

Special Education Procedural Handbook



Palo Verde Unified School District
2020-2021

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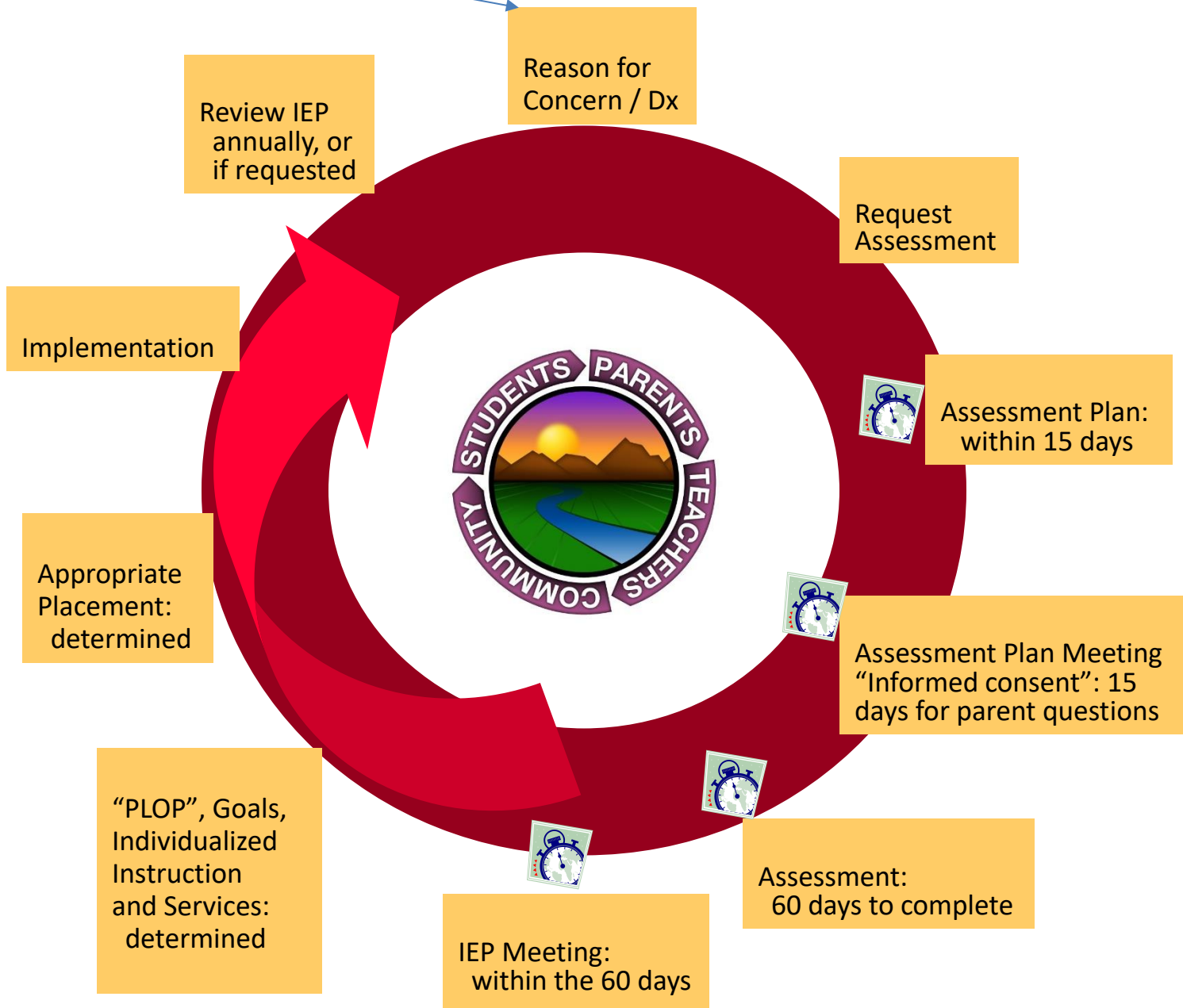
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Cycle of PVUSD Special Education

SST Process



I. INTRODUCTION

Hello,

Welcome to the Palo Verde Unified School District (PVUSD) Special Education Procedural 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 PVUSD 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 directives for the adults in PVUSD 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 be offered, and special education administrators and teachers-on-special assignment are available as resources, I want to be clear that employees are responsible for following the procedures outlined in this handbook.

The procedures contained in this book apply to children, aged birth through 22 who are identified as being eligible for special education. The chapters that are about Child Find, pre-referral interventions and the evaluation process apply to children who are struggling with development, learning, or behavior. It is posted on our website for all to see, so that there is no excuse for not knowing, and so that parents and advocates can help hold us accountable to fulfill our obligations to educate children with disabilities.

We want to thank all the people who helped to pull this information together. They pulled together an amazing volume of information into an excellent tool.

Sincerely,

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II. PROCEDURES FOR LOCATING AND IDENTIFYING CHILDREN WITH DISABILITIES

A. CHILD FIND OBLIGATIONS

The Child Find process requires Palo Verde Unified School District (PVUSD) 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 not 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 must still be assessed to confirm eligibility. For more information on Disability Assessments, reference [Part IV: Procedures for Determining Eligibility](#).

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

- ❑ Distributing written information to all schools in the area, as well as to other agencies that are likely to encounter children with special needs
- ❑ Furnishing information on the internet
- ❑ Offering training to private school employees
- ❑ Developing pamphlets about the availability of special education services and how to access them
- ❑ Reaching out to the City of Blythe School District community through:
 - ✓ Public Service Announcements
 - ✓ Media Advisories
 - ✓ Press Releases
 - ✓ PVUSD Website

Specific information concerning Child Find is provided under the following topic areas:

- ❑ Infants and Toddlers
- ❑ Preschool-Aged Students
- ❑ Private School Students
- ❑ Determining whether a child is eligible for services under the IDEA as a result of identification through Child Find

B. INFANTS AND TODDLERS

Riverside County Office of Education (RCOE) provides Infant Development Services to eligible infants ages 0-3.

C. PRESCHOOL STUDENTS

PVUSD must identify preschool children aged 3 to 5 with disabilities through:

- ❑ Child Find activities listed in the [A. Child Find Obligations](#) Section
- ❑ Direct referrals from parents, preschools, physicians, members of the community, and Kindergarten teachers. More information regarding referrals is located within [Part III: General Education Interventions](#)
- ❑ Identification of children who are in transition from the Early Start Program

D. PRIVATE SCHOOLS

If a student attends a private school located within the jurisdiction of PVUSD, PVUSD is considered the student's "District of Attendance." As such, PVUSD is responsible for Child Find activities for that student regardless of where the student actually resides. Therefore, PVUSD must conduct Child Find in all private schools, including religious, elementary and secondary schools that are located within PVUSD's jurisdictional boundaries (*34 CFR 300.131.*).

If a student resides within PVUSD's jurisdictional boundaries but attends a private school outside of the school district, PVUSD **is not** responsible to conduct Child Find. However, PVUSD **is** responsible to assess (or otherwise respond) if and when there is an assessment request to determine whether the student is eligible for special education and related services and to develop an individualized education program (IEP) if the student desires a free appropriate public education (FAPE).

The Riverside County SELPA along with RCOE have developed a local policy/practice regarding the responsibility of Child Find. RCOE has agreed to assess students under Child Find if the student resides in their district, even if the private school is located outside the SELPA's boundaries. If the child meets eligibility criteria through the IEP process and the parent declines the services of FAPE and does not enroll in the school district, the case is then referred to the SELPA where the private school is located for development of an Individual Service Plan. This agreement is a K-12 agreement and does not include preschool.

For more information on Disability Assessments, reference [Part IV: Procedures for Determining Eligibility](#).

In its execution of Child Find activities for private school students, PVUSD must:

- ❑ Consult with appropriate representatives of private school students with disabilities on how to carry out Child Find activities (*34 CFR 300.134, 30 EC 56301 and 56171*)
- ❑ Maintain in its records, and provide to the State, the number of parentally placed private school students evaluated, determined to have disabilities and served (*20 USC 1412 (a)(10)(A)(i)(V), 34 CFR 300.132(c) & 300.131(b), 30 EC 56301 (c)(1).*)
- ❑ Ensure the equitable participation of parentally placed private, including religious school students with disabilities, an accurate count of these students, and a completion period that is comparable to that for other pupils attending public schools in the local educational agency (*20 USC 1412 (a)(10)(A)(ii)(V), 34 CFR 300.131(e), 34 CFR 300.134, 30 EC 56301(c)(1) & (c)(3).*)
- ❑ Ensure timely and meaningful consultation during the Child Find process by consulting with private school representatives and representatives of parents of parentally placed private school students with disabilities during the design and development of special education and related services for the students, including:
 - ✓ Equitable participation opportunity
 - ✓ Information as to how parents, teachers, and private school officials will be informed of the process and assurance of how the consultation process will operate throughout the school year to provide meaningful participation in special education and related services (*20 USC 1412 (a)(10)(A)(ii) & (iii), 34 CFR 300.134 & 300.138, 30 EC 56301(c)(1) & (d)(1).*)
- ❑ In the event of a disagreement over provision of services or the types of services for a private school student with a disability, provide a private school official with a written explanation of the reasons explaining why PVUSD chose not to provide services (*20 USC 1412 (a)(10)(A)(iii)(V), 300.134(e).*)
- ❑ Obtain written, signed affirmation of timely and meaningful consultation from private school representatives of parents of parentally placed private school students with disabilities in the design and development of special education and related services (*20 USC 1412 (a)(10)(A)(iv), 34 CFR 300.134 and 300.135(a), 30 EC 56172(c).*)
- ❑ Provide special education and related services to parentally placed private school students with disabilities secular, neutral, and non-ideological, including materials and equipment (*20 USC 1412 (a)(10)(A)(vi)(II), 34 CFR 300.304(c)(6), 34 CFR 300.138(c), 30 EC 56172(f).*)

E. DETERMINING WHETHER A CHILD IS ELIGIBLE FOR SERVICES UNDER THE IDEA AS A RESULT OF IDENTIFICATION THROUGH CHILD FIND

If PVUSD has knowledge that a student has a disability, or is suspected of having a disability and may need special education and related services, PVUSD must offer to assess the student.

Indicators for when a student is suspected of having a disability and PVUSD should thus offer an initial assessment include, but are not limited, to the following:

- ❑ Parent(s) expressed concerns in writing to PVUSD personnel, or to one of the student's teachers, that the student may be in need of special education and related services
- ❑ Parent or school staff has requested an initial evaluation of the student
- ❑ Student's teacher, or other PVUSD personnel, has expressed specific concerns about a pattern of behavior demonstrated by the student, directly to the Director of Special Education.

Please refer to timeline section for additional information pertaining to initial assessments and evaluation requests.

III. GENERAL EDUCATION INTERVENTIONS

A. OVERVIEW OF PRE-REFERRAL REQUIREMENTS

According to the law, a student shall be referred for special education instruction and services only **after** the resources of the **general education program** have been considered and, where appropriate, utilized. (30 EC 56303)

PVUSD emphasizes the necessity to develop, provide, and measure interventions in order to ensure that a student has a positive school experience. The following sections further define the structures in place to support academic and behavioral success prior to considering a referral for special education services.

B. PROBLEM SOLVING STRUCTURES

PVUSD must utilize two student support structures to maximize student success across all grade levels (K – 12):

1. BEYONDSST

- ❑ Student Success Teams (SST) are school-based, problem-solving groups whose mission is to assist teachers, administrators, and school staff with interventions and strategies for dealing with the academic, social/emotional, and behavior needs of students. Such groups seek creative ways to maximize the use of available resources and formalize what is already being done for students at the site.
- The Student Success Team (SST) serves as a way to address individual student needs and to enhance existing methods of operation within the school. The SSTs have the potential to:
 - Provide structured support and assist teachers in varying instructional strategies
 - Assist teachers in developing and implementing positive behavioral supports to

- improve student behavior and classroom management
- ❑ Identify early interventions for students who are at-risk to themselves and/or others
 - ✓ Encourage attitude shifts from problem-centered to child-centered
 - ✓ Engage outside resources and foster positive relationships with parent and community partners
 - ✓ Acknowledge a sense of teamwork and enhance professional development by sharing expertise
 - ✓ Reduce the number of inappropriate referrals for special education

The purpose of the Student Success Team (SST) is to design a support system for students having difficulty in a general education classroom. Once activated, this proactive process will assist teachers and students by generating additional classroom instructional strategies, classroom accommodations, and/or intervention plans. The team may also act as a resource for additional services or programs (i.e., reading comprehension groups, anger management groups, social skills groups, 1:1 mental health counseling).

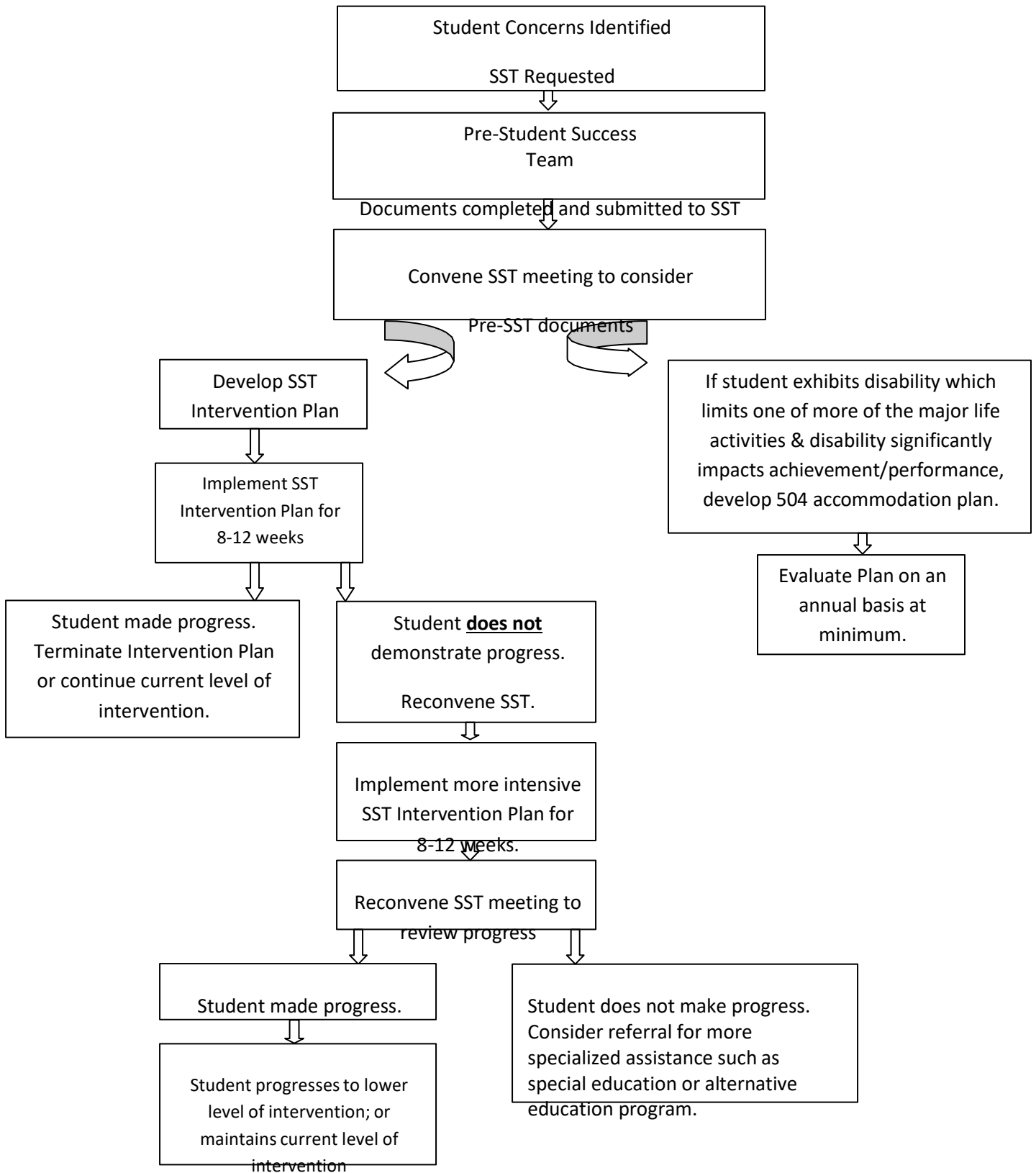
SST's provide consultation to teachers using a problem-solving process to better serve students. This problem-solving process is embedded in the framework of Response to Intervention (RTI). They provide teachers with enhanced skills that may be useful in assisting future students.

Additionally, SST's decrease inappropriate referrals to Special Education. SST's assist the school community in maximizing resources to allow students to remain in the general education setting. SST's **are not** intended to replace annual review for students with current IEP's.

At the end of every initial SST process, a follow-up SST meeting date must be set, preferably within 8-12 weeks. At the follow-up SST meeting, action items must be reviewed and student progress discussed. The follow-up SST meeting must be documented on the Student Success Team summary form.

Palo Verde Unified School District

Student Success Team



2. Response to Intervention (RTI)

Response to Intervention is a mandated requirement of IDEA 2004. Response to Intervention employs three tiers of support and intervention to ensure that all students succeed. The three tiers are universal interventions, strategic interventions, and intensive interventions. Each of these three tiers incorporates intensities of instruction/intervention that are provided to students in direct proportion to their individual needs (Response to Intervention: Policy Considerations and Implementation, 2006).

Tier One Universal Interventions

This first level of instruction is designed to serve all students with well-supported instructional programs. General education teachers and staff provide standards-aligned instruction in reading/language arts, math, science, writing, and behavior management practices. They also ensure that there is continual monitoring of their student's progress.

These assessments are reviewed in a systematic way such as curriculum based assessments, benchmark assessments, and academic conferences. There is also attention paid to school behavioral data to identify groups or individual students who may need additional assistance/intervention. Results of this systemic progress monitoring will guide staff to make important decisions about which groups of students or individuals will need to progress to Tier Two Interventions.

Tier Two Strategic Interventions

Tier Two Strategic Interventions are for those students for whom Tier One Interventions proved to be insufficient to meet their academic, behavioral, or social/emotional needs. Tier Two Interventions are designed to be available at early onset, provided for short term duration, and provided at a relatively low cost. Each intervention should be research-based, provided for 8-12 weeks with ongoing progress monitoring and provide decision points at the end of the intervention period. This fluid process of the intervention model allows students to go in one of three directions at the end of the second tier of intervention. The three decision points are:

- 1) Intervention is effective; return to universal interventions within Tier One;
- 2) Repeat Tier Two Intervention with close monitoring and data collection; or
- 3) Consider movement to Tier Three Interventions

Tier Three Intensive Interventions

Tier Three Interventions are intensive individualized interventions that are often longer in duration than Tier Two Interventions. Students receive this level of intervention when Tier Two Interventions have proven to be insufficient. During this intervention phase, instruction is provided on an individualized or small group basis. This instruction is tailored to the individual student's needs. This is not special education, but could include a special education-like service, such as service by the site's resource specialist in a coordinated services model. Examples of Tier Three Interventions are 1:1 reading instruction, nursing assistance for a medical issue, home/hospital instruction, mental health counseling or an alternative school placement. These interventions are delivered as part of an individual intervention plan developed for each student.

At the end of Tier Three Interventions, the following decision points may be made:

- 1) Intervention is effective; return to Tier One universal interventions;
- 2) Intervention is somewhat effective; progress to Tier Two intervention;
- 3) Intervention is somewhat effective; remain in Tier Three interventions for additional cycle of time; or
- 4) Tier Three intervention is ineffective; refer for more specialized assistance such as special education or an alternative education program

3. The Relationship Between Response to Intervention (RTI) and Student Success Teams (SST)

Response to Intervention serves as the framework with which to make sound educational decisions for groups and individual students to support their needs. Student Success Teams serve as a venue for needs to be analyzed using the problem solving model discussed earlier in this manual.

This multi-disciplinary team comprised of administrators, segment level teachers, support personnel, and parent/guardians work side by side to determine appropriate interventions and supports for their students. The team designs interventions and support for students which are research-based and monitored for effectiveness in an ongoing manner. The team utilizes the intervention triangle of support to choose strategies and interventions for the student.

Given that each site already has in place grade level, subject level or small learning community (SLC)/academics collaboration; common planning time and/or an ongoing venue to study performance data, a well-developed Student Success Team is a natural progression. Sites that engage in highly collaborative processes and develop a culture of inquiry and problem solving will be most successful in developing a highly functioning Student Success Team.

It is important to note that in some cases, a school site might have a special education student receive a Tier Two Strategic or Tier Three Intensive Intervention. An example of this would be a student receiving speech and language special education services and participating in a Tier Two Strategic reading small group intervention.

Most students will achieve with Tier One Universal Interventions. Only a small percentage of our students will need additional supports from Tier Two Strategic and Tier Three Intensive Interventions to meet their learning needs. Finally, an even smaller percentage of students will need special education services or an alternate placement to meet their needs.

C. REFERRALS

1. SECTION 504 (BEYONDSST/504)

Section 504 of the Rehabilitation Act of 1973 protects disabled individuals against discrimination. It does so by mandating 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)*).

Accommodations and related services provided through Section 504 of the Rehabilitation Act Program (Section 504) ensure that a student with a physical or mental impairment that substantially limits one or more major life activity has equal access to education.

Section 504 accommodations and/or related services must be delineated in a Section 504 Plan formulated by the student's teacher(s), parents/guardians, members of the Student Study Team (SST), Section 504 School Site Coordinator, and other relevant school site staff.

Examples of accommodations and/or services that PVUSD must provide to students with a 504 include:

- ❑ Assistance on stairways for a student with mild cerebral palsy
- ❑ Extra time on tests for a student with Attention Deficit Hyperactivity Disorder (ADHD)
- ❑ Nursing services for a student with Type I Diabetes
- ❑ Use of an FM system for a student with a hearing loss

PVUSD must establish and maintain services and accommodations for students with disabilities in order to ensure that these students have equal access to education. PVUSD's 504 Committee is responsible for determining if a student qualifies for a Section 504 Plan as follows:

- ❑ School staff, generally the SST, must submit a Request for a Section 504 Plan, along with the necessary documentation. (Reference the Section 504 Handbook)
- ❑ PVUSD's 504 Committee must review the request.
 - *Note that a Section 504 Plan can only be written with approval from the 504 Committee*
- ❑ Each school site must have a designated Section 504 School Site Coordinator to assist the site with referrals and oversee the implementation of Section 504 accommodations and services at the site. Please note that this is a general education function.

Additional information on 504 Plans and specific details regarding establishment, implementation, and maintenance of the plans can be found in the PVUSD Section 504 Process handout and BEYONDSST website.

2. MENTAL HEALTH

A. ASSEMBLY BILL 114

Assembly Bill 114 made changes to Chapter 26.5 of the California *Government Code* (GC) regarding the provision of mental health services to students with disabilities. As a result of AB 114, local educational agencies (LEAs) are responsible for ensuring the provision of related services, including some services previously provided by county mental health agencies under Chapter 26.5 of the GC.

Under the new structure, the transition of responsibilities concerning the provision of related services discontinues the mandatory process of referring such students to mental health agencies for mental health assessments. The scope and content of the district's assessment process now includes the need to directly assess students with suspected mental health needs, and to assist IEP teams in selecting appropriate services and goals to serve identified students with mental health issues.

B. Initial Referral and Assessment for Mental Health

Under current California law, the assessment team must consider whether a student's suspected disabilities include a mental health component, and whether an assessment addressing social and emotional issues is appropriate.

Individual assessments related to emotional and behavioral functioning shall be administered by a credentialed school psychologist and/or other appropriately credentialed staff (Social Worker, Behavior Intervention Specialist, etc). The recommendation for mental health services that results from the assessment must be considered by the IEP team.

C. Educationally Related Mental Health Services (ERMHS)

Educationally related mental health needs are defined as issues that are severely impacting educational performance such as focus, academic achievement, attendance issues directly related to symptoms of the illness (e.g., school avoidance related to anxiety) as well as social/emotional issues in school.

Educationally Related mental Health Services are social/emotional and behavioral services necessary for a student to benefit from their special education program and services. Within the special educational environment, these can include: Social Work Services, Psychological Services, Behavior Intervention Services, Residential Treatment Services, and Individual/Group

Counseling. The following are important considerations regarding related services, including mental health services:

- ❑ Educationally related mental health services are not a separate set of services under the law
- ❑ Mental health services for students with disabilities should be thought of as related services, which include services that students with disabilities require to benefit from special education
- ❑ Eligibility under “emotional disturbance” is not necessary to be eligible for receiving related mental health services
- ❑ CDE states the following: “eligibility for related services is not contingent on a particular disabling condition and should be determined based on an assessment that reveals an individualized need for the service.”
- ❑ OSEP has identified two critical requirements for a service to be considered a related service pursuant to IDEA:
 - ✓ The child’s IEP team must determine that the related service is required in order for the child to benefit from special education
 - ✓ The IEP team’s determination of the appropriate related services must be written into the child’s IEP
- ❑ The individual providing services must hold a valid credential issued by the California Commission on Teacher Credentialing (CTC) with the appropriate authorization for those services, such as a Pupil Personnel Services credential, or be authorized to provide services based on another section of statute or regulation

3. SPECIAL EDUCATION

When a Student Success Team (SST) determines that a student has not made sufficient progress given the interventions and support identified and implemented by the SST, the team must conduct a thorough file review and rule out hearing, vision, and/or attendance as qualifying conditions. Only after doing so should the team consider a referral for an assessment under Section 504 or Special Education.

