited to:

- ☐ Fine and gross motor skills
- ☐ Motor development
- ☐ Motor skill performance in natural contexts as related to PE standards and objectives
- ☐ General physical education functioning, including safety
- ☐ Mobility
- ☐ Sport and recreation skills, including the application of motor skills to various environments
- ☐ Other skills related to physical education curriculum and standards
- ☐ Effects of cognitive delays
- ☐ Effects of emotional disturbances

IEP Meeting and Services:

The IEP team reviews the APE assessment and determines the need for APE services, taking into consideration:

- ☐ To maximum appropriateness, children with disabilities, including students in public or private institutions or other care facilities, are educated with students who are not disabled, and special classes, separate schooling or other removal of students with disabilities from the general educational environment occurs only when the nature or severity of the disability of a student is such that education in general ed. classes with the use of supplementary aids and services cannot be achieved satisfactorily. (*20 USC §1412(a)(5)*)

If the student requires APE as a related service, the types of services are defined in the IEP.

- ☐ Direct instruction may be provided to teach specific skills
- ☐ Consultative services may also be provided to school personnel and others, including parents, medical personnel, and social agencies for the purpose of identifying supplemental aids, services, or modifications necessary for successful participation in the general physical education program or specially designed PE program.
- ☐ Frequency and duration of services are specified
- ☐ Goals and objectives/benchmarks, which are monitored by the APE Specialist, are identified on the IEP.
- ☐ Students receiving APE are counted on the APE specialist's caseload.

G. Physical and Occupational Therapy

Physical Therapy ("PT") or Occupational Therapy ("OT") may be recommended by the IEP team when reviewing the OT/PT assessment if the service is educationally as well as medically necessary. In school-based practice, both Physical Therapists (PTs) and Occupational Therapists (OTs) view disability in terms of the ways in which a student is faced with activity limitations and participation restrictions when trying to gain access to the educational program.

Occupational Therapy

OTs are health professionals whose purpose in a public school setting is to support a student's engagement and participation in daily occupations, which include

- ☐ Daily living
- ☐ Education
- ☐ Prevocational work
- ☐ Play
- ☐ Rest
- ☐ Leisure
- ☐ Social participation

OTs must provide/assist students with the following (34, CFR, §300.34(c)(6)):

- ☐ Improving, developing, or restoring functions impaired or lost through illness, injury, or deprivation
- ☐ Improving ability to perform tasks for independent functioning if functions are impaired or lost
- ☐ Preventing, through early intervention, initial or further impairment or loss of function.

Physical Therapy

Physical Therapists are health professionals whose purpose is to correct, facilitate, or adapt the student's functional performance in:

- ☐ Motor control and coordination
- ☐ Posture and balance
- ☐ Functional mobility
- ☐ Accessibility
- ☐ Use of assistive devices

Physical Therapists provide students with the following services:

- ☐ Physical or corrective rehabilitation
- ☐ Physical or corrective treatment of any bodily or mental condition of any person by the use of the physical, chemical, and other properties of heat, light, water, electricity, sound, massage, and active, passive, and resistive exercise
- ☐ Physical therapy evaluation, treatment planning, instruction, and consultative services

When determining whether a student REQUIRES OT/PT services

The IEP team reviews the assessment and determines the need for occupational or physical therapy based on the student's goals and objectives, the skills of the team members, and desired student outcomes. OT/PT must be required in order to assist the student to benefit from special education. This implies:

- ☐ The student has a disability
- ☐ The OT/PT service is educationally relevant and clear in purpose
- ☐ The OT/PT service is necessary in order for the student to benefit from the IEP
- ☐ The need cannot be addressed appropriately by the special educator, classroom teacher, PE teacher or other LUSD staff

When determining whether a student NO LONGER REQUIRES OT/PT services.

- ☐ It is possible that a student receiving OT/PT services no longer requires such services in order to benefit from his/her educational program.
- ☐ Students no longer need OT/PT services if they meet one or more of the following conditions:
 - ↪ The student is functional within his/her educational environment and has accomplished his/her IEP goals
 - ↪ LUSD personnel are able to assist the student in areas of concern previously addressed by OT/PT
 - ↪ Student performance remains unchanged despite multiple efforts by the occupational and/or physical therapist to assist the student
 - ↪ Physical impairments are not interfering with student's ability to function adequately within his/her school environment
 - ↪ Reassessment indicates that the student no longer requires the previous level of service
 - ↪ The student has learned appropriate strategies to compensate for his/her physical impairments
 - ↪ LUSD can effectively implement strategies to improve the student's functioning within the educational environment and does not require the training and expertise of an occupational or physical therapist
- ☐ If a student meets any of the above criteria, the IEP team should note this information within the student's IEP and ensure that the OT/PT services provided to the student are stopped within a timely fashion, transitioning any continuing services or IEP goals to another credentialed staff member.

H. Counseling Services

- ❑ DIS Counseling
 - ↳ Individual counseling
 - ↳ Counseling and guidance services (*group counseling services*)
- ❑ Educationally Related Mental Health Services (ERMHS)
 - ↳ Individual Counseling
 - ↳ Counseling and guidance services (*group counseling services*)
 - ↳ Parent Counseling
 - ↳ Agency Linkages (ERMHS Case Management)

LUSD must provide counseling services to students with disabilities when the student's IEP team determines that counseling services are necessary to supplement their individualized education program in order for the student to benefit from special education.

DIS Counseling is a related service in an IEP for a student whose social-emotional or behavioral needs affect their ability to benefit from their special education program, and are manifested primarily at school. It is counseling focused on teaching, practicing, modeling, and generalizing skills and strategies to benefit from special education services. DIS counseling services are provided by credentialed school psychologists or licensed DIS Counselors.

- ❑ DIS Counseling should only be considered after consultation with the school psychologist. *Students who qualify under the eligibility category of Emotional Disturbance should always have either DIS Counseling OR ERMHS Counseling as a related service in their FAPE offer.*
- ❑ Less restrictive interventions, (i.e., Tier 1 & Tier 2 Behavioral MTSS) must have been attempted, monitored, and data collected to show student response.
- ❑ The focus of DIS Counseling is on the IEP goals. IEP goals drive services and interventions.
- ❑ Interventions must be evidence-based and empirically supported.
- ❑ The school psychologist/licensed DIS Counselor documents the student's progress toward DIS Counseling goals in the student's IEP at the same intervals as all service providers report on progress for other goals.
- ❑ The school psychologist/licensed DIS Counselor documents service delivery via SEIS Service Tracking

ERMHS Counseling is a related service that can be included in an IEP for a student whose social-emotional or behavioral needs affect their ability to benefit from their special education program, and are manifested at school, at home, and in the community. It is an IEP mental health service that is at a higher level (frequency, duration, or intensity) than DIS counseling. ERMHS counseling services are provided by our licensed clinical social workers.

- ❑ ERMHS Counseling should only be considered after consultation with the school psychologist. *Students who qualify under the eligibility category of Emotional Disturbance should always have either DIS Counseling OR ERMHS Counseling as a related service in their FAPE offer.*
- ❑ Less restrictive interventions, (i.e., Tier 1, Tier 2 Behavioral MTSS, and DIS Counseling) must have been attempted, monitored, and data collected to show student

response.

- ☐ Case Managers and site school psychologists should connect with ERMHS providers to obtain input on progress toward IEP current goals and the development of new IEP goals. Progress toward ERMHS Counseling goals in the student's IEP should be reported on at the same intervals as all service providers report on progress for other goals. Counseling goals must be observable & measurable in the school setting.
- ☐ All transfer of ERMHS providers must be done via your assigned ERMHS school psychologist and CBHS. Please do not ask an onsite provider to see an ERMHS student without consulting with your school psychologist first.
- ☐ **Parent Counseling** may be offered as part of an ERMHS service offer in order to assist parents in acquiring skills to support the social emotional needs identified in their student's Individualized Education Program (IEP). ***This service is not meant to provide counseling services for the parents personal social-emotional needs.***

At the student's IEP meeting:

- ☐ The school psychologist presents formal assessment results, observations, and recommendations for DIS or ERMHS Counseling services.
- ☐ Relevant social-emotional goals are developed by Case Manager and site school psychologist/licensed DIS Counselor in collaboration with the ERMHS provider, as applicable, are proposed.
- ☐ The IEP team makes final determination of required goals and services.
- ☐ Parent/guardian signature on the IEP serves as parent/guardian consent for the DIS or ERMHS Counseling service. However, there are additional consent forms required for ERMHS services which are coordinated by the school psychologist.
- ☐ Parents can consent to an IEP while declining any related service, including DIS or ERMHS Counseling, by signing "with exception." If a parent declines an offer of DIS or ERMHS Counseling services, the district will continue to offer the service as FAPE for as long as it is deemed a necessary service.

Reminders:

- ☐ The school psychologist must be added to the student's SEIS record as a service provider during the duration that DIS and ERMHS Counseling is being provided.
- ☐ The school psychologist/licensed DIS Counselor documents service delivery via the SEIS Service Tracking Feature. ERMHS providers do not track services in SEIS.
- ☐ If a service is to be renewed at an annual IEP meeting, an updated **Request for DIS Counseling Services Form** must be electronically submitted by the school/psychologist.

I. SCHOOL HEALTH AND SCHOOL NURSING SERVICES

Specialized physical health care services are services prescribed by the student's licensed physician and surgeon requiring medically related training for the individual who performs the services and which are determined to be necessary during the school day to enable the student to attend school. (5 CCR §3001(s))

"Specialized physical health care services," as used in this section, includes catheterization, gastric tube feeding, suctioning, or other services that require medically related training. (EC

§49423.5(d))

Prescribed services include protocols and procedures developed through collaboration among school or hospital administrators and health professionals, including licensed physicians and surgeons and nurses, to be utilized in the provision of the specialized physical health care services.

Students requiring specialized physical health services are not to be placed at school sites other than those they would ordinarily attend based upon the rest of the IEP placement and services decisions. (EC §49423.5(a)-(h))

Specialized physical health care services

□ Definitions.

- ✦ Specialized physical health care services mean those health services prescribed by the child's licensed physician and surgeon requiring medically related training for the individual who performs the services and which are necessary during the school day to enable the child to attend school
- ✦ Standardized procedures mean protocols and procedures developed through collaboration among school or hospital administrators and health professionals, including licensed physicians and surgeons and nurses, to be utilized in the provision of the specialized physical health care services.
- ✦ Qualified means ability to demonstrate competency in Cardio-Pulmonary Resuscitation, current knowledge of community emergency medical resources, and skill in the use of equipment and performance of techniques necessary to provide specialized physical health care services for individuals with exceptional needs. In addition:
 - 📖 Qualified for the professional school or public health nurse or licensed physician and surgeon shall mean trained in the procedures to a level of competence and safety which meets the objectives of the training.
 - 📖 Qualified for the designated school personnel shall mean trained in the procedures to a level of competence and safety which meets the objectives of the training as provided by the school nurse, public health nurse, licensed physician and surgeon, or other programs which provide the training.
- ✦ Supervision means review, observation, and/or instruction of a designated school person's performance of physical health care services, but does not necessarily require the immediate presence of the supervisor at all times.
 - 📖 Immediate supervision means that the supervisor shall be physically present while a procedure is being administered.
 - 📖 Direct supervision means that the supervisor shall be present in the same building as the person being supervised and available for consultation and/or assistance.
 - 📖 Indirect supervision means that the supervisor shall be available to the qualified designated school person either in person or through electronic means to provide necessary instruction, consultation, and referral to appropriate care and services as needed. Supervision of

designated school persons shall include review on-site by a qualified school nurse, qualified public health nurse, or qualified licensed physician and surgeon. Supervision shall also include review of the competence of that individual in performing the specialized health care service, maintenance of appropriate records, physical environment, and equipment.

- ✦ Training means preparation in the appropriate delivery and skillful performance of specialized physical health care services. In addition:
 - 📖 Medically related training of credentialed school nurses or public health nurses shall be that training in an approved program which may be necessary to update or make the current nurse's professional skills and knowledge related to meeting students' needs for specialized physical health care services.
 - 📖 Medically related training of employed designated school personnel is that training in an approved program in standardized procedures provided by a qualified school nurse, qualified public health nurse, qualified licensed physician and surgeon, or other approved programs to enable the person to provide the specialized physical health care services necessary to enable the child to attend school.
- ✦ Competency in Cardio-Pulmonary Resuscitation means possession of a current valid certificate from an approved program.

Standards and Staffing

- ❑ Allocation of qualified designated school personnel shall be determined by the amount and type of supervision necessary, and also the type and frequency of services needed by students in special classes and centers, and general education instructional settings.
- ❑ Approved training for qualified personnel shall be provided in one or more of the following ways:
 - ✦ By a qualified school nurse, qualified public health nurse, or qualified licensed physician and surgeon
 - ✦ By career and continuing education programs, approved by the appropriate licensing board
 - ✦ By training programs through public or private medical institutions, i.e., hospitals, public health agencies, Visiting Nurses Associations, and Red Cross.

Organization and Administration

- ❑ Specific continuing specialized physical health care services required in order for the individual to benefit from special education will be included in the individualized education program. If the parent elects to perform the service during the school day or have the services provided by a non-public agency or other individual selected by the parent, a waiver shall be signed relieving the school of the responsibility.
- ❑ Appropriate accommodations for safety and necessary physical care services for the individual with exceptional needs in the school setting shall be provided by the

school. Personal privacy and dignity of an individual with exceptional needs shall be assured.

- ☐ LUSD shall not be required to purchase medical equipment for an individual student. However, LUSD is responsible for providing other specialized equipment for use at school that is needed to implement the individualized education program.
 - ↳ A qualified school nurse, qualified public health nurse, or qualified licensed physician and surgeon responsible for supervising the physical health care of an individual with exceptional needs in the school setting shall:
 - ☐ Coordinate the health care services to the individuals with exceptional needs on the school site
 - ☐ Consult with appropriate personnel regarding management of health care services for individuals with exceptional needs
 - ☐ Make appropriate referrals and maintain communication with health agencies providing care to individuals with exceptional needs
 - ☐ Maintain or review licensed physician and surgeon and parent requests and daily documentation records.

The parent/guardian of students who require specialized physical health care services, meaning those services prescribed by the student's licensed physician required during the school day to enable the student to attend school shall provide a written request for the needed physical health care service. (5 CCR §3051.12 (b)(3)(E)) This request shall include:

- ☐ The student's name, address, and phone number
- ☐ The physician's name, address, and phone number
- ☐ The needed health care procedure
- ☐ Statement authorizing qualified school personnel to perform the procedure, as approved by the physician (5 CCR §3051.12(b)(3)(E))
- ☐ Statement agreeing to notify the school immediately of any change in the child's regimen or the authorizing physician
- ☐ Statement agreeing to provide all supplies needed for the procedure.

The student's physician shall submit a written statement authorizing the administration of the specified physical health care service. (5 CCR §3051.12(b)(3)(E)) This statement shall indicate:

- ☐ The student's name and address
- ☐ Condition for which treatment is to be given
- ☐ Specific procedure to be given (5 CCR §3051.12)
- ☐ Time schedules for the procedure (5 CCR §3051.12)
- ☐ Precautions, possible untoward reactions, and recommended intervention.

Written licensed physician and surgeon and parent requests, as well as the specific standardized procedures to be used if physical health care services are provided, shall be maintained for each individual with exceptional needs. Daily documentation of specific services which are provided shall be maintained on a district-approved form which shall include the signatures of the qualified designated school person(s) who performs the procedure.

Any student who is required to have specialized physical health care services during the school day, prescribed for him or her by a licensed physician and surgeon, may be assisted by a

qualified school nurse, qualified public health nurse, or other qualified school personnel, if the school district receives:

- ☐ A written statement from the licensed physician and surgeon stating the procedure and time schedules by which such procedures are to be given; and
- ☐ A written statement from the parent or guardian of the student, indicating the desire that the school district assist the student in the matters set forth in the licensed physician and surgeon's statement, and granting consent for the delivery of such services.

This written statement of a licensed physician and surgeon and parent requests and daily documentation shall be maintained in accordance with the requirements of confidentiality of student records, and are considered mandatory interim student records.

A student with an IEP who requires specialized physical health care services during the regular school day, may be assisted by any of the following individuals:

- ☐ Qualified persons who possess an appropriate credential issued pursuant to EC §§44267 or 44267.5, or hold a valid certificate of public health nursing issued by the Board of Registered Nursing
- ☐ Qualified designated school personnel trained in the administration of specialized physical health care if they perform those services under the supervision of a credentialed school nurse, public health nurse, or licensed physician and surgeon and the services are determined by the credentialed school nurse or licensed physician and surgeon, in consultation with the physician treating the pupil, to be all of the following:
 - ↳ Routine for the pupil
 - ↳ Pose little potential harm for the pupil
 - ↳ Performed with predictable outcomes, as defined in the individualized education program of the pupil
 - ↳ Do not require a nursing assessment, interpretation, or decision-making by the designated school personnel.

Specialized health care or other services that require medically related training shall be provided by a qualified individual.

Persons providing specialized physical health care services shall also demonstrate competence in basic cardiopulmonary resuscitation and shall be knowledgeable of the emergency medical resources available in the community in which the services are performed. (EC §49423.5 (a)-(h))

Documenting Services in the IEP

Including valuable health information in the present level of performance and drafting IEP goals that incorporate health objectives that can be worked on during the school day will help improve the chances that students with health issues are more independent and successful in managing their health conditions as adults.

- ☐ Any health issue or limitation can be incorporated into the present level if it describes how the child's disability affects the child's participation in school and recreational activities. (20 USC §1414 (d) (1) (A))

- ☐ If the student has an Emergency Care Plan (ECP) or Individualized Health Service Plan (IHSP), please reference the document and add it as an attachment to SEIS.

Nursing staff must be at any IEP discussing Health services.

- ☐ If there is a specialized physical health care and/or nursing goal and/or a specialized physical health care services or nursing service in the IEP, please include a district nurse in the IEP meeting. If there is a district nurse at the school site, please invite her/him to IEPs for students with health issue(s). Submit a Request for School District Nursing Consultation as soon as the need for Nursing support and consultation is suspected.
- ☐ For IEPs where the case manager or IEP team feels the student may need nursing services, a centrally assigned school district nurse must be invited. Please give them at least two weeks' notice prior to the IEP meeting. The case manager must ensure that all specialized healthcare services and goals are written into the IEP. If there are missing goals or services, they must notify the centrally assigned school district nurses, immediately.
- ☐ The consulting nurse should be included as a service provider on SEIS, and invited to all IEPs where nursing will be listed as a service. If there is a School District Nurse providing the specialized healthcare procedure, that nurse should be invited and may attend in lieu of the centrally assigned school district nurse.

Written statement from the licensed physician and surgeon

The IEP team will review the written statement from the licensed physician and surgeon. The licensed physician of a student with disabilities who is required to receive physical health care services shall provide a written statement detailing the procedure and time schedule by which such procedures are to be given. In addition, the student's parent/guardian shall provide a written statement indicating his/her desire that the district assist the student in the matters set forth in the physician and surgeon's statement and granting consent for the delivery of such services. (5 CCR §3051.12)

The IEP team, after determining that a student requires specialized physical health care services in order to benefit from his/her special education, the IEP must document the following:

- ☐ The goals the student must accomplish
- ☐ How often, how long, and where the specialized health care service will be provided
- ☐ Who can provide the service under whose supervision
- ☐ Any Supports to School personnel. Possible examples include,
 - ↳ Training for the qualified designated school personnel who will provide the service, and training for teachers, paraprofessionals, and others who may work with the student.
 - ↳ Providing regular school or classroom team meetings/consult/trainings if necessary.
- ☐ When to periodically review the service and when to reschedule an IEP.

This statement shall indicate:

- ☐ The student's name, address, and phone number
- ☐ The physician's name, address, and phone number

- ☐ The needed health care procedure
- ☐ Statement authorizing qualified school personnel to perform the procedure, as approved by the physician (5 CCR §3051.12(b)(3)(E))
- ☐ Condition for which treatment is to be given
- ☐ Specific procedure to be given (5 CCR §3051.12)
- ☐ Time schedules for the procedure (5 CCR §3051.12)
- ☐ Precautions, possible untoward reactions, and recommended intervention
- ☐ Statement agreeing to notify the school immediately of any change in the child's regimen or the authorizing physician
- ☐ Statement agreeing to provide all supplies needed for the procedure.

Individualized Health Service Plan ("IHSP")

Prior to or immediately following the IEP, every student with an IEP who requires specialized healthcare procedures, other nursing care, intervention or adult supervision for health procedures should have an Individualized Health Service Plan ("IHSP") written by a LUSD school district nurse. The IHSP is a document that provides direction to school staff who implements the plans.

For each student with disabilities, LUSD and the school site shall maintain:

- ☐ The physician and surgeon and parent/guardian statements,
- ☐ The specific standardized procedures to be used if physical health care services are provided,
- ☐ Daily documentation of specific services provided and shall include the signatures of the personnel who performed the procedure.
- ☐ This documentation shall be maintained in accordance with the requirements for confidentiality of student records and shall be classified as mandatory interim student records. (5 CCR §3051.12)

J. Additional Adult Assistant ("AAA")

Additional Adult Assistant Services is a *related service*

AAA is used to record *significant* support needs in the education setting, either individual or group support, for a portion of the day. It is generally provided by a paraprofessional, but may be provided by a special education teacher if necessary.

