

Interim Placements/30 Day Administrative Placements

Please review the following sections of California Education Code and subsequent scenarios when making a decision about how to proceed with a 30 day placement. Keep in mind that a 30 day placement is an IEP document and should be completed with the IEP team. As with all IEP documents, decisions made and information collected are done so through a collaborative process and should never be completed by any one individual without the involvement of the team.

- **E.C. 56325(a)(1):** In the case of an individual with exceptional needs who has an individualized education program and transfers into a district from a district not operating programs under the same local plan in which he or she was last enrolled in a special education program within the same academic year, the local educational agency shall provide the pupil with a free appropriate public education, including services comparable to those described in the previously approved individualized education program, in consultation with the parents, for a period not to exceed 30 days, by which time the local educational agency shall adopt the previously approved individualized education program or shall develop, adopt, and implement a new individualized education program that is consistent with federal and state law.

Keep in mind that the comparable services must be identical to the services indicated on the previous IEP. If those services are altered, there must be an evidence based reason or a documented concern as to why those services are changing (i.e., through parent request, data driven progress and decision making, etc.). In the case of a student coming from another district in another SELPA, within that 30 day period, the district will then adopt the plan or develop an assessment to measure the student and make a recommendation for appropriate placement.

- **E.C. 56325(a)(2):** In the case of an individual with exceptional needs who has an individualized education program and transfers into a district from a district operating programs under the same special education local plan area of the district in which he or she was last enrolled in a special education program within the same academic year, the new district shall continue, without delay, to provide services comparable to those described in the existing approved individualized education program, unless the parent and the local educational agency agree to develop, adopt, and implement a new individualized education program that is consistent with federal and state law.

Comparable services must be identical to the services indicated on the previous IEP. If those services are altered, there must be an evidence based reason or a documented concern as to why those services are changing (i.e., through parent request, data driven progress and decision making, etc.). If the student transfers to your district from another district within the same SELPA (in the same academic year), the receiving district shall offer a comparable program without delay, unless otherwise mutually agreed upon and specified by the parent.

- **E.C. 56325(a)(3):** The following applies to special education programs for individuals with exceptional needs who transfer from an educational agency located outside the State of California to a district within California. In the case of an individual with exceptional needs who transfers from district to district within the same academic year, the local educational agency shall provide the pupil with a free appropriate public education, including services comparable to those described in the previously approved individualized education program, in consultation with the parents, until the local educational agency conducts an assessment pursuant to paragraph (1) of subsection (a) of Section 1414 of Title 20 of the United States Code, if determined to be necessary by the local educational agency, and develops a new individualized education program, if appropriate, that is consistent with federal and state law. E.C.

*Comparable services must be identical to the services indicated on the previous IEP. If those services are altered, there must be an evidence based reason or a documented concern as to why those services are changing (i.e., through parent request, data driven progress and decision making, etc.). If the student is enrolled in the receiving district from outside the state of California, an assessment **must** be conducted to determine eligibility and appropriate placement. Again, comparable services must be offered during the initial 30 day period until eligibility can be established and placement recommended (i.e., through a formal evaluation process).*

- **56325(b)(1):** To facilitate the transition for an individual with exceptional needs described in subdivision (a), the new school in which the individual with exceptional needs enrolls shall take reasonable steps to promptly obtain the pupil's records, including the individualized education program and supporting documents and any other records relating to the provision of special education and related services to the pupil, from the previous school in which the pupil was enrolled, pursuant to paragraph (2) of subsection (a) of Section 99.31 of Title 34 of the Code of Federal Regulations.

The receiving district will make an appropriate effort to obtain information from the previous school district regarding necessary files, records, etc. It is the responsibility of the receiving district to obtain this information within a reasonable amount of time.

Students moving from a LEA outside the Trinity County SELPA with an existing IEP shall be served for a timeline not to exceed 30 days. The student's program shall be based on the previous LEA's current goals and objectives with the appropriate supports and services. Within 30 days, an IEP meeting will be held to review the student's progress and make adjustments to the current IEP.

Immediately upon placement of the student, ***the case carrier is responsible for completing the 'Interim Special Education' form***, documenting all relevant information concerning the student and their educational program. A signature page with the following signatures shall be included in the interim IEP:

- Parent signature (as well as initials agreeing to a 30-day interim placement)
- Administrator or designee signature
- Case carrier signature

A copy of the interim IEP is forwarded to the Trinity County SELPA office in order for the student's pertinent information to be entered into CASEMIS. At the 30-day review meeting, all aspects of the IEP need to be reviewed. New goals and objectives can be developed or the previous ones continued if those goals continue to be in accordance with the student's needs. If the previous goals and objectives are accepted, the next annual review date must align with the previous goal review date.