PVUSD must base this determination on progress monitoring and subsequent modification of interventions and supports implemented with **fidelity** for 8-12 weeks. **Fidelity** refers to implementation practices based on program requirements, including the length of time necessary to obtain sufficient data to determine effectiveness.

Typically, the SST process is not appropriate for students described below because they require immediate referrals to special education.

- ✓ **Students with Certain Disabilities.** Students suspected of having apparent 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 should evaluate the student's needs and, as appropriate, contact their Special Education Administrator for consultation and/or initiate a possible referral for a special education assessment

Through the referral and assessment process, PVUSD 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 can be addressed through a system of tiered interventions (RTI) within the general education setting.

Through the procedures outlined below and in the following sections, PVUSD must provide for the identification and assessment of the needs of an individual student, and the planning of an instructional program to meet his/her assessed needs.

Identification procedures include systematic methods of utilizing referrals of students from teachers, parents, agencies, appropriate professional persons, and from other members of the public. ***As discussed above, PVUSD must refer students for special educational instruction and services only after considering and utilizing, where appropriate, the resources of the general education program.***

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

Written Referral by Parent or Other Individuals Outside of the School:

- All referrals must be in writing, signed, dated, and include a brief reason for the referral.
- 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.
- PVUSD Personnel must offer to help the person put the request in writing. This includes assisting parents who may not understand the process or know how to request a referral. This may also include assisting with arranging an SST meeting to address parent concerns and develop interventions if appropriate.
- If the referral does not include the basis for concern, the individual receiving the referral must ask the referring source for this information, document the response, and attach it to the request.
- The principal/designee may ask parents 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 SST in making appropriate decisions.

Process for Referring Non-attending Students:

When the parent of a student who is not enrolled in a PVUSD program believes that the student may have a disability, one of the following processes is used:

School-Aged Students.

- ***PVUSD Residents.*** Parents of school-aged students should contact their school of residence, to request an assessment
- ***Non-PVUSD Residents.*** Parents with children who attend a private school located within PVUSD's jurisdiction should contact PVUSD Special Education Department at (760) 922-4164.

If the child meets eligibility criteria through the IEP process and the parent declines the services of FAPE and does not enroll in the school district, the case is then referred to the SELPA where the private school is located for development of an Individual Service Plan. This agreement is a K–12 agreement and does not include preschool.

To the extent possible, all referrals for a disability assessment for PVUSD enrolled students must be made through the SST so that the team has an opportunity to review supporting documentation to ensure it provides an appropriate basis for initiating an assessment. If the student was not referred through the SST, the request must document why this process was not utilized.

The individual receiving the referral must immediately provide it to his/her school principal, Special Education Department, Program Specialist, School Psychologist, or Speech Therapist for processing.

The assigned case manager must:

- ❑ Maintain a contact log documenting all actions related to the entire IEP process in order to document 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.

Criteria for Appropriate Assessment Referral:

- ***Documentation.*** The SST must provide documentation showing that it addressed

student's academic, language/speech, and/or behavioral issues, incorporating:

- **Interventions.** Scientifically research-based intervention(s) implemented with **fidelity** as evidenced by data sheets, computer-generated records, or other permanent products.
- **Fidelity** refers to implementation practices based on program requirements, including the length of time necessary to obtain sufficient data to determine effectiveness.

Inappropriate Basis for Referral. To ensure that a student does not inappropriately receive an assessment, PVUSD must 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 must consult with the site English Language Development (ELD) teacher and/or staff from the Multilingual Department.
- **Significant attendance concerns.**
- **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 to have 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.

The teacher and/or SST must 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. **Interventions before referral include:**

- **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

In referring culturally and linguistically diverse students for special education services, PVUSD must take care to determine whether learning, language/speech, and/or behavior problems demonstrated by the students indicate a disability or, instead, manifest cultural, experiential and/or socio-linguistic differences.

It is especially important for the SST to determine whether accommodations and supports in the general education curriculum or in the manner in which the student receives instruction may assist them in overcoming their learning, language/speech, and/or behavioral problems.

The student's teacher and SST should gather the following information about the student to help make this determination:

- ✓ Background
- ✓ Culture and language
- ✓ Acculturation/assimilation level
- ✓ Socio-linguistic development
- ✓ Data showing the student's response to the school and classroom environment when accommodations and supports are provided.

Determining Whether the Student Needs an Assessment:

- The SST reviews and analyzes all the data described above to determine the most beneficial option for the student.
 - One option the SST team must consider is that the student would benefit from additional interventions and progress monitoring. Note that additional interventions should be provided in lieu of or during the assessment process.
 - If it is determined that an assessment is not warranted, PVUSD must 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
 - Follow the procedures for requesting a 504 evaluation provided by the Integrated Support Services and accessible through the Intranet if the referral is warranted.
 - Note that this process is not intended to supersede parent-generated requests or delay a request for a special education evaluation as defined in Part II: Procedures for Locating and Identifying Children with Disabilities.

IV. PROCEDURES FOR DETERMINING ELIGIBILITY

A. OVERVIEW OF ELIGIBILITY

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

In order to be eligible for a special education and related services, a student must be between the ages of 3 and 18. Students aged 19 through 21 are only eligible for special education referrals if the following conditions exist:

- ❑ He/she must have been in special education at the time he turned 19
- ❑ He/she has not met his “proficiency standards”
- ❑ He/she has not completed his “prescribed course of study”
- ❑ He/she has not graduated from high school with a regular high school diploma
[Cal. Ed. Code Sec. 56026(c)(4) and 56026.1.]

“Proficiency standards” are requirements of student competence in reading, writing, mathematics, and other academic areas. “Prescribed course of study” refers to PVUSD’s required subjects and credits in English, math, reading, etc. *[Cal. Ed. Code Sec. 51000 and following.]*

Upon receipt and acceptance of a referral to determine disability eligibility, PVUSD must determine whether the student has a disability by conducting a disability assessment. Disability assessments include examinations, tests and/or observational strategies and are conducted by an IEP Assessment Team that consists of:

- ❑ School Psychologist
- ❑ School Nurse
- ❑ Designated Instructional Services, as needed
- ❑ Special Education Teacher
- General Education Teacher
- DIS Personnel

When IEP Assessment Teams conduct disability assessments, they must provide evidence of the following:

- ❑ The assessment is comprehensive (34 CFR 300.304(c)(6), 34 CFR 300.304(b)(1)30 EC 56320 (b), 30 EC 56321, 5 CCR 3022.)
- ❑ Students evaluated for initial and three-year reviews have a hearing and vision screening unless parental permission is denied (34 CFR 300.304(c)(4), 30 EC 56320(f), 5 CCR 3027.)
- ❑ Assessments are conducted by trained personnel in conformance with the instructions provided by the producer of the tests (34 CFR 300.304(c)(1)(iv) and (v), 30 EC

56320(b)(3).)

- ❑ Individually administered tests of intellect or emotional functioning are administered by a credentialed school psychologist (34 CFR 300.308, 30 EC 56320(b)(3).)
- ❑ Assessments are administered in all areas related to the suspected disability by trained and knowledgeable personnel using sound instruments (20 USC 1414 (b)(3)(B), 34 CFR 300.304(c)(4) and (c)(1)(iv), 30 EC 56320(b), 30 EC 56320(f).)
- ❑ Assessments for severe and low incidence disabilities are:
 - ✓ Administered by trained and knowledgeable personnel, using technically sound instruments
 - ✓ Cover all areas related to the student's suspected disability
 - ✓ Attend to the need for specialized services, materials and equipment consistent with the guidelines for Deaf-Blind, Deaf and Hard of Hearing, Visually Impaired, and Severely Orthopedically Impaired. (30 EC 56320(g), 30 EC 56327(h), 30 EC 56352(a).)
- ❑ A variety of tools and strategies are used to gather functional, developmental and academic information to determine eligibility and the content of the IEP:
 - ✓ The tools and strategies directly assist in determining the educational needs of the student (20 USC 1414(b)(2)(A), 34 CFR 300.304(b)(1), 30 EC 56320(e).)
- ❑ Technically sound instruments are used to 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), 30 EC 56320(f).)

IEP Assessment Team evaluates students for one or more of the following eligible disabilities:

- ❑ Hearing Impairment (including deafness)
- ❑ Both Hearing and Visual Impairment (Deaf-blindness)
- ❑ Speech or language impairment
- ❑ Visual Impairment (including blindness)
- ❑ Orthopedic impairment
- ❑ Other Health Impairment (OHI)
- ❑ Exhibition of Autistic-like behaviors
- ❑ Intellectual Disabilities
- ❑ Emotional Disturbance
- ❑ Learning Disability
- ❑ Multiple Disabilities
- ❑ Traumatic Brain Injury

IDEA defines these disabilities as follows:

- ❑ Hearing Impairment (including deafness)
 - ✓ 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 (IDEA 300.8 (c)(3).)

- 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 in this section (*IDEA 300.8 (c)(5).*)
- Both Hearing and Visual Impairment (Deaf-blindness)
 - 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 (*IDEA 300.8 (c)(2).*)
- Speech or Language Impairment
 - 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 (*IDEA 300.8 (c)(11).*)
- Visual Impairment (including blindness)
 - Visual impairment including blindness means an impairment in vision that, even with correction, adversely affects a child's educational performance. The term includes both partial sight and blindness (*IDEA 300.8 (c)(13).*)
- Orthopedic Impairment
 - 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) (*IDEA 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 syndrome (*IDEA 300.8 (c)(9)(i).*)
 - Adversely affects a child's educational performance (*IDEA 300.8 (c)(9)(ii).*)
- Autistic-like behaviors
 - Autism means a developmental disability significantly affecting verbal and nonverbal communication and social interaction, generally evident before age three, which 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 (*IDEA 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 (*IDEA 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 (*IDEA 300.8 (c)(1)(iii).*)

- ❑ Intellectual Disability
 - ✓ Intellectual Disability means significantly sub-average general intellectual functioning, existing concurrently with deficits in adaptive behavior and manifested during the developmental period, that adversely affects a child's educational performance (*IDEA 300.8 (c)(6).*)
- ❑ Emotional Disturbance
 - ✓ Emotional Disturbance means a condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree that adversely affects a child's educational performance:
 - An inability to learn that cannot be explained by intellectual, sensory, or health factors (*IDEA 300.8 (c)(4)(i)(A).*)
 - An inability to build or maintain satisfactory interpersonal relationships with peers and teachers (*IDEA 300.8 (c)(4)(i)(B).*)
 - Inappropriate types of behavior or feelings under normal circumstances (*IDEA 300.8 (c)(4)(i)(C).*)
 - A general pervasive mood of unhappiness or depression (*IDEA 300.8 (c)(4)(i)(D).*)
 - A tendency to develop physical symptoms or fears associated with personal or school problems (*IDEA 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 have an emotional disturbance under the criteria listed above*** (*IDEA 300.8 (c)(4)(ii).*)
- ❑ Specific Learning Disability
 - ✓ Specific learning disability means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may 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 (*IDEA 300.8 (c)(10)(i).*)
 - ✓ Specific learning disability does not include learning problems that are primarily the result of visual, hearing, or motor disabilities, of intellectual disability, of emotional disturbance, or of environmental, cultural, or economic disadvantage (*IDEA 300.8 (c)(10)(ii).*)
- ❑ Multiple Disabilities
 - ✓ Multiple disabilities means concomitant impairments (such as intellectual disabled-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 (*IDEA 300.8 (c)(7).*)
- ❑ Traumatic Brain Injury
 - ✓ 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 (*IDEA 300.8 (c)(12).*)
- ✓ Traumatic brain injury applies to open or closed head injuries resulting in impairments in one or more areas, such as (*IDEA 300.8 (c)(12).*):
 - 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 (*IDEA 300.8 (c)(12).*)

Students meeting eligibility under some of the above federal classifications are considered to be severely disabled as follows:

- "Severely disabled" means individuals with exceptional needs who require intensive instruction and training in programs serving pupils with the following profound disabilities:
 - ✓ Autism
 - ✓ Blindness
 - ✓ Deafness
 - ✓ Orthopedic Impairments
 - ✓ Emotional Disturbances
 - ✓ Intellectual Disability
 - ✓ Individuals who would have been eligible for enrollment in a development center for handicapped pupils under (*E.C., Sec. 56030.5*)

If the IEP team determines that a student has a disability, the student's Individualized Education Program (IEP) team must meet and determine if the student is in need of special education and related services. The IEP team includes qualified special education professionals and the student's parent(s). For more information on IEP teams and the IEP process, reference [Part VI: Individualized Education Programs.](#)

A student may demonstrate a disability, but may **not** necessarily be eligible for special education/related services. The IEP team will determine eligibility based on the requirement that the student's disability negatively/adversely affects his/her educational performance.

Parents are full participants in the planning and development of services for their child(ren). As such, parental rights related to their child's disability eligibility are as follows:

- ❑ To make a direct referral to PVUSD for disability assessment for their child
- ❑ To receive and approve the proposed Assessment Plan (AP)
- ❑ To question the Assessment
- ❑ To request an independent assessment
- ❑ To receive a copy of the Assessment Report
- ❑ To give or revoke parental consent for services at any time
- ❑ To be informed of all the service options available
- ❑ To be informed of and utilize due process procedures to resolve a dispute (*20 USC Section 1412(d); 34 CFR 300.504; EC sections 56301(d)(2), 56321, and 56341.1(g)(1).*)

For more information on Assessment Plans and Assessment Reports, reference sections [*Developing a Special Education Assessment Plan*](#) and [*Assessment Report*](#).

B. TIMELINES

Disability regulations outline certain timelines that PVUSD must meet when conducting a student's eligibility assessment. This ensures that a student's disability related needs are addressed within a timely fashion.

PVUSD must follow the following timelines related to disability eligibility:

- ✓ Parental request in writing: Once signed and returned by parent, PVUSD has **15 calendar days** to provide parent with an assessment plan.
- ✓ For school-age children, the eligibility assessment must be conducted and an IEP held within **60 calendar days** of PVUSD's receipt of written parental consent for specified assessment activities.
 - ✓ If this timeline occurs at the end of the school year, allowance is made for the evaluation to be completed when the next school year begins
 - ✓ Calendar includes weekend and holidays
 - ✓ For school holidays that exceed five days, the 60-day timeline is extended by an equal number of days
 - ✓ Extension of assessment timelines, beyond exemptions above, requires parental agreement in writing

C. DEVELOPING A SPECIAL EDUCATION ASSESSMENT PLAN

Before a student can be assessed for eligibility of special education or reassessed while receiving special education and related services, PVUSD must develop an Assessment Plan and provide it to the parents for their approval.

PVUSD must develop the special education Assessment Plan in cooperation with the student's teacher(s), general and special education, and other appropriate staff, depending upon the student's disability or suspected area of disability, such as:

- ❑ The school psychologist
- ❑ Related services personnel
- ❑ The school nurse

Persons developing a special education Assessment Plan should use information from:

- ❑ The written request for a special education assessment
- ❑ The parent
- ❑ School records, including teacher interviews and observations, student work samples, and other knowledge gathered through a process that reviews the student's achievement
- ❑ The Student Success Team (SST) recommendations, including accommodations and modifications
- ❑ Recent evaluations, including any Independent Educational Evaluations (IEE) provided by the parent (*34 CFR 300.502(a) and 303.504(c), 30 EC 56329(b), 5 CCR 3022.*)
- ❑ Existing evaluation information provided by the parents, current classroom based assessments, and observations by teachers and related service providers (*34 CFR 300.305(a)(1), 30 EC 56321(e), 30 EC 56381(a)(1), 5 CCR 3022.*)

The special education Assessment Plan must describe:

- ❑ The reason(s) for the assessment (*30 EC 56321(a).*)
- ❑ The areas of suspected disabilities that will be assessed
- ❑ The types of assessments that will be included (*34 CFR 300.503(b)(3), 34 CFR 300.304(a), 30 EC 56321(b)(3).*)
- ❑ The types of staff who will conduct the assessments
- ❑ The student's primary language and language proficiency status (LEP/FEP) for English Learners (ELs) (*34 CFR 300.304(c)(4) and (c)(1)(ii), 30 EC 56321(b)(1), 5 CCR 3022.*)
- ❑ Alternative means that will be used to assess language impairment or specific learning disabilities when standard tests are considered invalid (*34 CFR 300.304(c), 5 CCR 3030(c)(4)(B), 5 CCR 3030 (j)(4)(B).*)
- ❑ Any additional data needed to determine eligibility, present levels of performance, the child's need for special education and related services, and any modifications needed to enable the child to meet the goals and to participate in the general curriculum (*34 CFR 300.305(a)(2), 30 EC 56381(b)(2).*)
- ❑ Assessment information that the parent requests to be considered, including private assessments (*34 CFR 300.304(b), 30 EC 56341.1(a), 5 CCR 3022., 20 USC 1414(b)(2)(A), 34 CFR 300.305(a)(1)(i), EC 56329(c).*)
- ❑ Information related to enabling the student to be involved in and progress in the general ed setting (*20 USC 1414(b)(2)(A)(ii), 34 CFR 300.304(b)(1)(ii), 30 EC 56345.*)

- ❑ Information about the student's communication status and language function, as appropriate (34 CFR 300.304(c)(4), 30 EC 56320(f).)
- ❑ Information about the student's motor abilities, as appropriate (34 CFR 300.304(c)(4), 30 EC 56320(f).)
- ❑ Information about the student's career and vocational abilities and interests, as appropriate (30 EC 56320(f).)
- ❑ Information about the student's health and developmental information, as appropriate (34 CFR 300.304(c)(4), 30 EC 56320(f), 30 EC 56327(e).)
- ❑ Information about the student's vision, including low vision, as appropriate (34 CFR 300.304(c)(4), 30 EC 56320(f), 30 EC 56352, 5 CCR 3027.)
- ❑ Information about the student's hearing status, as appropriate (34 CFR 300.304(b), 30 EC 56320(f), 5 CCR 3027.)
- ❑ Information about the student's social and emotional status (34 CFR 300.304(c)(4), 30 EC 56320(f).)
- ❑ Information about the student's general intelligence and ability (34 CFR 300.304(c)(4), 30 EC 56320(f).)
- ❑ Information about self-help, as appropriate (30 EC 56320(f).)
- ❑ Information about the student's academic performance, as appropriate (34 CFR 300.304(c)(4), 30 EC 56320(f).)

In addition, an Assessment Plan must contain documentation of parent consent and the date on which consent was obtained. (20 USC 1414(a)(1)(C)(i), 34 CFR 300.300(a), 34 CFR 300.300(c) 30 EC 56321.)

PVUSD must develop a special education Assessment Plan and provide it 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), 30 EC 56321(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), 30 EC 56321(b).)
- ❑ Prior to conducting a reassessment of a student receiving special education and related services
- ❑ When a change in a student's eligibility for special education or related services is being considered

Parents must be notified that:

- ❑ Upon completion of the assessment, an IEP team meeting shall be scheduled to determine if the student is an individual with exceptional needs (34 CFR 300.306(a), 30 EC 56329(a). 34 CFR 300.504, 30 EC 56506(c).)
- ❑ They have a right to obtain, at public expense, an Independent Educational Assessment (IEE), if they disagree with the assessment conducted by PVUSD or the right to obtain an

assessment at any time at their own expense (34 CFR 300.306(a), 30 EC 56329(a). 34 CFR 300.504, 30 EC 56506(c).)

All Special Education assessment plans (SE-7) should be developed using the PVUSD's Special Education Assessment Plan Form on the web-based IEP system (SE-7).

Note: *The Assessment Plan provided to the parents must be in the primary language spoken in the home. Forms in all of the major languages are available. The Assessment Plan must also be written in language that can be easily understood by the general public. (34 CFR 300.503(a) and (c), 34 CFR 300.304(c)(1)(iv) and (v), 30 EC 56321(a), 30 EC 56321(b).)*

The Assessment Plan must provide for:

- ❑ Assessing the student in all areas of suspected disability
- ❑ Selecting and administering tests and other assessment materials that are not racially, culturally, or linguistically discriminatory (20 USC 1414(b)(3)(A)(i), 34 CFR 300.304(c)(1)(i), 30 EC 56320(a).)
- ❑ Administering tests and other assessment materials in the language and form most likely to yield accurate information on what the student knows and can do academically, developmentally, and functionally unless it is not feasible to provide or administer
- ❑ Selecting and administering tests and other assessment materials to assess English Learners (EL) that measure the extent to which the student has a disability and needs special education, rather than measuring the student's English language skills (34 CFR 300.304(c)(1)(ii), 34 CFR 300.306(b)(iii).)
- ❑ Selecting tests and other assessment materials that assess specific areas of educational need and are not designed to provide a single intelligence quotient (20 USC 1414 (b)(2), 34 CFR 300.304(c)(2), 30 EC 56320(c).)
- ❑ Ensuring that IQ tests are not administered to African-American students (*Larry P. vs. Riles.*)
- ❑ Using a variety of assessment tools and strategies to gather relevant functional and developmental information about the student
- ❑ Using information provided by the parent/guardian
- ❑ Obtaining information about how the student is involved and progressing in the general curriculum
- ❑ Ensuring vision and hearing screenings have been conducted within the past year, or securing written documentation that the parents do not feel these assessments are necessary

*Note that PVUSD does **not** need to develop an Assessment Plan when administering assessments that are generally administered to students in the class, school, or District.*

D. INITIAL ASSESSMENT

Once consent for assessment has been received, the IEP Team must conduct the assessment, as

defined above, to answer the following three questions:

- ❑ Does the student meet the eligibility criteria as an individual with a disability?
- ❑ Does the severity of the disability have an adverse effect on the student's educational performance?
- ❑ Does the student require special education supports and services to achieve a free appropriate public education?

Note that PVUSD must 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 must address the validity and reliability of the assessments in light of the student's language background and interpreted in a language that is accessible to the student's parents.

E. REASSESSMENT

Once a student has been identified by an IEP team as having a disability and needing special education, it is required that the student be reassessed unless the parent and PVUSD 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 PVUSD staff except it shall not occur more frequently than once a year unless the parent and PVUSD agree
- When PVUSD 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

Three-year (triennial) evaluations must include review and consideration of all required information (*20 USC 1414(c)(1)(A), 34 CFR 300.305(a), 30 EC 56381(b).*):

- ❑ A review of existing data (*20 USC 1414(c)(1)(A), 34 CFR 300.305(a)(1), 30 EC 56381(b).*)
 - If the review of existing evaluation data on the student indicates that there is no

need to conduct additional evaluations, PVUSD must notify the parent of:

- The determination and the reasons for it
- The right of the parents to request an assessment to determine whether the student continues to be a student with a disability and to determine the student's educational needs (20 USC 1414(c)(4), 34 CFR 300.305(d), 30 EC 56381(d).)
- Based on the review of existing evaluation data on the student, PVUSD conducts the additional assessments required to produce the information needed to complete the reevaluation (20 USC 1414(c)(1), 34 CFR 300.305(c), 30 EC 56381(d).)
- PVUSD 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:
 - Identify what additional data, if any, are needed to determine whether the student continues to have a disability, and the student's educational needs (20 USC 1414(c), 34 CFR 300.305, 30 EC 56381(b).)
- ❑ A review of information provided by the parent (20 USC 1414(c)(1)(A), 34 CFR 300.305(a)(1)(i), 30 EC 56381(b).)
- ❑ A review of teacher and related service provider information (20 USC 1414(c)(1)(A), 34 CFR 300.305(a)(1)(iii), 30 EC 56381(b).)
- ❑ A review of 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.)

PVUSD Best Practice. *Although educational code provides for PVUSD and parents to agree that reassessment is not warranted (30 EC 56043(k)), PVUSD institutes a best practice of providing a student a complete reassessment as described above.*

F. ASSESSMENT REPORTS

PVUSD personnel must document the information gathered during the assessment process in an Assessment Report. This is in accordance with the following regulation:

- ❑ Assessments result in a written report or reports that include the findings of each assessment (34 CFR 300.306(a)(2), 30 EC 56327.)