- ☐ When necessary for FAPE, an Additional Adult Assistant may be assigned on an emergency basis while the appropriate assessment is being completed.
- ☐ Sample assessments:
 - ↳ **Medical:** Health Assessment should be completed by a school nurse; the determination should be indicated via an Individual Health Services Plan (IHSP);
 - ↳ **Behavior:** Functional Behavior Analysis (FBA) should be completed by a school psychologist. In some cases, the FBA may be also be completed by a Board Certified Behavior Analyst ("BCBA"); the determination should be indicated via a Behavior Intervention Plan (BIP).
- ☐ Independence is a primary goal for all students. Therefore, it is critical that the IEP team regularly review the need for AAA services; at a minimum, annually. AAA

support should be recorded for less than a full day only when the service is being phased out.

- ☐ If a student with an AAA transfer to another site, the position is re-allocated to the new site. The employee will be reassigned with the student to the new site when beneficial for the student and feasible in accordance with the contract.
- ☐ If a student no longer requires AAA support, the site's allocation of positions is decreased and a consolidation or employee re-assignment will occur.
- ☐ On the IEP in SEIS use Service Code 340 which is Intensive Individual Services.

For additional protocols and procedures on Additional Adult Assistant see Chapter X

Procedures and Standards for Designating a Paraprofessional on a School Bus

LUSD recognizes all Special Education Instructional Assistants and Special Education Instructional Needs per the LUSD/CSEA Collective Bargaining Agreement ("CBA"). All references to Special Education Instructional Assistants and/or Special Education Instructional Needs will be deemed equivalent to a paraprofessional for the purposes of this section.

LUSD provides paraeducator support to school bus routes in 2 distinct ways: through an Individualized Education Program (IEP) service offer and through a route need.

Individualized Education Program (IEP) assignments

Paraeducators can be assigned to support specific students to ensure safely arrival at school and departure to home. This need is identified via an IEP team agreement. Once parents consent to this service, a paraeducator is identified and Transportation is notified of who will be riding the bus and when they will start.

Route

LUSD contracts with Nonpublic Schools (NPS) when specialized programs within the public realm are not able to adequately meet the students' needs. The Special Education Department meets with the Transportation Department to ensure safe transport of these students is maintained.

L. American Sign Language Interpreting Services

Interpreting Services were added to IDEA's list of related services in the 2004 reauthorization and are defined as follows:

- ☐ When used with respect to children who are deaf or hard of hearing:
 - ↳ Oral transliteration services,
 - ↳ Cued language transliteration services,
 - ↳ Sign language transliteration and interpreting services,

Special interpreting services for children who are deaf-blind. (34 CFR §300.34(c)(4))

The definition of interpreting services indicates a range of possible such services (e.g., oral transliteration, cued language), all of which refer to specific communication systems used within the deaf and hard-of-hearing community.

The Individuals with Disabilities Education Improvement Act of 2004 (IDEIA 2004) requires that interpreters for pupils who are deaf or hard of hearing meet state-approved or state-recognized certification, licensing, registration, or other comparable requirements. (*34 CFR §300.156(b)(1)*)

LUSD must provide interpreting services to students with disabilities when the student's IEP team determines that such services are necessary for the student to benefit from his/her educational program. The IEP team will use relevant information to make this determination (i.e., progress on goals, assessment data, and what type of program they are participating in).

Chapter X

ADDITIONAL ADULT ASSISTANT (“AAA”)

Guiding Principles:

The Individuals with Disabilities Education Act (IDEA 2004) and California laws and regulations describe a continuum of alternative placements such as instruction in regular classes, special classes, special schools, home instruction and instruction in hospitals and institutions (34 CFR Section 300.551 (b)(1)). Both federal and state laws also contain provisions to ensure that children with special needs are educated in the Least Restrictive Environment (LRE), with typical children. However, if not carefully monitored, Additional Adult Assistant (AAA) can easily and unintentionally foster dependence. A request for AAA shall be made only after other site interventions have proven unsuccessful. A student’s educational program must be carefully evaluated to determine when and where the additional support is required.

Definition of AAA:

Instructional Assistant Special Needs is the official classification of what the Special Education Department calls “Additional Adult Assistant” (“AAA”). Under the direction of an assigned supervisor such as classroom teacher and/or school administrator, the AAA shall perform a variety of duties pertaining to the care and instruction of special needs students; assist in instructing students individually or in small groups in accordance with prescribed learning objectives; assist in meeting special needs, including feeding, toileting, positioning, monitoring and behavioral concerns.

Rationale:

Additional Adult Assistant (AAA) may be indicated in situations where additional staff support is needed in the classroom/school-site due to:

- ☐ Pervasive and aggressive student behaviors directed towards self or others; and/or
- ☐ Intensive student health needs

Natural support and existing staff should be used whenever possible to promote the Least Restrictive Environment (LRE).

AAA and Related Services

California’s related services as defined in Education Code and Title 5 regulations are generally defined as follows:

- ☐ “Related services mean those services that are necessary for a pupil with a disability to benefit from his or her special education program in accordance with title 20 USC 1401 (22). (CCR Title 2 60010(S)).” Further, as per CCR title 2 30010(h), “Designated Instruction and Services means specially designed instruction and related services ---, as may be required to assist a pupil with a disability to benefit educationally.”

IEP teams should identify the need for related services based on appropriate documentation and assessment. If the IEP team recommends such services, the following statements must be considered for inclusion in the IEP:

- ☐ The related service is necessary for the child to benefit from his/her special education program;

- ❑ The program modifications or supports for school personnel are necessary to assist the child; and
- ❑ The related service will assist the child to:
 - ⇒ Advance appropriately toward the annual goals;
 - ⇒ Be involved in and progress in the general curriculum;
 - ⇒ Participate in extracurricular and other nonacademic activities during school day hours;
 - ⇒ Be educated and participate with other children, with and without disabilities

The IEP team shall address the means for reviewing and evaluating the necessity of continuing Additional Adult Assistant (AAA) services to the student.

The IEP team shall also include a statement of the anticipated frequency and duration for the services and specify the necessary accommodations and modifications.

If it is determined that additional personnel support is required, the IEP team should periodically review the effectiveness of this additional support. A systematic, written plan needs to address how additional personnel support will be monitored.

For services requiring additional personnel support as a result of a child's behavioral difficulties, the child's IEP needs to include appropriate goals and objectives. In addition, a behavioral plan should be developed, or if appropriate, a Behavioral Intervention Plan should be developed in accordance with Sections 3001 and 3052 in Title 5, California Code of Regulations. The behavior plan needs to include a provision describing how and when support, including personnel, will be utilized to implement the plan, and when the plan will be reviewed and modified.

When a need for additional support is due to medical need, a specialized health care plan will need to be developed.

When Additional Adult Assistant (AAA) is being considered for a specific student, a district office representative shall be required to participate in the decision-making process of the IEP team meeting.

Under What Conditions Might an IEP Team Consider Additional Adult Assistant (“AAA”)?

Additional Adult Assistant (“AAA”) may be provided for students with disabilities when additional support is necessary to the student in order to make progress on his or her goals and objectives and to benefit educationally. Whenever possible, additional assistance is assigned to a school environment, class, or case manager.

Occasionally, however, a student requires individual support for a designated period of time to address a unique need. By law, services to students with special needs must be delivered in the "least restrictive environment." When the IEP team is considering AAA, all aspects of the student's program must be considered. A request for AAA shall be made only after other site interventions have proven to be ineffective. A student's educational program must be carefully evaluated to determine when and where the additional support is required. Additionally, the IEP

team must plan for periodic reviews to assess the continued need for this type of individualized assistance. Furthermore, there should be a plan to phase out the AAA as needed.

AAA and NPS

It is expected that students enrolling in a non-public school will not require AAA support. For students currently in NPS, if the need for AAA becomes evident, the NPS should contact the student's district of residence to initiate a referral for a AAA evaluation. The district will evaluate the student and present findings and recommendations to the IEP team. Whether in public school or NPS, if the student already has AAA, it is recommended that the district conduct an evaluation to determine the continued need for AAA prior to the next annual IEP meeting.

Absent Student with AAA:

When a student who has an AAA is absent for a day or short period of time, the AAA can be asked to work with other student(s) in the Special Education setting. It is the duties and responsibilities of the AAA to work directly with their assigned student as well as other students in order to maximize the academic and personal outcome of the assigned student.

Existing AAA for Newly Enrolled Student

When a student new to the Lynwood USD enrolls with an existing IEP that indicates AAA services, staff should be assigned as soon as practicable during the 30-day interim placement to provide the student with comparable services based on the last agreed upon IEP from the previous district (EC 56325). If an evaluation is warranted to determine the continued need for AAA, it should be completed during the 30-day interim placement.

ADDITIONAL ADULT ASSISTANT (“AAA”): PROCEDURE

Checklist is to be completed throughout the evaluation process.

Please **date and initial** as items are completed.

Checklist for Additional Adult Assistant (AAA)

Step 1 Complete the Referral for Additional Adult Assistant (AAA)

- ☐ Complete the Referral for AAA _____
- ☐ Include suggested documents _____
- ☐ Send complete packet to Program Specialist/Coordinator assigned to your school _____
- ☐ Review of AAA referral by District Office Special Ed Employee _____
- ☐ Write a Letter of Prior Written Notice (possible change of services) _____
- ☐ Provide Assessment Plan (if appropriate) _____

Step 2 Complete the Additional Adult Assistant (AAA) Assessment

- ☐ Complete AAA Assessment Protocol _____

- ☐ Complete Parent Interview/Questionnaire and Rubric _____
- ☐ Complete Teacher Interview/Questionnaire and Rubric _____
- ☐ Complete Student Interview/Questionnaire (if applicable) _____
- ☐ Complete Student Observation Data Collection Form(s) _____

Step 3 Write the AAA Assessment Report

- ☐ Write the AAA Assessment Report _____
- ☐ Hold staffing meeting to review Assessment Report _____
- ☐ Hold IEP meeting (within 60 days of receipt of consent) to discuss assessment results _____
- ☐ AAA NOT Recommended- Develop/revise IEP goals, modifications and/or accommodations, _____
- ☐ behavior supports/plan, or other additional recommendations _____
- ☐ AAA Recommended-Proceed to Step 4 (below)

Step 4 Develop a Plan of Action

- ☐ Develop IEP goals and objectives _____
- ☐ Develop data collection forms to monitor goals and objectives _____
- ☐ Develop Student Independence Plan _____
- ☐ Develop AAA Training Plan _____
- ☐ Establish periodic review dates _____
- ☐ Request/Assign AAA from Human Resources Department _____
- ☐

Step 5: Progress Monitoring – Review of Progress to Determine Continued Need for AAA

- ☐ Complete Review to Determine Continued Need for AAA _____

AAA: THE FIVE STEPS PROCESS

Step 1: Complete the Referral for Additional Adult Assistant (AAA)

If the IEP team at the site believes extra support may be necessary to meet the student's goals and objectives, they must discuss the need at an IEP team meeting, at which time these needs will be considered. The **Referral for Additional Adult Assistant (Step 1)** needs to be completed if the IEP team believes that temporary special needs assistance to support the student is necessary. It should be indicated on the notes page that the IEP team is making a referral for Additional Adult Assistant (AAA).

If AAA is requested during an IEP team meeting without a previous referral, the procedure for requesting AAA must be initiated at that time. It should be indicated on the notes page that the IEP team is making a referral for Additional Adult Assistant (AAA).

Use the **Referral for Additional Adult Assistant (Step 1)** to assist in quantifying the severity of student's needs. Supporting documentation should include the documents indicated on page 3 of the **Referral for Additional Adult Assistant (Step 1)**.

If the parent requests additional support, an IEP team meeting will be held to review the parent request. The IEP team will clarify parent's concerns and discuss options. If the IEP team at the

site believes extra support may be necessary to meet the student's goals and objectives, they must discuss the need at an IEP meeting, at which time these needs will be considered. The **Referral for Additional Adult Assistant (Step 1)** needs to be completed if the IEP team believes that temporary special needs assistance to support the student is necessary. It should be indicated on the notes page that the IEP team is making a referral for Additional Adult Assistant (AAA).

*It is important when completing **Referral for Additional Adult Assistant (Step 1)** that information on Instruction/Educational Benefit as well as Inclusion/Mainstream are considered as they may be impacted by either Health/Personal Care Issues/Medical and/or Behavior Safety.*

A Special Education district employee (Program Specialist or Coordinator) will review the **Referral for Additional Adult Assistant (Step 1)** within 15 days of the request with a written response.

Submit the **Referral for Additional Adult Assistant (Step 1)**, along with the suggested documents indicated on page 3 of the **Referral Additional Adult Assistant (Step 1)** to a Special Education Administrator.

Prior Written Notice (“PWN”)

The AAA Referral should be submitted to a Special Education district employee who will review the referral and process the AAA Assessment request. This will be noted on page 6 of the **Referral for Additional Adult Assistant (Step 1)**. A Letter of Prior Written Notice will be sent out to the parent indicating that the AAA Assessment request is or is not recommended and the rationale. If the AAA Assessment request is recommended, the Assessment Plan will be included with the Letter of Prior Written Notice within 15 days of completion of the referral.

*If the IEP team determines that additional temporary support is **NOT needed**, an IEP meeting will be scheduled to develop/modify IEP goals, modifications and/or accommodations, behavior supports/plan, or other additional recommendations.*

The current student’s case manager will be responsible for completing the AAA Assessment within 60 days from receiving parent consent. It is encouraged that AAA case manager coordinate with IEP team members to complete the assessment.

Step 2: Complete Additional Adult Assistant Assessment including:

☐ AAA Assessment Protocol

- ↳ Parent, Staff, Student Interview/Questionnaire
- ↳ Health Care/Medical and/or Behavior and Safety Rubric
- ↳ Student Observation Data Collection Form(s)

AAA case manager should complete the **AAA Assessment Protocol (Step 2)**. Best practice would be for the interviews to be completed at the beginning of the evaluation process. **Parent and Teacher Interview/Questionnaire** should be completed to identify specific areas of concern. It may also be appropriate to complete the **Student Interview/Questionnaire**. In conjunction with the **Parent and Teacher Interview/Questionnaire**, completion of the **Health Care/Medical and/or Behavior and Safety Rubric** is required.

It is the responsibility of AAA case manager to conduct the observation, using the AAA Assessment Protocol and Student Observation Data Collection Form(s). AAA case manager may opt to use alternate data forms as a component of the assessment process. AAA case manager will review strategies, materials, modifications, and/or accommodations currently in place to assist the student toward achieving goals and objectives.

Step 3: Write the Additional Adult Assistant (AAA) Assessment Report

When an IEP team is considering AAA for a student, all aspects of the student's program must be considered with the intent of maximizing student independence. The **Additional Adult Assistant Assessment Report (Step 3)** should address the areas of concern identified in the referral, interviews, and observations that were conducted as part of the assessment. The AAA case manager will write the **Additional Adult Assistant Assessment Report**.

Review AAA Assessment at IEP Meeting

Within 60 days following the receipt of parent consent for the AAA assessment, an IEP team shall review the results of the AAA assessment and the recommendations at an IEP team meeting. If the IEP team determines that additional temporary support is needed, proceed to step 4. If the IEP team determines that additional temporary support is **NOT needed**, it is recommended that the IEP team develop/modify IEP goals, modifications and/or accommodations, behavior supports/plan, or other additional recommendations.

Step 4: Develop a Plan of Action

- ☐ Goals and Objectives
- ☐ AAA Behavior and Task Completion Data Collection Forms
- ☐ Student Independence Plan
- ☐ Training Plan
- ☐ Request/Assign AAA
- ☐ **Progress Monitoring – Review of Progress to Determine Continued Need for AAA**

If the IEP team determines a need for AAA, it is written on the IEP with specific goals and objectives, training plan, progress monitoring and fading strategies, and review dates. Regardless of the circumstances that may indicate the need for support, it is imperative for every IEP to address the skills that will be taught in order for AAA to be faded. The level of support required for the student to advance appropriately toward annual goals needs to be defined. A systematic, written plan should specify how additional support should be utilized and monitored. An IEP team meeting should be convened if necessary to modify AAA support. Discussion at this IEP team meeting should be documented in the notes page of the IEP and include a written plan outlining the team's criteria and possible timeline for phasing out the necessity for AAA support. Refer to **AAA Appendix: Suggested IEP Language** for appropriate wording to use on the IEP notes page and Offer of FAPE Services page of the IEP.

If the IEP team has determined that AAA support is required, a Special Education Administrator will process the appropriate paperwork in accordance with district procedures.

Goals and Objectives

Using the IEP Goal Page, the AAA case manager will develop appropriate goals. The goals need to address the specific target behavior(s) that were indicated in the assessment findings which led to the need for a AAA.

AAA Behavior and Task Completion Data Collection Forms

AAA case manager will develop an appropriate data collection system to monitor the AAA goal(s). Refer to the **SAMPLE AAA Behavior or Task Completion Data Collection Form (Appendix)**, for sample data collection forms.

Student Independence Plan

AAA case manager will develop an appropriate Student Independence Plan by using the **Student Independence Plan (Appendix)**. It is recommended that the Independence plan be attached to the IEP.

AAA Training Plan

It is critical that all staff receive appropriate training on the student's health issues, curriculum modifications, the student's instructional environment, behavior interventions, using and fading prompts, data collection and reporting, etc. AAA case manager will develop an appropriate AAA Training Plan by using the **AAA Training Plan (Appendix)**. It is recommended that the training plan including training, consultation and support be indicated in the Supplemental Supports and Services on the Offer of FAPE services page.

Step 5: Progress Monitoring – Review of Progress to Determine Continued Need for AAA

The goal for any student with special needs is to encourage, promote, and maximize independence. Periodic observations and review of data is required to review the continued need for the temporary additional support and to monitor the duration of services. The **Review to Determine Continued Need for AAA (Appendix)** should be used for direct observation of the student. The IEP team should identify periodic reviews that align with the goals and objectives reporting period.

For additional protocols and procedures on Additional Adult Assistant see Appendix A including the following:

- ☐ Referral Form for Additional Adult Assistant
- ☐ Rational for Requesting AAA
- ☐ Assessment Protocol
- ☐ Parent Interview/Questionnaire
- ☐ The Assessment Report
- ☐ Review of Progress and Continuing Need
- ☐ Sample Language for IEP
- ☐ Sample Goals and Objectives

Chapter XI

TRANSPORTATION SERVICES

Special education transportation is defined in federal regulation ([34 C.F.R. § 300.34](#)) as a related service. LUSD provides transportation to students with disabilities if transportation is required for them to benefit from their educational programs. If transportation is deemed necessary, LUSD provides it free of charge to the student.

LUSD does not guarantee transportation for all of its students, and therefore, is not obligated to require transportation for all special education students. Transportation services are predominantly provided to elementary school students who attend a school within the district that is not considered their home school. This is due to special education programs and services not available at all elementary schools. Students who are enrolled in a moderate/severe class might be able to receive transportation services based on their needs.

Transportation includes travel in vehicles, as well as travel on foot. IDEA defines transportation as a related service and can include:

- ☐ Travel to and from school and between schools
- ☐ Travel in and around school buildings
- ☐ Specialized equipment such as special or adapted buses, lifts, and ramps, if required to provide special transportation for a student with a disability.

IDEA also includes:

- ☐ Travel training: instruction that enables students with disabilities to develop an awareness of the environment in which they live, and to learn the skills necessary to move effectively and safely from place to place within that environment.
- ☐ All “orientation and mobility services” are related services included in special education.

All [Special Education Transportation Forms](#) should be made within 24-hours after the IEP meeting is held and parents have agreed to services. IEP teams should do the following when evaluating a student’s transportation needs:

- ☐ Discuss a student’s transportation needs at each IEP meeting
 - ↳ Since transportation is a related service, *failure to do so is a significant substantive and procedural violation*
- ☐ If a student has been designated as needing ‘curb-to-curb’ transportation services, transportation will be provided from the curb of the student’s home to school and return back home.
 - ↳ LUSD is responsible for transporting children with disabilities to and from the locations where the students receive special education and related services. If a student requires transportation to/from a location other than the student’s home, then such transportation is only available to locations where the student receives special education and related services, and must be outlined in the student’s IEP. In other words, transportation is not provided for parent or guardian convenience.

- ❑ When considering whether a student requires transportation as a related service, the IEP team must evaluate the special education student's needs *relative to his non-special education peers*.
 - The primary question to be asked in this evaluation is whether the special education student, in order to get to his/her specific educational setting, is capable of using the same options to get back-and-forth to school as his/her non-special education peers
- ❑ Discuss a student's transportation needs only AFTER an educational program/placement/service has been selected for the student. IEP teams must be in possession of the details concerning both the length and location of a student's educational program before it can determine the logistics of an appropriate transportation program for a student
- ❑ Consider the following factors when determining his/her transportation needs:
 - Student's medical diagnoses and health needs
 - Student's general ability and/or strength to ambulate/wheel
 - The approximate distance the student needs to walk or wheel his/herself to school
 - Student's needs in very hot or inclement weather
 - The physical accessibility of curbs, sidewalks, streets, and public transit
 - Student's ability to arrive to school on time, avoid getting lost, avoid dangerous traffic situations
 - The implementation of Behavioral Intervention Plans (BIPs) for the student
 - Student's mid-day transportation needs for other related services

Note: Not every student, by the sole reason that they receive special education services, qualifies for transportation as a related service. The need for transportation, like all related services, must be determined on a case-by-case basis depending on whether the student requires the service to benefit from his/her education.

Transportation Options After an IEP team has decided a student's educational placement and accessed his/her transportation needs, the IEP team should document how the student will get from home to school and back each day. Transportation options include:

- ❑ **Specialized transportation not required:** If a student is capable of using the same options to get back-and-forth to school as are non-special education students (including walking, taking public transportation, and family vehicle), then transportation does NOT need to be listed as a related service in the student's IEP. This is because the student does not require any specialized transportation service to benefit from their education, and therefore transportation is not a related service under the IDEA for that student.
- ❑ **Specialized transportation required:** If the IEP team determines that the student is not capable of using the same options to get back-and-forth to school as his/her non-special education peers, then transportation should be listed on the IEP as a related service.
 - This is usually designated by school-to-school (from home school to school of attendance) school bus
 - 📖 Students in the moderate/severe program might qualify for curb-to-

- curb service by a special school bus based on their needs
- ⇒ Because transportation as a related service should be addressed during every IEP meeting, the IEP team should evaluate a student's least restrictive transportation options during each IEP meeting, adjusting them as needed.
- ⇒ The service should be described in detail to describe how, when, and from where to where the transportation will be provided, and of course, financial arrangements when parents are to be reimbursed

A. FACTORS TO CONSIDER WHEN CHOOSING BETWEEN GENERAL TRANSPORTATION AND CURB-TO-CURB TRANSPORTATION

There are a few considerations that IEP teams should consider when deciding between general education pickup and curb-to-curb services for a special education student after determining that a student requires transportation as a related service. These factors include:

- ☐ **Mobility:** Can the student move independently? If not, then curb- to-curb service is most likely needed.
- ☐ **Age:** Is the student old enough to have the maturity and reasoning abilities to make prudent decisions regarding bus travel, following directions, and arriving at the pick-up point safely?
- ☐ **Nature of the Disability:** Does the nature of the student's disability negatively affect his/her ability to make prudent decisions regarding bus travel, following directions, and arriving at the pick-up point safely?
- ☐ **Distance:** Is the walk from the student's home to the school of attendance long? If so, and depending on considering the student's age and disability, the student may need curb- to-curb service

LUSD's school inter-district permit also has implications for transportation. The following guideline applies for LUSD's offering of free appropriate public education (FAPE):

- ☐ If a parent chooses to place a child in a different school due to personal choice and has no disability-related reason to do so (i.e., FAPE has been offered elsewhere), then LUSD is not obligated to provide transportation to that student
- ☐ Further clarification: LUSD does not guarantee transportation for ANY child who participates in the LUSD's voluntary inter-district permit program. The IEP team must, however, be careful to document the offer of FAPE in the student's original school and make clear that the parents' preference is for their child to attend a different school within LUSD and as such parents are responsible for the student to attend school on a regular basis.

Travel Training

Travel training is instruction that enables children with significant cognitive disabilities, and any other children with disabilities who require this instruction, to develop an awareness of the environment in which they live, and to learn the skills necessary to move effectively and safely from place to place within that environment; for example, in school, in the home, and in the community.” ([34 C.F.R. §§ 300.39](#)). In essence, travel training consists of teaching students how to travel independently on public transportation, walking safely across streets with and without stoplights, recognizing the need for assistance and knowing how to get assistance, avoiding dangerous situations, and handling unexpected situations, such as changed routes or detours. IEP teams must consider whether a student would benefit from travel training during his/her IEP meetings.

Travel training services can be a fundamental component of the provision of a free appropriate public education (FAPE) that will assist children in preparing for employment and independent living in their communities. Therefore, IEP Teams should consider the need for both transportation and travel training when planning for a child’s postsecondary transition needs especially if the student is enrolled in a moderate/severe program.

Requesting a Special Education Bus Paraprofessional Approval

A bus paraprofessional may be required for safety or to provide FAPE. The IEP team must determine if a student requires a group or individual bus paraprofessional. For example, bus routes with preschool students, students who have significant medical needs or severe behavioral needs may require a bus aide. Multiple paraprofessionals are typically unnecessary on the same route unless special circumstances indicate. If the IEP team determines a bus professional is essential, after the IEP meeting is concluded, the Case Manager should follow the process outlined in **Requesting a Special Education Bus Paraprofessional**.

- ❑ A bus paraprofessional is a service and should be included in a student’s IEP and in SEIS.
 - ↳ Case Managers should ensure that SEIS is updated accurately with the transportation needs of the student. This is done under the “Special Education Transportation” selection and entering the request for a paraprofessional to be in the student during transportation. There is a box in SEIS where the case managers indicate what kind of transportation service is needed.

Chapter XII

EXTENDED SCHOOL YEAR (“ESY”)

LUSD must ensure that extended school year programs are available as necessary to provide free appropriate public education (“FAPE”). (34 CFR §300.309(a)(1)).

Extended School Year (ESY) is a related service that LUSD shall provide, at no cost to the parents, for an LUSD student with disabilities who has unique needs such that he/she requires special education and related services in excess of the regular academic year. Qualified students have disabilities which are likely to continue indefinitely or for a prolonged period, and interruption of the student’s educational programming may cause regression, when coupled with limited recoupment capacity, rendering it impossible or unlikely that the student will attain the level of self-sufficiency and independence that would otherwise be expected in view of his or her disabling condition.

All students who are eligible for special education and related services must be considered for ESY services. The student’s IEP team will need to consider a variety of factors to determine whether the student requires ESY in order to receive a free appropriate public education. The following is a non-exhaustive list of factors that LUSD must consider:

- ☐ **Regression/Recoupment Test:** The IEP team determines that the student will experience a loss of skills (regression) during the break from school that he/she will not recoup in a time frame comparable to typical students upon return to school. Most students regress during school breaks and recoup their lost skills within an expected period of time when school reconvenes. For a student to have a regression and recoupment problem, the IEP team must consider the student’s past performance and determine that the student is at risk of not recouping skills *within the normally expected period of time*.
 - ↳ This Regression/Recoupment test must be considered for each service provided to the student during the school year.
 - ↳ ESY services are limited to those services provided during the school year; however, all services need not be included during ESY.
- ☐ A student with severe disabilities may also be eligible for ESY services if required in order to attain critical skills that are essential to the progress of the student and lead to independent functioning and integration with nondisabled individuals.
- ☐ The nature and severity of the student’s disabling condition
- ☐ Which areas of learning are critical to maintaining IEP skills
- ☐ Whether there are “emerging skills” and “breakthrough opportunities” such as when a student is on the brink of learning to read
- ☐ What happens to the student when regularly scheduled breaks occur during the school year, i.e., semester breaks, winter recess spring break, etc.?
- ☐ Whether the benefits the student gains during the regular school year will be significantly jeopardized if he/she is not provided with an ESY
- ☐ The student’s vocational needs

Extended School Year services shall be limited to the services, determined by the IEP team, that are required to assist a student to maintain the skills that are at risk of regression or for students with severe disabilities to attain the critical skills or self-sufficiency goals essential to the student's continued progress.

- ☐ All students who are eligible for special education and related services must be considered for ESY services.
- ☐ However, federal and state rules and regulations do not require that every student with a disability receive ESY services as part of the student's IEP.
- ☐ If the student requires ESY services in order to receive FAPE, the school must develop an IEP for the student that includes ESY services.

The current case manager is responsible for providing assignments and activities based on each student's IEP for each of the student in their caseload that attends ESY. The case manager will provide such assignments and activities to the Special Education Department preferably by the last week of May but no later than the second week of June before the end of the school year. The Special Education teacher who is assigned to cover ESY is responsible for implementing the assignments and activities per each of the student's IEP goals.

Length of ESY

An extended year program shall be provided for a minimum of 20 instructional days, including holidays ([5 CCR §3043\(d\)\(1\), \(2\)](#)).

ESY Requirements In order for the program to qualify as ESY, all of the following conditions must be met: ([5 CCR §3043\(g\)\(1\), \(2\)](#))

- ☐ Extended year special education shall be the same length of time as the school day for students of the same age level attending summer school in LUSD or other 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 student's unique needs.
- ☐ 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.

Integration into General Education If during the regular academic year, a student's IEP specified integration in the general education classroom, LUSD is not required to meet that component of the IEP if no regular summer school programs are being offered by LUSD or the agency where the student attends.

Transportation to ESY Transportation to ESY services will be provided to students who will be receiving their ESY services at a school other than their school of residence and to students whose IEP provides for home to school transportation because of personal factors such as health, social judgment, or lack of ability to communicate such that the IEP team considers that the safety of the student is of primary concern.

Extended School Year (ESY) is NOT:

- ☐ Required or appropriate for all students with disabilities
- ☐ A means of achieving IEP goals that were not achieved during the school year
- ☐ Credit driven (for secondary students)
- ☐ Intended to maximize educational opportunity
- ☐ A replacement for skills that can be obtained or maintained through activities the student can do at home
- ☐ A day or respite care service
- ☐ An alternative to appropriate programs offered by the District during the summer/intersession period.
- ☐ Availability of alternative resources such as intervention programs and general education summer school
- ☐ Other relevant information.

Note: If the IEP team determines that a student is not eligible for ESY, the student may be referred to the general education summer/intersession program. In LUSD, this mean students with disabilities can attend and participate in Summer Bridge program. General education programs are available to all students, including students with disabilities, who meet program guidelines. Participation in District general education programs should **not** be documented on the IEP.

If the student is eligible for and will be receiving Extended School Year:

- ☐ Determine if and what form of transportation will be required.
- ☐ The offer of FAPE must include the following:
 - ↳ The period of time for the placement and services, using school year calendar descriptions, including extended school year (ESY). For example: “During the 2022-2023 school year” or “During the 2023-2024 school year and ESY 2014”.
- ☐ Include in the related services page, the specific services to be included in ESY, and the length and frequency of each.
- ☐ In IEP Notes, include the rationale for including specific services and for not including others.
- ☐ Before ESY begins, arrange for the transport of any AT device(s) or other equipment when the student transfers or transitions to a different LUSD school or when the device(s) are needed for participation in the Extended School Year (ESY).

After determining that a student requires a related service in order to benefit from his/her core special education services, the IEP must include the following:

- ☐ The goals the student requires in the area of the related service
- ☐ The related service the student requires in order to meet the goals
- ☐ How often, how long, and where the related service will be provided
 - ↳ Related services may be provided to individuals or to small groups in a specialized area of educational need, and throughout the full continuum of educational settings. [\(CCR §3051\(a\)\(1\)\)](#)
- ☐ A specialist may be required to provide some related services. Others can be

provided by the special education teachers with support by the specialist. Often a combination of providers is appropriate.

Chapter XIII BEHAVIOR INTERVENTION

SAFE AND HEALTHY ENVIRONMENT

LUSD must provide an appropriate and meaningful educational program in a safe and healthy environment for all students regardless of possible physical, mental, or emotionally disabling conditions. The district-wide implementation of Positive Behavioral Interventions and Supports (“PBIS”), Restorative and Trauma-informed Practices support school sites and classrooms in meeting this goal. ([EC §56520\(a\)\(1\)](#))

Some school age students with disabilities have significant behavioral challenges that have an adverse impact on their learning or the learning of other students, or both. ([EC §56520\(a\)\(2\)](#))

Education of students with disabilities is more effective by providing incentives for positive behavioral interventions and supports to address their learning and behavioral needs. ([USC 20 §14009\(c\)\(5\)\(F\)](#), [EC §56520\(a\)\(3\)](#)) Students exhibiting serious behavioral challenges must receive timely and appropriate assessments and positive support and interventions. ([EC §56520\(b\)\(1\)](#))

For any student with disabilities whose behavior impedes the student’s learning or that of others, the Individualized Education Program (IEP) team shall consider the use of positive behavioral interventions and supports, and other strategies, to address that behavior, consistent with state and federal law. ([EC §56521.2\(b\)](#)) **Procedures for the elimination of maladaptive behaviors shall not include “corporal punishment” or those that cause pain or trauma.** ([EC §§49001 and 56520\(a\)\(4\)](#)) When behavioral interventions, supports, and other strategies are used, they shall be used in consideration of the student’s physical freedom and social interaction, be administered in a manner that respects human dignity and personal privacy, and that ensure a student’s right to placement in the least restrictive educational environment. ([EC §56520\(b\)\(3\)](#))

Behavioral intervention plans will be developed and used, to the extent possible, in a consistent manner when the student is also the responsibility of another agency for residential care or related services. ([EC §56520\(b\)\(4\)](#)) In-service training programs shall be made available as necessary in LUSD to ensure that adequately trained staff are available to work effectively with the behavioral intervention needs of students with disabilities. ([EC §56520\(b\)\(5\)](#))

A. BEHAVIOR INTERVENTIONS, STRATEGIES & SUPPORTS

History and Introduction

On July 1, 2013, the Governor signed Assembly Bill 86(AB86), the Education Omnibus Trailer Bill, effectively eliminating the former “Hughes Bill” with the intent of aligning the Behavior Intervention Plan mandate more closely with federal law and maintaining important protections for students with disabilities. The terms “Behavior Intervention Plan” (BIP) and “Behavior Support Plan” (BSP) are now used interchangeably. However, “BIP” is the more common terminology. The following describes the Education Code changes now in effect.

- ❑ All assessments, interventions and evaluation activities related to a special education student’s Behavioral Intervention Plan shall be facilitated and supervised by the IEP team.

- ☐ The IEP team and school staff must use approved LUSD behavioral emergency procedures as described below.

The IEP team shall describe strategies, including positive behavioral interventions and supports, to address the student's behavior. If the team needs more information in order to address the behavior sufficiently, and writing IEP goals and providing general classroom support have not been able to sufficiently change the behavior, the IEP team shall complete a Functional Behavioral Assessment (FBA) to determine the interventions and supports which meet the student's needs.

B. BEHAVIOR SUPPORTS & INTERVENTION WITHIN IEPs

For a student with behavior that interferes with his/her learning or that of others, the IEP team shall analyze the behavior before an intervention program can be designed. Depending on the severity of the student's behavior, the IEP team shall consider (in order of LRE below):

- ☐ Tier one classroom supports and strategies as outlined in the [LUSD Parent/Student Handbook](#).
- ☐ The provision of accommodations
- ☐ Positive Behavior Interventions and Supports ("PBIS")
- ☐ The completion of a Functional Behavioral Assessment ("FBA")
- ☐ The design and use of a Behavior Intervention Plan ("BIP")

Qualified Staff

- ☐ Qualified staff, trained in behavior analysis with an emphasis on positive behavioral interventions, shall participate in developing and implementing the plan. The development and implementation of such plans are subject to due process hearing procedures.
- ☐ A person recognized by the Behavior Analyst Certification Board as a Board Certified Behavior Analyst may conduct behavior assessments and provide behavioral intervention services for students with disabilities. (*EC §56525(a)*)
- ☐ LUSD is not required to use a Board Certified Behavior Analyst to conduct behavior assessments and provide behavioral intervention services for students with disabilities. School psychologists are trained to conduct a behavior assessment and provide behavioral intervention services as part of their pupil personnel services credential. The Special Education Department will determine who can provide behavioral intervention services for each site. (*EC §56525(b)*)
- ☐ Behavioral interventions shall be designed or planned only by personnel who have a:
 - ✦ Pupil Personnel Services Credential that authorizes school counseling or school psychology; or
 - ✦ Credential authorizing the holder to deliver special education instruction; or
 - ✦ License as a Marriage and Family Therapist certified by the Board of Behavioral Sciences, within the Department of Consumer Affairs; or
 - ✦ License as a Clinical Social Worker by the Board of Behavioral Sciences, within the Department of Consumer Affairs; or
 - ✦ License as an Educational Psychologist issued by a licensing agency within the Department of Consumer Affairs; or

- ↳ License in psychology regulated by the Board of Psychology, within the Department of Consumer Affairs; or
- ↳ Master's degree issued by a regionally accredited post-secondary institution in education, psychology, counseling, behavior analysis, behavior science, human development, social work, rehabilitation, or in a related field. (5 CCR §3051.23(a)(1-7))
- ❑ To provide behavioral intervention, including implementation of behavior intervention plans, but not including development or modification of behavior intervention plans, an LEA shall deliver those services using personnel who:
 - ↳ Possess the qualifications listed above or
 - 📖 Are under the supervision of qualified personnel; and
 - 📖 Possess a high school diploma or its equivalent; and
 - 📖 Receive the specific level of supervision required in the student's IEP. (5 CCR §3051.23(b) (1-2))

C. ASSESSMENTS

Functional Behavior Assessment (FBA)

- ❑ To consider whether a student needs an FBA, the IEP team shall ask whether the student:
 - ↳ Demonstrates behaviors that are unsafe and/or interfere with the behavior of others
 - ↳ Requires intervention for inappropriate behaviors
 - ↳ Needs to learn/use alternate behaviors, skills, and/or strategies
 - ↳ Is frequently removed from the general education classroom because of inappropriate behavior
 - ↳ Is currently educated in a resource, separate classroom, or separate school because of inappropriate behavior
 - ↳ May have behavior that is a manifestation of his/her disability
- ❑ The IEP team requires consent on an assessment plan for completion of an FBA.
- ❑ The FBA may result in a recommendation of a Behavior Intervention Plan (BIP) when the student exhibits externally motivated behavior

Behavior Intervention Plan (BIP)

A BIP is developed when a student engages in behavior that requires support and there is sufficient data before and/or after completing an FBA to identify appropriate supports.

The BIP shall contain the following:

- ❑ Description of the student's current positive and targeted behavior, including data reflecting intensity, frequency, and duration
- ❑ Description of learning areas impeded by the behavior
- ❑ Description of how behavior impedes learning
- ❑ Estimate of the need for a BIP
- ❑ Description of any current predictors of behavior
- ❑ Hypothesis for behavior
- ❑ Description of what student should do instead of problem behavior

- ☐ Description of any factors that may contribute to the problem behavior (in or missing from environment or instruction)
- ☐ IEP behaviors/goals/objectives related to the BIP
- ☐ Description of the provider of and frequency of:
 - ↳ Teaching strategies and necessary curricula or materials for new behavior instruction (communication systems, individual schedules, etc.)
 - ↳ Environmental modifications and supports to be provided (time, space, materials, and interaction)
 - ↳ Proactive strategies (procedures to support replacement behaviors and new skills)
 - ↳ Reactive strategies to employ/debrief procedures to use if problem behavior occurs again)
 - ↳ Communication and documentation procedures (daily, weekly reports, record keeping)
- ☐ Projected review date, actual review date, and outcomes

D. EMERGENCY INTERVENTIONS

Emergency Interventions

- ☐ Emergency interventions may only be used to control unpredictable, spontaneous behavior that poses clear and present danger of serious physical harm to students with disabilities, or others, and that cannot be immediately prevented by a response less restrictive than the temporary application of a technique used to contain the behavior. *(EC §56521.1(a))*
- ☐ Emergency interventions shall not be used as a substitute for the systematic behavioral intervention plan (BIP) that is designed to change, replace, modify, or eliminate a targeted behavior. *(EC §56521.1(b))*
- ☐ No emergency intervention shall be employed for longer than is necessary to contain the behavior. A situation that requires prolonged use of an emergency intervention shall require the staff to seek assistance of the school site administrator or law enforcement agency, as applicable to the situation. *(EC §56521.1(c))*
- ☐ Emergency interventions shall not include:
 - ↳ Locked seclusion unless it is in a facility otherwise licensed or permitted by state law to use a locked room. *(EC §56521.1(d)(1))*
 - ↳ Employment of a device, material or objects that simultaneously immobilize all four extremities, except that techniques such as prone containment may be used as an emergency intervention by staff trained in those procedures. *(EC §56521.1(d)(2))*
 - ↳ An amount of force that exceeds that which is reasonable and necessary under the circumstances. *(EC §56521.1(d)(3))*

Interventions Not Authorized in LUSD

LUSD staff or nonpublic, nonsectarian school or agency serving students with disabilities shall not authorize, order, consent to, or pay for the following interventions, or any other interventions similar to the following:

- ☐ Any intervention that is designed to, or likely to cause physical pain, including, but not limited to, electric shock (*EC §56521.2(a)(1)*)
- ☐ An intervention that involves the release of noxious, toxic, or otherwise unpleasant sprays, mists, or substances in proximity to the face of the individual (*56521.2(a)(2)*)
- ☐ An intervention that denies adequate sleep, food, water, shelter, bedding, physical comfort, or access to bathroom facilities (*EC §56521.2(a)(3)*)
- ☐ An intervention that is designed to subject, used to subject, or likely to subject, the individual to verbal abuse, ridicule, or humiliation, or that can be expected to cause excessive emotional trauma (*EC §56521.2(a)(4)*)
- ☐ Restrictive interventions that employ a device, material, or objects that simultaneously immobilize all four extremities, including the procedure known as prone containment, except that prone containment or similar techniques may be used by trained personnel as a limited emergency intervention (*EC §56521.2(a)(5)*)
- ☐ Locked seclusion unless it is in a facility otherwise licensed or permitted by state law to use a locked room (*EC §56521.2(a)(6)*)
- ☐ An intervention that deprives the individual of one or more of his or her senses. (*EC §56521.2(a)(7)*)

E. BEHAVIORAL EMERGENCY REPORT (“BER”)

In LUSD, emergency interventions shall not be used in lieu of planned, systematic behavioral interventions.

- ☐ To prevent emergency interventions from being used in lieu of planned, systematic behavioral interventions, the parent/guardian and residential care provider, if appropriate, shall be notified within one school day by site administrator, case manager or school psychologist if an emergency intervention is used or serious property damage occurs.
- ☐ School site/classroom teams shall create Behavioral Emergency Reports (BERs) immediately following a behavioral emergency. A BER shall be created following an incident that requires physical restraint on the behalf of LUSD staff in order to resolve the incident or prevent injury.

A Behavioral Emergency Report (BER) shall immediately be completed following the incident. The behavioral emergency report shall include all of the following:

- ☐ The name and age of the student with disabilities (*EC §56521.1(e)(1)*)
- ☐ The setting and location of the incident (*EC §56521.1(e)(2)*)
- ☐ The name of the staff or other persons involved (*EC §56521.1(e)(3)*)
- ☐ Details of any injuries sustained by the student with disabilities, or others, including staff, as a result of the incident. (*EC §56521.1(e)(4)*)

In addition, IEP teams should notify a student’s IEP case manager immediately following a behavioral emergency if he/she was not involved in the emergency.