The Assessment Report must include:

- ❑ 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 C 56327(h).)*
- ❑ 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 PVUSD must provide a copy to the student's parents *(20 USC 1414(b)(4)(B), 34 CFR 300.306(a)(2), 30 EC 56329.).*

G. 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-day** timeline.

If the parent/guardian does not return a signed special education Assessment Plan within a reasonable amount of time (**5 days**), the administrator/ designee must do the following:

- ❑ Contact the parents to determine if they received the plan and intend to sign and return it
 - *Note: Documentation of any contacts made with parents regarding signing the plan should be maintained.*
 - If necessary, a second copy of the plan should be sent to parents and the date documented on contact logs.*
- ❑ Provide parents with information to answer any questions they may have
- ❑ If appropriate, revise the plan to accommodate concerns parents may have
- ❑ If parents refuse to sign the Assessment Plan, place a copy in the student's cumulative folder, document on the web-based IEP system, and notify the personnel identified on the plan of the parent's decision

PVUSD Best Practice: *If a parent refuses to allow an initial assessment, PVUSD may, but is not required to pursue the evaluation. PVUSD must document its reasonable efforts to obtain parental consent. PVUSD must ensure that the Special Education Director is fully informed of attempts to obtain consent, and provide guidance as to whether or not to pursue an evaluation*

without consent.

H. 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, the IEP team must provide the parent written notice of PVUSD's determination to refuse the evaluation. Written Notice of Refusal must state:

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

V.ADDITIONAL ASSESSMENTS

A. BEHAVIOR ASSESSMENTS

IDEA requires an IEP team to address “behavior that impedes his or her learning or that of others.” This can be addressed through a Behavioral Intervention Plan (BIP) which is considered a supplementary aide and support.

A Behavior Intervention Plan (BIP):

- Attempts to understand “why” the behavior is occurring; what “function” it serves for the individual
- Identifies how the environment can be altered to eliminate the student’s need to use the behavior
- Identifies how educators can support students using identified positive replacement behaviors that meet his/her need
- Is essentially a teaching plan
- Assessment Plan (Behavior Assessment or FBA can lead to the development of an IEP) is required
- Involves systematic data collection (definition of target behaviors, Antecedent Behavior Consequence (ABC) data, frequency data, duration data, interview and/or observations
- Requires that an IEP meeting be held to propose and formalize the BIP (considered a supplementary aid and support)
- Implementation of the BIP and ongoing data collection to determine whether or not the BIP is effective and what, if any, changes or next steps are necessary

In 1991, California wrote into law a procedure for addressing serious behavior problems of students with special needs. This law is often referred to as the “Hughes Bill.” Per the Hughes Bill, PVUSD is required to conduct behavior-based assessments of students with special needs when **one** of the following has occurred and/or been observed from a student:

- The behavior is self-injurious, assaultive, or causing property damage leading to suspension or expulsion
- The behavior is so pervasive/maladaptive as to require systematic and frequent application of behavioral interventions
- The serious behavior problem interferes with the individual's opportunity for placement in the least restrictive environment
- A behavioral emergency has occurred that required the use of restricted, emergency techniques in order to protect the safety of the student or others
- An assessment has been conducted and a report written that identified the need for a Functional Behavior Assessment (FBA)

Behavior Assessment and Development of a BIP- If an IEP team agrees that a behavior-based assessment is warranted for a student with special needs, it is required to complete a Functional Behavior Assessment (FBA). The FBA is initiated when the behavior of a student with an IEP has been determined to be a manifestation of his/her disability. A signed assessment plan is required

In addition, PVUSD must complete the following reports, which relate to the student's behaviors:

- ❑ Behavioral Intervention Plan (BIP)
- ❑ Behavioral Emergency Report (BER) – Reference the SEIS document library for a BER template

1. FUNCTIONAL BEHAVIORAL ASSESSMENT

When determining whether a student qualifies for an FBA, the student's IEP team must determine whether the behavioral and/or instructional approaches to correcting the student's behavior, as specified in the student's IEP, have been effective (*30 EC 56523, 5 CCR 3052(b).*).

If the IEP team determines that the behavioral and/or instructional approaches have been ineffective, it must perform an FBA to assess the student's behavior.

FBA's must include:

- ❑ Observations of the student's targeted inappropriate behavior including a description of the frequency, duration, and intensity of the behavior (*30 EC 56523, 5 CCR 3052(b)(1)(A).*)
- ❑ Observations of the events immediately preceding each instance of the student's targeted inappropriate behavior (*30 EC 56523, 5 CCR 3052(b)(1)(B).*)
- ❑ Observations and analysis of the consequences that follow the student's display of the targeted inappropriate behavior to determine how they affect the student (*30 EC 56523, 5 CCR 3052(b)(1)(C).*)
- ❑ An ecological analysis of the setting in which the behavior occurs most frequently (*30 EC 56523, 5 CCR 3052(b)(1)(D).*)
- ❑ A review of student records for health and medical factors, which may influence the student's behaviors (*30 EC 56523, 5 CCR 3052(b)(1)(E).*)
- ❑ A review of the history of the targeted inappropriate behavior including the effectiveness of previously used behavioral interventions (*30 EC 56523, 5 CCR 3052(b)(1)(F).*)

Following completion of a student's FBA, PVUSD must create a report outlining the results of the assessment. FBA reports must include descriptions of:

- ❑ The nature and severity of the targeted behaviors using objective and measurable terms *(30 EC 56523, 5 CCR 3052(b)(2)(A).)*
- ❑ The targeted behavior(s) including *(30 EC 56523, 5 CCR 3052(b)(2)(B))*:
 - ✓ Baseline data
 - ✓ Preceding events
 - ✓ Consequences
 - ✓ A functional analysis of the behavior(s) across all appropriate settings in which it occurs
- ❑ The rate of the targeted behaviors, their preceding events and consequences *(30 EC 56523, 5 CCR 3052(b)(2)(C).)*
- ❑ Recommendations for consideration by the IEP team, which may include a proposed Behavioral Intervention Plan (BIP) *(30 EC 56523, 5 CCR 3052(b)(2)(D) and 5 CCR 3001(f).)*

2. BEHAVIORAL INTERVENTION PLAN

Behavioral Intervention Plans (BIP) are documents that utilize the recommendations from FBAs to outline plans of actions to correct a student's behavior. Typically, a BIP has been developed, implemented with fidelity, and adjusted with IEP team agreement as needed. Ongoing data collection is required to determine the effectiveness of the plan to manage serious behaviors.

IEP teams must include the following in BIPs *(5 CCR 3052(d))*:

- ❑ Plans on how to change situations that cause the student's inappropriate behavior
- ❑ Plans for teaching the student alternative behaviors to replace his/her inappropriate behavior
- ❑ Plans for teaching the student adaptive behaviors to improve the negative conditions that lead to inappropriate behavior
- ❑ Plans for changing the consequences for inappropriate behaviors and acceptable behaviors so that the student becomes aware that acceptable behaviors produce better results
- ❑ Description of how and when the IEP team will reevaluate the student's behavior. Reevaluations must occur on scheduled intervals *(5 CCR 3052(f))*

When creating BIPs, IEP teams must be aware that certain behavioral interventions are prohibited. Prohibited behavioral interventions include those that:

- ❑ Cause physical pain to the student
- ❑ Involve the release of noxious or otherwise unpleasant substances in proximity to the student's face
- ❑ Involve the denial of adequate sleep, food, water, shelter, bedding, physical comfort, or access to bathroom facilities
- ❑ Subject the student to verbal abuse, ridicule or humiliation, or excessive emotional trauma

- ❑ Subject the student to restrictive intervention, including prone containment or locked seclusion that precludes adequate supervision of the individual
- ❑ Deprive the student of one or more of his or her senses

When evaluating whether the implementation of a BIP has successfully modified a student's behavior, IEP teams must consider (5 CCR 3052(f)):

- ❑ Baseline measures of the frequency, duration, and intensity of the student's targeted inappropriate behavior, taken during the FBA
- ❑ Documentation of program implementation as specified in the BIP
- ❑ Interim measures of the frequency, duration, and intensity of the student's targeted inappropriate behavior, taken during reevaluations

If, while evaluating the effectiveness of a BIP, the IEP team determines that changes are required, it must conduct additional FBAs and propose changes to the student's BIP as appropriate.

3. BEHAVIORAL EMERGENCY REPORT

IEP teams must create Behavioral Emergency Reports (BERs) immediately following a behavioral emergency. A BER must be created following an incident that requires physical restraint on the behalf of PVUSD staff in order to resolve the incident or prevent injury.

When creating a BER, IEP teams must include the following in BER (5 CCR 3052(i).):

- ❑ Name and age of the student
- ❑ Setting and location of the behavioral incident
- ❑ Name of the staff or other persons involved
- ❑ Description of the incident and the emergency intervention used
- ❑ Whether the student is currently engaged in a systemic BIP

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

IEP Team Responsibilities: After completing a BER, IEP teams must immediately forward it to designated responsible school-site administrators. (5 CCR 3052(i)(6).).

School-site Administrator Responsibilities: Upon receipt of a BER, the designated responsible administrators must immediately review the BER (5 CCR 3052(i)(6).).

After reviewing a BER, the administrator must offer an IEP team meeting **within 2 days** of the behavioral emergency (5 CCR 3052(7)) if the student does not currently have a Behavior Intervention Plan (BIP):

- ❑ Review the emergency report
- ❑ Determine the necessity for a Functional Behavioral Assessment (FBA)
- ❑ Determine the necessity for an interim Behavioral Intervention Plan (BIP)
- ❑ If the IEP team decides not to conduct an FBAA and/or create an interim BIP, it must outline the reasons for doing so within the BER

B. INDEPENDENT EDUCATIONAL EVALUATION

The procedural safeguards of the Individuals with Disability Education Act (IDEA) provide that under certain conditions, a parent may have the right to obtain an independent educational evaluation (IEE), at public expense.

PVUSD adheres to procedures that are in accordance with federal and state laws:

- ❑ Pursuant to California Education Code section 56329(b), a parent may have the right to obtain, at public expense, an Independent Educational Evaluation (IEE) if the parent disagrees with an assessment obtained by PVUSD and requests an IEE. (*34 C.F.R. § 300.502(b)(1) and (b)(2)*). A parent is entitled to only one IEE at public expense for each evaluation completed by the school district with which the parent disagrees
- ❑ When a parent requests an IEE, PVUSD must, without unnecessary delay, either file a request for due process hearing to show that its assessment is appropriate or ensure that an Independent Educational Evaluation is provided at public expense (*34 C.F.R. §300.502 (b)(2); Ed. Code § 56329(c).*)
- ❑ If the parent requests an IEE at PVUSD's expense, PVUSD must ask for the parent's reason why he or she objects to the public evaluation. PVUSD must not require the parent to provide an explanation and must not cause unreasonable delay in either providing the IEE at public expense or filing a due process complaint to show that its assessment is appropriate (*34 C.F.R. § 300.502 (b)(4).*)

Once the parent communicates his or her desire for an Independent Educational Evaluation (IEE) at public expense, PVUSD must complete the following steps:

- ❑ Notify Program Specialist, Special Education Supervisor or Special Education Director
- ❑ Immediately forward all request for an IEE to the Special Education Department
- ❑ Determine whether the parent's request meets the following threshold requirements for an IEE at public expense:
 - ✓ PVUSD conducted an evaluation
 - ✓ Parent expresses disagreement with PVUSD's evaluation, either at the individualized Education Plan (IEP) meeting or in writing
 - ✓ Parent did not already receive an IEE at public expense, relating to the evaluation at issue, within one calendar year
- ❑ If parent fails to meet any of the threshold requirements listed above, PVUSD must deny the request, state the reasons for the denial in a prior written notice letter, and provide

the parents with a copy of the PVUSD Notice of Procedural Safeguards.

- ❑ If parent meets the threshold requirements, PVUSD must:
 - ✓ Provide the parents with a copy of the PVUSD Notice of Procedural Safeguards and Parents' Rights
 - ✓ Contact the parents to review the request, review PVUSD's evaluation, identify those areas of disagreement and establish the areas in need of assessment
- ❑ If PVUSD elects not to fund an IEE at public expense, PVUSD must file a request for due process hearing to show that its assessment is appropriate
- ❑ If PVUSD elects not to file a request for due process hearing, PVUSD must ensure that an IEE is provided at public expense:
 - ✓ PVUSD must provide a copy of PVUSD's IEE Guidelines to parents.
 - ✓ Upon request, PVUSD must assist the parent in obtaining an IEE that meets PVUSD's criteria by providing a list of qualified examiners to parent; note that the parent is not required to select from that list (*Letter to Parker, 41 IDELR 155 (OSEP 2004).*)
 - ✓ The criteria, under which an IEE is obtained, including the location, minimum qualifications of the examiner, cost limits, and use of approved instruments, are the same as the criteria that PVUSD uses when it initiates an assessment, to the extent those criteria are consistent with the parent's right to an IEE (*34 C.F.R. §300.502(e)(1).*)
 - ✓ If the parent's IEE did not meet PVUSD's criteria for assessments, PVUSD may file a request for due process hearing to demonstrate that the evaluation obtained by the parent did not meet PVUSD's criteria or that there is no justification for selecting an evaluator that does not meet PVUSD's criteria to prevent payment or reimbursement at public expense (*34 C.F.R. § 300.502(b)(2).*)
- ❑ If PVUSD demonstrates through a due process hearing that the evaluation completed by PVUSD was appropriate, the parents still have the right to an Independent Educational Evaluation, but not at public expense
- ❑ If the parent obtains an Independent Educational Evaluation, the results of the evaluation will be considered by PVUSD with respect to the provision of free appropriate public education (FAPE) to the student

C. MODIFIED STATEWIDE ASSESSMENT

PVUSD must provide modified statewide assessments to students who receive special education services as a way to measure student achievement based on alternate achievement standards. When determining whether a student qualifies for a modified statewide assessment, the student's IEP team must:

- ❑ Ensure that the student's record contains evidence of multiple measurements of student progress over a period of time for each subject specified within the student's IEP (*34 CFR 200.1(e)(2)(ii)(B) and 200.1(f)(2)(ii)(B).*)
- ❑ Determine that the student's disability prevents him/her from achieving grade-level proficiency on the statewide standardized achievement tests by using objective evidence

such as the student's performance on assessments or other objective measures (34 CFR 200.1(e)(2)(i).)

For students whom the IEP team determines are eligible for modified statewide assessments, the student's IEP team must:

- ❑ Ensure that students who are assessed using the modified state assessments have access to the general curriculum, including instruction, for the grade in which they are enrolled (34 CFR 200.1(f)(2)(iii).)
- ❑ Inform the student's parents that the student's achievement will be measured based on alternate or modified academic achievement standards (34 CFR 200.1(f)(1)(iv).)
- ❑ Document the decision within the IEP goals for academic achievement based on content standards in English Language Arts, Math and Science for the grade in which the student is enrolled (34 CFR 200.1(f)(2)(ii)(A).)

D. OCCUPATIONAL THERAPY/PHYSICAL THERAPY ASSESSMENTS

PVUSD is required to provide Occupational and/or Physical Therapy (OT/PT) assessments to students who it suspects may require OT and/or PT in order to benefit from his/her education program. For more information on OT/PT services, reference the [Related Services – Physical and Occupational Therapy](#).

When determining if a student needs an OT/PT assessment, the student's IEP team must determine if the student has fine, gross motor or sensory integration impairments that negatively impact his/her ability to succeed in his/her educational setting. If so, the student's IEP team must complete an OT/PT assessment for the student.

When conducting an OT/PT assessment, IEP teams and other appropriate personnel must include:

- ❑ OT Assessment:
 - ✓ An evaluation of student's fine and gross motor skills
 - ✓ An evaluation of student's visual motor integration
 - ✓ An evaluation of student's visual perception/processing
 - ✓ An evaluation of student's sensory integration
- ❑ PT Assessment:
 - ✓ An evaluation of student's strength, coordination, balance, and symmetry
 - ✓ An evaluation of student's physical activities such as sitting, standing, running, etc.
 - ✓ An evaluation of student's birth history and developmental milestones

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
- ❑ PVUSD 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
- ❑ PVUSD 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.

E. ASSISTIVE TECHNOLOGY ASSESSMENT

PVUSD is required to provide Assistive Technology (AT) assessments to students who it suspects may require assistive technology services and/or devices in order to benefit from his/her educational program. For more information on AT services, reference the [Special Factors – Assistive Technology](#) section.

IEP teams are responsible for deciding if a student requires an AT assessment and must consider whether assistive technology and services are needed for each student. *(20 USC 1414(d)(3)(B)(v), 34 CFR 300.324 (a)(2)(v), 30 EC 56341.1(b)(5).*

When determining if a student requires an AT assessment, the student's IEP team must consider if the student needs assistive technology in order to benefit from his/her education program. In making this decision, the IEP team must consider the individual student's assistive technology needs in relation to his or her education program.

AT assessments must include an observation of how the student completes everyday educational tasks, such as reading and writing. Observations must be completed in the normal learning environment in which the student receives instruction

F. MENTAL HEALTH ASSESSMENTS

A student with an active IEP may be eligible for Designated Instruction and Services (DIS Services). One of the DIS services is Educationally Related Mental Health Services (ERMHS). Due to a change in the law and repeal of AB3632, mental health services now follow eligibility requirements under IDEA. Under provisions of IDEA, a student with an active IEP may be eligible for additional DIS services if those services are needed in order for the student to access their special educational services.

The District/SELPA will utilize a process to determine eligibility for and provision of Educational Related Mental Health Services (ERMHS). Steps to initiate a referral for assessment for these services are outlined in this procedural memo. If a student is found eligible for ERMHS as part of his IEP, recommendations for appropriate services will be made at the IEP meeting. All services will take place in the least restrictive environment for the student. The District has the following continuum of service options for students in need of mental health services:

- ❑ Consultation with teacher, student or parent by Behavior Intervention Specialist, Psychologist or Social Worker, or any combination thereof
- ❑ Collaboration with students' private mental health provider
- ❑ 1:1 or small group counseling or family counseling by a Psychologist or Social Worker
- ❑ Monitoring of Behavior Intervention Plan or Positive Behavior Support Plan by Behavior Intervention Specialist
- ❑ Assistance to site or classroom to implement, train staff or collect data on Positive Behavior Support Plan or Behavior Intervention Plan by Behavior Instructional Aide
- ❑ 1:1 or small group counseling or family counseling by district chosen community agency (NPA)

Parents may continue to seek medically related mental health services, including medication management through their Medical Provider via either Medi-Cal, Private Insurance, or Private Pay.

Medication management is not a requirement of IDEA and will not be provided through this program. Parents of student who had medication management through the repealed 26.5 program through County Mental Health will need to contact their health care provider and utilize their medical insurance benefits or use private pay to continue current medications and monitoring.

During each eligible student's annual review or triennial evaluation, the need for ongoing mental health services will be discussed. An assessment plan for ERMHS is signed when it is suspected that the student has emotional and behavior needs that will need appropriate related DIS services for the student to access their special education services. An assessment is completed, an IEP meeting convened and recommendations are made as to whether student meets any of the previously outlined ERMHS DIS services. It is recommended that an IEP be

held to discuss the progress of the services provided at least at every periodic progress check period (6–8 weeks) and to review the need for services to continue or terminate depending on their effectiveness.

VI. INDIVIDUALIZED EDUCATION PROGRAMS

A. OVERVIEW OF IEP

The Individualized Education Program (IEP) is a written document that PVUSD must develop for each student who receives special education and related services. The purpose of an IEP is to outline a plan for utilizing special education and related services to meet a student's needs, as related to their disability.

The IEP document must include the following essential elements:

1. **Present Levels of Performance:** A statement of the student's present levels of performance including how the disability affects the student's involvement and progress in the general curriculum (20 USC 1414(d)(1)(A)(i)(I)(aa), 34 CFR 300.320 (a)(1), 30 EC 56345(a)(1))
2. **Measurable Annual Goals:** Measurable annual goals, including academic and functional goals, related to the student's needs, resulting from the student's disability, that will enable the student to be involved in and progress in the general education curriculum and that meet each of the student's other educational needs that result from the student's disability (20 USC 1414(d)(1)(A)(i)(II)(aa) and (bb), 34 CFR 300.320 (2)(i), 30 EC 56345(a)(2).)
3. **Progress:** A description of how the student's progress towards meeting the annual goals described above will be measured and periodic reports on student progress towards annual goals (such as through the use of quarterly or other periodic reports, concurrent with the issuance of report cards) will be provided
4. **Special Education and Related Services:** A statement of the special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the student, or on behalf of the student, and a statement of the program modifications or supports for school personnel that will be provided to enable the student to advance appropriately
5. **Participation in General Education:** An explanation of the extent, if any, to which the student will not participate with general education students in the general education classroom and in extracurricular and nonacademic activities
6. **State Testing:** A statement of any individually appropriate accommodations that are necessary to measure the academic achievement and functional performance of the student on State and district wide assessments consistent with 20 USC 1412(a)(16)(A). If the IEP team determines that the student shall take an alternate assessment on a particular State or district wide assessment of student achievement, the IEP must include a statement of why the student cannot participate in the regular assessment and why the particular alternate assessment selected is appropriate for the student
7. **Timing of Services and Modifications:** The projected date for the beginning of the services and modifications identified in the IEP, along with the anticipated frequency,

location, and duration of the services and modifications

8. **Transition and Post-Secondary Goals:** Beginning no later than the first IEP to be in effect when the student is 16, and updated annually thereafter, appropriate measurable postsecondary goals based upon age appropriate transition assessments related to training, education employment, and where appropriate, independent living skills and the transition services (including courses of study) needed to assist the student in reaching those goals
9. **Age of Majority:** Beginning at least one year before the student reaches the age of 18, a statement that the student has been informed of the IDEA rights that will transfer to him or her upon turning 18 (*20 USC 1414(d)(1)(A)(i)(VIII)(cc)*, *34 CFR 300.320 (c) & 300.520 (b)*, *30 EC 56345(g).*)

B. TIMELINES

PVUSD must meet several timeline requirements for developing and maintaining IEPs; these include:

❑ **Development and Implementation:**

- ✓ An IEP is developed and implemented for each eligible student **at least once each year**, in accordance with federal and state statutes (*20 USC 1412(a)(4)*, *20 USC 1414(d)*, *34 CFR 300.320 (1-7)*, *30 EC 56344.*)
- ✓ An IEP is developed and implemented for each student that is eligible, within **60 days** of obtaining written parental consent on the assessment plan
 - The IEP must be completed within **60 days** of parent consent for assessment, not counting 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 (*20 USC 1414(a)(1)(C)(i)(I)*, *34 CFR 300.301(c)(1)*, *30 EC 56344.*)
- ✓ The IEP is implemented for each student (including students placed by PVUSD 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).*)

❑ **IEP Meetings:**

- ✓ An IEP meeting is held within **30 days** of receipt of a written request from a parent--not counting 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.*)

C. IEP TEAM COMPOSITION

PVUSD must create an IEP Team for each disabled student with a disability enrolled in PVUSD. IEP team must hold an IEP meeting for students with disabilities on an annual basis, a triennial basis, and anytime a significant change in a student's status occurs. When creating an IEP Team, PVUSD must include participants who can speak to:

- ❑ Reason(s) for referral to special education, present levels, description of services/accommodations/modifications
- ❑ Reports on all evaluations and assessments conducted on the student

IEPs are created via a team effort conducted by IEP teams. IEP teams include the following members:

❑ **Non-PVUSD Personnel:**

- ✓ Parents of the student (*20 USC 1414(d)(1)(B)(i), 34 CFR 300.321(a)(1), 30 EC 56341(b)(2).*)
- ✓ Other individuals with knowledge or expertise regarding the student, including representatives of the student's private school, as appropriate, including: (*20 USC 1414(d)(1)(B)(vi), 34 CFR 300.321 (a)(6), 30 EC 56341(b)(6).*)
 - Other individuals who have knowledge or special expertise regarding the student (*34 CFR 300.321(a)(6).*)
 - The student, when appropriate or when the IEP team is considering post-secondary transition (*20 USC 1414(d)(1)(B)(vii), 34 CFR 300.321 (a)(6), 34 CFR 300.321(b), 30 EC 56341(d)(1).*)
 - Representatives of any other agency that is likely to be responsible for providing or paying for transition services (*34 CFR 300.321(b)(3).*)

❑ **PVUSD Personnel:**

- ✓ Not less than one general education teacher (*20 USC 1414(d)(1)(B)(ii), 34 CFR 300.321(a)(2), 30 EC 56341(b)(2).*)
 - The general education teacher is a member of the IEP team and part in development of the IEP and consideration of the following (*20 USC 1414(d)(3)(C), 34 CFR 300.324 (a)(3)(i), 30 EC 56341(b)(2).*):
 - The appropriate positive behavioral interventions and supports, and other strategies for the student
 - Supplementary aids and services
 - Program modifications
 - Supports for school personnel
 - Program modifications for the classroom
 - Support for school personnel (*20 USC 1414(d)(3)(C), 34 CFR 300.324 (a)(3), 30 EC 56341(b)(2).*)
- ✓ At least one special education teacher/specialist (*20 USC 1414(d)(1)(B)(iii), 34 CFR 300.321 (a)(3), 30 EC 56341(b)(3).*)
- ✓ A representative who is qualified to provide or supervise specially designed instruction for students with disabilities, and who is knowledgeable about the general curriculum and the resources (*20 USC 1414(d)(1)(B)(iv), 34 CFR 300.321*

(a)(4), 30 EC 56341(b)(4).)