Note: All BER reports shall be made in the Mid-Cities SELPA approved “Behavioral Emergency Report” form; see Appendix B

After completing a BER

- ❑ **Emergency Team Responsibilities:** All behavioral emergency reports shall immediately be forwarded to, and reviewed by, the Director of Student Services or designated responsible administrator. (*EC §56521.1(f)*)
 - ↳ The Director of Special Education as well as all Special Education Coordinators shall be informed at the same time as the Director or designee of the Student Services Department
- ❑ **School-site Administrator Responsibilities:** Upon receipt of a BER, the designated responsible administrators must immediately review the BER. (*5 CCR §3052(i)(6)*)
- ❑ The BER shall be maintained in the yellow file.
- ❑ If a BER is written regarding a student with disabilities who does not currently have a Behavioral Intervention Plan (BIP), the administrator will contact the case manager who must schedule an IEP team meeting **within 2 work days** of the behavioral emergency. (*EC §56521.1(g)*) The IEP team will:
 - ↳ Review the emergency report
 - ↳ Determine the necessity for a Functional Behavioral Assessment (FBA)
 - ↳ Determine the necessity for an interim plan
 - ↳ If the IEP team decides not to conduct an FBA and/or create an interim plan, or both, it must outline the reasons for doing so within the IEP notes
- ❑ If a BER is written regarding a student with disabilities who has a BIP, for an incident involving a previously unseen serious behavior problem, or where a previously designed intervention is ineffective, an IEP team meeting will be scheduled to review and determine if the incident constitutes a need to modify the behavioral intervention plan. (*EC §56521.1(h)*)

Chapter XIV STUDENT DISCIPLINE PROCEDURES

A. BEHAVIORAL EXPECTATIONS FOR ALL STUDENTS

Students with disabilities are subject to the same disciplinary codes of conduct as all other students as specified in the *LUSD Student and Family Handbook*, which was developed for all students. The behavioral expectations/codes of conduct should be taught, enforced, advocated, and monitored with all students so that they are aware of what behaviors are expected at school. All teachers shall positively engage students through full implementation of Positive Behavior Interventions and Supports (“PBIS”), Restorative and Trauma-informed Practices that establish high behavior expectations of students in a bias free and culturally competent school community. If a principal or site administrator determines that a particular student behavior warrants suspension, the school is required by the Safe and Supportive Schools Resolution to EXHAUST AND DOCUMENT the recommended interventions listed in the Matrix before issuing such a suspension. This holds equally true for special education students.

If a student with an IEP is having behavioral problems at school, and the PBIS practices are being implemented, parents or school personnel may request an IEP meeting or a Functional Behavioral Assessment to determine the cause of the student’s behavior and appropriate strategies to teach and support replacement behavior. Following assessment, an IEP team meeting is held to discuss appropriate instruction, behavioral management techniques, and behavioral supports to assist in improving the student’s behavior, incorporated into a Behavior Intervention Plan (BIP). If the student currently has a BIP, then the reactive strategies shall be followed; if they are not, the student cannot be subject to LUSD disciplinary procedures (i.e., suspension and/or expulsion).

LUSD administrators and IEP teams will need to fully understand the topics/definitions described below for “change of placement” as it pertains to:

- ☐ Suspension
- ☐ Expulsion
- ☐ Entitlement to a free and appropriate public education (FAPE)
- ☐ Manifestation determination
- ☐ Interim placement
- ☐ 45-day interim alternative educational setting (IAES),
- ☐ Expulsion process
- ☐ Provisions for students who are not (yet) eligible

Suspension and Expulsion

LUSD is required to provide free appropriate public education (FAPE) to all students with disabilities. This includes students that LUSD suspends, intends to expel, or expels. A free appropriate public education for a student with an IEP suspended or expelled from school shall be in accordance with IDEA and the Code of Federal Regulations, inclusive of a Manifestation Determination (MD) review, when appropriate. ([*EC §48915.5 \(b\)*](#))

- ☐ **Suspension** is removal of a student from ongoing instruction for adjustment purposes for one to 10 days because of misconduct per specifics in EC §48900 and shall be imposed only when other means of correction fail to bring about proper conduct.
- ☐ **Extended suspension** is suspension beyond 10 days cumulative in a school year, or 10 consecutive days, and used only if the student is eligible for expulsion
- ☐ **Expulsion** is removal from district schools for 6 months to a year for actions determined by state code to be severe enough that the student causes a safety problem by remaining in district schools.
- ☐ **Expulsion Hearing** is a review by the school board to determine whether a student is expelled from LUSD schools or whether they are returned to their school or another district school.

Change in Placement Protections

Students with disabilities have certain legal protections when their disciplinary removal from school constitutes a change in placement. The placement for students with disabilities can only be determined through the IEP process. A “change in placement” refers to the need to modify a student’s current educational placement. By legal definition, a change in placement occurs if a student’s suspension either:

- ☐ Exceeds 10 consecutive school days
- ☐ The child has been subject to series of removals totaling more than 10 cumulative school days in a school year
- ☐ The behavior is substantially similar to the behavior in previous incidents resulting in the series of removals, and
- ☐ Because of such additional factors as the length of each removal, the total amount of time the child has been removed, and the proximity of the removals to one another.
(34 CFR §300.536(a))

After a student with an IEP has been removed from his or her current placement for 10 cumulative school days in the same school year, on the eleventh day of suspension the school shall conduct a manifestation review of the behavior and provide special education services during any subsequent days of removal to the extent required below. (20 USC §1415(k) (1) (D), 34 CFR §300.534(d), 34 CFR §300. 530(b)(2) and (d))

Upon Deciding to Take Disciplinary Action

When LUSD decides to take disciplinary action, including suspension and expulsion, against a student with a disability, LUSD shall do the following on the **same day** the decision is made:

- ☐ Notify parents of the decision to take disciplinary action against their child (20 USC §1415(K) (1) (H), 34 CFR §300.350(h))
- ☐ Provide the parents with a Procedural Safeguards Notice (20 USC §1415(K)(1)(H), 34 CFR§300.350(h))

Suspension

- ❑ This is not necessarily equivalent to a physical change in placement. In fact, if a student does not pass Manifestation Determination review, they are legally eligible to remain at their school site. *(20 USC §1415(k) (1) (B)&(C), 34 CFR §300.530(h)*
- ❑ Change of placement because of disciplinary removals occurs if *(34 CFR 300.536 (a))*
 - ↪ The removal is for more than 5 consecutive school days; or
 - ↪ The student has had a series of removals that constitute a pattern because;
 - 📖 The series of removals total more than 10 school days in a school year;
 - 📖 The student's behavior is substantially similar to the student's behavior in previous incidents that resulted in the series of removals; and
 - 📖 Of such additional factors as the length of each removal, the total amount of time the student has been removed, and the proximity of the removals to one another.
 - ↪ LUSD determines on a case-by-case basis whether a pattern of removals constitutes a change of placement. *(34 CFR §300.536 (b)(1))*

For Suspension Exceeding 10 Cumulative or 5 Consecutive School Days:

On the day that a school administrator proposes a suspension exceeding 10 cumulative or 5 consecutive school days for a student with an IEP, (therefore proposes a “change in placement,”) school sites shall:

- ❑ Notify the parents of the decision to change the student's placement (as per the federal and state definition). *(20 USC §1415(k) (1) (H), 34 CFR §300.530(h))*
- ❑ Provide the parents with a **Procedural Safeguards Notice**. *(20 USC §1415(k)(1)(H), 34 CFR §300.530(h))*
- ❑ Notify parents and student of their right to attend the Counseling Center, where IEP goals can be met, during the days of suspension.

Prior to the 11th day the school shall hold a Manifest Determination (MD) review to determine if the student's suspensions or removals constitute a change of placement (per the federal and state definition)

- ❑ If the removal is a change of placement (student passes MD review), the student is eligible for an Extended Suspension:
 - ↪ The IEP team determines which educational services are necessary during the subsequent suspensions (**beginning on the 11th day**) to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP; *(20 USC §1415(k)(1)(D), 34 CFR §300.534(d), 34 CFR §300.530(b)(2) and (d))*, and
 - ↪ The student will receive, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur. *(34 CFR §300.530(d)(1)(ii))* These may be documented in a Behavioral Intervention Plan (BIP).

↳ These services may be provided in an interim educational setting. (34 CFR §300. 530(d)(2))

- ❑ Following these procedures, students with an IEP may be suspended beyond 10 cumulative days for up to 20 days in a school year, unless, for adjustment purposes, a student, through the IEP team, is transferred to, or enrolled in, another school, an opportunity class, or a continuation education school. The days of suspension following such reassignment are limited to 10 additional days for a total of 30 days of suspension in one school year.
- ❑ Students may not be suspended at the end of a school year for a time period that extends into the beginning of the following school year.
- ❑ If it is determined that the removals or suspensions are not a change of placement, school personnel may continue to suspend the student (up to 20 days in a school year) if she/he violates a code of conduct, and if, in consultation with at least one of the student's teachers, determine the extent to which services are needed, to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP, (i.e., FAPE) beginning on the 11th day of suspension in the school, year. (34 CFR §300. 530(b)(2) and (d))
- ❑ Within 10 school days (best practice in LUSD is 5 school days) of any decision to change the placement of a student with an IEP because of a violation of a code of student conduct, (this decision date may be the day the administrator decided to suspend the student, but is individually determined) an IEP meeting is held to determine if the student's actions are a manifestation of his/her disability. Reference the Manifestation Determination section below for more information on this process. (34 CFR §300. 530(e)(1))
- ❑ See Manifestation Determination section for information regarding the rights of foster youth and homeless students with an IEP during these proceedings.

Note: LUSD IEP teams shall hold Manifestation Determination meetings for each suspension that occurs after the 10-day period.

Summary of Suspension Guidelines

Less than 10 days of suspension	☐ Manifestation Determination Review (“MDR”) not required. <i>However, an IEP meeting should be held if the student is exhibiting a pattern of behavior that is leading to suspensions. The IEP team should revisit or discuss accommodations, goals and services that address root causes of student behavior.</i>
10 or more days of suspension (cumulative)	☐ MDR required to be held within 10 school days. The 10-day timeline starts the day a suspension is formalized and it will push a student over the 10-day threshold. MDR should be held for every suspension thereafter.
Referral for Expulsion with extended suspension	☐ MDR required. <i>Site encouraged to hold meeting within five days, prior to deadline for Extended Suspension Meeting if an extended suspension is contemplated.</i> ☐ School site administration <u>shall</u> contact parent/educational rights holder, SPED Supervisor, and Pupil Services Department as soon as the decision to refer for expulsion is made, and no later than 24 hours from the decision. If student is a foster youth the Foster Youth Services Coordinator within the Student Services Department shall be contacted. ☐ Suspension can be extended if student poses a threat to safety/property/disruption of educational process (<i>EC §48911 (g)</i>), providing the student receives services after 10 th cumulative day.

Expulsion

When LUSD decides to take disciplinary action, including expulsion, against a student with a disability, LUSD shall do the following on the **same day** the decision is made:

- ☐ Notify parents of the decision to take disciplinary action against their child (*20 USC §1415(K)(1)(H), 34 CFR §300.350(h)*)
- ☐ Provide the parents with a Procedural Safeguards Notice. (*20 USC §1415(K)(1)(H), 34 CFR §300.350(h)*) Reference **Notice of Procedural Safeguards** in the SEIS document library **A: Procedural Safeguards** for a copy of the Notice.

Recommendation for Expulsion

The School Administrator shall have the pre-expulsion conference with the parent before the end of the 5-day suspension. If he/she recommends expulsion, and then recommends continuing the suspension beyond 5 consecutive days to 10 consecutive days pending a pre-expulsion IEP, LUSD shall:

- ❑ Convene a Manifestation Determination IEP meeting prior to the end of the 10 consecutive days of the suspension to give time to conduct a manifestation determination assessment. The Manifestation Determination will determine whether or not the student can move forward in the expulsion process. *(20 USC §1415(k)(1)(E)(i)&(ii), 34 CFR §300.530 - 537, 30 EC §48915.5(a))*
- ❑ After the 10th cumulative day of suspension, LUSD shall provide the student with the special education services and interim setting described in his/her IEP.
 - ↳ In some cases, two IEPs are held;
 - 📖 One, immediately after the 10th cumulative day to determine whether the suspensions are a change of placement,
 - 📖 Two, a Manifestation Determination, held within the 10-day timeline and after the assessment or review of the records is completed.
- ❑ After the IEP, inform the School Administrator as to whether the student can move forward in the expulsion process (toward recommendation for expulsion by Principal to the Expulsion Hearing) or whether the student is returned to his/her school placement with revised supports. The IEP team shall define these supports. See the Manifestation Determination Section below. *(20 USC §1415(K)(1)(E)(i), 34 CFR §300.530 - 537, 30 EC §48915.5(a))*
- ❑ If the behavior in question is not manifestation of the student's disability, the LUSD administration may extend the suspension until the Board of Education has rendered a decision in the recommendation for action, as for general education students.
 - ↳ The IEP team determines the interim placement pending the decision of the Board of Education, so the student receives the services on his/her IEP immediately beginning on the 11th day of suspension.
 - ↳ Prior to the IEP meeting, the IEP team and School Administrator shall consult with the Assistant Superintendent of Special Education and the LUSD Legal Department to determine possible interim placements pending the decision of the Board of Education. A representative from the proposed placement (pending expulsion) should be invited to the IEP meeting to discuss how goals and services can be provided at the site.
- ❑ Inform the student's parents that they have the right to pursue an expedited due process hearing if they disagree with the decisions of the IEP team regarding the manifestation determination. *(20 USC §1415 (c)(1)(C), 34 CFR §300.530 - 537, 30 EC §56301(d)(2)(D))*

B. MANIFESTATION DETERMINATION

Within **10 school days** of any decision to change the placement of a student with an IEP because of a violation of a code of student conduct, the IEP team, including the school psychologist and all relevant members of the IEP team as determined by the parent and school district representative, shall meet, and decide whether the student's conduct is a manifestation of his/her disability. The team process is documented on the Manifestation Determination form. *(20 USC*

Determining if the Student's Conduct is a Result of Disability

Following a manifestation determination evaluation, the IEP team determines if student's conduct is a manifestation of his/her disability. An IEP team meeting is held. If the student is a ward of the court:

- ❑ If the student with an IEP is a foster child, the social worker and/or attorney for the student and an appropriate representative of the county child welfare agency shall be invited to participate in the IEP team meeting that makes a manifestation determination.
- ❑ If the student is a homeless child or youth, the LUSD liaison for homeless children and youth shall be invited to participate in the IEP team meeting that makes a manifestation determination.
- ❑ These invitations may be made using the most cost-effective method possible, which may include, but is not limited to, electronic mail or a telephone call.
(EC §48915.5 (d) and (e))
- ❑ The student's IEP team shall:
 - Consider all relevant information including:
 - 📖 All relevant information in the student's file
 - 📖 The student's IEP
 - 📖 Teacher observations
 - 📖 Relevant information provided by the parents
 - 📖 Evaluation and diagnostic results (may be completed for this meeting)
(20 USC §1415(k)(1)(E)(i), 34 CFR §300.530(e)(1)(i))
 - Discuss the following two questions:
 - 📖 Was the conduct in question caused by, or had a direct and substantial relationship to, the student's disability; (20 USC §1415 (k)(1)(E)(i)(I) , 34 CFR §300.530(e)(1)(i)
 - When answering this question, consider whether the behavior has been:
 - ✳ Consistent across different settings and times
 - ✳ Directly associated with the student's disability
 - 📖 Was the conduct in question the direct result of LUSD's failure to implement the IEP? (20 USC §1415 (k)(1)(E) (i)(II), 34 CFR §300.530(e)(1)(ii))
 - In LUSD this also includes determining whether behavioral services and accommodations provided the student were consistent with the Behavioral Intervention Plan (BIP) in the IEP. (20 USC §1415(k)(1)(E)(i)(I), 34 CFR §300.530(e)(1)(ii))
 - If it was a result of failure to implement the IEP, the school principal shall take immediate steps to ensure that any failures in IEP implementation are corrected.

- ❑ The conduct shall be determined to **be a manifestation of the student's disability** if the LUSD, the parent, and relevant members of the student's IEP Team determine that a condition in either of the preceding two questions in this section was met.

If the IEP team determines that the student's conduct **was a manifestation** of the student's disability, the IEP team shall:

- ❑ Conduct a functional behavioral assessment (FBA) and, if necessary, a behavioral intervention plan (BIP) shall be developed to address the behavior that resulted in the change of placement (*34 CFR §300.530(f)(1)(i), 34 CFR §300.530(f)(1)(ii)*)
 - ↳ If an FBA and/or BIP already exists for the student, the IEP team shall review the plan and modify it, as necessary, to address the behavior (*20 USC §1415 (k)(1)(F)(i) and (ii), 34 CFR §300.530(f)(1)(i), 5 CCR §3052(b)*)
- ❑ LUSD shall return the student to the placement that he/she was removed from, unless LUSD and the student's parents agree to a change of placement as part of the student's new, or modification of, Behavioral Intervention Plan (BIP). (*20 USC §1415 (k)(1)(F)(iii), 34 CFR §300.530(f)(2)*)
 - ↳ **Note:** *This provision does not apply to students involved with incidents of weapons, drugs, or serious bodily harm.*

If the IEP team determines that the student's conduct was not a manifestation of the student's disability:

- ❑ For disciplinary changes in placement that would exceed 5 consecutive or 10 cumulative school days, school administrators may apply the relevant disciplinary procedures to children with disabilities in the same manner and for the same duration as the procedures would be applied to children without disabilities. (*20 USC §1415(k)(1)(B) & (C), 34 CFR §300.530(c), 34 CFR §300.101(a)*)
- ❑ During the period of suspension(s), beginning on the 11th day LUSD shall continue to provide the student with the special education services described in his/her IEP, or describe in the IEP the modified services to be provided, as well as the interim setting for the services.
- ❑ LUSD shall create (which means completing a functional behavioral assessment (FBA) first) or modify a behavioral intervention plan (BIP) to address the student's disciplinary issues.

C. 45 DAY INTERIM ALTERNATIVE EDUCATIONAL SETTING

School personnel may remove a student to an interim alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the child's disability for three reasons listed below. An Interim Alternative Educational Setting ("IAES") is a temporary setting in which a student with disabilities is placed pending the decision to assess the student, expel the student, or place the student within a new educational setting. IAESs shall be determined by a student's IEP team. (*20 USC §1415(k)(2), 34 CFR §300.531*)

LUSD personnel may remove a student to an IAES for a maximum of **45 school days** in cases where a student:

- ☐ Carries or possesses a weapon to or at school, on school premises, or to or at a school function under the jurisdiction of the State or LUSD or other LEA (20 USC §1415(k)(1)(G), 34 CFR §300.530(g))
- ☐ Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of the State or LUSD or other LEA (20 USC §1415(k)(1)(G), 34 CFR §300.530(g))
- ☐ Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of the State or LUSD or other LEA. (20 USC §1415(k)(1)(G), 34 CFR §300.530(g))

Definitions: For purposes of this section, the following definitions apply:

(1) **Controlled substance** means a drug or other substance identified under schedules I, II, III, IV, or V in section 202(c) of the Controlled Substances Act (21 USC §812(c)).

(2) **Illegal drug** means a controlled substance but does not include a controlled substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under that Act or under any other provision of Federal law.

(3) **Serious bodily injury** has the meaning given the term “serious bodily injury” under (18 USC §1365(h)(3)), and means bodily injury that involves

1. A substantial risk of death;
2. Extreme physical pain;
3. Protracted and obvious disfigurement; or
4. Protracted loss or impairment of, the function of a bodily member, organ, or mental faculty (71 FR §46723)

(4) **Weapon** has the meaning given the term “dangerous weapon” under (18 USC §930(g)(2))

A weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2 ½ inches in length. (71 FR §46723) (18 USC §04-Z(g)(2))

Note: the IEP team does not determine whether or not to remove a student to an IAES under this stipulation. The school administrator makes the determination in conjunction with the Director of Special Education and the Deputy Superintendent of Educational Services.

When determining a student’s IAES, the IEP team shall:

- ☐ Determine the Interim Alternative Educational Setting (IAES)
- ☐ Implement appropriate policies and procedures to ensure parent participation within the IAES determination (34 CFR §300.500, 30 EC §56342.5, *Honig v Doe*, 1988)

- ❑ If neither of the student's parents can attend the IEP meeting in which a decision is to be made relating to the educational placement of their child, the IEP team shall use other methods to ensure their participation, including:
 - ✍ Individual phone calls
 - ✍ Conference calls
 - ✍ Video conferencing (*20 USC §1414(f)*, *34 CFR §300.322(c)*, *34 CFR §300.328*, *34 CFR §300.501(c)(3)*, *30 EC §56341.5(g)*, and *56304(b)*)
- ❑ A meeting may be conducted without a parent or guardian in attendance if LUSD is unable to convince the parent or guardian that he or she should attend. In this event, LUSD shall maintain a record of its attempts to arrange a mutually agreed-upon time and place. (*30 EC §56341.5(h)*, *20 USC §1414(f)*, *34 CFR §300.501(C)(4)*)
- ❑ LUSD shall give the parent or guardian a copy of the individualized education program, at no cost to the parent or guardian, and shall take any action necessary to ensure that the parent or guardian understands the proceedings and outcome of the meeting. (*30 EC §56341.5(i) and (j)*) (*34 CFR §300.501(c)(4)*, *30 EC §56341.5(h)*)
- ❑ During the 45 days in the IAES, LUSD may re-evaluate the student, complete an FBA, complete, or revise a Behavior Intervention Plan and determine how best to serve the student in the future.
- ❑ An IEP shall be scheduled before the end of the 45-school day IAES period to determine or change the student's placement and services or the student will be returned to his/her previous school placement on day 46. The student shall not remain in the IAES placement beyond 45 days without an IEP in which the parent consents to a school placement.
- ❑ If the student was expelled by the Board of Education during the 45-day placement, an IEP shall be conducted to determine the location of services during the remainder of the period of expulsion, even if it is the same location as that of the IAES.