- ✓ 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).*)
- ✓ School Administrators/or their designee
- ✓ IEP Case Manager
- ✓ Additional PVUSD personnel, as deemed necessary by the IEP Case Manager
- ✓ For English Learners (ELs), one certified staff person with a Crosscultural, Language and Academic Development (CLAD), Bilingual, Crosscultural, Language and Academic Development (BCLAD), or English Language Development (ELD) certification
- ✓ For English Learners, a trained interpreter is required upon parental request
- ✓ IEP team members must be in attendance in order to sign the IEP
- ✓ The Behavioral Intervention Specialist (BIS) whenever the team reviews the Functional Behavioral Assessment (FBA) and, if necessary, develops a Behavioral Intervention Plan (BIP) (*5 CCR 3052(c).*)
- ✓ For a student suspected of having a specific learning disability, at least one member who is qualified to conduct individual diagnostic examinations of students, such as a school psychologist, speech-language pathologist, or remedial reading teacher (*34 CFR 300.308, 30 EC 56341(c).*)

The following are key duties of the IEP team:

- ❑ Review assessment results (*30 EC 56342*)
- ❑ Determine eligibility (*30 EC 56342*)
- ❑ Develop the content of the IEP (*30 EC 56342*)
- ❑ Consider local transportation policies and criteria (*30 EC 56342*)
- ❑ Make program placement recommendations (*30 EC 56342*)
- ❑ In making the determination of eligibility, draw upon a variety of sources of information, such as:
 - ✓ Tests (*34 CFR 300.306 (a)(1) & 34 CFR 300.306 (c)(i), 30 EC 56342(b).*)
 - ✓ Teacher recommendations (*34 CFR 300.306 (a)(1) & 34 CFR 300.306 (c)(i), 30 EC 56342(b).*)
 - ✓ Parent input (*34 CFR 300.306 (a)(1) & 34 CFR 300.306 (c)(i), 30 EC 56342(b).*)
- ❑ Document and consider information obtained from all of the aforementioned sources (*34 CFR 300.306 (c)(1)(ii).*)
- ❑ Ensure that all assessments are completed before the development of the initial IEP or triennial IEP (*20 USC 1414(a)(1)(C), 1414(b)(4), 34 CFR 300.306(a).*)

Exclusions from IEP Meetings:

The following requirements govern the excusal of required IEP team members from IEP team meetings:

- ❑ A member of the IEP team is excused from attending an IEP meeting, in whole or in part, if the parent and PVUSD agree that the attendance is not necessary (*20 USC*

1414(d)(1)(C)(i), 34 CFR 300.321 (e)(1), 30 EC 56341(f).)

- ❑ A member of the IEP team is excused from attending an IEP 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 when all the following conditions are met:
 - ✓ The parent and PVUSD consent to the excusal after conferring with the member (20 USC 1414(d)(1)(C)(ii), 34 CFR 300.321 (e)(2), 30 EC 56341(g)&(h).)
 - ✓ The member submits in writing to the parent and the IEP team, information for the development of the IEP prior to the meeting (20 USC 1414(d)(1)(C)(ii), 34 CFR 300.321 (e)(2), 30 EC 56341(g)&(h).)
 - ✓ The parent's agreement to the excusal is in writing (20 USC 1414(d)(1)(C)(ii), 34 CFR 300.321 (e)(2), 30 EC 56341(g)&(h).)

D. WRITTEN NOTICE FOR IEP TEAM MEETING

IEP teams are required to notify parents of IEP team meetings as follows (34 CFR 300.322 (a)(1 & 2), 30 EC 56341.5(a).):

- ❑ The notice is early enough (**at least 10 days before the IEP meeting is scheduled to occur**) to ensure they have an opportunity to attend (34 CFR 300.322 (a)(1 & 2), 30 EC 56341.5(b).)
- ❑ IEP meetings are scheduled at a mutually agreed upon time and place (34 CFR 300.322 (2), 30 EC 56341.5(c).)
- ❑ The notice includes an indication of the purpose, time and location of the meeting and the individuals who will attend (34 CFR 300.322 (b).)
- ❑ The notice includes information relating to the participation of other individuals on the IEP team that the parent may invite who have knowledge or special expertise about the student (34 CFR 300.322 (b)(1)(ii).)
- ❑ The notice is provided in writing
- ❑ For all English Learners, notices of IEP meetings are in parent's primary language and inform parents of interpretation rights (explaining process for requesting interpretation services)

E. PREPARATION FOR IEP MEETING

Interaction with Parents:

- ❑ Ensure that the parents were notified of the IEP meeting in writing as specified in the meeting notification
- ❑ Prior Written Notice must be given when the school district proposes or refuses to initiate a change in the identification, assessment, or educational placement of your child with special needs or the provision of a free appropriate public education. (20 USC 1415[b][3] and (4), 1415[c][1], 141[b][1]; 34 CFR 300.503; EC 56329 and 56506[a])
- ❑ The school district must inform you about proposed evaluations of your child in a

written notice or an assessment plan **within fifteen (15) days** of your written request for evaluation. The notice must be understandable and in your native language or other mode of communication, unless it is clearly not feasible to do so. (34 CFR 300.304; EC 56321)

- ❑ If neither parent can attend the IEP meeting, use other means to ensure parent participation including individual or conference phone calls (34 CFR 300.322 (c-f).)
- ❑ If you are unable to convince the parents they should attend the IEP meeting, record attempts to arrange for a mutually agreed on time and place (34 CFR 300.322 (c-f).)
- ❑ Ensure that the parent 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).)
- ❑ If the parent makes a request for an IEP meeting orally, inform the parent of the need for a written request and the procedure for filing a written request (30 EC 56343.5.)
- ❑ Permit parents to electronically record their child's IEP meeting (30 EC 56341.1(g)(1).)
 - Ensure that this right to electronically record the IEP meeting is included in the notice to parents of their rights (30 EC 56321.5.)
 - Parents must notify PVUSD 24 hours before an IEP meeting of their intention to record the meeting
- ❑ Appoint a surrogate parent where 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, Section 7579.5.). Special Education Department is responsible for assigning the surrogate parent
- ❑ IEP Copies
 - Give the parent a copy of the IEP at no cost (34 CFR 300.322(f), 30 EC 56341.5(j).)
 - Provide parents with a revised copy of the IEP, upon request, with amendments after a change is made to the IEP (20 USC 1414(d)(3)(F), 34 CFR 300.324 (a)(6), 30 EC 56380.1(a).)
 - For all English Learners, translate the copy of the IEP and reports for parents upon request

IEP Review/Revision:

- ❑ Review:
 - ✓ Periodically review but, **not less than annually**, the student's IEP (20 USC 1414(d)(4)(A)(i), 34 CFR 300.324(b)(1), 30 EC 56380.)
 - ✓ Review progress toward previous annual goals and progress in the general curriculum when developing new goals (20 USC 1414(d)(4)(A)(i), 34 CFR 300.324 (b)(1)(i)(ii), 30 EC 56380.)
 - ✓ **At least annually** -- review the degree to which benchmarks are met for students eligible for statewide testing using the California Alternate Performance Assessment (CAPA) (20 USC 1414(d)(4)(A)(i), 34 CFR 300.324 (b)(1)(i)(ii), 30 EC 56380.)
 - ✓ Hold an IEP meeting to review previous information, records, reports and

evaluations and make final recommendations for placement before the expiration of a 30-day interim placement (1414(d)(2)(C)(i)(I), 30 EC 56325(a)(1).)

❑ Revision:

- ✓ During the annual review of the IEP, revise the IEP as appropriate due to:
 - Any lack of progress toward the annual goals and in the general curriculum (20 USC 1414(d)(4)(A)(ii)(I), 34 CFR 300.324 (b)(1)(ii).)
 - Results of any reevaluation (20 USC 1414(d)(4)(A)(ii)(II), 34 CFR 300.324 (b)(1)(ii)(B).
 - Information about the student provided to or by the parents (20 USC 1414(d)(4)(A)(ii)(III), 34 CFR 300.324 (b)(1)(ii)(C).)
 - Student's anticipated needs (20 USC 1414(d)(4)(A)(ii)(IV), 34 CFR 300.324 (b)(1)(ii)(E).)
- ✓ In making the aforementioned changes to an IEP after the annual IEP, the parent(s) and PVUSD may agree not to convene an IEP meeting for the purposes of making such changes, and instead develop a written document to amend or modify the current IEP (20 USC 1414(d)(3)(D), 34 CFR 300.324 (a)(4), 30 EC 56380.1.)

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 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).)
- ❑ 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 relate 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), 30 EC 56341.1(b)(2).)

F. STRUCTURING THE IEP MEETING

PVUSD must structure IEP meetings in such a way as to ensure that parents are engaged as full participants in the IEP process. In addition, PVUSD must structure meetings to cover all key topics related to meeting student needs. PVUSD must organize IEP Team meetings as follows:

- ❑ **Opening**
 - ✓ Introduction of IEP team participants and their roles
 - When an interpreter is used, clarify the roles and turn-taking procedures that are to be used
 - ✓ Agreement on ground rules for the meeting, such as:
 - No interruptions
 - Respect others in both verbal and body language
 - Respect confidentiality
 - Listen with an open mind
 - As needed, agree to take a break of up to 10 minutes in length
 - Place cell phones in vibrate mode
 - Adhere to the time limit established by the IEP team
 - Ask parent to sign attendance page as an IEP Participant at beginning of meeting acknowledging that the signature is “In Attendance Only” until consent is given
- ❑ **Statement of Purpose for the Meeting and Summary of the Meeting Process**
 - ✓ Provide parents with an overview of the purpose of the meeting
 - ✓ Provide parents with an overview of the IEP meeting process
- ❑ **Review of Procedural Safeguards, Rights and Responsibilities**
 - ✓ Provide parents a copy of *Notice of Procedural Safeguards*
 - ✓ Ask parents if they understand the explanation of their rights that you have provided to them
 - If they do not understand, summarize their rights again until they clearly understand them
- ❑ **Information to be Considered**
 - ✓ Current demographics
 - ✓ Parent/family report
 - Student strengths
 - Concerns
 - Parent/student expectations
 - ✓ Student’s interests
 - ✓ Progress reports and assessment results
 - ✓ Behavior considerations
 - ✓ Other
- ❑ **Identification of Student Needs**
 - ✓ Accommodations/modifications
 - ✓ Related services
 - ✓ Annual goals/benchmarks
 - ✓ Placement
 - ✓ Other
- ❑ **Meeting Conclusion**

- ✓ Review/summary of recommendations
 - Discuss any open questions/concerns
 - Finalize recommendations by consensus/parental consent
 - ✓ Discuss any follow-up actions
 - Ensure that individual PVUSD team members are clear about specific follow-up actions and timelines for which they are responsible, including completion of PVUSD forms
 - ✓ Distribute IEP copies
 - ✓ Close:
 - Thank parents for attending and participating in the IEP meeting
 - Encourage parents to contact school or other PVUSD staff if they have questions or concerns at any time
 - Provide parents with names and telephone numbers of school or other PVUSD personnel to contact if they have questions or concerns
 - ✓ Parents whose primary language is not English must be provided with specific information on how their questions and concerns will be addressed in their primary language or other mode of communication (e.g., a bilingual contact person)
 - Discuss the arrangements for translation of the IEP
 - Document the distribution of copies of the IEP to all staff who will be implementing it
 - When parents do not agree with any part or all of the IEP, inform the parents of their rights, and assist them in requesting an informal conference, a mediation only hearing, or a due process hearing. Also, inform appropriate PVUSD personnel of the disagreement
- **Additional Best Practices**
- ✓ Ensure that the concerns of parents 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 child," and "From your perspective, what can we do to help?"
 - ✓ Throughout the meeting, invite parent comments and questions, and check for parent understanding
 - ✓ Whenever possible, use language comprehensible to the general public and limit the use of educational jargon
 - ✓ Ensure that parent information and independent educational evaluations (IEEs) are received, considered, and documented within the IEP
 - ✓ Specify a time in the future when the parent will receive a response if a concern or question cannot be addressed at the meeting
 - ✓ Take every opportunity to make parents feel part of the team
 - ✓ Provide parents with a copy of the Community Advisory Committee (CAC) brochure inviting parents to join. Reference the [CAC page](#) on the PVUSD website for additional information.

G. CONTENT OF THE IEP

IEPs for all students enrolled within PVUSD special education and related services must be entered and maintained within the Web-based IEP system. The following sections list the information that must be included within each student's IEP.

1. GENERAL STUDENT INFORMATION

The following general student information must be included within each student's IEP:

- ❑ Demographics such as student name, date of birth, gender, primary language, grade, ethnicity, English Learner status, etc.
- ❑ Contact information for the student's emergency contact(s)
- ❑ Description of the student's disability/disabilities and how it/they affect the student's academic performance
- ❑ Any parental concerns
- ❑ For English Learner (EL) students, parent's preferred language and whether or not an interpreter is needed

2. PRESENT LEVEL OF ACADEMIC ACHIEVEMENT & FUNCTIONAL PERFORMANCE

Present levels provide a snapshot of the student's present levels of performance including the activities the student can and cannot do. This information serves as a foundation for the development of the goals and benchmarks in the IEP and:

- ❑ Must include the results of the most recent evaluation or reevaluation
- ❑ Must include the information most relevant to the student's present levels of performance

Within the IEP, IEP teams must list the assessments conducted and any other sources of information used to describe the student's present levels, which may include:

- ❑ Formal or informal methods
- ❑ Norm- or criterion-referenced tests
- ❑ Classroom observation
- ❑ Student work samples
- ❑ Teacher-made tests or other achievement tests
- ❑ Recent evaluations
- ❑ Behavior rating scales
- ❑ Performance data from general education teachers
- ❑ Parent input

Present levels must include:

- ❑ A statement of the student's academic achievement (core curriculum) and functional performance (self-help, social-emotional, organizational skills, and/or daily living). Functional performance must be stated even if the student is functioning with age appropriate skills
- ❑ A description of the requirements and expectations in the general education curriculum (what is taught, how is it taught, what instructional activities are students engaged in, how are knowledge and skills demonstrated and evaluated)
- ❑ A description of the ways in which the student's disability(ies) will affect the student's involvement and progress in the general education curriculum
 - Include statements that address each major area of the curriculum that are impacted by the student's disability
- ❑ Beginning no later than the first IEP to be in effect, when the student is 16, must include results of age appropriate transition assessments related to training/education, employment, and (where appropriate) independent living skills
 - Transitional assessments may be formal and/or informal and may include observations, anecdotal information, on-the-job tryouts, classroom performance examples, tests, work samples, apprenticeships, paid work experiences or student work programs
- ❑ If a student has related services, related service staff will:
 - Collaborate with the teacher of record to develop present levels related to any area(s) of concern. For more information on related services, reference the [Related Services section](#).
- ❑ Note that if the student is an English Learner, the IEP team must identify the student's primary and/or dominant language and which language the student prefers to use at school when determining Present Levels. Each student's language dominance must be considered in goals. The IEP team must specify the student's English Language Development proficiency level and other information including, but not limited to, expressive and receptive language skills.

3. CONSIDERATION OF SPECIAL FACTORS

a. ASSISTIVE TECHNOLOGY

As part of Free Appropriate Public Education (FAPE), PVUSD must provide Assistive Technology (AT) devices and/or services to a disabled student at no charge to the family of the students. This is only the case if the student's IEP indicates that the student requires the AT in order to benefit from his/her educational program. Note that Assistive Technology excludes surgically implanted medical devices or replacement of such devices. Also note that Assistive Technology is **not** educational technology. AT provides access to the curriculum while Educational technology (hardware and software) functions as a supplement to the curriculum that reinforces concepts taught and is one of the many instructional tools available to a teacher. The need for educational technology should **not** be specified in the IEP.

The IEP team must consider, for each student, whether assistive technology (AT) services are needed in order for the student to benefit from his/her educational program. (20 USC 1414(d)(3)(B)(v), 34 CFR 300.324 (a)(2)(v), 30 EC 56341.1(b)(5)). When doing so, IEP teams must:

- ❑ Discuss if the student requires assistive technology, using information previously discussed by the team
- ❑ Focus first on specific present levels of performance
- ❑ Consider any assessment information presented
- ❑ In addressing the student's need for assistive technology begin with low/no tech (i.e. graphic organizers, color coding, picture boards) to mid-level technology (calculator, books on tape) to higher-level technology (word processor, computers)
- ❑ If equipment is recommended, use descriptive terms, not brand names (i.e. notebook or computer not "Canon 250")
- ❑ Be sure that the need for assistive technology is documented in the student's present levels of performance, and that goals and objectives incorporate the assistive technology selected

IDEA regulations require that if the IEP team determines that a student requires a particular assistive technology device for home use in order to achieve the goals and objectives on the IEP, PVUSD must provide the equipment for the student to use at home. The IEP team must base its decision for home use on the educational and instructional activities that the student needs to complete outside of the school setting.

b. LOW INCIDENCE DISABILITY

Low Incidence (LI) disabilities include the following:

- ❑ Hearing Impairments
- ❑ Vision Impairments
- ❑ Severe Orthopedic Impairments
- ❑ Any combination of the above

PVUSD must provide the following specialized services for students with LI disabilities:

- ❑ Specially designed instruction related to the unique needs of students with low-incidence disabilities
- ❑ Specialized services related to the unique needs of students with low-incidence disabilities provided by qualified individuals such as interpreters, note-takers, readers, transcribers, and other individuals who provide specialized materials and equipment

The following checklist indicates required considerations:

- ❑ For a student with a LI disability such as deafness or blindness, the IEP includes specialized services, equipment and materials consistent with state guidelines *(20 USC 1414(d)(3)(B)(i-v), 34 CFR 300.324 (a)(2)(ii-iii), 30 EC 56345(b)(5), 30 EC 56136.)*
- ❑ The IEP team discusses required elements for a student who is blind or has visual impairments *(20 USC 1414(d)(3)(B)(iii), 34 CFR 300.324 (a)(2)(iii), 30 EC 56341.1(b)(3).)*
- ❑ The IEP team:
 - Determines the appropriate medium/media for the student in accordance with state guidelines *(20 USC 1414(d)(3)(B)(iii), 34 CFR 300.324 (a)(2)(iii), 30 EC 56352(c), 30 EC 56341.1(b)(3).)*
 - Considers the provision of instruction in Braille and the use of Braille, unless the team determines after evaluation that Braille instruction or use is not appropriate for the student *(20 USC 1414(d)(3)(B)(iii), 34 CFR 300.324 (a)(2)(iii), 30EC 56341.1(b)(3), 30EC 56352(e).)*
- ❑ For a student who is deaf, the IEP team considers:
 - Language and communication needs *(20 USC 1414(d)(3)(B)(iv), 34 CFR 300.324 (a)(2)(iv), 30 EC 56341.1(b)(4).)*
 - Opportunities for direct communications with peers and professional personnel in the student's language and communication mode *(20 USC 1414(d)(3)(B)(iv), 34 CFR 300.324 (a)(2)(iv), 30 EC 56341.1(b)(4).)*
 - 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), 34 CFR 300.324 (a)(2)(iv), 30 EC 56341.1(b)(4).)*

c. COMMUNICATION NEEDS

IEP teams must consider:

- ❑ Students' communication needs
- ❑ The following for deaf and hard of hearing students:
 - Student's language and communication needs
 - Student's opportunities for direct communications with peers and professional personnel in the student's language and communication mode
 - Student's academic level
 - Student's full range of needs, including opportunities for direct instruction in the student's language and communication mode
- ❑ If the student is an English Learner (EL), IEP teams must indicate so as part of the overall present levels of performance in communication, including primary language. IEP teams must include information about the student's levels of

functioning in both primary language and English, including listening, speaking, reading and writing

In addition, the IEP team must specifically discuss:

- ❑ Student's primary language mode & language, which may include the use of spoken language with or without visual cues, or the use of sign language, or a combination of both
- ❑ Availability of a sufficient number of age, cognitive, and language peers of similar abilities
- ❑ Appropriate, direct, and ongoing language access to education specialists and other specialists who are proficient in the student's primary language mode and language
- ❑ Services necessary to ensure communication-accessible academic instructions, school services, and extracurricular activities
- ❑ Functioning of hearing aids, and how to ensure that those worn in school are working properly
- ❑ Proper functioning of external components of surgically implanted medical devices

Note that PVUSD is not responsible for the postsurgical maintenance, programming, or replacement of any medical device that has been surgically implanted, or of an external component of the surgically implanted medical device.

4. SUPPORTS FOR INSTRUCTION

a. SUPPLEMENTARY AIDS, SERVICES, ACCOMODATIONS AND MODIFICATIONS

PVUSD is required to provide supplementary aids, and services may include accommodations and modifications to a student's educational program if the student requires them to benefit from his/her education. Supplements may include, but are not limited to those in the following areas:

- ❑ ***Presentation***
 - Braille
 - Directions given in a variety of ways
 - Highlighted text
 - Large print
 - Modified curriculum
 - Oral tests
 - Reduced paper/pencil tasks
 - Repeated review/drill
 - Short-answer tests
 - Shortened assignments

- Sign language
 - Taped lectures
 - Taped texts
- ***Setting/Response***
 - Increased verbal/response time
 - Preferential seating
 - Sign language
- ***Timing/Scheduling***
 - Extended time for completing assignments
 - Extended time for completing tests
 - Frequent breaks
- ***Use of Aids or Tools***
 - Assignment notebooks (planner)
 - Calculator
 - Low vision aids
 - Study sheets
- ***Additional Support/Assistance***
 - Individualized instruction
 - Note-taking assistance
 - Peer buddy
 - Peer tutor
 - Reader services

b. PROGRAM ACCOMODATIONS, MODIFICATIONS OR SUPPORTS FOR SCHOOL PERSONNEL

The IEP teams must specify any supports that school personnel may need to enable the student to:

- Advance appropriately toward attaining the annual goals
- Be involved in and make progress in the general education curriculum
- Participate in extracurricular and other nonacademic activities
- Be educated and participate with other students with disabilities and nondisabled students in activities

5. BEHAVIOR

a. BEHAVIOR THAT IMPEDES LEARNING

For students with behavior that interferes with his/her learning or that of others, PVUSD must describe the behavior.

Consider the impact on students' achievement. Are these less academic or social skills learned by this student or others because of the problem behavior? Does this behavior raise safety or welfare concerns?

Examples of How Behavior May Interfere with Learning:

- Unavailable for Instruction
- Reduced Skills Learning
- Reduced Productivity
- Lack of Work Production Negatively Impacts Progress/Grades
- Disrupts Other Students' Opportunity to Learn
- Requires Activities/Class Instruction to Stop
- Instructional Time is Lost for Disciplinary Proceedings
- Requires Full Adult Attention During the Problem Behavior
- Negative Interaction with Peers (creates fear and an environment where peers are hyper vigilant about this student, which interferes with peers learning)

Depending on the severity of the student's behavior, PVUSD must consider:

- ☐ The provision of accommodations
- ☐ Positive behavior interventions and supports, including goals
- ☐ The provision of a Functional Behavior Assessment (FBA) and a Behavioral Intervention Plan (BIP)

PVUSD must describe strategies, including positive behavioral interventions and supports to address the student's behavior.

The need for a Behavior Intervention Plan:

- | | |
|---|-----------------------------------|
| <input type="checkbox"/> Early Stage Intervention | <input type="checkbox"/> Moderate |
| <input type="checkbox"/> Serious | <input type="checkbox"/> Extreme |

Early Stage:

The student's teacher(s) take the lead role in developing an early stage intervention. The BIP is a part of the IEP/504 or, if general education only, can attach to Instructional Support Team meeting notes.

General Principle: Behavior is not yet significantly impacting learning of student or classroom functioning but could escalate if not addressed. It is assumed that general classroom management techniques are not sufficient, or that the unique nature of the behavior or the stakeholders on the team are requiring a formal, individual plan.

Examples of behaviors potentially fulfilling the criteria "early stage:"

- Behavior has not generalized to more than one specific situation
- Behavior has only occurred recently, less than 3-4 times

Moderate:

The student's teacher(s) or others may take the lead role in developing a BIP when moderate need is shown. The BIP is a part of the IEP/504 or, if general education only, can attach to Instructional Support Team meeting notes.

General Principle: Behavior is beginning to significantly impact classroom functioning or student learning.

Examples of behaviors potentially fulfilling the criteria "moderate:"

- Behavior has generalized to multiple settings
- Behavior has been repeatedly occurring (e.g., daily, weekly)
- Behavior disrupts the classroom functioning and students are unable to complete anticipated work due to frequency of the teacher's need to address this behavior
- Student is not mastering core curriculum at anticipated rate nor (if the student has an IEP) progressing in IEP goals and objectives.

Serious or Extreme:

If the student has an IEP/504 team – include additional district team member(s) designed by the district.

- If the student has an IEP/504 plan and the behavior is defined as "serious" in California Ed Code: "assaultive, self-injurious or is another pervasive maladaptive behaviors," stop now. Consult www.pent.ca.gov for information on how to develop a behavior plan for these behaviors. Specific personnel must be involved, and specific data collection and plan development procedures performed. **DO NOT WRITE A PLAN FOR SERIOUS OR EXTREME BEHAVIOR WITHOUT CONSULTATION WITH DESIGNATED STAFF.**
- If student does not have an IEP/504 plan and the behavior is "serious" or "extreme" as defined below, assessment to determine if student has a "suspected disability" may or may not be necessary. Consult with special education staff before proceeding.

Serious Designation:

General Principle: Student's behavior may require systematic observations and data collection and analysis procedures.

Examples of serious behavior which require an expanded team to adequately address the problem:

- **Assaultive:** Physical assaults that require staff to manage the problem safely to protect this student and/or staff or peers. (If the behavior has occurred only once, a behavior plan may or may not be required, but careful analysis of the situation is required to assure future safety of all.)
- **Self Injurious:** Physically harming self (e.g., repeatedly hits self on head; continuous skin-picking resulting in health issues; hitting self repeatedly in nose, causing nose bleeds and bruising. (Note: “cutting” by adolescents, a self-mutilation behavior, is often a demonstration of a need for mental health treatment. Appropriate referrals and mental health assessment are essential. A BIP may or may not be required, depending on whether the cutting is occurring in school, or the student is revealing his or her cuts in school.)
- **Other Pervasive Maladaptive:** Serious behaviors that interfere with quality of life, and or IEP goal mastery (e.g., maladaptive behaviors) and/or occurring in multiple environments (e.g., pervasively). For example, throws clothing off in class or on bus, projectile vomiting in response to requests to perform tasks, refusals to attend school, or fear of school (school phobia) and/or severe anxiety over performance. (Note: school refusals and school phobia may or may not be indicative of underlying unaddressed mental health needs. Consider mental health assessment and referrals in addition to BIP.)

Extreme Designation:

General Principle: Student poses a safety issue to others or to self. Student’s behavior may require systematic observations and data collection and analysis procedures.

Examples of serious behavior which require an expanded team to adequately address the problem:

- Student has made a very serious substantive threat to harm self or others, e.g., threatens to kill self or others. The student does not typically have moderate to severe disability and often has no eligibility to date. Appropriate services/interventions/ referrals have been arranged and determination of need for mental health assessment to rule out disability has been determined (e.g., a BIP alone is not sufficient) See: Guidelines for Responding to Student Threats of Violence, www.pent.ca.gov. The student is in an appropriate placement, but requires close follow-up monitoring now. This plan is a supplementary aid and support to maintain the placement.
- Severe self-injury: physically harms self, at an extreme level, leaving significant evidence of the attack (e.g., hits self-hard enough to break skin; leaves large bruises, damages organs). The student typically has moderate to severe disability.
- **DO NOT WRITE A BIP FOR THE STUDENT WITH AN IEP WHO DEMONSTRATES THESE BEHAVIORS. EXPAND THE TEAM TO INCLUDE A PERSON WITH DOCUMENTED EXPERTISE WITH STUDENTS WITH THIS BEHAVIOR WHO WILL BE**

**AVAILABLE FOR SIGNIFICANT ON-GOING SUPPORT OF THE TEAM
IMPLEMENTING THE PLAN. DEVELOP A HIGHLY DATA-DRIVEN PLAN IN
ALIGNMENT WITH STATE LAW.**

A BIP is used when a student engages in behavior that requires support and there is sufficient data to identify appropriate supports. In this case, the behavior is not so serious that it requires an FBA and BIP.

The BIP must contain the following:

- ❑ Description of the student's current positive and targeted behavior, including data reflecting intensity, frequency and duration (such as Antecedent – Behaviors - Consequence)
- ❑ Description of learning areas impeded by the behavior
- ❑ Description of how behavior impedes learning
- ❑ Determination 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 in 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, social skills curriculum 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
- ❑ Data collection can be composed of:
 - ✓ General teacher impressions on the frequency, intensity or duration of the problem behavior
 - ✓ Review of records
 - ✓ Interviews with staff and other stakeholders (e.g., parents, agency service providers, etc.) on extent of problem behavior
 - ✓ Objective data sheets collected by implementers or others to reveal the extent of the problem behavior
 - ✓ Direct observations of the behavior by more than one person
 - ✓ Systematic, frequent and on-going data collection often with external observers establishing inter-rater reliability on the extent of the problem behavior (e.g., it is

- established that two or more raters agree on the extent of the problem behavior)
- ✓ The selected data collection method will depend on the severity of the problem behavior. If the behavior is an early stage intervention, less intensive data collection methods may be employed. However, for serious or extreme behavior, data accuracy must be at the highest level, and therefore requires selection of more formal data collection methods.
- ❑ Specify one or more: frequency, duration, or intensity to convey to the reader the extent to which this behavior is significant.
 - ✓ Frequency (How often the behavior happens):
 - Every ten seconds
 - Three times per week
 - Periodically during the month, see behavior logs: averages 2 x per month
 - One time in 1999, 6 times in 2004, 0 in 2005, 10 times in 2006
 - ✓ Intensity: A description of the heightened impact of the behavior, e.g., the depth, the force, the strength, the vigor or extreme level of the behavior.
 - (Screams) loud enough to be heard in adjacent classrooms
 - (Hits with retracted fist) hard enough to leave bruises on person(s) hit
 - (Bites) hard enough to leave marks, but has not yet broken skin
 - ✓ Duration: How long the behavior lasts
 - (After Lunch – 5th and 6th Periods), Entire Period with no stopping
 - Continuous for 20 minutes

Functional Behavior Assessment (FBA) & Behavioral Intervention Plan (BIP):

To consider whether a student needs an FBA or BIP, the IEP team must ask whether the student:

- ❑ Needs to learn and/or use new behaviors, skills, and/or strategies
- ❑ Demonstrates behaviors that are unsafe and/or significantly interfere with the behavior/instruction of others
- ❑ Has current behavior that requires intervention
- ❑ 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
- ❑ Addresses and outlines emergency procedures
- ❑ Definition of serious unresponsive or limited responsiveness to BIP

b. SERIOUS BEHAVIOR PROBLEM

A serious behavior problem means the individual's behaviors are self-injurious, assaultive, or the cause of serious property damage and other severe behavior problems that are pervasive

and maladaptive for which instructional/behavioral approaches specified in the student's IEP are found to be ineffective (*5 CCR § 3001 (aa).*).

Disability regulations require that PVUSD conduct a Functional Behavior Assessment (FBA), resulting in a Behavioral Intervention Plan (BIP), when a student develops a "serious behavior problem," and the IEP team finds that the instructional/behavioral approaches specified in the student's IEP have been ineffective (*5 CCR §§3001 (f), 3052 (b).*).

Reference the [Behavior Assessment](#) section for more information on FBAs and BIPs.

6. TRANSITION

Transition services include appropriate, measurable goals that are based on age-appropriate transition assessments. Any area addressed must be based on the student's needs, taking into account the student's strengths, preferences, and interests.

PVUSD must provide transition services to students with disabilities as follows:

- ☐ Before transfer from Pre-School to Kindergarten
- ☐ Before transfer from Elementary to Middle School
- ☐ Before transfer from Middle School to High School
- ☐ Non-public school (NPS) to general education
- ☐ On or before age 14 or 15
- ☐ If turning 16 before next IEP
- ☐ Before exiting school due to graduation, completion of course of study, or age out

a. PRE-SCHOOL TO KINDERGARTEN

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

With parental permission, the student's Case Manager should:

- ☐ Update the student's assessment information, an assessment plan must be signed
- ☐ Convene an IEP meeting at which updated information is shared and goals and objectives are developed with consideration of Kindergarten placement options

For a student who is exiting special education after preschool, the IEP team must note the student's present levels of performance and learning style. The IEP team must also provide this information to the student's 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 must begin planning for the student's transition to Middle School.

With parental permission, the student's Case Manager must:

- ❑ 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 must consider Middle School service delivery options at this time and identify the appropriate service(s)

The IEP team must outline and address each student's individual needs, i.e. student needs support when transitioning from one class to another or priority seating is required, etc. Communication/Professional Development pertaining to the difference in structure of the school day between Elementary and Middle School staff will be provided.

c. MIDDLE SCHOOL TO HIGH SCHOOL

Prior to the school year that a student will enter High School, the student's teacher and parent must begin planning for the student's transition to High School.

With parental permission, the student's Case Manager must:

- ❑ 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 High School service delivery models
 - ✓ The IEP team must consider High School service delivery options at this time and identify the appropriate service(s)

The IEP team must outline and address each student's individual needs, when transitioning from one class to another pertaining to difference in structure of the school day between Middle and High School staff will be provided.

d. NON-PUBLIC SCHOOL (NPS) TO GENERAL EDUCATION

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

- ❑ A description of activities provided to integrate the student into the regular 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).)

e. POST-SECONDARY EDUCATION

1) FOR STUDENTS AGED 14 OR 15

Transition planning for students with disabilities age 16 and above is designed to provide exploratory activities including developing a sense of self-awareness and self-determination. Activities involve identifying interests, strengths, and preferences by using interest inventories, transition-planning profiles, and interviews to begin the process of student-centered transition planning.

The site administrator/case manager must adhere to the following guidelines to ensure that a student's Individualized Transition Plan (ITP) has been completed by the time he or she turns 16:

- ❑ The Case Manager shall monitor the IEP annual review or re-evaluation dates for each student 15 years of age to ensure an IEP/ITP meeting is convened
- ❑ Assessments at this age are informal and embedded throughout instruction provided by a teacher
- ❑ Additional formal assessments. An assessment plan must be created by Special Education staff and then signed by parent or guardian before any assessments take place

2) FOR STUDENTS AGED 16 AND ABOVE

When a student turns 16, his/her IEP team must include within his/her IEP courses of study that focus on improving academic and functional achievement from school to post-school activities. (34 CFR 300.320(b), 30 EC 56345(a)(8)(B).)

PVUSD must determine a student's Transition Services using a variety of assessment tools that are culturally, developmentally, and linguistically appropriate. Transition assessment instruments and procedures should provide the IEP/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.

Transition assessment for students 16 and above is a formal process. Age-appropriate transition assessments must be conducted. Based on student need, this evaluation may include:

- ❑ Future planning needs and goals
- ❑ Self-determination
- ❑ Academic strengths and needs (including behavior, if appropriate)
- ❑ Vocational interests
- ❑ Aptitudes and abilities both in the classroom and the community
- ❑ Needs for interagency services and community linkages

Specifically the student's IEP must:

- ❑ 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 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 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).)*

In addition, the student's IEP Team must:

- ❑ Reconvene to identify alternative strategies to meet the transition objectives when an agency other than the PVUSD 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 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 their postsecondary goals (*20 USC 1414 (c)(5)(B)(ii)*, *30 EC 56381(i)(2)*.)

The case manager must adhere to the following guidelines to ensure that a student's ITP has been completed by the time a student turns 16:

- ❑ 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 case manager 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
- ❑ The results of the assessment will be reviewed at the IEP meeting convened **prior** to the student's 16th birthday. Assessments include evaluation of:
 - 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
 - Community on-the-job training including Regional Occupational Programs, participation in Small Learning Community academics activities, school-based business enterprises, etc.
 - Service Learning project
 - Community-based instruction work settings
 - Supported work experiences
 - Work experience
 - Other activities as appropriate

Postsecondary goals are required for 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.

- ❑ At least **one goal** must be related to training/education and employment (one goal can be developed for both)
- ❑ The IEP must 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 must be based on age appropriate assessments, as described in present levels of academic achievement and functional performance
- ❑ Postsecondary goals may be considered earlier if deemed appropriate by the IEP team
- ❑ Postsecondary goals must be outlined within a student's Individualized Transition Plan (ITP)

3) FOR STUDENTS EXITING SCHOOL

The summary of academic achievement and functional performance 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 must complete a student's academic achievement and functional performance pages 1 and 2. Recommendations on how to assist the student in meeting their post-secondary goals, must be included.

IEP Teams must follow the following procedures when completing a student's Summary of Performance (SOP)- Post Secondary Exit:

- ❑ *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 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 section that does 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 if known

7. STATEWIDE ASSESSMENTS

Student's IEPs must contain the following information in relation to Statewide and District-wide Achievement Tests:

- ❑ A statement on participation in District or Statewide achievement tests without accommodations or modifications, or with such accommodations or modifications (*20 USC 1414(d)(1)(A)(i)(VI)(aa), 34 CFR 300.320 (6)(i), 30 EC 56345(a)(6).*)
- ❑ An explanation of why it is not appropriate for the student to participate in general education District or Statewide achievement tests, if the IEP team makes that decision (*20 USC 1414(d)(1)(A)(i)(VI)(bb), 30 EC 56345(a)(6).*)
- ❑ A statement of how that student will be tested if statewide or District tests are not used (*20 USC 1414(d)(1)(A)(i)(VI)(bb), 34 CFR 300.320(6)(i)(ii), 30 EC 56345(a)(6).*)

In addition, students with disabilities residing within PVUSD are eligible for exemption from the statewide testing, which is a graduation requirement. In order to be exempt from the statewide testing, students must have an IEP or Section 504 plan that states that the student is scheduled to receive a high school diploma, and has satisfied or will satisfy all other state and local requirements for high school graduation. This is subject to change by state law.

8. MEASURABLE GOALS

IEP teams must consider all areas in which a student has educational needs that require a measurable annual goal and transition services (i.e., *academic/cognitive; motor, behavior, communication, social, self-help and transition*). Goal information must include the personnel (i.e., special educator, general educator, parent, speech/language pathologist, student, adapted physical educator, related service provider or other appropriate personnel) responsible for implementing goals and objectives.

Measurable goals include academic and functional goals designed to meet the student's needs that result from his/her disability to enable him/her to be involved in and make progress in the general education curriculum.

The IEP must show a direct relationship between the present levels of performance, the goals and objectives, and the specific educational services to be provided.

IEP team members must:

- ❑ Develop a measurable annual goal for each student's identified area of need
- ❑ Develop goals that address student's needs and that are skill-based and provide access to the core curriculum as appropriate; not areas in which the student has yet to be exposed to material

- ❑ Develop goals that:
 - ✓ Are measurable
 - ✓ Are related to the student's needs that result from the disability
 - ✓ Enable the student to be involved in and progress in the general education curriculum
 - ✓ Describe what the student can reasonably be expected to accomplish within a twelve month period
 - ✓ Are linguistically appropriate
 - ✓ Address vocational or pre-vocational needs
 - ✓ Enable a preschool child to participate in appropriate activities
 - ✓ Student's grade level content standards
- ❑ Support goals with appropriate baseline data that reflects where the student is presently functioning relative to the desired outcome/goal
- ❑ Use baseline data that includes objective measures such as pre and post testing, scores on standardized tests or other measurable, objective data
- ❑ For students taking alternative assessment (e.g., the CAPA), develop a minimum of two benchmarks/objectives for each goal that:
 - ✓ Addresses what the student will do
 - ✓ Describes the conditions
 - ✓ Describes the evaluation standards
 - ✓ Are sequenced toward the annual goal
- ❑ Identify the person(s) responsible for the implementation of the goal

Standards are the basic framework of the general curriculum and the criteria used to define accountability. In order to ensure that students have the opportunity to access the general curriculum and to participate meaningfully in the statewide assessment process, essential content standards must be used to develop IEP goals and objectives/benchmarks to coordinate instruction, learning and assessment. Standards provide a common language and help bridge the gap between special education and general education.

Designing standards-based IEPs facilitates support for students in achieving the standards, assists students in performing their best on standards-based district and statewide assessments and helps ensure that students are promoted. Types of standards include:

- ❑ **Content Standards:** Describe what students are expected to know and be able to do in each subject area and grade level. This should be based on the student's grade level, not their ability level
- ❑ **Essential Standards:** Identify specific content critical to the student's program through the curriculum
- ❑ **Alternate Standards:** These standards are a subset of the CA standards appropriate for students with the most significant cognitive disabilities who take alternate assessments

9. PROGRESS REPORTS

Progress Reports inform parents about the extent to which their children are progressing toward achievement of the academic and functional annual goals. Although a standard format for progress reports is not mandated by IDEA 2004, it is required that PVUSD send progress reports to and/or review progress reports with parents/guardians at least as often as report cards are issued. Progress reports are to be updated and turned in with all annual and triennial IEPs.

Federal regulations for the implementation of IDEA 2004, state that an IEP shall include:

- ❑ A description of how the child's progress toward meeting the annual goal(s) will be measured
- ❑ When periodic reports on student progress will be provided
- ❑ Well-developed goals in a student's IEP to identify:
 - ✓ The skill that a student is working toward
 - ✓ The anticipated growth in one year's time
 - ✓ How growth will be measured and with what tool

The IEP must also state how often progress will be reported to the child's parent(s)/guardian(s). This reporting frequency should not be any less than that used for the student's typical peers.

Progress reports must be issued by a student's special education teacher(s); however, parents must also receive progress reports from related service providers if their child's IEP contains related services (e.g. OT, PT, and Speech) goals.

For example, if a student receives speech services and has instructional support for math, parents should receive a progress report from the speech and language therapist in addition to the one from the special education teacher. Progress needs to be reported on **all** goals in the IEP.

Progress reports must/may include:

- ❑ Formal or informal assessment
- ❑ State or District assessment results
- ❑ Alternate assessments (portfolios, performance-based, curriculum-based measures)
- ❑ Current levels of academic performance
- ❑ Parent and student interviews
- ❑ Observations
- ❑ Student self-monitoring progress reports
- ❑ Inventories of student's interests, strengths or needs
- ❑ Objective counselor and/or teacher ratings
- ❑ Routine discipline data
- ❑ Verified reports of relevant behavior patterns

- ❑ Progress toward designated instructional or related service goals
- ❑ Attendance

10. SPECIAL EDUCATION SERVICES

"Special education," in accordance with Section 1401(29) of Title 20 of the United States Code, means specially designed instruction, at no cost to the parent, to meet the unique needs of individuals with exceptional needs, including instruction conducted in the classroom, in the home, in hospitals and institutions, and other settings, and instruction in physical education

In accordance with Section 300.39 of Title 34 of the Code of Federal regulations, special education services include each of the following, if the services otherwise meet the requirements of the preceding definition:

- ✓ Speech-language pathology services, or any other designated instruction and service or related service, pursuant to Section 56363, if the service is considered special education rather than a designated instruction and service or related service under state standards *(30 EC 56031)*
- ✓ Travel training *(30 EC 56031)*
- ✓ Vocational education *(30 EC 56031)*
- ✓ Transition services for individuals with exceptional needs may be special education, in accordance with Section 300.43(b) of Title 34 of the Code of Federal Regulations, if provided as specially designed instruction, or a related service, if required to assist an individual with exceptional needs to benefit from special education *(30 EC 56031)*
- ✓ Individuals with exceptional needs shall be grouped for instructional purposes according to their instructional needs *(30 EC 56031)*

11. RELATED SERVICES

Related services are supportive services that a student with disability requires in order to benefit from special education. Such students require services to allow them to meet their special education goals.

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

- ❑ Speech and language pathology
- ❑ Audiological services
- ❑ Orientation and mobility services
- ❑ Instruction in the home or hospital
- ❑ Adapted physical education
- ❑ Physical and occupational therapy
- ❑ Vision services
- ❑ Counseling and guidance services, including rehabilitation counseling
- ❑ Psychological services
- ❑ Parent counseling and training

- ❑ Health and nursing
- ❑ Social worker services
- ❑ Vocational education and career development
- ❑ Recreation services
- ❑ Specialized services for low incidence disabilities
- ❑ Interpreting services
- ❑ Transportation

Related services are provided by professionals who meet California state requirements in their area of expertise. A student's Individualized Education Program (IEP) team must decide which related services to include within his/her IEP. IEP teams must make this decision based on an analysis of the assessment data and the student's individual needs and whether related services can assist in meeting those needs.

After determining that a student will benefit from a related service, the IEP team must create goals related to the related service that the student needs. The IEP must provide details of the following:

- ❑ The type of related service the student requires
- ❑ How often, how long, and where the related service will be provided
- ❑ IEP team will determine if a goal is appropriate to be included in the IEP for transportation. If a goal is not appropriate, a statement, in the IEP must be made to illustrate the need for transportation.

a. SPEECH AND LANGUAGE PATHOLOGY

In order for students to be deemed eligible for speech and language pathology services, they must be classified as exhibiting one or more of the following:

- ❑ Articulation Disorder:
 - ✓ The student displays reduced intelligibility or an inability to use the speech mechanism, which significantly interferes with communication and attracts adverse attention (*C.C.R., Title 5, Sec. 3030 (c) (1)*)
 - ✓ 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 (*C.C.R., Title 5, Sec. 3030 (c) (1)*)
 - ✓ A student does not meet the criteria for articulation disorder if the sole assessed disability is an abnormal swallowing pattern (*C.C.R., Title 5, Sec. 3030 (c) (1)*)
- ❑ Abnormal Voice:
 - ✓ A student has an abnormal voice, which is characterized by persistent, defective voice quality, pitch, or loudness (*C.C.R., Title 5, Sec. 3030 (c) (2)*)
- ❑ 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 (*C.C.R., Title 5, Sec. 3030 (c)*)
- Language Disorder:
 - ✓ 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 and not merely those which are designed to provide a single general intelligence quotient in one or more of the following areas of language development: morphology, syntax, semantics, or pragmatics. PVUSD does not administer IQ test to students where the results will be used solely for “cognitive referencing” when determining eligibility for speech and language.
 - ✓ The student 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 must 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

A student is eligible for speech and language pathology related services if his/her IEP Team concludes that the student meets the following standards, as applicable:

- Articulation Disorder:
 - ✓ A student having hearing within the normal speech range shall be assessed as having an articulation disorder when the student demonstrates a developmental delay in the production of one or more phonemes
 - ✓ A preschool child between the ages of 3 and 5 years must have one or more sound articulation errors delayed by a minimum of six months according to a developmental scale of articulation competency
 - ✓ Upon entering kindergarten and up to age 8, a student must have one or more sound articulation errors delayed by a minimum of one year according to a developmental scale of articulation competency.
 - An exception to this year delay would be lateralization of sibilant sounds. Students who produce lateralized s, z, sh, ch, or j, should receive therapy as soon as the sound in error goes beyond the developmental scale
 - ✓ Students age eight and above must have one or more misarticulations and demonstrate one or more of the following:
 - Lack of stimulability in syllables/words
 - Consistency of error in two or more speaking situations
 - Reduced intelligibility in conversational speech
- Abnormal Voice:

- ✓ A student shall be assessed by a IEP Team as having abnormal voice when the

disorder adversely affects educational performance

- ✓ When indicated, vocal assessment shall include a medical laryngeal examination
- ✓ The IEP TEAM documents that the abnormal voice is:
 - Noticeable to both familiar and unfamiliar listeners
 - Interferes with communicating
 - Noticeable over a long period of time
 - Inappropriate for the student's age and/or sex
- ❑ Fluency Disorder
 - ✓ A student shall be assessed by a 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
 - ✓ A student shall be assessed by an IEP team as having a language disorder. 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

b. AUDIOLOGICAL SERVICES

Audiological related services include the following:

- ❑ Hearing screenings
- ❑ Formal audiological evaluations
- ❑ Auditory processing evaluations
- ❑ Ear mold impressions
- ❑ Teacher in-service
- ❑ Hearing conservation information

In order for students to be deemed eligible for the audiological related services, they must be

classified as hearing impaired or deaf according to the following definitions:

- ❑ A student has a hearing impairment whether permanent or fluctuating, which impairs the processing of linguistic information through hearing, even with amplification, and which adversely affects educational performance. Processing linguistic information includes speech and language reception and speech and language discrimination (*C.C.R., Title 5, Sec. 3030*)
- ❑ 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 education performance (*C.F.R. 300.7(c)(3)*)

An IEP team must classify a student as deaf based on the following criteria:

- ❑ Current audiological measures of auditory functioning with and without amplification as determined by a qualified audiologist
- ❑ Current assessment of receptive and expressive communication skills and current educational performance reveals significant impairment

An IEP team must classify a student as hearing impaired based on the following criteria:

- ❑ 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 and hearing
 - ✓ Academic achievement of the student
 - ✓ Speech and language of the student

If the above requirements are satisfied, the evaluation of the student may include an assessment of the student's cognitive abilities and social and emotional condition.