D. Discipline for Students NOT Yet Eligible Special Education Services

A student who has not been determined to be eligible for special education services and who has violated a code of student conduct may assert the protections available for students with disabilities if the LUSD had knowledge that the student was a child with a disability prior to the behavior that led to disciplinary actions. (*34 CFR §300.534(a)*)

LUSD is deemed **to have knowledge** if:

- ❑ The parent expressed concern in writing that the student is in need of special education to a supervisor, administrator, or the student's teacher (*34 CFR §300.534(b)(1)*)
- ❑ The parent requested an evaluation for special education services. (*34 CFR §300.534(b)(2)*) ("Referral for assessment" means any written request for assessment to identify an individual with exceptional needs by the parent/guardian or foster parent)
- ❑ The student's teacher or other LUSD staff expressed specific concerns about a pattern of behavior demonstrated by the student directly to the Director of Special Education or other supervisory personnel. (*34 CFR §300.534(b)(3)*)

LUSD is deemed **not to have knowledge** if:

- ☐ The parent did not allow LUSD to evaluate the student (34 CFR §300.534(c)(1)(i))
- ☐ The parent refused special education services (34 CFR §300.534(c)(1)(ii))
- ☐ Student was evaluated and determined not be a student with a disability. (34 CFR §300.534(c)(2))

Note that one administrative decision suggested that multiple disciplinary referrals, by themselves, would not be enough to constitute a basis for knowledge that a student is disabled (Dickinson Independent Sch. Dist., 29 IDELR 290 (SEA TX 1998)).

- ☐ If LUSD does not have knowledge that a student is a child with a disability prior to taking disciplinary measures against the student, he/she may be subjected to the disciplinary measures applied to students without disabilities who engage in comparable behaviors. (34 CFR §300.534(d)(1))
- ☐ If a request for an evaluation is made while a student is subject to disciplinary measures, the assessment is to be conducted in an expedited manner. (34 CFR §300.534(d)(2)(i))
 - ↳ Until the evaluation is completed, the student remains in the educational placement determined by school authorities, which can include suspension or expulsion without educational services. (34 CFR §300.534(d)(2)(ii))
- ☐ If the student is determined to be eligible for special education services, LUSD shall immediately stop disciplinary proceedings and provide special education and related services in an appropriate setting as determined by the IEP team. (34 CFR §300.534(d)(2)(iii)), (20 USC §1415(k)(5))

E. REPORTING CRIMES TO LAW ENFORCEMENT

The laws and procedures described in this section do **not** prohibit LUSD personnel from reporting a crime committed by a student with a disability to appropriate law enforcement authorities. Likewise, these procedures do not prevent law enforcement from applying federal or state law to crimes committed by a disabled student. (34 CFR §300.535(a))

If LUSD personnel report a crime committed by a disabled student to law enforcement, they shall:

- ☐ Provide copies of the student's special education and disciplinary records (**excluding the students' psycho-educational evaluation**) to the law enforcement agency/agencies to whom LUSD reported the crime
 - ↳ Transmittal of student records shall be in line with the rights outlined within the **Family Educational Rights and Privacy Act (FERPA)**. (34 CFR §300.535(b)(1) and (2), 20 USC §1415(k)(6))

F. APPEAL PROCESS

Expedited Due Process Hearings may be requested for a variety of reasons, including, but not limited to:

- ☐ **Parent Disagreement** Parents who disagree with a manifestation determination, or decisions regarding placement and services during an IAES, may request an *expedited* due process hearing. (34 CFR §300.532(a))

- ❑ ***School Considers Student to be Dangerous*** A principal/designee may have valid reasons to believe that keeping the student in his/her current school is *substantially likely to result in injury* to the student or others. In such cases, the principal/designee shall consult with the Assistant Superintendent of Special Education and LUSD Legal Department to consider a request for an emergency due process hearing to seek a transfer of the student to an IAES for up to 45 school days. In this case, a Hearing Officer can determine that dangerous conduct may exist and the student needs to be removed to an IAES when there has been no serious bodily injury. (34 CFR §300.532(a) and (b))
- ❑ ***Timeline for Expedited Hearing*** IDEA provides required timelines for LUSD and the hearing officer to adhere to during the expedited Due Process Hearing process. (34 CFR §300.532(c)) (20 USC §§1415(k)(3) and (4)(B), 1415(f)(1)(A))
- ❑ ***Placement during appeals.*** When an appeal has been made by either the parent or LUSD, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the time period specified in the IEP for the IAES, whichever occurs first, unless the parent and the IEP team agree otherwise. (20 USC §1415(k)(4)(A)) (34 CFR §300.533)

G. TRANSPORTATION DURING SUSPENSION/EXPULTION

When bus transportation is listed as a service on a student's IEP, LUSD shall provide special education and related services, including transportation, to the suspended student on the 11th day of cumulative suspension. (20 USC §1415(k)(1)(D), 34 CFR §300.534(d), 34 CFR §300.530(b)(2) and (d)) This includes:

- ❑ Continuation of Educational Services (i.e., FAPE) to allow the student to continue to participate in his/her curriculum and to progress toward meeting the goals established in his/her IEP
- ❑ Provision of services outlined in the student's Functional Behavioral Assessment (FBA) and/or Behavioral Intervention Plan (BIP)

Chapter XV

TRANSITION BETWEEN GRADE LEVEL

Transition language in the IEP supports the movement of students from special to general education classrooms, from middle to high school, and from infant to preschool to kindergarten to first grade programs. (*EC §§56345(b)(4) and 56445(a)*)

Transition services include appropriate, measurable goals that are based on age-appropriate transition assessments. Any area addressed shall be based on the student's needs, taking into account the student's strengths, preferences, and interests. A description of activities should be provided to integrate the student into the new school or program, such as a partial day visit at the new classroom or school. The description shall indicate the nature of each activity, and the time spent on the activity each day or week, if deemed necessary by the IEP team.

LUSD shall provide transition services to students with disabilities as follows:

- ☐ Before transfer from Preschool to Kindergarten
- ☐ Before transfer from Elementary to Middle School
- ☐ Before transfer from Middle School to High School
- ☐ Nonpublic school (NPS) to a less restrictive environment
- ☐ On or before age 16
- ☐ Before exiting school due to graduation, completion of course of study, or aging out.

A. PRESCHOOL TO KINDERGARTEN

The IEP team shall address the transition process from preschool to elementary school for students age 3 through 5. It shall also describe a process for monitoring the continued success of the disabled student who continues to be eligible for special education. (*30 EC §56445*)

- ☐ With parental permission, the student's Multi-Disciplinary Team shall conduct an appropriate reassessment to determine if the child is still in need of special education and services in the more rigorous elementary setting.
- ☐ Gains made in the special education program for children who received special education services in preschool, are not to be lost by too rapid a removal of individualized programs and supports for these students.
 - ↳ As part of the transitioning process, a means of monitoring the continued success of the student shall be identified by the IEP team for those students of kindergarten or first grade equivalency who are determined to be eligible for less intensive special education programs.
 - ↳ For a student who is exiting special education after preschool, the present performance levels and learning style shall be noted by the IEP team. This information shall be made available to the assigned general education teacher upon the student's enrollment in kindergarten or first grade. (*30 EC §56445(d)*)

B. ELEMENTARY SCHOOL TO MIDDLE SCHOOL

During the school year that a student will enter Middle School, the student's teacher and parent shall begin planning for the student's transition to Middle School.

With parental permission, the student's IEP Case Manager shall:

- ☐ Update the student's assessment information to obtain current levels of performance
- ☐ Convene an IEP meeting at which updated information is shared and goals and objectives are developed with consideration of Middle School service delivery models
 - ↳ The IEP team shall consider Middle School service delivery options at this time and identify the appropriate service(s).

The IEP team shall outline and address each student's individual needs, i.e., student needs support when transitioning from one class to another, priority seating is required, etc.

Communication/Professional Development pertaining to the difference in the structure of the school day between Elementary and Middle School staff shall be provided.

C. MIDDLE SCHOOL TO HIGH SCHOOL

Prior to the school year in which a student will enter High School, i.e., at the end of the 8th grade year, the student's service providers, teachers and parents shall begin planning for the student's transition to High School.

The student's IEP Case Manager shall:

- ☐ Update the student's assessment information (informal or curriculum based is appropriate) to obtain current levels of performance
- ☐ Convene an IEP meeting at which updated information is shared and goals and objectives are developed with consideration of High School service delivery models
 - ↳ Convene an IEP meeting at the receiving high school if possible.
 - ↳ The IEP team shall consider High School service delivery options at this time and identify the appropriate service(s)
- ☐ The IEP team shall outline and address each student's individual needs, i.e., student needs support when transitioning from one class to another, student requires priority seating, etc. Communication/Professional Development pertaining to difference in the structure of the school day between Middle and High School staff shall be provided.

D. TRANSITION TO/FROM CHARTER SCHOOL

Charter schools are independent charters. LUSD does not provides direct special education services to the students who are enrolled at a charter school. Therefore, the Individualized Service Plan ("ISP") is handled like any other ISP in the district.

- ☐ An ISP is a plan for getting an individual the support and services he or she needs. If your child attends public school, he or she will have an IEP (individualized education plan). However, those children with special needs who attend private schools will need to get an ISP from a local education agency to make sure their needs are met.
- ☐ Referral back to LUSD school sites for more restrictive program:
 - ↳ Parents of students with disabilities who have an ISP can enroll in LUSD at any time in order to receive special education services.
 - ↳ Once the student is enrolled, the school IEP team meets to hold a 30-Day placement meeting
 - ↳ The discussion of the most appropriate placement and site should have occurred during this 30-Day IEP meeting

E. TRANSITION FROM MORE RESTRICTIVE PLACEMENT TO GENERAL EDUCATION

When disabled students transfer into the general education classroom from special day classes (SDCs), or from nonpublic, nonsectarian school to the general education classroom in the public school, the IEP team shall document the following within the student's IEP: (30 EC §56345(b)(4))

- ☐ A description of activities provided to integrate the student into the general education program describing the nature of each activity, and the time spent on the activity each day or week (30 EC §56345(b)(4)(B))
- ☐ A description of the activities provided to support the transition of students from the special education program into the general education program (30 EC §56345(b)(4)(B)) or a less restrictive special education program.

F. SUMMARY OF PROCEDURES FOR MAINSTREAMING NPS STUDENTS TO LUSD PUBLIC SCHOOLS

As early as the placement IEP or soon afterwards, the IEP team and nonpublic school staff will discuss what criteria will be reviewed to determine when the student is ready to begin mainstreaming to a less restrictive placement, usually in LUSD public schools.

When the school or members of the IEP team feel the student has or will soon meet the criteria, an IEP is scheduled to discuss a gradual transition. The IEP team will consider progress on IEP goals, attendance, behavioral data, class participation/on-task behavior, homework completion, ability to access public transportation and if appropriate, how student is responding to therapeutic interventions.

- ☐ The initial transition or mainstreaming IEP consists of the required IEP team members as well as NPS administrator or designee, an NPS teacher, LUSD NPS Content Specialist/Administrator. If the student is in a Counseling Enriched Educational Classroom/Program or Residential Treatment, the mental health provider shall be in attendance at the IEP meeting.
- ☐ If the IEP team determines that the student meets the agreed-upon criteria for mainstreaming back to an LUSD school, the referring NPS content specialist/Administrator shall present the case at a placement committee meeting for review.
 - ↳ The Special Education Program Specialist or Special Education Coordinator who supports the nonpublic schools shall determine available schools that have space in their SDC/general education programs.
 - ↳ NPS and public-school Program Specialist shall discuss to determine what public school is appropriate for mainstreaming based on the designated criteria such as school culture, class sizes, required or preferred courses, and proximity of public school from home and NPS.
 - ↳ Every effort is made to consider a school that the student can eventually transition to on a full-time basis.
- ☐ The receiving school is notified and the NPS and receiving school content specialists arrange an Amendment IEP meeting at the public-school site with specific participants required to be invited and in attendance.
- ☐ At this meeting the mainstreaming plan is developed:

- ↗ The class schedule is provided by the public school,
- ↗ Transportation needs are discussed, and
- ↗ The period of time to partially mainstream, not to exceed one semester, will be determined, and a follow-up meeting will be scheduled
- ↗ In order to facilitate any new placement happening as quickly as possible, the Special Education Department and Student Services Department shall be notified of all initial placements and program changes that affect the Least Restrictive Environment (LRE).
- ↗ An LUSD Program Specialist shall be present at all IEPs affecting program changes. Changes in LRE require an IEP and parent consent. Special Education Department requires that the IEP and signature page are uploaded to SEIS to process any change.

Referral for More Restrictive Environment

When a student displays an ongoing pattern of serious problem behaviors that interfere with his/her ability to benefit from his/her special education program, or seriously impedes the learning of others, it is crucial that the school site address it **immediately** through the IEP process. IDEA states that students shall be educated in the Least Restrictive Environment; therefore, all possible interventions should be implemented with fidelity in the current environment before considering a more restrictive one. Some cases may warrant an administrative decision due to safety concerns.

A Serious Behavior Problem is defined as: “The individual’s behaviors which are self-injurious, assaultive, or cause serious property damage and other severe behavior problems that are pervasive and maladaptive for which instructional/behavioral approaches in the IEP are found to be ineffective

If the IEP team is considering whether there may be a need to refer a student with severe behavior problems or mental health problems to a more restrictive setting, they should follow all steps in **Recommended Referral Procedure for More Restrictive Setting**.

- ❑ Ensure that **Suggested Behavior Interventions** have been tried and the impact evaluated by the IEP team. A few are listed here. A more complete list is found in the **Appendix of Suggested Behavior Interventions**.

- ↗ Behavioral contracting
- ↗ Mentor-based program (e.g., Check In/Check Out)
- ↗ Differential reinforcement
- ↗ Points system (rewards and consequences)
- ↗ Complete an FBA- write and implement a behavior intervention plan (BIP)
- ↗ Replacement behavior training
- ↗ Restorative Practices (e.g., affective language, restorative dialogue, responsive circles, formal restorative conferencing)
- ↗ Small group social-emotional learning or social skills training
- ↗ Cognitive Behavioral Counseling/Therapy
- ↗ Family therapy/wrap around/outside agencies included
- ↗ School social worker
- ↗ Referral to Health Collaborative

- ❑ Recommended Referral Procedure for More Restrictive Setting-Initial steps include:
 - ↳ The Site administrator/designee contacts the case carrier and school psychologist to observe, alert behaviorist and licensed clinical social worker if appropriate, and meet with the IEP team.
- ❑ The first IEP Amendment Meeting shall include:
 - ↳ Providing prevocational programs and assessing work-related skills, interests, aptitudes, and attitudes
 - ↳ Review of the current BIP, or if there is no BIP, the school psychologist will present an assessment plan for a Functional Behavior Assessment
 - ↳ Review of current assessments and determination as to whether additional assessment is required [e.g., suspected disability, Educationally Related Mental Health Services (ERMHS), or FBA]
 - ↳ Documentation that increasing or modifying services/supports in the current setting have been considered and will be attempted (e.g., therapy, specialized academic instruction, other behavioral supports, etc.),
 - ↳ Any school incident reports or Behavior Emergency Reports (BER),
 - ↳ Documentation of any hospitalizations, medications/medication changes, or other family concerns,
 - ↳ Documentation of any involvement with Department of Human Services, Community Based Organizations, or the Juvenile Justice System, and
 - ↳ Presentation to the parent/guardian a release of information which include all providers
- ❑ If behavior continues, IEP Meeting for Amendment #2 shall be held **not less than six weeks later.**
- ❑ If behavior continues, IEP Meeting for Amendment #3 shall be held **not less than six weeks later.**
- ❑ If, after steps I-III, the IEP Team concludes that a referral to a more restrictive setting is necessary,
 - ↳ Presentation to the parent/guardian a release of information which include all providers
 - ↳ IEP team compiles a referral packet to include all components listed above, including:
 - 📖 Recommended Referral Procedure for More Restrictive Setting
 - 📖 Referral for More Restrictive Environment Form
 - 📖 Any additional supportive information or documentation
 - ↳ The case carrier and site administrator shall complete the Change of Placement form (see Appendices C & D) at least ten (10) workdays prior to holding the IEP meeting where change of placement would be discussed.

Possible outcomes from the Special Education Department Regarding Change of Placement:

- ❑ The packet may be returned to the case carrier, administrator, and IEP team with recommendations, a plan for ongoing support, and a timeline for re-submitting the packet if they determine that:
 - ⇒ There are interventions in the current setting that have not yet been tried, or
 - ⇒ There is a lack of data showing implementation with fidelity,
- ❑ A referral for Educationally Related Mental Health Services (ERMHS) assessment.
 - ⇒ ERMHS are related services that a student with a disability receiving special education services may be entitled to, based upon an assessed need, and are required in order to benefit from special education services.
 - ⇒ Students who may require ERMHS services generally have these characteristics
 - 📖 Emotional/behavior symptoms that adversely affect the student's educational performance
 - 📖 Symptoms that cannot be defined solely as a
 - ⚡ Behavior disorder, or
 - ⚡ Temporary adjustment problem that may be resolved with short-term counseling
 - 📖 The student's level of functioning (including cognitive) is at a level sufficient to enable them to benefit from mental health services
 - ⇒ Services covered under ERMHS:
 - 📖 Individual Counseling
 - 📖 Counseling and Guidance (Group Counseling)
 - 📖 Parent Counseling and Training
 - 📖 Agency Linkages (Case Management)
- ❑ A referral to one or more restrictive settings may be made if sufficient interventions have been attempted in the LRE, and the student is eligible for ERMHS. Next steps:
 - ⇒ Visits will be scheduled for the family (if appropriate and possible), and
 - ⇒ An IEP meeting with any assessors and the receiving site will be scheduled in order to discuss possible change of placement.

Chapter XVI

Non-Public Schools (NPS)

California's Nonpublic schools (NPS) are specialized private schools that provide services to public school students with disabilities. A NPS is a ***nonsectarian*** (nonreligious) school that enrolls students with disabilities pursuant to an IEP.

Tuition for a student in an NPS is funded by the school district that places the student in the school, based on the student's IEP. Unlike other private schools, each NPS is certified by the California Department of Education (*EC §56034*).

In considering IDEA procedural safeguards regarding the least restrictive environment (LRE) for every student, LUSD Special Education Services can only consider referring a student to a NPS if all district placements and services have proven to be insufficient. If the district has an appropriate program or services, they cannot refer to a nonpublic school which is much more restrictive.

Centrally assigned school district personnel shall be notified if any IEP team member is considering a nonpublic school placement. They can guide the team through the required steps, to determine whether NPS placement is truly the Least Restrictive Environment (LRE).

If an IEP team is considering a more restrictive placement, such as a nonpublic school, they shall follow the procedures outlined in the Change of Placement Form currently located within the [Special Education Google Classroom](#).

All change of placement forms must be completed by the current case carrier and approved by the school psychologist and site administrator prior to contacting the Special Education Department administrator(s).

The IEP team will consider progress on IEP goals, attendance, behavioral data, class participation/on-task behavior, homework completion, ability to access public transportation and if appropriate, how student is responding to therapeutic interventions.

Every effort will be to select a school that the student can eventually transition to on a full-time basis. If therapy services are being provided, the receiving location is where therapy will occur after completion of the step down.

Chapter XVII

Charter/Private Schools

Currently, Lynwood USD does not have a contact and/or agreement with any private or charter schools that are located within LUSD school boundaries. As such, these private and charter schools are considered independent and LUSD does not provide direct services to Lynwood residents who attend any of these private or charter schools.

LUSD will continue to honor the Greater Los Angeles Area SELPAs (“GLAAS”) Private School Agreement as it pertains to private schools.

Chapter XVIII

Home Hospital Instruction Procedures

A. INSTRUCTION IN THE HOME OR HOSPITAL (5 C.C.R. §3051.4)

Students with a medical condition (i.e., recuperation from surgery, accidents, short-term or chronic illness) may require Home/Hospital Instruction (“HHI”). When considering if the student requires Home/Hospital Instruction, the IEP team shall review assessments and information from the child’s attending physician or psychologist, stating the diagnosis of the condition, and certifying the extent of the condition which prohibits the student from attending school. The report should include a projected date for the student’s return to school.

The process for consideration of Home/Hospital Instruction is as follows:

Referral to Home/Hospital

❑ Parent/guardian:

- Parent/guardian obtains form, *Request for Home & Hospital Instruction*, from the Student Services Department
- Parent/guardian must complete **Part I of the *Request for Home & Hospital Instruction***. If assistance is needed, an administrator will designate a person to assist the parent.
- The student’s physician or licensed psychologist completes **Part II of the *Request for Home & Hospital Instruction***, providing information on diagnosis, current status, and why the student is unable to attend school. A projected start and end date must be provided. A minimum of two weeks consecutive absence is required for participation in HHI.
- Parent/guardian or physician/psychologist return completed *Request for Home & Hospital Instruction* and *Release of Information* to the HHI office.
- An IEP amendment meeting is held to review the request; services, service delivery, and school setting are updated to reflect the agreed upon changes.
- If the school and parent are referring the student for HHI without a medical reason, such as a student with an IEP that LUSD is unable to immediately place in a more appropriate environment, the parent and IEP team fill out the *Referral for non-Medical Interim Home Instruction*. Non-medical placements require an IEP meeting and additional approval of any Special Education Department administrator.

❑ Site:

- Counselor and/or School Administrator will complete *Request for Home & Hospital Instruction* form and obtain signatures from:
 - 📖 School Administrator
 - 📖 District nurse within the Special Education Department
 - 📖 Counselor (middle and high school)
 - 📖 If applicable, special education case manager or school psychologist
 - 📖 Attach the student's class schedule. Students will remain in school site courses as decided by the school and HHI team.

Note: Attach the student's class schedule. Student will remain in school site courses as decided by the school and HHI Team

❑ Special Education Dept/District Nurse:

- ✍ Review HHI application before submitting to the school site and Special Education Department.
- ✍ Consult with physician/licensed psychologist regarding applications that are not clear, do not meet criteria, or are not completed correctly.
- ✍ Email/ fax completed application to school site and keep a copy for the Special Education Department.
- ✍ Participate in IEP regarding medical need for HHI. HHI services will be written into an IEP with consultation from the Special Education Department nurse. Participate in IEPs as needed while a student is on HHI.
- ✍ Participate in home visits as needed.

❑ IEP Team:

- ✍ When recommending placement for home instruction for medical reasons, the IEP team must:
 - 📖 Review an assessment that includes a medical report from the attending physician, surgeon, or psychologist stating the diagnosed condition and certifying that the severity of the condition prevents the student from attending a less restrictive placement. The report must include a projected calendar date for the student's return to school.
 - 📖 Meet to reconsider the IEP prior to the student's projected calendar date for return to school (*5 CCR §3051.4 (d)*)
 - 📖 For the student with an IEP who has a medical condition such as those related to surgery, accidents, short-term illness or medical treatment for a chronic illness, the IEP team shall review, and revise, if appropriate, the IEP goals and related services whenever there is a significant change in the student's current medical condition (*5 CCR §3051.4 (c)*) and the student is ready to return to school instruction.
 - 📖 Schedule follow-up IEP meeting for the time the team or doctor feel the student may be ready to return to school.
- ✍ When recommending placement for home instruction for nonmedical reasons, the IEP team must:
 - 📖 Ensure that there is no other way to temporarily provide an appropriate education (FAPE)
 - 📖 Determine the actions or assessments by school site or district staff to be completed within 60 days
 - 📖 Schedule follow-up IEP meeting within 60 days to place the student in the appropriate placement in the least restrictive environment.

❑ Teacher:

- ✍ Instruction in the home or hospital shall be provided by a general ed. class teacher or the special education teacher/specialist if the teacher or specialist is credentialed 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. (5 CCR 3051.4 (e))

⇒ Instruction may be delivered individually, in small groups or by virtual class when appropriate. (5 CCR §3051.4 (b))

⇒ The teacher providing the home instruction shall contact the student's current school and teacher to determine (5 CCR §3051.4 (f))

📖 The course work to be covered;

📖 The books and materials to be used, including technology;

📖 Who is responsible for issuing grades and promoting the student when appropriate;

⇒ For students in grades 7 to 12, the teacher shall confer with the school guidance counselor to determine:

📖 The hours the student has earned toward semester course credit in each subject included in the individualized education program and the grade as of the last day of attendance;

📖 Who is responsible for issuing credits when the course work is completed;

📖 Who will issue the diploma if the student is to graduate.

Chapter IXX

Exiting Students from Special Education Program

When exiting Special Education Placement, each student must have a current Psychoeducational Report and/or Individualized Education Plan.

Exiting students due to graduation with a diploma or becoming age 22 shall be provided a summary of academic/functional performance with recommendation for transition goals.

For any exiting student with low incidence disabilities, contact the Special Education Coordinator or Program Specialist for directions on where to send equipment, books and other items purchased through Low Incidence funds for an individual student.

A. STUDENTS NO LONGER ELIGIBLE FOR SPECIAL EDUCATION

- ☐ An evaluation of the student is required. Parent permission is required for the evaluation. This evaluation may include *a review of existing evaluation data* if appropriate.
- ☐ If it is determined that the student does not have a disability or no longer has a disability and thus is not eligible for special education, the IEP team may discuss general education accommodations and modifications that might be beneficial.
- ☐ If it is determined that the student has a disability, but does not require or no longer requires special education, the IEP team should discuss whether the student is eligible for a Section 504 Plan.
- ☐ If it is determined that the student may be eligible for a Section 504 Plan, refer the student for the 504 evaluation process. Refer to the LUSD Section 504 procedures for additional information on this process. Please contact the Student Services Department for further guidance and protocols on Section 504 Plans.
- ☐ For a student who is exiting special education after preschool, the present performance levels and learning style shall be noted by the IEP team. This information shall be made available to the assigned general education teacher upon the student's enrollment in kindergarten. (30 EC §56445(d))
- ☐ For students found no longer eligible, check the box on the IEP for Not Eligible and/or Exiting from Special Education
 - ↳ Informed consent from the parent is required for change of services, (including exit from services).
 - ↳ The case manager and/or school administrator shall mail parents/legal guardian a **prior written notice** ("PWN") letter indicating their child has been exited from receiving Special Education services. Please see appendix for sample PWN.

B. GRADUATION/COMPLETION

- ☐ LUSD shall provide transition services to students with disabilities before exiting school due to graduation, completion of course of study, or aging out. LUSD shall provide exiting students (those graduating with a diploma or becoming age 22) a summary of academic/functional performance with recommendation for transition goals.

- ☐ Graduation with a diploma is deemed a change in placement. A prior written notice is generated to inform adult student that s/he is exited and no longer eligible for special education services under IDEA. Include records retention/destruction detail. Please see sample PWN in appendixes.

C. Summary of Performance (“SOP”) Completion Guidelines

In Comply with the requirement for a “Summary of Performance” in IDEA, Sec. 614(c)(5)(B)(ii). The Summary of Performance:

- a. Provides information to students who are graduating with a regular diploma to assist them in meeting their postsecondary goals; and
- b. Provides information to students who are leaving school because they exceed the age of eligibility for a free appropriate public education (end of semester in which they turn 21) to assist them in meeting their postsecondary goals.
- c. For students with an active IEP leaving high school for any reason other than the attainment of a regular diploma or through exceeding the age of eligibility, an eligibility review must be completed. Although not explicitly required by IDEA, if the review determines the student will exit, California Department of Education (“CDE”) recommends that a Summary of Performance be completed and provided to the student.

Transition from High School to Post-Secondary

Some students who receive Special Education will graduate with a diploma at age 18 or 19 depending on the student’s date of birth. At that point, Special Education services end. Other students may finish high school with a certificate of completion. This means they have completed their own course of studies at the high school level and may continue in public school post-secondary programs through the semester in which they turn 22.

Students in the Special Education program who need additional time to complete the high school requirements to obtain a diploma will be transfer to Vista Continuation School once they have been enrolled four years at the high school level.

Students in the Special Education program who receive a Certificate of Completion will be transferred to Lynwood USD’s Adult Transition Program once they have been enrolled four years of high school. Students who receive a Certificate of Completion may take part in all graduation activities, including but not limited to, grad night, Senior Picnic, graduation ceremony, etc.

The decision to work toward a diploma or a certificate of completion is important. Talking about this is best if started in 5th or 6th grade and continues in middle school. The decision is finalized during high school and must be written in the IEP.

All students in the Special Education program must have a Transition Plan as part of their IEP by the year they turn 16. Transition services are:

- ☐ A coordinated set of activities
- ☐ Results-oriented
- ☐ Focused on improving academic and functional achievement for life after high school

Plans must address a student's needs and consider strengths, preferences, and interests. The plan must have appropriate and measurable post-secondary goals that are based on assessments of the need for:

- ☐ Training
- ☐ Education
- ☐ Employment
- ☐ Independent living skills if this applies

Goals must include statements on what skill is needed, who will provide the service to teach the skill, and how often the service will happen. High school activities that are part of the transition plan can include instruction, related services, community experiences, a job evaluation, practice with skills for employment or adult living.

Transition planning is not one meeting or one document. It takes place over time. It involves the student and outside agencies and resources as appropriate. The relationship between the student's high school activities and post-school outcomes needs to be clear and meaningful.

Finally, a "summary of performance" in both academic and functional must be given to the student when they exit Special Education with a diploma or when they reach age 22. This summary must include recommendations on how to assist a student in meeting their postsecondary goals.

A student's IEP team shall complete a student's Summary of Performance (SOP) and shall include recommendations on how to assist the student in meeting their post-secondary goals.

Summary of Student's Academic and Functional Performance

The case manager shall draft the Summary of Performance and present it at an IEP meeting during the second semester of the 12th grade in high school. The IEP Teams shall follow the following procedures when finalizing a student's SOP:

- ☐ *Background Information:* Case manager completes this section as specified.
- ☐ *Student's Post-Secondary Goals:* Copy the post-secondary goals from the IEP (Identified on pages 2 and 3 of the Individual Transition Plan from the most recent IEP)
- ☐ *Summary of Performance:* This section includes Functional Skills, Cognitive Abilities, Communication Skills, Motor Skills, Health, Social/Emotional/Behavioral, and Self-Help/Adaptive.
 - ↳ Case manager indicates the student's present level of performance identified in the most recent IEP and list the accommodations, modifications or assistive technology that were essential in assisting the student in achieving progress
- ☐ *Recommendations to Assist the Student in Meeting Post-Secondary Goals:*
 - ↳ Case manager identifies the recommendations a student may need to assist in meeting the postsecondary goals. Check all that apply
 - ↳ Case manager identifies all agency linkages known to be working with the student or those that could be a resource. Identify the contact person and telephone number.

- ✎ In addition, in the last year of attendance the case manager must to ensure that the student has an updated, understandable and usable Transition plan that explains fully the student's Post-Secondary Goals and how to meet them.

All Special Education shall be terminated once the student receives a high school diploma or exits from the Adult Transition Program with a Certificate of Completion. For high school students who receives a diploma, all Special Education and Related Services shall end at the last day of attendance and before picking up their diploma. All IEP documentation shall clearly align "end dates" for IEP goals and services to the last day of instruction.

- ☐ Students shall not be able to attend Extended School Year at the end of the 12th grade if the student has graduated with a high school diploma and has picked up the diploma
- ☐ Students can participate in summer school for credit recovery in order to meet the high school graduation requirements. These students continue to be eligible for Special Education and all of their accommodations/modifications as indicated in their IEP document.

A student between the ages of 19 and 21 years, inclusive, may remain in special education if he or she is enrolled in or eligible for a special education program prior to his or her 19th birthday; *and* has not yet completed his or her prescribed course of study or who has not met proficiency standards or has not graduated from high school with a regular high school diploma.

- ☐ Any student who becomes 22 years of age during the months of January to June, inclusive, while participating in a special education program may continue his or her participation in the program for the remainder of the current fiscal year, including any extended school year (ESY) program for students with an IEP who meet the eligibility requirements for ESY.
- ☐ Any student otherwise eligible to participate in a special education program shall not be allowed to begin a new fiscal year in a program if he or she becomes 22 years of age in July, August, or September of that new fiscal year. However, if a student is in a year-round school program and is completing his or her individualized education program in a term that extends into the new fiscal year, then the student may complete that term.
- ☐ Any student who becomes 22 years of age during the months of October, November, or December while participating in a special education program shall be terminated from the program on December 31 of the current fiscal year, unless the student would otherwise complete his or her individualized education program at the end of the current fiscal year.
- ☐ LUSD may not develop an individualized education program that extends these eligibility dates, and in no event may a student be required or allowed to attend school through an IEP placement beyond these eligibility dates solely on the basis that the student has not met his or her goals or objectives.
- ☐ Exiting students due to becoming age 22 shall be provided a summary of academic/functional performance with recommendation for transition goals.
- ☐ The student who remains in special education until 22 and ages out will receive a Certificate of Completion

D. STUDENT TRANSFERRED OUT OF LUSD

If the student with an IEP has moved and is known to be continuing on (transferring) to a different district/SELPA (even if it might change in a week, a month, etc.) the Case Manager (CM) is required to EXIT the student from SEIS.

- ☐ **Note:** *The student is not exiting from special education, as he/she has a current IEP and will be served in the new district. The student is leaving attendance in LUSD, so will no longer be served by the LUSD special education department.*

Directions for the Case Manager (CM):

- ☐ Open the student's SEIS IEP file, and select the Student Change Form.
- ☐ A new drop-down menu will pop up with 11 options.
- ☐ From the "Select Request" drop down menu, choose "Student has moved to another district/SELPA"
- ☐ Identify EXIT date and provide additional explanation as appropriate.
- ☐ "Submit" your request to the Special Education Technician
- ☐ Once finalized, the student will be removed from CM's caseload.
- ☐ If CM has questions:
 - Go to the Help Center at top of SEIS screen
 - Call the SEIS Hotline
 - Go to Procedural Manual on the intranet
 - Email your SEIS Technician Specialist

E. REVOCATION OF SPECIAL EDUCATION SERVICES

If, at any time subsequent to the initial provision of special education and related services, the parent of a student revokes consent in writing for the continued provision of special education and related services, LUSD:

- ☐ May not continue to provide special education and related services to the student, but shall provide prior written notice before ceasing the provision of special education and related services (*34 CFR §300.503*)
- ☐ May not use mediation or due process procedures in order to obtain an agreement or a ruling that the services may be provided to the student (*34 CFR §300.507-300.516*)
- ☐ Will not be considered to be in violation of the requirement to make a free appropriate public education (FAPE) available to the student because of the failure to provide the student with further special education and related services
- ☐ Is not required to convene an IEP team meeting or develop an IEP for the student for further provision of special education and related services. (*34 CFR §§300.320 and 300.324*)
- ☐ Is not required to amend the student's education records to remove any references to the student's receipt of special education and related services because of the revocation of consent. (*34 CFR §300.9 (c)(3)*)
- ☐ Case manager and/or site administrator shall notify the Special Education Department administrator within 3 school workdays from receiving the revocation of Special Education Services letter from the parent. The Special Education Department administrator shall mail the parent a prior written notice indicating their request to revoke consent for Special Education Services. Please see appendix for sample PWN letter.

Note: If the parent or student “change their mind” and ask for special education services to be reinstated, a complete initial multidisciplinary evaluation team shall be conducted. The student may or may not qualify at this time based upon initial eligibility criteria which are different from continuing eligibility criteria.

LUSD Procedure for parent/educational rights holder revocation of Special Education Services:

- ☐ Parent/educational rights holder expresses intent to revoke special education services
- ☐ Special education school staff inform parent/educational rights holder that services and protections will cease if special education services are revoked
- ☐ If Parent/educational rights holder still wishes to revoke, then they put the request in writing, sign, and date, and submit it to school staff. (School staff should assist in this process if necessary)
- ☐ School site Special Education Case Manager/school psychologist will write a prior written notice letter and mail it to parent via regular US mail as well as certified mail.
- ☐ Prior Written Notice Letter is Affirmed in SEIS and a hard copy is placed in the students Yellow Folder and Cumulative File
- ☐ Special Education Services end as soon as school site receives the revocation letter and sends the Prior Written Notice to the parent including date services will cease
- ☐ Student is exited from SEIS
- ☐ Yellow Folder is kept at the school site for at least three years and then sent to the LUSD Special Education Department
- ☐ Student status is updated to General Education student in Aeries.

F. TRUANT STUDENT OVER 18

- ☐ Interventions to improve student attendance shall be attempted and documented.
- ☐ Calls by school site to encourage attendance are documented.
- ☐ Calls by Case Manager when student is absent are documented.
- ☐ IEP meetings are scheduled to address attendance as well as provide a clear transition services plan.
- ☐ If the student is a non-attender and is a no show to 3 IEP meetings, or cannot be reached, (is nonresponsive,) then the following Procedure for Withdrawal is completed.
- ☐ If the parent or other family member states that the student is no longer living in the district, or has dropped out of school, the student is considered to have left the district, and the following Procedure for Withdrawal is completed.

Procedure for Withdrawal and Prior Written Notice for Students with IEPs

- ☐ School site follows the LUSD procedure for withdrawing for all chronically truant students.
- ☐ School SPED Case Manager documents attempts to contact and outcomes in the Student Record of SEIS under “Notes and Attachments” and in the Notes section of the IEP.
- ☐ School Administrator overseeing SPED and SPED Case Manager send the documented attempts to contact and outcomes to the Special Education Department.

Note: *this Procedure for Withdrawal is not a withdrawal from special education eligibility, but from LUSD attendance. A written revocation of special education services signed by the adult student or an IEP meeting with student signature is required to exit the student from Special Education. The adult student should be informed of these rights.*

Chapter XX

Post-Secondary Transition

A. POST-SECONDARY EDUCATION - Planning for the Future

Post-Secondary Education Plan shall be in effect when the student turns 16, or younger, if determined appropriate by the IEP Team, and updated annually. The Post-Secondary Education Plan should be updated annually. Thereafter, the IEP shall include;

- ☐ Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training or education, employment, and, where appropriate, independent living skills, and
- ☐ The transition services (including courses of study) needed to assist the student in reaching their goals. (34 CFR §300.320(b)), (30 EC §56345(a)(8)(B))

If a participating agency, other than LUSD, fails to provide the transition services described in the IEP of the student, LUSD shall reconvene the IEP team to identify alternative strategies to meet the transition service needs for the student set out in the program.

LUSD shall determine a student's Transition Services and Transition goals using a variety of assessment tools that are culturally, developmentally, and linguistically appropriate. Transition assessment instruments and procedures should provide the Individualized Education Program ("IEP")/Individualized Transition Plan ("ITP") team with the functional and developmental information necessary for planning an appropriate course of study, selection of an appropriate transition pathway, and documentation of student progress.

The results of transition assessments are the beginning of the planning process for the student's Individualized Transition Plan ("ITP") and should assist the ITP team in determining appropriate transition activities. Activities include instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and when appropriate, acquisition of daily living skills and functional vocational evaluation.

- ☐ Describe needed transition services that focus on improving academic and functional achievement of the student to facilitate movement from high school to post school (20 USC §1414(d)(1)(A)(i)(VIII), 34 CFR §300.320(b)(2), 30 EC §56345(a)(8))
- ☐ Focus on improving academic and functional achievement of the student to facilitate their movement from school to post school (20 USC §1400), 34 CFR §300.320(b)(1), 30 EC §56345.1(a))
- ☐ Contain measurable postsecondary goals based on age-appropriate transition assessments related to training or education, employment, and where appropriate, independent living skills (20 USC §1414(d)(1)(A)(i)(VIII) (aa), 34 CFR §300.320(b)(1), 30 EC §56345(a)(8))
- ☐ Be reviewed annually (20 USC §1414(d)(4)(A)(i), 34 CFR §300.324(b)(1)(i))
- ☐ Contain transition services that are based on the individual student's needs, taking into account the student's preferences and interests (20 USC §1401(34)(B), 34 CFR §300.43(a)(2), 34 CFR §300.321(b)(2) 30 EC 56345.1(a)(2))

- ☐ Include a statement of the essential transition services in all required areas including: (20 USC §1401(34)(C), 34 CFR §300.43(a)(2)(i-v), 30 EC §56345.1(a)(3))
 - ↗ Instruction
 - ↗ Related services
 - ↗ Community experiences
 - ↗ Development of employment and other post school objectives and, when appropriate:
 - ↗ Acquisition of daily living skills
 - ↗ Functional vocational evaluation
 - ↗ Include a statement of the needed transition services and interagency responsibilities. (34 CFR §300.322(b)(2)(ii))

In addition, the student's IEP Team shall:

- ☐ Reconvene to identify alternative strategies to meet the transition objectives when an agency other than the LUSD fails to provide the transition services in the IEP (20 USC §1414(d)(6), 34 CFR §300.324 (c)(1), 30 EC §56345.1(c))
- ☐ Use alternative methods to obtain agency participation in the development of transition services, if an invited agency representative cannot attend the IEP meeting (30 EC §56341(d)(3))
- ☐ Invite the student to attend the IEP meeting when the purpose will be consideration of needed transition goals and services (34 CFR §300.322(b)(2)(i)(ii), 30 EC §§56341(d)(1)(2)(3) and 56341.5(e))

B. TRANSITION ASSESSMENT

The site administrator shall adhere to the following guidelines to ensure that a student's ITP has been completed by the time a student turns 16:

- ☐ The administrator/designee shall monitor the IEP annual review or re-evaluation dates for each student 15 years of age in relation to the student's birth date to determine the time necessary to develop the assessment plan, obtain written parental consent, conduct the assessment, and conduct the IEP prior to the student becoming 16 years of age.
- ☐ An assessment plan for an age-appropriate transition assessment may be needed if the assessments are not generally administered to students in the class, school, or District. Prior to the student's scheduled annual review or re-evaluation IEP meeting, the team should determine whether an assessment plan, to include assessment for transition services, is needed.
- ☐ The results of the assessment will be reviewed at the IEP meeting convened prior to the student's 16th birthday.