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
 - ✓ 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
 - ✓ The student has an average hearing threshold of 30 decibels or more
- ❑ 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 the result of congenital or post lingual deafness
- ✓ The student has an average hearing threshold level, at 500, 1,000 and 2,000 Hz, of 92 decibels or more

c. ORIENTATION AND MOBILITY SERVICES

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. A separate evaluation by an Orientation & Mobility specialist (RCOE) is required to determine the student's need for instruction in adaptive techniques for travel due to vision loss.

At the student's IEP meeting, the IEP team must determine and identify the following:

- ❑ Initiation Date of O&M Services
- ❑ Duration of O&M Services
- ❑ Description of individualized service needs
- ❑ 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 (R C O E) will collaborate with the student's teacher(s) of record to develop present levels related to the area of concern associated with the student's independent travel abilities.

Sample Goals. Goals related to a student's orientation and mobility services must address a student's significant deficit areas. Goals must be specific to the student and be measurable and attainable. Sample goals include the following:

- ❑ For a student learning how to access the community:
 - ✓ Goal: Student A will develop skills in making a safe street crossing at a residential crossing
 - Objective 1: Student A will scan left and right as implemented by the Orientation & Mobility Specialist, starting (date), with 50% current achievement, with 100% target achievement and completed by (date)
 - Objective 2: Student A will wait for an all clear before beginning his street crossing as implemented by the Orientation & Mobility Specialist, starting (date), with 50% current achievement, with 100% target achievement and completed by (date)
 - Objective 3: Student A will cross with the "fresh" green light cycle as implemented by the Orientation & Mobility Specialist, starting (date), with 70% current achievement, with 100% target achievement and completed by (date)
- ❑ For a student learning to use a cane:
 - ✓ Goal: Student B will develop safe use of a long cane as implemented by the

Orientation & Mobility Specialist, starting (date), enabling him to progress in the curriculum, with 40% current achievement, and with 100% target achievement completed by (date)

- Objective 1: Student B will detect drop-off (top step on a staircase and the curb) and stop before proceeding as implemented by the Orientation & Mobility Specialist, starting (date), with 50% current achievement, with 100% target achievement and completed by (date)
- Objective 2: Student B will utilize proper cane technique when ascending and descending stairs as implemented by the Orientation & Mobility Specialist, starting (date), with 40% current achievement, with 100% target achievement and completed by (date)

d. INSTRUCTION IN THE HOME OR HOSPITAL

Special education and related services provided in the home or hospital for school age students is limited to those who PVUSD has identified as having a disability in accordance with the procedures described in Part IV: Procedures for Determining Eligibility and for whom an IEP team recommends such instruction or services.

Instruction in the home or hospital is provided by a general education teacher or an education specialist qualified to provide such instruction and services. The teacher/specialist providing the home instruction must contact the student's previous school and teacher to determine:

- ❑ The course work to be covered
- ❑ The books and materials to be used
- ❑ Who is responsible for issuing grades and promoting the student when relevant
- ❑ For students in grades 7 to 12, the teacher must confer with the school guidance counselor to determine:
 - ✓ The hours the student has earned toward semester course credit in each subject included in the IEP 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

When recommending placement for home instruction, the IEP team must:

- ❑ Include in the assessment 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. The team must meet to reconsider the IEP prior to the student's projected calendar date for return to school
- ❑ Review and revise the IEP whenever there is a significant change in the student's current medical condition

e. ADAPTED PHYSICAL EDUCATION

PVUSD must provide adapted physical education to school age students 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.

PVUSD 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 regular physical education program or specially designed physical education programs.

f. PHYSICAL AND OCCUPATIONAL THERAPY

There are no specific requirements outlining a student's eligibility for Physical Therapy or Occupational Therapy. Rather, 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, instead of a focus on projected limitations of a singular diagnosis, disease, or disorder. The student's activity limitations and participation restrictions experienced in gaining access to the educational program are assigned a high priority.

Note: OT and PT are not a stand-alone service.

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

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

In accordance with disability regulations, OTs must provide/assist students with the following:

- ☐ Improving, developing, or restoring functions impaired or lost through illness, injury, or deprivation (*IDEA regulations, Title 34, Code of Federal Regulations, Section 300.34(c)(6)*)
- ☐ Improving ability to perform tasks for independent functioning if functions are impaired or lost (*IDEA regulations, Title 34, Code of Federal Regulations, Section 300.34(c)(6)*)

- ❑ Preventing, through early intervention, initial or further impairment or loss of function (*IDEA regulations, Title 34, Code of Federal Regulations, Section 300.34(c)(6)*)

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

PTs provide students with the following services:

- ❑ Physical or corrective rehabilitation (*The California Physical Therapy Practice Act, in Business and Professions Code Section 2620*)
- ❑ 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 (*The California Physical Therapy Practice Act, in Business and Professions Code Section 2620*)
- ❑ Physical therapy evaluation, treatment planning, instruction and consultative services (*The California Physical Therapy Practice Act, in Business and Professions Code Section 2620*)

Referral process should follow PVUSD's standard referral procedures. As the assessment should always focus on the problem(s) identified, team members may want the teacher to complete the "Therapy Needs Survey" (see Appendix B of RCOE guidelines), "Review of Existing Data Related to OT" (see Appendix C of RCOE guidelines), and/or for the team to complete the "Team Discussion Points about Need for OT Referral for Evaluation" (see Appendix D of RCOE guidelines) prior to making a referral for educational based therapy assessment. It is recommended that the referral team utilize these forms to address the questions about the student's developmental levels, current performance and needs for services from a specialist. Public schools are not required to provide a related service to a student with disabilities simply because the student will benefit from the service. The IEP team must determine that a related service is warranted only if it is necessary for the student to benefit from the special education instruction. When the team has explored the strategies, activities and resources available within the instructional program, and has determined that the student is not likely to benefit from this program's opportunities without additional professional services from an OT or PT, then the case should be referred for a specialized evaluation. The IEP team may want to review the "Fine and Visual Motor Development Milestones" (see Appendix E of RCOE guidelines) and/or "OT Problems and Strategies Chart" (see Appendix F of RCOE guidelines) when reviewing the students educational program.

g. VISION SERVICES

PVUSD through RCOE must provide vision services to students visually disabled through the use of credentialed teachers and/or eye specialists.

Credentialed teachers must provide such services, which may include:

- ❑ Adaptations in curriculum, media, and the environment, as well as instruction in special skills
- ❑ Consultative services to students, parents, teachers, and other school personnel

Vision specialists employed by RCOE must:

- ❑ Conduct an assessment of and provision for services to visually impaired students
- ❑ Provide consultation to the student, parents, teacher and other school personnel as may be requested by the student's IEP team

h. COUNSELING AND GUIDANCE SERVICES, INCLUDING REHABILITATION COUNSELING

PVUSD must provide counseling and guidance services to students with disabilities when the student's IEP team determines that additional counseling and guidance services are necessary to supplement the regular guidance and counseling program.

PVUSD must offer eligible students the following counseling and guidance services:

- ❑ Educational counseling in which the counselor assists the student in planning and implementing his/her immediate and long-range educational program
- ❑ Career counseling in which the counselor assists the student in assessing his/her aptitudes, abilities, and interests in order to make realistic career decisions
- ❑ Personal counseling in which the counselor helps the student to develop his/her ability to function with social and personal responsibility
- ❑ Counseling and consultation with parents and staff members on learning problems and guidance programs for students

i. PSYCHOLOGICAL SERVICES

PVUSD must offer psychological services to students with disabilities when the student's IEP team determines that such services are required for the student to benefit from his/her educational program.

PVUSD must offer the following psychological services:

- ❑ Counseling provided by a credentialed or licensed psychologist or other qualified personnel
- ❑ Consultative services to parents, students, teachers, and other school personnel
- ❑ Planning and implementing a program of psychological counseling for the student and parents

j. PARENT COUNSELING AND TRAINING

If a student receives special education and related services, his/her parent may also need services to enable them to support their child's education. This is particularly true for parents of infants and toddlers. The Individuals with Disabilities Education Act (IDEA) recognizes the need for parents to receive such services. IDEA refers to these services as "parent counseling and training."

Providing parent counseling and training means that PVUSD must:

- ❑ Assist parents in understanding the special needs of their child
- ❑ Provide parents with information about child development
- ❑ Help parents to acquire the necessary skills that will allow them to support the implementation of their child's Individualized Education Program (IEP) or Individualized Family Services Plan (IFSP)

Parent counseling and training can cover a range of areas. Parents of children with special needs often need assistance learning how best to communicate, interact and teach their child.

Most parents do not have any background or training in the educational programs and methods being implemented by their child's school. Therefore, if they are to be effective in understanding and supporting their child's IEP, many of them will need special training and counseling to do so.

Decisions about all related services, including parent counseling and training, must be made by the IEP team and written in the IEP document. Parents are part of the IEP team and can ask that training for the family in the student's mode of communication is included in the student's IEP. The specialists on the IEP team can provide training to the parent/family in the area of their expertise.

k. SPECIALIZED HEALTH CARE

PVUSD must provide specialized healthcare 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.

Educational related health 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 necessary during the school day to enable the student to attend school.

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 educational related health services.

I. VOCATIONAL EDUCATION AND CAREER DEVELOPMENT

PVUSD must provide vocational education and career development 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.

PVUSD must provide such services, which are designed to prepare students for employment and independent living. They are a coordinated set of activities that promote movement from school to post-school environments. These tailored activities consider each student's preferences, potential, abilities, and interests and include:

- ❑ Instruction
- ❑ Community integration
- ❑ Employment
- ❑ Other post-school adult living objectives

For more information on the type of vocational education and career development services that PVUSD provides to students with disabilities, reference the [Transition](#) and [Transition Services](#) sections.

m. 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.

Education Code Section 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 Section 56026.5 (hard of hearing, deaf, deaf-blind, visually impairment, or severe orthopedic impairments, or any combination thereof).

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

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

Low Incidence funding is legally the responsibility of PVUSD, including accountability of how the funds are used and reassignment of specialized books, materials and equipment within PVUSD.

PVUSD has established procedures and guidelines for purchases through the Low Incidence fund.

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 Education Code 56026.5. Students who have severe orthopedic impairments require highly specialized services, equipment and materials per Education Code Section 5600.5(b).

Education Code Section 56320(g) requires that persons knowledgeable of that disability shall assess a student with a suspected low incidence disability. A low incidence disability does not guarantee the use of low incidence funds. 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.

There are guidelines 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 PVUSD's core curriculum with appropriate accommodations. These guidelines are as follows:

- ❑ An individual/team (IEP) considers the need for AT (Assistive Technology) for a student whose disability may be limiting access to curriculum or limits their development of skills for independent living.
- ❑ The individual/team documents concerns regarding the student's ability to access the core curriculum and documents interventions that have been implemented (What are the concerns and what has already been tried?)
- ❑ The individual/team completes the Assistive Technology Consideration Packet (found in SEIS document library).
- ❑ AT Consideration Packet Student Information
 - ✓ Release of information signed by parent
 - ✓ Current IEP with goals
 - ✓ Most recent triennial assessment reports from all service providers
- ❑ Request packet is submitted to the supervisor for review.
- ❑ Specialist consults with school site and appropriate IEP team members including parents regarding student needs.
- ❑ Assigned specialist completes Assistive Technology Consideration Packet recommending further interventions or assessment.
- ❑ The Consultation Summary is shared with the student's Case Manager by the assigned specialist and if assessment is warranted, the Case Manager completes the assessment plan and obtains parent signature. Case Manager informs assigned PS of assessment plan.
- ❑ Upon receipt of parental permission, the assigned specialist completes the assessment, paying particular attention to the following:
 - ✓ Consideration of current assessment reports
 - ✓ Level of language skills
 - ✓ Current modes of communication
 - ✓ Physical abilities and constraints
 - ✓ Student's educational environment, activities and goals
 - ✓ If assistive technology seems to be appropriate, the specialist identifies a range of assistive technology that may be appropriate.
- ❑ A field test of equipment may be appropriate if equipment is available and the test can be completed before the 60 day assessment timeline expires. The specialist will assist the teacher, student, parent or other appropriate personnel in the implementation of the device.

- ❑ An IEP meeting is scheduled by the Program Specialist with recommendations of the specialist. A written report will be presented to the parent and team at the meeting. The report will include the following information:
 - ✓ Student background and history including disability
 - ✓ Previous interventions and results

- ✓ Need for technology support
 - ✓ Justification for technology support with a statement of specific IEP goals that will be addressed through the use of the equipment
- ❑ The specialist will submit the Technology Equipment Request packet to the Supervisor for review and ordering of equipment. The packet must include:
- ✓ Technology Equipment Request form indicating low incidence or non-low incidence funding
 - ✓ Assessment Plan
 - ✓ Assessment report
 - ✓ Current IEP including goals
 - ✓ Each Specialist is to maintain a current inventory of equipment and assigned students using an Excel spreadsheet or other district-wide database on the S drive. Inventory must be updated monthly.
- ❑ Re-allocation of equipment:
- ✓ If the student moves from the district or SELPA, equipment purchased will be re-allocated as appropriate. If the equipment is needed by other students, it may be re-assigned.
 - ✓ When the student no longer needs the equipment, it may be re-assigned to other students.
 - ✓ If equipment is re-assigned to another student, the need for such equipment or devices must be assessed and documented in the IEP.
 - ✓ When equipment or materials become obsolete or unusable, they must be declared surplus, and sent to the district warehouse for disposal.
 - ✓ Serviceable equipment or materials that have been purchased through Low Incidence funds and are no longer needed or used within the district will be offered for use in neighboring SELPAs by the Special Education Department.

n. INTERPRETING SERVICES

PVUSD 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.

q. TRANSPORTATION

IDEA defines transportation as:

- ❑ 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

Transportation services also include “travel training” and “orientation and mobility services.” Travel Training and Community Based Instruction are defined as “providing instruction, as appropriate, to children with significant cognitive disabilities, and any other children with disabilities who require this instruction, to enable them to develop an awareness of the environment in which they live and learn the skills necessary to move effectively and safely from place to place within that environment, as for example in school, in the home, and in the community.” 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. PVUSD is required to provide transportation to students with disabilities if transportation is required to assist such students to benefit from their educational programs. If transportation is deemed necessary, it must be provided free of charge to the student.

PVUSD’s school choice program also has implications for transportation. The following guideline applies for PVUSD’s offering of Free Appropriate Public Education (FAPE):

- ❑ If a parent chooses to place their 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 PVUSD is not obligated to provide transportation to that student:
 - This is because PVUSD does not guarantee transportation for ANY child who participates in the PVUSD’s voluntary school choice 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 non-disability related reasons.

IEP teams should do the following when evaluating a student’s transportation needs:

- ❑ Discuss a student’s transportation needs at each IEP meeting
- ❑ 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 her specific educational setting, is capable of using the same options to get back-and-forth to school as 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 Plan (BIP) for the student
- ✓ Student's mid-day transportation needs for other related services

Note that not every child, by the sole reason that they receive special education services, will receive transportation as a related service, just like every child who receives special education does not automatically receive speech-language pathology services, for example. This is because the need for transportation, like all related services, should be *determined on a case-by-case basis depending on whether the student needs the service to benefit from his/her education.*

After an IEP team has decided a student's educational plan and assessed 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) 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 either as curb-to-curb service by a special school bus, taxi service, or reimbursed voluntary parental driving. Because transportation is a related service it should be addressed during every IEP meeting, the IEP team should evaluate a student's transportation 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.

There are a few considerations that IEP teams should consider when deciding 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 they most likely need curb-to-curb services
- ❑ **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 bus stop long? If so, and depending on considering the student's age and disability, the student may need curb- to-curb service
- ❑ **Nature and Conditions of Route to Bus Stop:** Is there considerable potential hazard on the route between home and the bus stop, including difficult terrain or heavy traffic, given the student's age and disability?
- ❑ **Public and Private Assistance:** Are there crossing guards on the route? Are there older siblings that are also walking to the bus stop? If so, and the student only needs guidance and the normal protections against traffic.

12. PLACEMENT IN THE LEAST RESTRICTIVE ENVIRONMENT

IEP teams must discuss the placement that is the least restrictive environment (LRE) for students with disabilities. In this context, placement refers to facilities, personnel, location or equipment necessary to provide all of the services identified in the IEP.

Core LRE Basic Principles:

- ❑ ***Standards for Removal from General Education.*** The IEP team must ensure that special day classes, separate schools, or other removal of students with disabilities from the general education environment, occurs only if the nature or severity of the disability is such that education in general education classes with the use of supplementary aids and services cannot be achieved satisfactorily (i.e., student is not receiving educational benefit)
 - ✓ "General educational environment" encompasses general education classrooms and other settings in schools such as lunchrooms and playgrounds in which students without disabilities participate
- ❑ ***Begin Consideration with General Education Class.*** The IEP team must always begin consideration of placement in a general education class, along with the provision of special education/related services and the use of supplementary aids and services
 - ✓ These may include the provision of differentiated instruction, assistive technology, and provision of specialized services either in or briefly outside of the general education class
- ❑ ***Attendance in School Student Would Attend if Not Disabled.*** Unless the IEP of a student with a disability requires some other arrangement, the student is educated in the school that he/she would attend if nondisabled. If the student must be placed in another school to receive FAPE, the placement must be as close as possible to his/her home
 - ✓ ***Integration.*** To the maximum extent appropriate, students with disabilities, including students in public (including charters) and private institutions or other care facilities, must be educated with students without disabilities
 - ✓ ***Potential Harmful Effects.*** When considering LRE, the IEP team must consider any potential harmful effect of a placement on the student or on the quality of services that he/she needs and what strategies may be used to counter these effects
 - ✓ ***Need for Modifications.*** A student with a disability may not be removed from education in age-appropriate general education classrooms solely because the general education curriculum needs to be modified
 - ✓ ***Impermissible Factors.*** In all cases, the LRE decision must be individually determined on the

basis of each student's abilities, needs, and IEP, and not solely on factors such as category of disability, severity of disability, availability of special education and related services, configuration of the service delivery system, availability of space, transportation routes, or administrative convenience. For example, a student with a primary disability of Emotional Disturbance (ED) must not be assumed to require and automatically placed in an "ED program"

Residential Care. If placement in a public or private residential program is necessary to provide special education and related services, the program, including non-medical care and room and board, must be at no cost to the parents

Timing of Decision. The LRE decision is based on the student's unique needs and made only after all goals, modifications, and accommodations have been developed in the IEP

Discussion Questions. For the location of instruction/services, IEP team members must consider the following:

- ✓ Where would the student attend school if he or she did not have a disability?
- ✓ What accommodations and modifications have been used to support the student in the general education class?
- ✓ After a review of the modifications and accommodations designed in the IEP, what additional strategies and supports have been identified to facilitate the student's success in the general education setting?
- ✓ If the student is not currently receiving instruction and/or services in a general education setting, what strategies could be used to do so?
- ✓ Based on IEP goals and objectives or benchmarks, what instructional setting(s) would support the achievement of these goals and objectives or benchmarks?

The following checklist summarizes PVUSD's legal obligations related to placing students within LREs:

- ❑ Steps are taken, including placement of classes, to ensure that the student with a disability participates in academic, nonacademic and extracurricular services and activities to promote maximum interaction with the general education school population (*20 USC 1412 (a)(1), 20 USC 1415 (a)(5), 34 CFR 300.114(2)(i & ii), 34 CFR 300.107, 30 EC 56345(a)(4), 30 EC 56364.2, 30 EC 56033.5, 30 EC 56000.5.*)
- ❑ Students with disabilities are educated with students who are not disabled (*20 USC 1412(a)(5), 34 CFR 300.114 (2)(ii), 30 EC 56345(a)(4).*)
- ❑ Placement in special classes, separate schooling, or other removal of students with disabilities from the regular educational environment occurs only when the nature or severity of the student's disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily (*20 USC 1412(a)(5), 34 CFR 300.114 (2)(ii), 30 EC 56345(a)(4).*)
- ❑ A full continuum of services and placements are available if needed for each individual with disabilities (*20 USC 1412(a)(5), 34 CFR 300.115, 30 EC 56361.*)
- ❑ The IEP team considers:
 - ✓ General education programs (*20 USC 1412(a)(5), 34 CFR 300.320(a)(5), 30 EC 56361(a).*)
 - ✓ General education classroom with resource specialist services (*20 USC 1412(a)(5), 34 CFR 300.305(a)(2)(iv), 30 EC 56361(a)-(b).*)
 - ✓ General education classroom with designated instruction and services or related

- services (20 USC 1412(a)(5), 34 CFR 300.115(b)(2), 30 EC 56361(a) & (c).)
- General education classroom with some services in special classes and centers that enroll students with similar and more intensive educational needs (20 USC 1412(a)(5), 34 CFR 300.115 (b)(2), 30 EC 56361(a) & (d).)
- Special classes and centers (20 USC 1412(a)(5), 34 CFR 300.114(a)(2), 34 CFR 300.115(a) & (b)(1), 30 EC 56361, 30 EC 56364.2.)
- Instruction in settings other than classrooms (20 USC 1412(a)(5), 34 CFR 300.115(b), 34 CFR 300.117, 30 EC 56361.)
- Itinerant instruction in classrooms, resource rooms, and settings other than classrooms (20 USC 1412(a)(5), 34 CFR 300.115, 34 CFR 300.117, 30 EC 56361.)
- Telecommunication and instruction in the home, in hospitals, and in other institutions (20 USC 1412(a)(5), 34 CFR 300.115(b)(1), 34 CFR 300.117, 30 EC 56361.)
- Nonpublic, nonsectarian school services (20 USC 1412(a)(5), 34 CFR 300.114(a)(2)(i), 34 CFR 300.118, 30 EC 56361.)
- State special schools (30 EC 56361(f).)
- Nonpublic schools and agency services certified by the state (30 EC 56034.)

13. ENGLISH LEARNERS

English Learners (ELs) are students whose Home Language Survey indicates a language other than English. EL students who qualify for special education services receive both special education services and appropriate language acquisition services. When developing the IEP for English 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 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 description of activities that lead to the development of the student's English language proficiency (34 CFR 300.320, 5 CCR 3001.)
- ❑ Include a description of instructional systems that meet the language development needs of the student and ensure access to the general education curriculum (34 CFR 300.320, 5 CCR 3001.)
- ❑ Ensure that teachers who provide instruction to English 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.)
- ❑ Whenever possible, maximize appropriate primary language support
- ❑ For each goal, specify the language of instruction by using the following phrase: "... in the language of instruction that will align with the EL pathway at the school site that maximizes his/her primary language"
 - Example: Student, when reading a third grade passage, will apply basic syllabication

rules when decoding multi-syllabic rules [RE.2.1.2] in the language of instruction that will align with the EL pathway at the school site that maximizes his/her primary language as implemented by the Special Education teacher, Student, Parent, Teacher from 10% to 90% by 1/4/2011

- ❑ Create English Language Development (ELD) goals or objectives that are related to English Language Acquisition (ELA) goals for all students identified as ELs
- ❑ Ensure that all English Learner students receive a minimum of 30 consecutive minutes of English Language Development targeted at their proficiency levels

14. EXTENDED SCHOOL YEAR (ESY)

Extended School Year (ESY) is a related service that PVUSD provides students with disabilities beyond the regular school year, in accordance with the student's IEP, at no cost to the parents.

PVUSD must ensure that extended school year programs are available as necessary to provide Free Appropriate Public Education (FAPE). (34 C.F.R. § 300.309(a)(1).)

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 (FAPE). The following is a non-exhaustive list of factors that PVUSD must consider:

- ❑ Regression/Recoupment Test: PVUSD must provide ESY services to individuals with disabilities that are likely to continue indefinitely or for a prolonged period. For these students, an interruption of the student's educational programming may cause regression, when coupled with limited recoupment capacity, making it unlikely that the student will attain the level of self-sufficiency and independence that would otherwise be expected in view of his /her handicapping condition
- ❑ Nature and severity of the student's disability
- ❑ Whether the student is making steady progress
- ❑ What happens to the student when regularly scheduled breaks occur during the school year, i.e., semester breaks, winter vacation, etc.
- ❑ Whether the benefits the student gains during the regular school year will be significantly jeopardized if he is not provided with ESY
- ❑ Ability of the student to interact with peers
- ❑ The student's vocational needs
- ❑ Availability of alternative resources
- ❑ Whether there are "emerging skills" and "breakthrough opportunities" such as when a student is on the brink of learning to read
- ❑ Other relevant information

In addition to considering the above factors, the IEP team must:

- ❑ Provide data to support their decision
- ❑ Indicate specialized academic instruction, DIS services, frequency and duration under ESY

section of the IEP

15. TRANSITION SERVICES

Transition services and support prepare students for employment and independent living. They are a coordinated set of activities that promote movement from school to post-school environments. These tailored activities consider each student's preferences, potential, abilities, and interests. They include instruction, community integration, employment, and other post-school adult living objectives.