Transition assessment for students 16 and above is a formal process. Age-appropriate transition assessments shall be conducted (example, IDEAS, Brigance, Virtual Job Shadow, etc.). Based on student need, this evaluation may include:

- ☐ Future planning needs and goals
- ☐ Vocational Interests
- ☐ Education and Training

- ☐ Independent Living Skills
- ☐ Self-determination
- ☐ Academic strengths and needs (including behavior, if appropriate)
- ☐ Aptitudes and abilities both in the classroom and the community
- ☐ Self-advocacy skills

Other assessment activities may include:

- ☐ Classroom simulations of job interviews and role-play of interactions with employers and coworkers, resolution of on-the-job problems, and requests for needed accommodations at the work site
- ☐ Community on-the-job training including Regional Occupational Programs, participation in Small Learning Community activities, school-based business enterprises, etc.
- ☐ Service-Learning project
- ☐ Community-based instruction work settings
- ☐ Supported work experiences
- ☐ Work experience
- ☐ Volunteer experience
- ☐ Other activities as appropriate
- ☐ Invite a representative of agency(ies) likely to be responsible for providing or paying for transition services to attend the IEP meeting (30 EC §§56341(d)(3) and 56341.5(f))
- ☐ Inform the student of the rights that will transfer to him/her upon reaching the Age of Majority (20 USC §1414(d)(1)(A)(i)(VIII)(cc))
- ☐ Provide the parent, or the student if age 18 or older, written prior notice of graduation from high school with a regular high school diploma (34 CFR §300.503, 30 EC §56500.5)
- ☐ Provide the student whose eligibility was terminated due to graduation from secondary school with a regular diploma, or due to exceeding the age of eligibility for FAPE, with a summary of academic achievement and functional performance, which includes recommendations on how to assist the student in meeting his/her postsecondary goals. (20 USC §1414(c)(5)(B)(ii), 30 EC §56381(i)(2))

C. INDIVIDUALIZED TRANSITION PLANS (“ITP”)

From age 16 through graduation or age 22, the focus of the IEP and Individualized Transition Plan (“ITP”) is to improve academic and functional achievement to facilitate movement from school to post-school activities. The ITP drives the IEP and gives it purpose as well as agreed-upon long term goals and planning.

The Individualized Transition Plan (ITP) is a written plan identifying the progressive steps a student will take to meet post-graduation goals. The ITP process:

- ☐ Addresses the student’s preferences, interests, and needs,
- ☐ Is based on age-appropriate assessments,
- ☐ Involves parent/guardian participation,

- ☐ Includes post-secondary goals and related annual goals outlining steps and skills,
- ☐ Includes a coordinated set of activities demonstrating use of various strategies, community, and adult living experiences,
- ☐ Encourages coordinated efforts between agencies, service providers, and vocational education and rehabilitation programs,
- ☐ Specifies a list of participants that identifies who is responsible for different aspects of the process,
- ☐ Delineates responsibilities of parents and students,
- ☐ Is updated annually.

It includes the following information:

- ☐ Student's after-graduation goals
- ☐ Student's interests, strengths, and career goals
- ☐ Activities to help students reach goals in the areas of career, self-advocacy, interpersonal/social, and independent living
- ☐ School and post-school services that can help students reach goals
- ☐ Notice of rights that shall be provided to the student a year before reaching age 18
- ☐ Recommendations for next year to help the student reach goals

Specifically, the student's IEP shall:

- ☐ Describe needed transition services that focus on improving academic and functional achievement of the student to facilitate his/her movement from school to post school (20 USC §1414(d)(1)(A)(i)(VIII), 34 CFR §300.320 (b)(2), 30 EC §56345(a)(8))
- ☐ Focus on improving academic and functional achievement of the student to facilitate his/her movement from school to post school (20 USC §1401(34), 34 CFR §300.320 (b)(1), 30 EC §56345.1(a))
- ☐ Contain measurable postsecondary goals based on age appropriate transition assessments related to training or education, employment, and where appropriate, independent living skills (20 USC §1414(d)(1)(A)(i)(VIII) (aa), 34 CFR §300.320(b)(1), 30 EC §56345(a)(8))
- ☐ Be reviewed annually (20 USC §1414(d)(4)(A)(i), 34 CFR §300.324(b)(1)(i))
- ☐ Contain transition services that are based on the individual student's needs, taking into consideration the student's preferences and interests (20 USC §1401(34)(B), 34 CFR §300.43(a)(2), 34 CFR §300.321(b)(2) 30 EC §56345.1(a)(2))
- ☐ Include a statement of the needed transition services in all required areas including: (20 USC §1401(34)(C), 34 CFR §300.43(a)(2)(i-v), 30 EC §56345.1(a)(3))
 - ☞ Instruction
 - ☞ Related services
 - ☞ Community experiences
 - ☞ Development of employment and other post school objectives and, when appropriate:
 - ☞ Acquisition of daily living skills
 - ☞ Functional vocational evaluation

 Include a statement of the needed transition services and interagency responsibilities. (34 CFR §300.322(b)(2)(ii))

Specific steps that IEP teams shall follow to create ITPs are detailed in the Guide ITP located in the SEIS document library.

To begin transition planning, the student completes a transition planning interview, including formal and informal assessments, aptitude tests, and surveys that are culturally, developmentally, and linguistically appropriate, to assist in identifying his or her long-term goals and aptitudes for future employment and daily living. Age-appropriate transition assessments shall be conducted (example, IDEAS, Brigance, Career Locker, etc.).

The results of assessment will be reviewed at the IEP meeting convened prior to the student's 16th birthday and will include;

- ☐ Future planning needs and goals
- ☐ Vocational Interests
- ☐ Education and Training
- ☐ Independent Living Skills
- ☐ Self-determination
- ☐ Academic strengths and needs (including behavior, if appropriate)
- ☐ Aptitudes and abilities both in the classroom and the community
- ☐ Self-advocacy skills
- ☐ Classroom simulations of job interviews and role-play of interactions with employers and coworkers, resolution of on-the-job problems, and requests for needed accommodations at the work site

The results of the assessments/surveys provide the IEP/ITP team the functional and developmental information necessary for planning an appropriate course of study, selection of an appropriate transition pathway, and documentation of student progress.

Once the long-term goals or areas of interest are agreed upon, the student's needs regarding moving toward those goals are assessed or discussed. Goals (and objectives if appropriate) are written to achieve identified outcomes. The ITP may include related instruction in life and employability skills designed to maintain actual employment.

D. POST SECONDARY GOALS

Postsecondary goals are required for all students who are 16 or older or will turn 16 when the IEP is in effect. These goals are designed to assist the student in moving toward the desired postsecondary outcomes as stated in the ITP. Postsecondary goals shall be outlined within a student's Individualized Transition Plan (ITP).

- ☐ At least one goal shall be related to training/education and employment.
- ☐ The IEP shall indicate which goals are written to support postsecondary transition outcomes in training/education, employment, or independent living skills.
- ☐ Postsecondary goals for independent living skills are optional and written when appropriate for the student.

- ☐ Postsecondary goals shall be based on developmentally appropriate assessments, as described in present levels of academic achievement and functional performance
- ☐ Postsecondary goals may be considered for a student earlier than age 16 if deemed appropriate by the IEP team
- ☐ Annual Goals are written to lead to the attainment of post-secondary goals and shall directly relate to education, employment, and independent living goal statements

Interagency Services and Community Linkages:

Interagency services and community linkages are identified specifically in the student's IEP and shall:

- ☐ Describe needed transition services that focus on improving academic and functional achievement of the student to facilitate his/her movement from school to post high school (20 USC §1414(d)(1)(A)(i)(VIII), 34 CFR §300.320(b)(2), 30 EC §56345(a)(8))
- ☐ Focus on improving academic and functional achievement of the student to facilitate his/her movement from school to post school (20 USC §1400), 34 CFR §300.320(b)(1), 30 EC §56345.1(a))
- ☐ Contain measurable postsecondary goals based on age-appropriate transition assessments related to training or education, employment, and where appropriate, independent living skills (20 USC §1414(d)(1)(A)(i)(VIII) (aa), 34 CFR §300.320(b)(1), 30 EC §56345(a)(8))
- ☐ Be reviewed annually (20 USC §1414(d)(4)(A)(i), 34 CFR §300.324(b)(1)(i))
- ☐ Contain transition services that are based on the individual student's needs, taking into account the student's preferences and interests (20 USC §1401(34)(B), 34 CFR §300.43(a)(2), 34 CFR §300.321(b)(2) 30 EC 56345.1(a)(2))
- ☐ Include a statement of the essential transition services in all required areas including:(20 USC §1401(34)(C), 34 CFR §300.43(a)(2) (i-v), 30 EC §56345.1(a)(3))
 - ↗ Instruction
 - ↗ Related services
 - ↗ Community experiences
- ☐ Development of employment and other post school objectives and, when appropriate:
 - ↗ Acquisition of daily living skills
 - ↗ Functional vocational evaluation
 - ↗ Include a statement of the needed transition services and interagency responsibilities. (34 CFR §300.322(b)(2)(ii))

In addition, the student's IEP Team shall:

- ☐ Reconvene to identify alternative strategies to meet the transition objectives when an agency other than the LUSD fails to provide the transition services in the IEP (20 USC §1414(d)(6), 34 CFR §300.324 (c)(1), 30 EC §56345.1(c))
- ☐ Use alternative methods to obtain agency participation in the development of transition services, if an invited agency representative cannot attend the IEP meeting (30 EC §56341(d)(3))
- ☐ Invite the student to attend the IEP meeting when the purpose will be consideration of needed transition goals and services (34 CFR §300.322(b)(2)(i)(ii), 30 EC

§§56341(d)(1)(2)(3) and 56341.5(e))

The ITP shall identify essential activities needed to achieve transition goals. Such activities may include; specific evaluations applying for a scholarship by a specific date, identifying trade schools or colleges in areas of interest, and contacting organizations in order to set up linkages to adult services and supports such as;

- ☐ Service-Learning project
- ☐ Community-based instruction work settings
- ☐ Supported work experiences
- ☐ Work experience
- ☐ Apply to Workability, if applicable
- ☐ Other activities as appropriate

Agencies that may be contacted to be part of the ITP process include, but are not limited to:

- ☐ Community Colleges
- ☐ Community Behavioral Health
- ☐ Department of Rehabilitation
- ☐ Employment Development Department
- ☐ South Central Los Angeles Regional Center (“SCLARC”)
- ☐ Regional Occupational Programs
- ☐ Social Security Administration

Note: If a participating agency, other than LUSD, fails to provide the transition services described in the IEP of the student, LUSD shall reconvene the IEP team to identify alternative strategies to meet the transition service needs for the student set out in the program.

E. COURSE OF STUDY

The IEP/ITP team shall define a Course of Study, the yearly course plan that will reasonably enable the student to meet his or her postsecondary goals,

- ☐ Include elective classes that relate to his or her interests:
- ☐ For students on Diploma track, include courses the student needs to take each year and a breakdown of courses by year (9th, 10th, 11th, and 12th).
- ☐ For students on Certificate of Completion track, include a detailed course of study that outlines the specific skills they are learning yearly (functional academics, independent living skills, community participation, vocational skills, and self-determination).

In addition, the student’s IEP Team shall:

- ☐ Reconvene to identify alternative strategies to meet the transition objectives when an agency other than the LUSD fails to provide the transition services in the IEP (20 USC §1414(d)(6), 34 CFR §300.324(c)(1), 30 EC §56345.1(c))
- ☐ Use alternative methods to obtain agency participation in the development of transition services, if an invited agency representative cannot attend the IEP meeting (30 EC §56341(d)(3))

- ☐ Invite the student to attend the IEP meeting when the purpose will be consideration of needed transition goals and services (34 CFR §300.322(b)(2)(i)(ii), 30 EC §56341(d)(1)(2)(3), 30 EC §56341.5(e))
- ☐ Invite a representative of agency(ies) likely to be responsible for providing or paying for transition services to attend the IEP meeting (30 EC §56341(d)(3), 30 EC §56341.5(f))
- ☐ Inform the student of the rights that will transfer to the student upon reaching the Age of Majority (20 USC §1414 (d)(1)(A)(i)(VIII)(cc))
- ☐ Provide the parent or the student if age 18 or older written prior notice of graduation from high school with a regular high school diploma (34 CFR §300.503, 30 EC §56500.5)
- ☐ Provide the student whose eligibility was terminated due to graduation from secondary school with a regular diploma, or as a result of exceeding the age of eligibility for FAPE, with a summary of academic achievement and functional performance, which includes recommendations on how to assist the student in meeting their postsecondary goals. (20 USC §1414 (c)(5)(B)(ii), 30 EC §56381(i)(2))

LUSD Course of Study is outlined below:

High School Subject Area	Recommended Courses to meet Graduation Requirement
English	• 4 years - 40 credits, English 9, English 10, English 11, English 12 or any other English course that meets the LUSD graduation
Mathematics	• Minimum three courses in mathematics including one year of Algebra • Recommended four years – 40 credits of mathematics including Algebra I, Geometry, Algebra II, or any math course (after Algebra I) that meets the LUSD graduation
Sciences	• Minimum two courses in science, including biological and physical science • Recommended three years – 20 credits Biology plus another lab science
Social Science	• Minimum 3 years – 30 credits, Modern World History, United States History, American Democracy, Economics

Language other than English	• Minimum one year course in a foreign language (American Sign Language satisfies the requirement) • Recommended two years – 20 credits in same foreign language
Physical Education CA Dept. of Education	• Minimum 2 years – 20 credits required by Ed Code. Students who fail to pass CDE Fitness Test shall retake the test annually until they pass and could be required to take up to 4 years of Physical Education. Students with a significant physical disability (or disabilities) can seek a waiver of this requirement
College and Career Course	• 20 credits
Electives	• Recommended XXX credits, which may include XXXXX
Total Credits/Units for graduation	• Required 220 total credits for LUSD graduation • IEP team is required to create a “Student Learning Plan” that meets each student IEP and high school academic program (i.e., high school diploma or Certificate of Completion)

F. SUMMARY OF PERFORMANCE/POSTSECONDARY EXIT:

FOR STUDENTS EXITING SPECIAL EDUCATION WITH DIPLOMA OR AGE 22

The Summary of Performance (“SOP”) is designed to provide a student with a summary of his/her academic achievement and functional performance. It is a separate document from the IEP that condenses and organizes the key information that should follow the student to post-school activities. A student’s IEP team shall complete an SOP. The SOP shall include recommendations on how to assist the student in meeting his/her post-secondary goals.

Procedures for Completing the Summary of Performance.

IEP teams shall follow the following procedures when completing a student's SOP:

- ☐ Background Information: Case manager completes this section as specified.
- ☐ Student’s Post-Secondary Goals: Case manager copies the post-secondary goals from the IEP
- ☐ Summary of Performance: This section includes three areas: Academic, Cognitive, and Functional performance
 - ↳ Indicate the student’s present level of performance identified in the most recent IEP and list the accommodations, modifications or assistive technology that were essential in assisting the student in achieving progress

- ✎ Leave blank any sections that do not apply
- ☐ Recommendations to Assist the Student in Meeting Post-Secondary Goals:
 - ✎ Identify the recommendations a student may need to assist in meeting the postsecondary goals. Check all that apply
 - ✎ Identify all agency linkages known to be working with the student or those that could be a resource. Identify the contact person and telephone number.

G. GRADUATION PLAN AND ALTERNATIVES

Defining appropriate graduation requirements for students who receive Special Education presents a unique challenge. This is because students with learning disabilities may experience a wide array of disabilities including cognitive, auditory, or visual processing, emotional, physical, and medical or many other learning or perceptual challenges.

IEP teams shall map a detailed plan for each student that spells out services and course requirements through graduation (or Certificate of Completion). The team shall also develop an individualized transition plan (ITP) that maps out a student's progress beyond high school into the world of work and independent living, or on to college.

Reference the ITP section of this chapter for additional information on Individualized Transition Plans and Post-Secondary Exit.

The State of California sets a minimum requirement for graduation of 130 units of specified core subjects. Lynwood Unified requires a minimum of about 90 more credits than this. Students with IEPs are required to meet the LUSD standard of 220 units for graduation. An IEP team shall ensure that students with mild or moderate disabilities:

- ☐ Graduate
- ☐ Complete the core curriculum in the most inclusive and least restrictive environment possible
- ☐ Receive adequate support classes and succeed in General Education classes, or their equivalent
- ☐ Have a well-developed and comprehensive individualized transition plan (ITP)
- ☐ Receive appropriate support classes that prepare students for independent living, a career, college or other advanced education or training

In some cases, it may be necessary to modify individual schedules in order to ensure that students with disabilities graduate, succeed in the core curriculum, and transition to success beyond high school. Wherever possible, however, it is recommended that students come as close as possible to meeting the full A to G graduation requirements required by LUSD and complete the full 220 units.

H. TRANSFER OF EDUCATION RIGHTS TO STUDENT /AGE OF MAJORITY

At 18 years of age, parental rights transfer to the student unless the student has been conserved

under state law. Beginning no later than the student's 17th birthday, the student and parents shall be informed about this transfer of rights. The IEP shall include a statement that the student has been informed of his/her rights under IDEA, if any, that will transfer to the student.

LUSD shall:

- ☐ Inform the Parents:
 - ⇒ Inform parents of the transfer of education rights no later than the student's 17th birthday. This shall occur in writing.
 - ⇒ Include within the student's IEP a statement that the parent has been informed and the date, time, and manner in which they were informed
- ☐ Inform the Student:
 - ⇒ Inform the student of the rights that will transfer to him/her upon reaching age 18 (*20 USC §1414(d)(1)(A)(i)(VIII)(cc)*)
 - ⇒ Include within the student's IEP a statement that the student has been informed and the date, time, and manner in which they he/she was informed.
- ☐ Special rule:
 - ⇒ If, under State law, a child with a disability who has reached the age of majority under State law, who has not been determined to be incompetent, but who is determined not to have the ability to provide informed consent with respect to the educational program of the him/herself, the State shall establish procedures for appointing the parent of the child, or if the parent is not available, another appropriate individual, to represent the educational interests of the child throughout the period of eligibility of the child under this subchapter for Special Education Services. (*20 USC §1415(m)(2)*)

Chapter XXI

Procedurals Safeguards

Procedural Safeguards are the special education rights of parents and children under the Individuals with Disabilities Education Act, Part B, and the California Education Code. Procedural safeguards are under federal and state laws. (20 USC §1412(d); 34CFR 300.504; EC §§ 56301(d)(2), 56321, and 56341.1(g)(1))

Review the [LUSD Special Education Website](#) for an electronic version of the Procedures Safeguards. LUSD Special Education Teachers and service providers can also find the Procedures Safeguards within the [Special Education Google Classroom](#).

Who is the parent?

- ☐ Parent/guardians of children with disabilities from ages three through twenty-one have specific educational rights under the Individuals with Disabilities Education Act (IDEA). These rights are called procedural safeguards.
- ☐ Individuals serving as surrogate parents and students aged eighteen to twenty-two receiving special education services, are also entitled to these rights.
- ☐ When a parent cannot be identified or located, LUSD may appoint a surrogate parent to represent a child with a disability.

Procedural Safeguards (Section 1415)

- ☐ Copy made available to the parents of a child with a disability shall be given to the parents at least one (1) time a year, except that a copy also shall be given to the parents—
 - ↳ upon initial referral or parental request for evaluation;
 - ↳ upon the first occurrence of the filing of a complaint under subsection (b)(6); and
 - ↳ upon request by a parent.
- ☐ Internet website
 - ↳ A local educational agency may place a current copy of the procedural safeguards notice on its Internet website if such website exists.

What are the key protections? A Synopsis

- 1. Parents have the right to be a member of the IEP team and to make decisions regarding the identification, evaluation, and educational placement of your child.**

Padres tienen el derecho de pertenecer al grupo de IEP y tomar decisiones acerca de la identificación, evaluación y decidir en el nivel educacional de su hijo/a.

- 2. The IEP team must consider the concerns parents have regarding the education of your child.**

El grupo de IEP debe considerar las preocupaciones que los padres tengan relacionadas con la educación de su hijo/a.

3. Parents have the right to invite other people to the IEP meeting.

Padres tienen el derecho de invitar a quien quiera a las juntas de IEP.

4. Parents have the right to informed consent before signing (for example: Permission to Assess or permission to enroll).

Padres tienen el derecho de dar el consentimiento antes de firmar (por ejemplo: Permiso para examinar o permiso para registrar).

5. Parents have the right to be informed of your child's progress as often as parents of non-disabled students.

Padres tienen el derecho de ser informado/a del progreso al igual que los padres de hijos no deshabilitados.

6. Parents have the right to independent educational evaluation at public expense if you disagree with the school's assessment.

Padres tienen el derecho de una evaluación independiente al costo público si usted no está de acuerdo con los exámenes hechos por la escuela.

7. Parents have a right to review records within five (5) days of your request.

Padres tienen el derecho de revisar los archivos en el promedio de cinco (5) días de que usted los haya solicitado.

8. Parents have the right to audio tape record an IEP meeting as long as you give a 24 hour notice.

Padres tienen el derecho de grabar la junta de IEP después de que haya avisado con 24 horas de anticipación.

9. Parents have the right to be notified of suspension and participate in meetings with regard to decisions on disciplinary actions or behavior plans.

Padres tienen el derecho de ser notificado/a de suspensiones y participar en juntas relacionadas a decisiones sobre acciones disciplinarias o planes de conducta.

10. Parents have the right to request a mediation conference and a due process hearing if issues cannot be resolved at the school level.

Padres tienen el derecho de hacer una conferencia de mediación y de hacer una audiencia si el problema no puede ser resuelto por la escuela.

Chapter XXII

Alternative Dispute Resolution (“ADR”)

The goal of LUSD is to provide quality special education and services based on the needs of each individual child with a disability. Parents are an integral part of this process. As outlined in this handbook, students with disabilities and their parents are protected under state and federal law.

While most differences are resolved through the IEP process, occasionally there will be disagreements on what is the most appropriate program for a student with a disability. Or the student’s parents may have other concerns they want to address outside the IEP process. It is imperative for positive educational opportunities for the student that parents and school staff resolve their differences quickly while maintaining a collaborative focus on the student. Parents are encouraged to contact their child’s case manager to discuss their concerns and reach a mutually agreeable solution as soon as possible. They may also request that the principal or content specialist participate in this informal conversation.