Transition services include appropriate, measurable post-secondary goals that are based on age-appropriate transition assessments. Any area addressed must be based on the student's needs, taking into account the student's strengths, preferences, and interests.

Transition services must be:

- ❑ Designed to be within a results-oriented process that is focused on improving the academic and functional achievement to facilitate movement from school to post-school activities, including postsecondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation
- ❑ Based on the individual student's needs, taking into account strengths, preferences, and interests; and includes, but is not limited to:
 - Instruction
 - Related services
 - Community experiences
 - The development of employment and other post-school adult living objectives
 - Acquisition of daily living skills and provision of a functional vocational assessment, if appropriate

The IEP team must consider transition services beginning no later than the first IEP to be in effect when the student turns 16 (or younger as determined by the team), and update information on transition services annually.

The IEP team must address transition services prior to age 16 years so they are in place by this age and another IEP meeting does not have to be held to address the issue. In addition, the team may address transition services at an earlier date if the team has determined that transition assessments, goals, supports, or services should be addressed.

16. INDIVIDUALIZED TRANSITION PLANS (ITP)

The Individualized Transition Plan (ITP) is a written plan identifying the progressive steps a student

will take to meet post-graduation goals. It includes the following information:

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

To begin transition services, the student will complete a transition planning interview to identify his or her needs. The IEP team must then develop an individualized transition plan (ITP) based on an interview. The ITP is designed to accomplish the student's stated goals from the interview.

Included in the ITP are the goals and benchmarks needed to achieve identified outcomes. The ITP may include related instruction in life and employability skills designed to maintain actual employment. Evaluations and assessments may be identified to assist the student in achieving his or her stated outcomes.

The ITP must also identify essential activities needed to achieve transition goals. Such activities may include evaluations, when to apply for scholarships, application and registration requirements for Post-Secondary Settings (Community College, State University, etc) when to identify trade schools or colleges, and setting up linkages to adult services and supports.

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

- ❑ Community Colleges
- ❑ Department of Rehabilitation
- ❑ Employment Development Department
- ❑ Regional Centers
- ❑ Regional Occupational Programs
- ❑ Social Security Administration

Specific steps that IEP teams must follow to create ITPs are as follows:

- ❑ Identify student needs based on current evaluations:
 - ✓ Student needs related to involvement and progress in the general education curriculum (academic needs)
 - ✓ Other educational needs that result from the disability
 - ✓ Transition needs for students age 16 and over
 - ✓ If the student is identified as Limited English Proficient (LEP), the language needs of the student must be considered and noted on the IEP
 - ✓ If the student is legally blind or visually impaired, instruction must be provided in Braille OR the IEP team must document why instruction in Braille is not appropriate

- ❑ Establish goals and short term objectives: Include a statement of each measurable annual goal, including academic and functional goals, designed to do the following:
 - ✓ Meet the student's needs that result from the student's disability in order to enable the student to be involved in and make progress in the general curriculum
 - ✓ Meet each of the student's educational needs that result from the individual's disability
 - ✓ At annual and three year reviews, IEP teams must address the previous year's goals and objectives and note on the IEP whether goals were met. If previous goals were not met, IEP teams must document that appropriate action(s) to be taken (i.e. continue, discontinue or modify)
 - ✓ The IEP team must develop a list of services and/or equipment necessary to achieve the annual goals developed. Frequency, duration, and location of services to be provided must be specified on the IEP. Frequency of service may reflect a range of time or sessions to allow for scheduling variability
- ❑ Consider program alternatives:
 - ✓ In considering program alternatives, the IEP team must make recommendations based on the individual needs of the student and not on the category under which the student is determined to be eligible for special education
 - ✓ To the maximum extent appropriate, students with disabilities should be educated with children who are not disabled. The IEP team must consider the full continuum of program options to ensure that all students are provided a free and appropriate public education (FAPE) in the Least Restrictive Environment (LRE) and document options considered on the IEP
 - ✓ After reviewing all program options, the IEP team must recommend appropriate specialized academic instruction and services, calculated to offer the students the opportunity to achieve educational benefit
- ❑ Sign appropriate forms
 - ✓ All IEP team members, including parents and student (when student is in attendance) sign the IEP. If the student/parents consent to the IEP and placement of their child, they will so note and sign the IEP document
 - ✓ If the parent does not consent to all components of the IEP, then those components of the program to which the parents have consented may be implemented so as not to delay providing instruction and services to the student. The parent should be informed of their Due Process rights
- ❑ Distribute completed forms to appropriate individuals

Individual Transition Plan (ITP). The ITP must include:

- ✓ ***Postsecondary Goals.*** Appropriate measurable postsecondary goals based upon age appropriate transition assessments related to: employment, residential, education/training, financial/economic, and independent living
- ✓ ***Description of Services.*** The transition services (including courses of study) needed to assist the student in reaching those goals
- ✓ ***Consideration of Graduation.*** As part of transition planning, the IEP team must determine the student's projected graduation status. All students, including those receiving

the majority of instruction in special day classes (SDC) are considered diploma-bound, unless determined otherwise by the IEP team

17. GRADUATION 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, medical or many other learning or perceptual challenges.

IEP teams must map a detailed plan for each student that spells out services and course requirements through graduation (or Certificate of Completion). The team must 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 section [Individualized Transition Plans](#) for additional information on ITPs.

The State of California sets a minimum requirement for graduation of 130 credits of specified core subjects. Students with IEPs are required to meet the PVUSD standard of **225 credits for graduation with a diploma**.

An IEP team must 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
- ❑ Receive adequate support classes to pass the standardized test or receive a waiver for the exam
- ❑ 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, receive a modified individual schedule in order to ensure graduation, success in the core curriculum, and successful transition beyond high school.

The governing board, with the active involvement of parents, administrators, teachers, and students, shall adopt alternative means for students to complete the prescribed course of study, which may include:

- ❑ Practical demonstration of skills and competencies
- ❑ Supervised work experience or other outside school experience
- ❑ Career technical education classes offered in high schools
- ❑ Courses offered by regional occupational centers or programs
 - ❑ Interdisciplinary study
 - ❑ Independent study

- ❑ Credit earned at a postsecondary institution

Graduation Requirements for PVUSD	
English	<ul style="list-style-type: none"> ▪ A student must pass forty (40) credits in English approved in the District program of study. ▪ English 9, English 10, English 11, English 12 for a total of forty 40 credits
Mathematics	<ul style="list-style-type: none"> ▪ A student must pass twenty (20) credits in Mathematics, including: <ul style="list-style-type: none"> - Math I as demonstrated by passing the course or equivalent and by passing the End-of-Course assessment.
Sciences	<ul style="list-style-type: none"> ▪ A student must pass ten (10) credits in Physical Science and ten (10) credits in Biological (life) Science, for a total of 20 credits
Social Science	<ul style="list-style-type: none"> ▪ A student must pass ten (10) credits of world history; ten (10) credits of United States history; and five (5) credits of United States government, and five (5) credits of Economics. For a total of 30 credits
Health	<ul style="list-style-type: none"> ▪ A student must pass five (5) credits in Health Science
Visual and Performing Arts	<ul style="list-style-type: none"> ▪ A student must pass ten (10) credits in courses approved by the District for Fine Arts credit.
Physical Education CA State Dept. of Education	<ul style="list-style-type: none"> ▪ Minimum 2 years – twenty (20) credits required by law. Students who fail to pass CDE Fitness Test must 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 (to be replaced with twenty (20) GE credits)
Electives	<ul style="list-style-type: none"> ▪ 85 PVUSD approved elective credits
Total Credit for graduation	<ul style="list-style-type: none"> ▪ 230
Assessments	<ul style="list-style-type: none"> ▪ California High School Exit Exam waiver is available providing student takes appropriate support classes (See Appendix C), technology literacy, and senior project if applicable

18. IEP TEAM MEETING NOTES

This is a required component of every IEP meeting.

IEP Notes are designed to capture information discussed during an IEP meeting. Teams should assign a note taker before the IEP meeting begins. The note taker must:

- ❑ Capture information and/or discussion not reflected in the rest of the IEP
- ❑ Summarize what was discussed
- ❑ Document that the student's parents received a copy of the IEP and procedural safeguards
- ❑ Document parent participation within the IEP meeting
- ❑ Document if parents require further clarification on free, appropriate public education (FAPE)
- ❑ Document any required follow-up tasks for issues that were not resolved during the IEP meeting
- ❑ Document any information that the parent requests be added to the notes
- ❑ Document full names of all meeting participants
- ❑ Document all parental requests expressed during the IEP meeting. Also, note PVUSD's response to parental requests
- ❑ 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
- ❑ If there are problems getting parents to actively participate in the meeting, document all PVUSD attempts to encourage parent participation
- ❑ 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
- ❑ Identify any reports that were reviewed and considered by the IEP team, this includes any Independent Educational Evaluation (IEE) provided by the parents
- ❑ Clearly identify next steps, including individuals responsible if needed
- ❑ Proofread the notes and review with the team, including the parents, before finalizing the IEP

H. AMENDING IEP DOCUMENT

IDEA Section 614(d) (3) (D) In making changes to a child's IEP after the annual IEP meeting for a school year, the parent of the child with a disability and the LEA may agree not to convene an IEP meeting for the purposes of making such changes, and instead develop a written document to amend or modify the child's current IEP.

Following review and finalization of a student's IEP, changes in circumstances may lead to amendments to the student's IEP. IEP Amendments:

- ❑ Occur after the annual IEP has been developed and signed
- ❑ Do **not** change the due date of when the next annual IEP is due

- ❑ 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
 - ✓ Serves as the option for making minor amendments to the IEP, where parent and district agrees that the meeting is not needed

When amending an IEP, IEP teams must:

- ❑ Contact the student's parent(s) to discuss the proposed change
- ❑ Inform the parent that the proposed change needs to occur through a team process, but can happen with or without a meeting
 - ✓ If the parent requests further discussion through a meeting process, PVUSD must call and hold an IEP meeting
 - ✓ If the parent and PVUSD agree that the change(s) can occur without a meeting:
 - The parent(s) and PVUSD discuss the IEP change(s)
 - PVUSD notes the areas to be changed on the IEP within the Agreement to Amend IEP form.
 - PVUSD prints the Agreement to Amend IEP form
 - Parent(s) and appropriate PVUSD personnel sign the Agreement to Amend IEP form.
- ❑ Ensure that the original IEP is finalized before amending it
- ❑ Send copies of the following to the student's parent(s):
 - ✓ Agreement to Amend the IEP
 - ✓ Amended IEP
 - ✓ Prior Written Notice informing the parent of the proposed changes to the IEP
 - ✓ Parent Consent/Objection form.
- ❑ When parental permission is received, PVUSD must:
 - ✓ Inform the entire IEP Team of the amendments/changes made to the IEP
 - ✓ Implement the Amended IEP

Please note: In an amended IEP, the services page is amended to reflect the change in discussed service. Both the amendment and service page need to be saved, affirmed and attested.

I. TRANSFER STUDENT WITH IEP

It is possible for students who require special education and related services to transfer into PVUSD from other areas within California or other states. PVUSD must follow certain guidelines when handling the IEPs for students who transfer from other California districts or other states.

1. TRANSFER FROM OUT OF DISTRICT – 30 DAY INTERIM

The following guidelines govern how to handle IEPs for students who transfer into PVUSD from

another school district in California:

- ❑ A student transferring into PVUSD from another district within California must ***immediately*** be placed in an PVUSD program that is in conformity with the student's IEP for a period not to exceed **30 days** before a new IEP is developed in consultation with the parent (*20 USC 1414(d)(2)(C)(i)(1), 34 CFR 300.323(e), 30 EC 56325, 30 EC 56043(m).*)
- ❑ **Non-Public School:**
 - ✓ When a student's placement is changed from an PVUSD school to a Non-Public School (NPS) within the PVUSD Special Education Local Plan Area (SELPA), a 30-day Interim IEP meeting is **not** required
 - ✓ When a student's placement is changed from NPS to a public school within the PVUSD Special Education Local Plan Area (SELPA), a 30-day interim IEP meeting is **not** required

2. TRANSMITTAL OF RECORDS

When a student who is eligible for special education and related services transfers into PVUSD, from either within California or from another state, PVUSD must:

- ❑ Take reasonable steps to obtain the student's records, including IEP, from the student's previous school pursuant to Family Educational Rights and Privacy Act (FERPA)

Reasonable steps to take to locate a student's records include, but are not limited to:

- ❑ Calling the student's former school or district office in attempt to locate student records
- ❑ Sending a letter of request to the student's former school or district office
- ❑ Working with the student's parents to obtain the student's records

J. STUDENT WITHDRAWAL FROM PVUSD

1. GENERAL

If the parent of a student previously receiving special education services notifies the school that the student is being placed in a private school, the case manager must seek information to determine whether the parent will or will not seek reimbursement for the cost of private school.

In addition, the case manager must convene an IEP meeting to ensure that any parental concerns are addressed regarding PVUSD offer of FAPE and that these concerns are addressed appropriately in the IEP. If the parents do not wish or fail to attend the meeting, staff should discuss whether the parents expressed concerns about the student's IEP or program and address them, as appropriate, in the IEP. This meeting must include the Program Specialist.

Upon completion of the meeting, the Program Specialist must:

- ❑ Send a letter to the parents notifying them of the IEP and PVUSD's offer of FAPE, along

with the IEP and Notice of Procedural Safeguards

- ❑ Program Specialist must notify Director of Special Education of this occurrence.
- ❑ The Director of Special Education will send the parent a letter which clarifies the District's obligation regarding Parents' Unilateral Placements.

2. STUDENT ENROLLED IN PRIVATE SCHOOLS BY PARENTS

PVUSD special education services for students parentally placed in a private school setting consist of the following:

- ❑ Child Find
- ❑ Identification and assessment
- ❑ Initial assessment
- ❑ Development of the initial IEP (for students residing within the PVUSD boundaries)
- ❑ Development of an Individualized Service Plan (ISP) if the child remains in a non-profit private school
- ❑ Annual notification to review student progress and the continued availability of special education services
- ❑ Reassessment at least every **three years**
- ❑ Information, resources, interventions, and instructional supports related to the student's disability
- ❑ Professional development opportunities for private school teachers and administrators
- ❑ Parent training opportunities
- ❑ Written Notice of Procedural Safeguards

The IEP participants described earlier must meet to develop an Individualized Services Plan (ISP) for each private school student. In addition, staff must ensure that a representative of the religious or other private school is invited to attend each meeting. If the representative cannot attend, PVUSD must use other methods to ensure participation by the religious or other private school, including individual or conference telephone calls and written input. PVUSD must invite parents to review the ISP on an annual basis. A representative of the private school must be invited to participate if a meeting is requested. Students eligible for special education services must be evaluated every **three years** to determine the continued existence of a disability and the need for special education and related services.

Parents of the students enrolled in private school are not entitled to receive a due process hearing to challenge the contents of an ISP. Parents may file a complaint with CDE regarding PVUSD's failure to meet Child Find, assessment, or consultation requirements. The complaint must be filed with the school district in which the private school is located and a copy must be forwarded to the California Department of Education (CDE).

3. JUVENILE COURT AND COMMUNITY SCHOOLS

When the student is released from county/court schools the student should return to PVUSD's Placement Office, or the Student Services Office in accordance with disciplinary proceedings, parent/guardian request for a change of placement, or safety considerations.

Upon the student's return, the student's IEP Case Manager and the Special Education Department Chair's must ensure that:

- ❑ The student is reenrolled in school in appropriate classes (the student must not be sent home)
- ❑ The student's most current IEP is implemented
- ❑ An IEP review is held if IEP changes are necessary to meet the needs of the student

VII. EDUCATIONAL BENEFIT

A. EDUCATIONAL BENEFIT OVERVIEW

PVUSD IEP teams must keep the following in mind when providing special education and related services to students with disabilities. The California Department of Education (CDE) reviews Individualized Education Programs (IEP) to determine if the student's IEP is ***reasonably calculated*** for the student to receive educational benefit as defined by the federal court case, *Board of Education v. Rowley*.

Reasonable Calculation would include the following:

- ❑ The IEP Team identified needs related to:
 - ✓ The student's disability
 - ✓ Involvement and progress in the general curriculum
- ❑ Goals and objectives were established in each area of need
- ❑ Services were planned to support:
 - ✓ Progress toward all goals
 - ✓ Progress in the general curriculum
 - ✓ Participation in extracurricular and other nonacademic activities
 - ✓ Education with students with disabilities and non-disabled students
- ❑ The IEP Team reviewed the student's progress and adjusted the student's IEP if progress was not made and/or to address anticipated needs

The CDE's review process is directed toward answering the following questions:

- ❑ Is the assessment complete and does it identify the student's needs?
- ❑ Does the present level of performance include all of the needs identified in the assessment?

- ❑ Are all of the student's educational needs addressed by appropriate goals and objectives?
- ❑ Do the services support the goals and objectives?
- ❑ Did the student make yearly progress?
 - ✓ If the student did not make progress, were the goals and objectives changed in the next IEP to assist the student to make progress?
 - ✓ If the student did not make progress, were the services changed in the next IEP to assist the student to make progress?
 - ✓ Were sufficient services provided to ensure that the student would make progress?
- ❑ To assess for overall compliance: Considering the answers to each of the above, was the IEP reasonably calculated to result in educational benefit?

The CDE reviews three years of services starting either with an Initial or Triennial Review.

VIII. INFORMED CONSENT

A. INFORMED CONSENT OVERVIEW

Certain actions with respect to a student with a disability require parental consent, as described below. 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), 34 CFR 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), 34 CFR 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), 34 CFR 300.9, 30 EC 56021.1.*)

B. EDUCATIONAL RIGHTS HOLDER

1. 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, PVUSD's definition of a "parent" includes the following persons:

- ❑ Biological or adoptive parent
- ❑ Foster parent, unless state law, state regulations, or contractual obligations prevent the foster parent from acting as a parent
- ❑ Guardian (but not including the state if the student is a ward of the state)
- ❑ 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

- ❑ Surrogate parent who is authorized to act as the student's parent and to make educational decisions for the student

2. SURROGATE PARENT

A surrogate parent is an individual assigned by Special Education Supervisor 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.*)
- ❑ PVUSD cannot determine the parents' whereabouts (*20 USC 1439, 34 CFR 303.406, 17CCR 52175.*)
- ❑ The student is a ward of the state (*20 USC 1439, 34 CFR 303.406, 17 CCR 52175.*)

Surrogate parents are responsible for representing the student in all IEP meetings

When a referral for special education assessment is anticipated, PVUSD must determine if the appointment of a surrogate parent is needed to represent the student in special education.

If PVUSD decides that a student needs a surrogate parent, it must 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 the court on the whereabouts of the student's parents
 - ✓ In the case of court involvement, the court must specifically limit the right of a parent or guardian to make educational decisions before a surrogate parent is appointed

After it is clear that a student's parents cannot be located, PVUSD must complete the following process:

- ❑ School staff notifies Special Education Supervisor that the student may need a surrogate parent.
- ❑ Court worker forwards the court order to Special Education Department
- ❑ A volunteer or court recommended individual is trained and appointed as a surrogate parent

C. INITIAL EVALUATIONS

PVUSD must obtain parental consent before:

- ❑ Conducting an initial evaluation (*20 USC 1414(a)(1), 34 CFR 300.504(3).*)
 - ✓ If the parent refuses to consent or does not respond to PVUSD's request for consent for an initial evaluation, PVUSD 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).*)
- ❑ Note that parental consent to an initial evaluation does not constitute consent to the initial placement

D. RE-EVALUATIONS

PVUSD must obtain parental consent before:

- ❑ Conducting a reevaluation (*20 USC 1414(c)(3), 34 CFR 300.504(C)(3).*)
 - ✓ If the parent refuses to consent for a re-evaluation, PVUSD 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 PVUSD's request for consent, PVUSD may complete a re-evaluation without the parent's permission

E. CONSENT FOR SERVICES

PVUSD must obtain parental consent before:

- ❑ Initial provision of special education and related services to a student with a disability
- ❑ If the parent refuses to consent or does not respond to PVUSD's request for consent to provide special education and related services to the student for the first time, PVUSD cannot use mediation or due process to override the parent's lack of consent
 - ✓ If the parent does not provide consent for the initial provision of special education and related services, PVUSD is **not** required to develop an IEP and will not be in violation of the obligation to make a free appropriate public education available to the student

F. TRANSFER OF EDUCATION RIGHTS TO STUDENT

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 parents and student must be informed about this transfer of rights. The IEP must include a statement that the parent and student have been informed of his/her rights under IDEA, if any, that will transfer to the student.

PVUSD must:

- ❑ Inform the Parents:
 - ✓ Inform parents of the transfer of educational rights no later than the student's 17th birthday. This must be noted in the IEP
 - ✓ 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

G. CONSENT EXCEPTIONS

PVUSD is **not** required to obtain parental consent before:

- ❑ Reviewing existing data as part of an evaluation or a reevaluation
- ❑ A re-evaluation of a student if PVUSD personnel can demonstrate that they have taken reasonable measures to obtain parental consent, and the student's parent has failed to respond
- ❑ 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

IX. STUDENT DISCIPLINE PROCEDURES

A. STUDENT DISCIPLINE OVERVIEW

PVUSD is required to provide Free, Appropriate public education (FAPE) to all students with disabilities. This includes students that PVUSD suspends or expels. Students with disabilities have certain legal protections when their disciplinary removal from school constitutes a change in placement.

A "change in placement" refers to the need to modify a student's current educational placement. A change in placement has occurred if a student's suspension either:

- ❑ Exceeds 10 cumulative or over 5 consecutive school days
- ❑ Exhibits a pattern of behaviors or suspensions
- ❑ This "change in placement" does not mean that the student is removed from the school site. This refers to the 11th day of suspension.

When PVUSD decides to take disciplinary action, including suspension and expulsion, against

students with disabilities, PVUSD must 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).)

When a student's suspension exceeds 10 cumulative or over 5 consecutive school days, PVUSD must do the following on the day that PVUSD decides to change the student's placement:

- ❑ Notify the parents of the decision to change the student's placement (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).) Reference the [Educator Resources website](#) for a copy of the Notice.
- ❑ Hold an IEP meeting to determine if the student's actions are a manifestation of his/her disability. Reference the [Manifestation Determination section](#) for more information on this process
- ❑ Note that PVUSD must also hold Manifestation Determination meetings for each suspension that occurs after the 10 day period. Starting the 11th day of a student's cumulative suspension, PVUSD must provide special education and related services to the suspended student (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), so as 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 Behavior Assessment (FBA) and/or Behavioral Intervention Plan (BIP) documents

In the case of the **EXPULSION** of a student with disabilities, PVUSD must:

- ❑ Conduct a pre-expulsion assessment prior to an IEP meeting held to consider expulsion (20 USC 1415(k)(1)(E)(i)&(ii), 34 CFR 300.530 - 537, 30 EC 48915.5(a).)
- ❑ Inform the student's parents that they have the right to pursue a due process hearing if they disagree with the decisions of the IEP team regarding expulsion (20 USC 1415(c)(1)(C), 34 CFR 300.530 - 537, 30 EC 56301(d)(2)(D).)
- ❑ Convene the IEP team prior to the student's expulsion hearing to determine:
 - If the alleged misconduct was a manifestation of the student's disability (20 USC 1415(k)(1)(E)(i), 34 CFR 300.530 - 537, 30 EC 48915.5(a).)
 - If the student's placement was appropriate (20 USC 1415(k)(1)(E), 34 CFR 300.530 - 537, 30 EC 48915.5(a).)
 - If the behavior interventions described in the student's IEP were followed (20 USC 1415(k)(1)(F)(i) and (ii), 34 CFR 300.530 - 537, 30 EC 48915.5(a).)
- ❑ Conduct the expulsion hearing only after the pre-expulsion assessment is completed and the IEP team convenes and makes the required findings (20 USC 1415(k)(1)(E)(i), 34 CFR 300.530 - 537, 30 EC 48915.5(a))

B. INTERIM ALTERNATIVE EDUCATIONAL SETTINGS

An Interim Alternative Educational Setting (IAES) is a temporary setting in which students with disabilities are placed pending the decision to either return the student to his/her original placement or place the student within a new educational setting. IAESs must be determined by a student's IEP team. (20 USC 1415(k)(2), 34 CFR 300.531.)

When determining a student's IAES, the IEP team must:

- ❑ Implement appropriate policies and procedures to ensure parent participation within the IAES determination (34 CFR 300.500, 30 EC 56342.5, *Honing v Doe*.)
- ❑ 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 must 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), 30 EC 56304(b).)
- ❑ If the IAES placement decision is made by a group without the involvement of the student's parent(s), the IEP team must record its attempts to ensure parent involvement (34 CFR 300.501(c)(4), 30 EC 56341.5(h).)

PVUSD 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 a State or local educational agency (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 a State or local educational agency (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 a State or local educational agency (20 USC 1415(k)(1)(G), 34 CFR 300.530(g).)

Under all other circumstances, PVUSD may remove a student with a disability who violates a code of student conduct from his or her current placement to an IAES for a **maximum of 10 consecutive days**. (34 CFR 300.530(b)(1).)

C. MANIFESTATION DETERMINATIONS

Within **10 school days** of any decision resulting in a change of placement, the IEP team,

including the school psychologist, must meet and document its process on the Manifestation Determination form.

When determining whether a student's conduct is a result of his/her disability, the student's IEP team must:

- ❑ Determine whether services included in the student's Behavioral Intervention Plan (BIP) were consistent with the IEP (*20 USC 1415(k)(1)(E)(i)(II), 34 CFR 300.530(e)(1)(ii).*)
- ❑ Determine whether the disability impaired the student's ability to understand the impact and consequences of the behavior in question (*20 USC 1415(k)(1)(E)(i)(I), 34 CFR 300.530(e)(1)(i).*)
- ❑ Determine whether the disability impaired the student's ability to control the behavior that led to the disciplinary action (*20 USC 1415(k)(1)(E)(i)(I), 34 CFR 300.530(e)(1)(i).*)
- ❑ Consider all relevant information including (*20 USC 1415(k)(1)(E)(i), 34 CFR 300.530(e)(1)(i).*):
 - ✓ Evaluation and diagnostic results
 - ✓ Parent information
 - ✓ Observations of the student
 - ✓ The student's IEP and placement
- ❑ Determine whether the IEP and placement were appropriate (*20 USC 1415(k)(1)(E)(i), 34 CFR 300.530(e).*)
- ❑ Determine whether the special education services, supplementary aids and services, and behavior intervention strategies were provided consistent to the student's IEP and placement (*20 USC 1415(k)(1)(E)(i)(II), 34 CFR 300.530(e).*)
- ❑ Discuss the following two questions:
 - ✓ Was the student's conduct caused by or directly related to the student's disability? (*20 USC 1415 (k)(1)(E), 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. Behavior that may be a result of but not directly caused by a student's disability, such as low self-esteem, should not be considered as being directly associated with a student's disability
 - ✓ Was the student's conduct a direct result of the school's inability to follow the student's IEP? (*20 USC 1415 (k)(1)(E), 34 CFR 300.530(e)(1)(ii).*)
 - If so, the school's principal must take immediate steps to ensure that any failures in IEP implementation are corrected
- ❑ Note: PVUSD personnel can be held personally liable for not implementing a student's IEP

If PVUSD determines that the student's conduct is **not** a manifestation of the student's disability:

- ❑ School personnel should apply relevant disciplinary procedures to the student in the same manner and duration as they would be applied to students without disabilities (20 USC 1415(k)(1)(B) & (C), 34 CFR 300.530(c), 34 CFR 300.101(a)).
- ❑ During the period of suspension, PVUSD must continue to provide the student with the special education services described in his/her IEP
- ❑ PVUSD must create or modify a Behavioral Intervention Plan (BIP) to address the student's disciplinary issues
- ❑ The student may only be considered for a change of placement – such as a Change of School Site – through the IEP process.

If PVUSD determines that the student's conduct is a manifestation of students with disabilities:

- ❑ A Functional Behavior Assessment (FBA) and, if necessary, a Behavioral Intervention Plan (BIP), must be developed to address the behavior that resulted in the change of placement
 - If a FBA and/or BIP already exist for the student, the IEP team must review the plan and modify it, as necessary, to address the behavior (20 USC 1415(k)(1)(F)(i) & (ii), 34 CFR 300.530(f), 5 CCR 3052(b).)
- ❑ PVUSD must return the student to the placement that he/she was removed from, unless PVUSD and the student's parents agree to a change of placement as part of the student's new/modified FBA/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.*

D. DISCIPLINE FOR STUDENTS NOT YET ELIGIBLE

A student who has not been determined to be eligible for special education services and who has violated the codes of conduct may assert the protections available for students with disabilities if PVUSD had knowledge that the student was a child with a disability prior to the behavior that led to the disciplinary proceedings.

PVUSD is deemed to have knowledge if:

- ❑ Parent expressed that the student is in need of special education in writing to a supervisor, administrator, or the student's teacher (34 CFR 300.534(b)(1).)
- ❑ 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 a parent/guardian, teacher or other service provider, foster parent)
- ❑ Student's teacher or other PVUSD staff expressed specific concerns about a pattern of behavior demonstrated by the student directly to the Director of Special Education or a Supervisor (34 CFR 300.534(b)(3).)

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

- ❑ Parent did not allow PVUSD to evaluate the student (34 CFR 300.534(c)(1)(i).)
- ❑ Parent refused 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).)

If PVUSD 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 subject to the disciplinary measures applied to students without disabilities who engage in comparable behaviors. (34 CFR 300.534(d)(1).)

If an assessment is requested while a student is subject to discipline, the assessment is to be conducted in an expedited manner. (34 CFR 300.534(d)(2).)

While the assessment is pending, the student shall remain in the educational placement determined by school authorities. If an IEP team determines that the student is a student with a disability, the IEP team must design an appropriate IEP and the school is to provide the appropriate special education services.

E. REPORTING CRIMES TO LAW ENFORCEMENT

The procedures described in this section do **not** prohibit PVUSD personnel from reporting a crime committed by a student with disabilities to appropriate law enforcement authorities.

Likewise, these procedures do not prevent law enforcement from applying federal or state law to crimes committed by a student with disabilities.

If PVUSD personnel report a crime committed by a student with disabilities to law enforcement, they must:

- ❑ Provide copies of the student's special education and disciplinary records to the law enforcement agency/agencies to whom PVUSD reported the crime
 - Transmittal of student records must be in line with the rights outlined within the Family Educational Rights and Privacy Act (FERPA)

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, the appropriateness of an IAES, and/or other IEP services that will be provided during the student's removal, may request an *expedited* due process hearing
- ❑ **School Considers Student to be Dangerous.** In some cases, a student that did not commit one of the three "emergency" offenses discussed above is considered by school officials to be dangerous.

A principal/designee may have solid reasons to believe that keeping the student in his/her current school is *substantially likely to result in injury* to the student or to others. In such cases, the Principal/designee must consult with the Special Education Director 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, dangerous conduct may exist when there has been no serious bodily injury.

G. TRANSPORTATION DURING SUSPENSION/EXPULSION

When bus transportation is listed as a service on a student's IEP, PVUSD must provide special education and related services to the suspended student on the **11th day** of a student's 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), so as 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) documents

X: PROCEDURAL SAFEGUARDS

A. NOTICE OF PARENTAL RIGHTS AND PROCEDURAL SAFEGUARDS

Parents, legal guardians, and surrogate parents of students with disabilities are entitled to receive a copy of the “Special Education Rights of Parents and Children,” which is also known as the “Notice of Procedural Safeguards” and the “Written Notice of Procedural Safeguards.” Divorced parents who share educational rights of their child(ren) are each entitled to an individual copy of the Notice of Procedural Safeguards.

Students who have reached the age of eighteen are also entitled to receive this document, which provides an overview of their educational rights under the Individuals with Disabilities Education Act (IDEA).

The Notice of Procedural Safeguards must be provided to parents:

- ❑ When parents ask for a copy
- ❑ The first time their child is referred for a special education assessment
- ❑ Each time they are given an assessment plan to evaluate their child
- ❑ Upon receipt of the first state or due process complaint in a school year
- ❑ When the decision is made to make a removal that constitutes a change of placement (20 USC 1415[d]; 34 CFR 300.504; EC 56301[d] [2], EC 56321, and 56341.1[g] [1])
- ❑ At least annually (e.g. at the annual IEP)

At the start of each IEP team meeting, IEP teams should ask parents if they have received a copy of the Notice of Procedural Safeguards previously. IEP teams must have a copy available in case parents need another copy.

IEP teams must also:

- ❑ Ensure that the Notice of Procedural Safeguards is provided in the parents’ native language or other mode of communication (unless it is clearly not feasible to do so)
- ❑ Ask parents if they have any questions or concerns about their due process rights
- ❑ Offer a brief summary of their rights, such as:
As the parent of a child who may receive special education, you have certain rights that are guaranteed by federal law: the Individuals with Disabilities Education Act (IDEA). These rights are listed in the “Notice of Procedural Safeguards” and include your right to participate in meetings dealing with the identification, evaluation, and educational placement of your child and the provision of a free appropriate public education to your child. The “Notice of Procedural Safeguards” also offers information about how families and schools can resolve disputes through mediation, alternative dispute resolution, and due process.

- ❑ Offer to schedule a time to thoroughly go over questions or the information listed in the Notice of Procedural Safeguards
- ❑ Ask parent to indicate they have received their copy of the “Notice of Procedural Safeguards” in the designated area on the IEP Signature Page.

B. COMMUNICATION LOGS

In order to ensure that good faith effort has been made to gain parent participation in an Individualized Education Program (IEP) meeting or gain consent, it is PVUSD’s best practice for IEP teams to maintain a Communication Log of all attempts to contact parents and the outcome of these attempts.

C. SCHOOL VISITS

While community involvement in our schools is encouraged, the PVUSD principals must balance this interest with the need to maintain a safe environment for students, minimize interruptions to the instructional program, and to avoid disruptions that will interfere with the normal activities of the school.

Reasonable Restrictions on Visitors: A principal or designee may impose reasonable restrictions on visitors in order to protect student safety, minimize classroom interruptions, or to protect staff safety or PVUSD property. Such restrictions should include, but are not limited to:

- ❑ Requiring visitors to register or “sign in” at the main office
- ❑ Requiring visitors to wear a name-tag or other visible identifier
- ❑ Requiring visitors to be accompanied by a staff person while they are on school grounds
- ❑ Limiting/restricting access to classrooms that are in session
- ❑ Requiring prior appointments to meet with teachers or staff

Denying Access or Directing a Visitor to Leave:

PVUSD principals have a duty to prevent the occurrence of disturbances at school. A principal or their designees may deny access or direct a visitor to leave if it reasonably appears that the person is committing an act likely to interfere with the peaceful conduct of the activities of the campus, or has entered the campus for the purpose of committing any such act. (*Penal Code Section 626.7*)

Independent Educational Evaluations (IEEs) and Parents’ Experts:

If PVUSD observed the student during its assessment, or if its assessment procedures allow in-class observation of a student, observation of the student in his/her current educational placement and setting shall also be allowed in an IEE assessment. This is true regardless of whether the IEE is initiated before or after the filing of a due process hearing proceeding. (*Ed.*

Code, § 56329.)

Consistent with the right to an equivalent opportunity to observe, PVUSD defines the nature and scope of an IEE evaluator's in-class observations in order to prevent disruption to the classroom and to protect the privacy interests of other students, as follows:

- ❑ Parents must provide advance notice to the school site administrator and when having someone observe a classroom on their behalf
 - ✓ Parents must identify who their visitors will be and the purpose of their observation
 - ✓ Attempts should be made to arrange for a visit at a mutually agreed upon time within **10 school days** of the parent's request
- ❑ Any visit without having scheduled a prior appointment will be denied
- ❑ Any visit or observation will be for a maximum of one hour
- ❑ Interaction with classroom teacher and other students is prohibited without prior permission
- ❑ Under no circumstances are lawyers or advocates representing students and parents permitted to visit and observe classrooms, unless PVUSD Director has given prior approval and either the Director, a Supervisor or Program Specialist is present during the visit or observation

XI.RECORDS AND CONFIDENTIALITY

A. DEFINITION OF EDUCATION RECORD

Education records are records that are directly related to a student and maintained by PVUSD. Education records may include:

- ❑ The name of the student, the student's parent or other family member(s)
- ❑ The address of the student
- ❑ A personal identifier such as the student's state identification number, student number, or court file number
- ❑ A list of personal characteristics or other information that would make it possible to identify the student with a reasonable certainty
- ❑ Any item of information directly related to an identifiable student, other than directory information, which is maintained by PVUSD or required to be maintained by an employee in the performance of duties whether recorded by handwriting, print, tapes, film, microfilm, and computer or by other means

Examples of student records include but are not limited to:

- ❑ Special Education Pupil Service Folder
- ❑ Cumulative File
- ❑ Test Protocols

- ❑ Related Service Providers' Logs
- ❑ Discipline Records
- ❑ Nurses'/Health Records

If educational records contain information about more than one student, parents can have access only to that portion of the record pertaining to his/her child.

B. ACCESS TO RECORDS

The following persons or agencies have mandatory access to student records:

- ❑ Natural parents, adoptive parents, legal guardians (unless the school has been advised that the individual does not have authority under applicable State law governing matters such as guardianship, separation, and divorce)
- ❑ Students aged 18 or older
- ❑ Parent/guardian of a student over 18 if the student is a dependent adult
- ❑ School officials and employees for legitimate educational purposes
- ❑ School Attendance and Review Board members (SARB)
- ❑ Other public schools in California where the student has enrolled or intends to enroll
(parent/student notification required)
- ❑ Private schools or out-of-state schools of anticipated or new enrollment (parent/student notification required)
- ❑ Federal, State, and county officials for program audit and compliance purposes
- ❑ Agencies specified by law (for example, an agency investigating child abuse)
- ❑ Those authorized by court order to have educational rights for the student (notification to parent/eligible student is required to release information)

For each students with disabilities, PVUSD must maintain a current listing of names and positions of employees who have routine access to confidential records (*34CFR 300.623(d)*).

The following persons or agencies **may** have access to student records:

- ❑ Appropriate persons in an emergency
- ❑ Agencies or organizations in connection with an emergency
- ❑ Accrediting associations
- ❑ Organizations conducting studies on behalf of PVUSD
- ❑ Persons or agencies authorized by the parent, guardian or the student (if over 18 and educational rights have transferred to the student)
- ❑ Member of a hearing

Any individual or agency authorized to have access to a student's records must maintain the confidentiality of the records and is prohibited from releasing any of the information without the written consent of the parent/guardian or the student if the right of consent has transferred

to the student.

If an individual or agency not included in the above lists requests access to a student's record, access can only be granted by the school principal who is the authorized custodian of the records. Permission must be given in writing and documented on the access log (34 CFR 300.614).

In order to assist a parent/guardian in making informed decisions, parents/guardians have the right to examine educational records pertaining to their child. PVUSD must document and maintain a parent's written request to review records at each school.

The parent/guardian has the right to:

- ☐ Inspect and review all educational records of their child and to receive copies, as requested, within **five** business days after the request is made by the parent
- ☐ Request an explanation and interpretation of their child's records
- ☐ Request (orally or in writing) copies of their child's records and receive the requested records within **five** days of the date that the request was made
- ☐ Have a representative inspect their child's records with written parent consent
- ☐ Request qualified certificated personnel to interpret the records in the primary language of the parent or request assistance in securing an interpreter
- ☐ If an educational record includes information on more than one student, parents/guardians have the right to inspect and review only the information relating to their child
- ☐ The school must make available to a parent/guardian, upon request, a listing of the types and locations of educational records
- ☐ The school may charge a fee for copying educational records, but the charges must not exceed the actual cost of reproducing such records. However, if the fee would prohibit a parent/guardian from exercising the right to inspect and review records, the records must be reproduced at no cost to the parent. A fee may not be charged for the search or retrieval of the requested records

A student's IEP case manager must keep a record of parties obtaining access to education records collected, maintained, or used under IDEA, including:

- ☐ The name of the party
- ☐ The date access was given
- ☐ The purpose for which the party is authorized to use the records

Within **five** business days from a parent's written or oral request for records, the student's case manager or a designated staff member must take the following actions:

- ☐ If the request is oral, document the request and the date of the request in writing
- ☐ Determine the due date for providing the records
- ☐ Notify appropriate staff that a request has been received, including the due date for

submission

- ❑ Copy the contents of the student's special education pupil service file and the cumulative record file

C. AMENDMENT OF RECORDS

A parent who believes that the information in his/her child's records is inaccurate, misleading, or violates the student's privacy or other rights, may request that the school administrator amend the information. IEP teams that receive such request should contact their appropriate Special Education Director/Supervisor for assistance.

D. RELEASE OF CONFIDENTIAL INFORMATION

To facilitate the transition for a transfer student:

- ❑ The case manager must ensure that the designated individual takes reasonable steps to promptly obtain the student's records, including the assessment report, IEP and supporting documents, and any other records relating to the provision of special education or related services to the student from the student's previous school district
- ❑ Whenever PVUSD receives such a request from a student's new school district, staff must send the records or a copy within five business days
- ❑ Note that district-to-district record transfer does not have to be in writing
- ❑ Written consent must specify the records to be released, identify the party or class of parties to whom records may be released, state the purpose(s) of the disclosure, and be signed and dated by the parent of eligible student.
- ❑ Information may be shared with other persons within the educational institution obtaining access, as long as such persons have a legitimate interest in the information.

XII: INFORMATION DISPUTE RESOLUTION

A. INFORMATION DISPUTE RESOLUTION OVERVIEW

The Special Education Department encourages resolution of disputes at the lowest level possible. Specifically, the resolution of disputes is best accomplished at the school site. However, if there are special education issues that cannot be resolved at the school site, the Special Education Department is available to assist to remediate special education school site issues. Serious issues regarding parent concerns should be directed to the assigned Program Specialist, Supervisor or Director in the Special Education Department. The department can be useful in resolving disputes prior to the parent filing a Compliance Complaint or a Due Process Hearing request.

APPENDIX A

Commonly Used Abbreviations and Acronyms

Disability Areas

Autism	AUT
Communicatively Handicapped	CH
Deaf/Blind	D/B
Deaf	Deaf
Deaf and Hard of Hearing	DHH
Emotional Disturbance	ED
Hard of Hearing	HH
Hearing Impairment	HI
Intellectual Disability	ID
Learning Disability	LD
Mental Disability	MD
Multiple Disability	MD
Multihandicapped	MH
Orthopedic Handicapped	OH
Orthopedic Impairment	OI
Other Health Impairment	OHI
Pervasive Developmental Disorders	PDD
Physical Disability	PD
Physical and Health Disabilities	PH
Serious Emotional Disturbance	SED
Severe Disability	SD
Severe Handicapped	SH
Severe Learning Disability	SLD
Severe Orthopedic Impairment	SOI
Speech/Language Impairment	S/LI
Traumatic Brain Injury	TBI
Visual Handicap	VH
Visual Impairment	VI

Commonly Used Abbreviations & Acronyms

Abbreviated Stanford Achievement Test	ASAT
Activities of Daily Living	ADL
Adaptive Behavior	AB
Adaptive Behavior Scale	ABS
Adapted Physical Education	APE

American Association on Mental Retardation	AAMR
Association for Retarded Citizens	ARC
Americans with Disabilities Act	ADA
Attention Deficit Disorder	ADD
Attention Deficit Hyperactivity Disorder	ADHD
Alternative Dispute Resolution	ADR
American Sign Language	ASL
Assistive Technology	AT
Autism Behavior Checklist	ABC
Board of Elementary and Secondary Education	BESE
Behavioral Intervention Plan	BIP
Behavior Support Plan	BSP
Bilingual Cross-cultural, Language & Academic Development	BCLAD
California Alternate Performance Assessment	CAPA
California Children's Services	CCS
California Department of Education	CDE
California English Language Development Test	CELDT
California High School Exit Exam	CAHSEE
California School for the Blind	CSB
Center for Positive Change	CPC
Cerebral Palsy	CP
Certified Occupational Therapy Assistant	COTA
Childhood Autism Rating Scale	CARS
Cognitive Disability	CD
Community Advisory Committee (Special Education)	CAC SE
Community-Based Instruction	CBI
Community Service Center for the Disabled	CSCD
Council for Exceptional Children	CEC
County Mental Health	CMH
Cross-cultural, Language and Academic Development	CLAD
Department of Rehabilitation	DR
Department of Social Services	DSS
Designated Instruction & Services	DIS
Developmental Delay	DD
Diagnostic Resource Teacher	DRT
Diagnostic and Statistical Manual of Mental Disorders by the American Psychiatric Association	DSM
Early Childhood	EC
Early Intervention (Infants and Toddlers)	EI
Early Periodic Screening, Diagnosis and Treatment	EPSDT
Employability Counseling Services	ECS
English Language Learner	ELL

English Learner	EL
English for Limited-English-Proficient Students	ELEPS
Elementary and Secondary Education Act	ESEA
English as a Second Language	ESL
Extended School Year	ESY
Fluent-English Proficient	FEP
Free Appropriate Public Education	FAPE
Fetal Alcohol Syndrome	FAS
Functional Behavioral Assessment	FBA
Family Educational Rights and Privacy Act	FERPA
Freedom of Information Act	FOIA
Hearing Impairment	HI
Health and Human Services Agency	HHSA
Health Insurance Portability and Accountability Act	HIPPA
Hearing Officer	HO
Home Language Survey	HLS
Idea Proficiency Test	IPT
Individuals with Disabilities Education Act	IDEA
Independent Educational Evaluation	IEE
Individual Education Program/Plan	IEP
Individualized Service Plans	ISP
Instructional/Behavioral Technician	IBT
Intelligence Quotient	IQ
Integrated Life Skills	ILS
Interdistrict Attendance Agreement	IAA
Interdistrict Attendance Permit	IAP
Interim Alternative Education Setting	IAES
Juvenile Court and Community Schools	JCCS
Kaufman Assessment Battery for Children	K-ABC
Language Development Specialist	LDS
Language, Speech and Hearing	LSH
Least Restrictive Environment	LRE
Learning Disabilities Association	LDA
Location Education Agency	LEA
Licensed Children's Institution	LCI
Licensed Clinical Social Worker	LCSW
Limited English Proficient	LEP
Manifestation Determination	MD
Mental Retardation	MR
Movement Opportunities Via Education	MOVE
Multiple Disabilities	MD
Multi-Agency Referral Review Team	MARRT

Nonpublic Agency	NPA
Nonpublic School	NPS
Orientation and Mobility	O&M
Obsessive-Compulsive Disorder	OCD
Occupational Therapy/Therapist	OT
Office for Civil Rights	OCR
Oppositional Defiant Disorder	ODD
Outreach and Early Intervention Project	OEIP
Overall Proficiency Levels	OPL
Parentally Placed Private School Students	PPPSS
Personalized Assistive Technology Hub	PATH
Physical Education	PE
Physical Therapy/Therapist	PT
Positive Behavior Supports	PBS
Progressive Academic Curriculum Enrichment	PACE
Residential Treatment Center	RTC
Response to Intervention	RTI
Sacramento City Schools	SCS
Sacramento County Office of Education	SCOE
Sacramento Oral Assessment Instrument	SOAI
Sacramento City Unified School District	PVUSD
Scholastic Aptitude Test	SAT
School Attendance Review Board	SARB
School-Initiated Placement	SIT
School-to-Work Transition Assistant	STWTA
Schoolwide Applications Model	SAM
Sensory Behavioral Integration	SBI
Services for Pre-Primary Age Children	SPPAC
Social Worker	SW
Social Security Number	SSN
Special Education	SE
Special Education Assist	SEA
Special Education Early Childhood	SEEC
Special Education Hearing Office	SEHO
Special Education Limited English Proficient	SELEP
Special Education Local Planning Area	SELPA
Special Education Division	SPED
Special Education Parent Facilitator	SEPF
Special Education Service Plan	SESP
Special Education Technician	SET
Specially Designed Academic Instruction in English	SDAIE
Speech/Language Pathologist	SLP

Standardized Testing and Report Program	STAR
State Educational Agency	SEA
Student Apprenticeship Program	SAP
Student Information System	SIS
Student Study Team	SST
Successful Transitions Achieved Through Responsive Support	STARS
Supplemental Security Income	SSI
Traumatic Brain Injury	TBI
Telecommunications Device for the Deaf	TDD
Teletypewriter	TY
Tourette Syndrome	TS
Transition Partnership Program (Project GOLD)	TPP
Transition Plan	TP
Transition Resources for Adult Community Education	TRACE
United Cerebral Palsy	UCP
U.S. Department of Education	DOE
Vocation Education	VE
Voluntary Ethnic Enrollment Program	VEEP
Vocational Rehabilitation Counselor	VRC
Visual Impairment	VI
Wechsler Intelligence Scale for Children	WISC
Program for Women, Infants and Children (Federal Grant)	WIC
Youth Opportunities Unlimited	YOU

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