A. ALTERNATIVE DISPUTE RESOLUTION PROGRAM AT LUSD

The district offers several strategies as a way to resolve complaints with the school district regarding the learning needs of your child. Depending on the circumstances of the dispute, various strategies may be recommended, such as individualized Communication Strategy Sessions, a Collaborative Conference, or a Facilitated IEP. Neutral, trained facilitators who offer skilled mediation for the prevention and resolution of complaints between parents and school district personnel in a cooperative forum of problem-solving are provided through Mid-Cities SELPA.

Collaborative Conference

The 2-hour Collaborative Conference is a no-attorney zone for the confidential discussion of complaints needing resolution. The goal is to create a positive, peaceable approach to finding student-centered resolutions. The Collaborative Conference is voluntary, optional, and completely confidential. Additionally, the content of what is discussed during a Collaborative Conference, including any information exchanged regarding any provided materials, is to remain confidential and shall not be repeated in a future forum. If at any time a family does not want to continue with the Collaborative Conference, they can end their participation and all other complaint resolution options continue to be available.

Facilitated IEP

A Facilitated IEP is considered when an IEP team is having difficulty reaching an agreement in relation to the student's IEP. The Facilitated IEP is led by either an administrator within the LUSD Special Education Department or someone who is appointed by the Mid-Cities SELPA Director. The goal of the Facilitated IEP is to move the IEP team through the IEP agenda so that the team can reach a signed agreement so that the IEP can be implemented to support the student.

DUE PROCESS HEARING

If the parents elect not to participate in the Alternative Dispute Resolution process, they may file a due process complaint with the Office of Administrative Hearings.

Occasionally the district may also initiate a due process request. A resolution session will be scheduled within fifteen (15) days of the district receiving notice of the parents' due process hearing request. If the issue is not resolved at the resolution session, a mediation will be scheduled to develop a mutually agreed upon resolution to the issue.

Any issues not resolved at the mediation will be the subject for a due process hearing. A due process hearing is a formal administrative process wherein a hearing office will render a decision based on the evidence presented by both parties. Attorneys are usually involved at this level.

Parents and district staff are encouraged to maintain open communication to jointly focus their efforts on the provision of appropriate services for the students.

Chapter XXIII Parents Rights / Informed Consent

A. INFORMED PARENT CONSENT AND SIGNATURE

Overview

Certain actions with respect to a student with a disability require parental consent. In general, informed consent from the parent is required for initial evaluations, for initiation, continuation, and change of services, (including exit from services,) and for re-evaluations that require assessment. Consent means that;

- ☐ The parent has been fully informed of all information relevant to the activity for which consent is sought in the parent's native language or other mode of communication (*20 USC §1414(a)(1)(D)(i)(II), 34 CFR §§300.504(c)(3), and 300.9(a), 30 EC §56021.1.*)
- ☐ The parent understands and agrees in writing to the carrying out of the activity for which consent is sought, and the consent describes that activity and lists the records (if any) that will be released and to whom (*34 CFR §§300.504(c)(3), and 300.9(b), 30 EC §56021.1.*)
- ☐ The parent understands that the granting of consent is voluntary and may be revoked at any time (*34 CFR §§300.504(3), and 300.9, 30 EC §56021.1.*)
- ☐ Upload IEP signature page to the current IEP.
 - If the parent signed in consent and checked the consent box, mark the IEP as signed.
 - If the parent doesn't sign in consent, upload the signature page with IEP team participant signatures to current IEP; mark IEP as unsigned.
 - 📖 Follow up with PWN explaining District FAPE offer and addressing parent concern.
 - 📖 Generate Notice of Meeting to reconvene IEP and address concerns.

B. EDUCATIONAL RIGHTS HOLDER

Definition of Parent

A "parent" is required to provide informed consent related to the delivery of a student's special education services. Since a student's biological parent may not always be available to provide consent, LUSD's definition of a "parent" includes the following persons:

- ☐ Biological or adoptive parent
- ☐ Foster parent, if the parental rights have been removed by the state or the parent cannot be found.
- ☐ Guardian (but not including the state, or a social worker, if the student is a ward of the state)
- ☐ A specific provider of educational rights (surrogate) may be assigned by the judge/court
- ☐ Individual acting in the place of the student's natural or adoptive parent (including a grandparent, stepparent or other relative) with whom the student lives, or an individual who is legally responsible for the student's welfare. Permission to sign for educational rights shall be placed in writing by the parent.
- ☐ Surrogate parent who is authorized to act as the student's parents and to make educational decisions for the student. Surrogate parents are assigned by the school

district under certain circumstances, described below.

Consent For Wards Of The State

In general, if the student is a ward of the State and is not residing with the student's parent, LUSD shall make reasonable efforts to obtain the informed consent from the parent of the student. LUSD shall not be required to obtain informed consent from the parent of a student if;

- ☐ Despite documented reasonable efforts to do so, LUSD cannot discover the whereabouts of the parent of the student;
- ☐ The rights of the parents of the student have been terminated in accordance with State law; (in which case a foster parent may sign for educational rights or the district may assign a surrogate). (The district shall have on file the JV535 designating educational rights holder) or
- ☐ The rights of the parent to make educational decisions have been subrogated by a judge in accordance with State law and consent may be given by an individual appointed by the judge to represent the student.

Surrogate Parent

A Surrogate Parent is an individual assigned by LUSD to assume the rights and responsibilities of a parent when one of the following occurs:

- ☐ No parent can be identified for a particular student (*20 USC §1439, 34 CFR §303.406, 17 CCR §52175*)
- ☐ After reasonable efforts have been made, LUSD cannot determine the parents' whereabouts (*20 USC §1439, 34 CFR §303.406, 17 CCR §52175*)
- ☐ The student is a ward of the state (*20 USC §1439, 34 CFR §303.406, 17 CCR §52175*)
 - ↳ An exception is if the foster parent is determined by the social worker to be able to provide educational rights or;
 - ↳ That the judge has assigned an individual to represent the student in educational matters.

Surrogate parents are responsible for representing the student in all IEP meetings, therefore Case Managers shall check with the Foster Youth Services office for the updated status of any foster youth's parental educational rights. See below.

When a referral for special education assessment is anticipated, or if a foster youth has moved into the district, LUSD shall determine if the appointment of a surrogate parent is needed to represent the student for special education. Usually if a student has been removed from the home, family court will notify the school district.

If LUSD deems that a student needs a surrogate parent, and the district does not already have a family court order limiting the parent's educational rights, it shall document that it has made reasonable efforts to identify and locate a student's parents before appointing a surrogate parent. Reasonable efforts include:

- ☐ Calling the student's home
- ☐ Writing the student's home
- ☐ Discussing with the student the best way to locate his/her parents,
- ☐ Contacting any known relatives

- ❑ Contacting the court or social worker about the whereabouts of the student's parents
 - ↳ In the case of court involvement, the court shall specifically limit the right of a parent or guardian to make educational decisions before a surrogate parent is appointed. The document required is the JV535 (see appendix for sample form) from Superior Court. Obtain this from the social worker of the student from Department of Children and Family Services (DCFS).

After it becomes clear that a student's parents cannot be located, LUSD shall complete the following process:

- ❑ School staff notifies the Special Education Department and request a surrogate parent from Mid-Cities SELPA.
- ❑ The Special Education Department Coordinator or Director notifies the Student Services Department Foster Care Case Manager to request a copy of the JV535 or asking them to request the court to either:
 - ↳ Create a court order (JV535) limiting the educational rights of the student's parent and appoint a responsible adult and/or
 - ↳ Create a court order directing LUSD to appoint a surrogate parent
- ❑ The court appointed attorney or social worker forwards the court order to LUSD Foster Care Case Manager
- ❑ A volunteer or court recommended individual is trained and appointed as a surrogate parent
- ❑ The Education Surrogate Coordinator completes the Surrogate Parent Appointment form, sends copies to the student's school and the court worker, and provides one copy to the appointed surrogate parent.

Note that the preceding process applies to students in both Public and Non-Public Schools and to infants and toddlers as well. Also note that Referrals in the case of students enrolled in Non-Public schools are initiated by the Non-Public Schools or by LUSD Content Specialists.

Before every IEP meeting:

- ❑ Case Managers shall check about a month before an IEP meeting with the Foster Care Case Manager office for the updated status of a foster youth's parental educational rights or continuing surrogate parent.
- ❑ If changes have been made, the FYS will inform the Case Manager of the individual who holds educational rights for the student.

C. INITIAL EVALUATIONS

LUSD shall obtain parental consent before:

- ❑ Conducting an initial evaluation (*20 USC §1414(a)(1), 34 CFR §300.504(a)(1)(i)*)
 - ↳ Parental consent to an initial evaluation does not constitute consent to the initial placement. (*34 CFR §300.504(a)(1)(ii)*) LUSD shall make reasonable efforts to obtain the informed consent from the parent for an initial evaluation to determine whether the child is a child with a disability.

- ✧ If the parent *refuses to consent or does not respond* to LUSD's request for consent for an initial evaluation, LUSD may, but is not required to, request mediation or request a due process hearing to override the parent's refusal.
- ❑ Initial provision of special education and related services to a student with a disability (*20 USC §1414 (a)(1)(D)(i)(II), 34 CFR §300.300(a)(1)(ii), 34 CFR §300.300(b)(1), 34 CFR §300.504(3)*)
 - ✧ If the parent of a student *fails to respond to a request for, or refuses to consent* to the initial provision of special education and related services, LUSD
 - 📖 May not use mediation or due process in order to obtain agreement or a ruling that the services may be provided to the student; (*34 CFR §300.300(b)(3)(i)*)
 - 📖 Will not be considered to be in violation of the requirement to make FAPE available to the student because of the failure to provide the student with the special education and related services for which the parent refuses to or fails to provide consent; (*34 CFR §300.300(b)(3)(ii)*) and
 - 📖 Is not required to convene an IEP Team meeting or develop an IEP for the student. (*34 CFR §300.300(b)(3)(iii)*)

D. RE-EVALUATIONS

LUSD shall obtain parental consent before:

- ❑ Conducting a reevaluation. (*20 USC §1414(c)(3), 34 CFR §300.504(C)(3)*)
 - ✧ If the parent refuses to consent to a re-evaluation, LUSD may, but is not required to, request mediation or request a due process hearing to override the parent's refusal
 - ✧ If the parent does not respond to LUSD's request after they have taken reasonable measures to obtain parental consent, LUSD may complete a reevaluation without the parent's permission

LUSD is **not** required to obtain parental consent before:

- ❑ Reviewing existing data as part of an evaluation or a reevaluation, (*34 CFR §300.300(d)(1)(i)*) including;
- ❑ Evaluations and information provided by the parents of the student; (*20 USC §1414(c)(1)(A)(i)*)
- ❑ Current classroom-based, local, or State assessments, and classroom-based observations; and (*20 USC §1414(c)(1)(A)(ii)*)
- ❑ Observations by teachers and related services providers; (*20 USC §1414(c)(1)(A)(iii)*) and
- ❑ On the basis of that review, and input from the student's parents, identify what additional data, if any, are needed to determine
 - ✧ Whether the student is eligible for special education, and the educational needs of the student, or, in the case of a reevaluation of a student, whether the student continues to have such a disability and, therefore, such educational needs; (*20 USC §1414(c)(1)(B)(i)*)
 - ✧ The present levels of academic achievement and related developmental needs of the student; (*20 USC §1414(c)(1)(B)(ii)*)

- ✎ Whether the student needs special education and related services, or in the case of a reevaluation of a student, whether the student continues to need special education and related services; *(20 USC §1414(c)(1)(B)(iii))* and
- ✎ Whether any additions or modifications to the special education and related services are needed to enable the student to meet the measurable annual goals set out in the individualized education program of the student and to participate, as appropriate, in the general education curriculum. *(20 USC §1414(c)(1)(B)(iv))*
- ☐ Administering a test or other evaluation that is administered to all students unless, before administration of that test or evaluation, consent is required of parents of all students. *(34 CFR §300.300(d)(1)(ii))*

E. IEP NOTES

IEP Notes are designed to capture information discussed during an IEP meeting, but not captured in other sections of the IEP. IEP Teams should assign a note taker before the IEP meeting begins. The note taker shall:

- ☐ Document full names of all meeting participants
- ☐ If any required members of the IEP team have been excused from the meeting, explain that in the notes and refer to the parent's written approval of the excusal
- ☐ Review agenda and changes made at parent request (or other team members)
- ☐ Capture information and/or discussion not reflected in the rest of the IEP
- ☐ Summarize what was discussed using bullet points
- ☐ Capture important instances of agreement or disagreement. Parents may add their own letter of disagreement following the meeting.
- ☐ Document parent participation within the IEP meeting, positive statements, and concerns, and LUSD response regarding concerns
- ☐ Provide clarification of the free, appropriate public education (FAPE) offer
- ☐ Document conversation about the continuum of services (LRE and FAPE)
- ☐ Document if a service is going to end prior to the end of the school year or prior to the next annual IEP and provide a clear reason why
- ☐ Include conversations around ESY criteria, team recommendation or indicate that a recommendation will be made closer to the end of the school year. List parental input.
- ☐ Include statements about follow-up items with clear timelines, and who is responsible for each
- ☐ Document all parental requests expressed during the IEP meeting. Also, note LUSD's response to parental requests, and legitimate reasons for any denial of a request
- ☐ If there are problems getting parents to actively participate in the meeting, document all LUSD attempts to encourage parent participation
- ☐ If the student's parents do not attend the IEP meeting, document prior attempts (including date, method, and time) to get the parents to attend
- ☐ Identify any reports that were reviewed and considered by the IEP team, this includes any Independent Educational Evaluation (IEE) provided by the parents
- ☐ Document any information that the parent requests be added to the notes
- ☐ Proofread the notes and review with the team, including the parents, before finalizing the IEP
- ☐ Document that the student's parents received a copy of the IEP

- ☐ Do not use abbreviations, use only objective language, and do not provide a verbatim account of the meeting

Chapter XXIV **Records Requests**

PARENTS AND PARENTS' REPRESENTATIVES (I.E., ATTORNEYS OR SPECIAL EDUCATION ADVOCATES)

During the regular school year, requests for any portion of a student's cumulative file and/or special education file shall be directed to the principal of your child's current school or last attended school at LUSD.

School secretary and/or site principal shall provide the Special Education Department with the records request within one (1) calendar day from receive of the record request. The school site shall also provide the Special Education Department with a digital copy of the student's cumulative file within one (1) calendar day from receive of the record request.

REQUESTS FROM LAW ENFORCEMENT AND PUBLIC DEFENDER'S OFFICE (SUBPOENAS)

Direct to:
Special Education Department
4050 E. Imperial Hwy
Lynwood, CA 90262
Phone: 310.886.1600 x8128
Fax: 310.639.6096

TRANSCRIPT ONLY

Request for transcripts only shall be directed to:
Student Services Department using the [online request form](#)

SPECIAL EDUCATION RECORDS ONLY

Requesters other than parents or parent representatives
Request copies of a student's special education file directly from the school the student is attending during the academic year. Records requested by outside agencies, other school districts and during summer break and holidays shall contact Special Education Department at:
4050 E. Imperial Hwy
Lynwood, CA 90262
Phone: 310.886.1600 x8128
Fax: 310.639.6096

Chapter XXV

Acronyms in Special Education

1:1	One-to-One Aide
2E	Twice Exceptional
504	Section 504 Of The Rehabilitation Act of 1973
ABA	Applied Behavior Analysis
ADA	Americans with Disabilities Act
ADA	Average Daily Attendance
ADA	American Diabetes Association
ADD	Attention Deficit Disorder
ADHD	Attention Deficit Hyperactivity Disorder
ADI	Autism Diagnostic Interview Revised
ADOS	Autism Diagnostic Observation Scale
ADR	Alternative Dispute Resolution
ALJ	Administrative Law Judge
APE	Adapted Physical Education
ASD	Autism Spectrum Disorder
ASL	American Sign Language
ASHA	American Speech-Language-Hearing Association
AT	Assistive Technology
AVT	Auditory-Verbal Therapy
AUT	Autism
AYP	Average Yearly Progress
BA	Behavior Aide
BASC	Behavior Assessment Scale for Children
BCBA	Board Certified Behavior Analyst
BD	Behavior Disorder
BER	Behavior Emergency Report
BIP	Behavior Intervention Plan
BOP	Burden Of Proof
BSP	Behavior Support Plan
BTA	Brief Test Of Attention
CAHSEE	California High School Exit Exam
CNA	California Nurses Association
CARS	Childhood Autism Rating Scale
CART	Communication Access Realtime Translation
CASA	Court Appointed Special Advocate
CASL	Comprehensive Assessment of Spoken Language
CASP	California Association of School Psychologists
CAS	Cognitive Assessment System
CCC-SLP	Certificate of Clinical Competence for Speech-Language Pathologist
CCS	California Children's Services
CDE	California Department of Education
HI	Hearing Impaired
HIPAA	Health Insurance Portability and Accountability Act
HOH	Hard of Hearing
IA	Instructional Aide
IAES	Interim Alternative Educational Setting

CDS	Community Day School
CHAT	Checklist for Autism in Toddlers
CI	Cochlear Implant
CMH	County Department of Mental Health
CFT	Rey–Osterrieth Complex Figure Test
CMS	Children's Memory Scales
COE	County Office of Education
CP	Cerebral Palsy
CPI	Crisis Prevention Intervention
CPS	Child Protective Services
CSHA	California Speech Language Hearing Association
CVLT	California Verbal Learning Test
CWA	Child Welfare and Attendance
DAP	Draw-A-Person
DD	Developmental Delay
DHCF	Department of Health Care Finance
DHH	Deaf Hard of Hearing
DIR	Developmental, Individual Differences, Relationship-Based Approach
DIS	Designated Instructional Services
D-KEFS	Delis-Kaplan Executive Function System
DMH	Department of Mental Health
DSM	Diagnostic & Statistical Manual of Mental Disorders – 5th Edition
DTT	Discrete Trial Training
ED	Emotional Disturbance
EHA	Education for All Handicapped Children Act
EIBT	Early Intervention Behavior Therapy
EL	English Learner
ERICS	Educationally Related Intensive Counseling Services.
ERMHS	Educationally Related Mental Health Services
ESD	Extended School Day
ELL	English Language Learner
ESY	Extended School Year
FAA	Functional Analysis Assessment
FAPE	Free Appropriate Public Education
FBA	Functional Behavior Assessment
FERPA	Family Educational Rights and Privacy Act
GADS	Gilliam Asperger's Disorder Scale
GARS	Gilliam Autism Rating Scale
HHI	Home/Hospital Instruction
OT	Occupational Therapy
OWLS	Oral and Written Language Scale
PBIS	Positive Behavioral Interventions & Supports
PDD	Pervasive Developmental Disorder
PDD-NOS	Pervasive Developmental Disorder Not Otherwise

ID	Intellectual Disability
IDEA	Individuals with Disabilities Education Act of 2004
IDT	Inter-District Transfer
IEE	Independent Educational Evaluation
IEP	Individualized Education Program
IFSP	Individualized Family Services Plan
IQ	Intelligence Quotient
ISA	Individual Services Agreement
ISP	Individualized Services Plan
ITP	Individual Transition Plan
IWEN	Individual with Exceptional Needs
K-ABC	Kaufman Assessment Battery for Children
LCI	Licensed Children's Institution
LD	Learning Disability
LEA	Local Education Agency
LEP	Licensed Educational Psychologist
LEP	Limited English Proficient
LRE	Least Restrictive Environment
MCHAT	Modified Checklist for Autism in Toddlers
MD	Manifestation Determination
MD	Multiple Disabilities
MH	Mental Health
MH	Mildly Handicapped
MR	Mentally Retarded
MTD	Motion To Dismiss
NASP	National Association of School Psychologists
NCLB	No Child Left Behind Act
NEPSY	A Developmental Neuropsychological Assessment
NOI	Notice of Insufficiency
NPA	Non-Public Agency
NPS	Non-Public School
O&M	Orientation and Mobility
OAH	California Office of Administrative Hearings
OCD	Obsessive Compulsive Disorder
OCR	U.S. Office for Civil Rights
ODD	Oppositional Defiant Disorder
OHI	Other Health Impairment
OI	Orthopedic Impairment
OSEP	Office of Special Education Programs
OSERS	U.S. Office of Special Education and Rehabilitation Services

	Specified
PECS	Picture Exchange Communication System
PENT	Positive Environments, Network of Trainers
PLOP	Present Levels of Performance
Pro-ACT	Professional Assault Crisis Training
PRT	Pivotal Response Therapy
PT	Physical Therapy
PWN	Prior Written Notice
RDI	Relationship Development Intervention
RSP	Resource Specialist Program
RTC	Residential Treatment Center
RTI	Response to Intervention
SAI	Specialized Academic Instruction
SARB	Student Attendance Review Board
SBE	State Board of Education
SDC	Special Day Class
SEA	State Education Agency
SELPA	Special Education Local Plan Area
SLD	Specific Learning Disability
SLI	Speech Language Impairment
SLP	Speech and Language Pathologist
SOL	Statute of Limitations
SST	Student Study Team
STAR	Standardized Testing and Reporting
TAPS	Test of Auditory-Perceptual Skills
TBI	Traumatic Brain Injury
TEACCH	Treatment and Education of Autistic and Related Communication Handicapped Children
TRO	Temporary Restraining Order
TVPS	Test of Visual-Perceptual Skills
USDOE	United States Department of Education
VI	Visual Impairment
VMI	Beery Buktenica Developmental Test of Visual-Motor Integration
WJ	Woodcock-Johnson Tests of Achievement or Cognition
WIAT	Wechsler Individual Achievement Test
WISC	Wechsler Intelligence Scale for Children
WMS	Wechsler Memory Scale
WRAML2	Wide Range Assessment of Memory and Learning

