

SONOMA COUNTY

SELPA

Special Education Local Plan Area

*Special Education
Procedural Handbook*



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SONOMA COUNTY SELPA

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TABLE OF CONTENTS

	<u>Page</u>
Purpose and Scope.....	1
Overview of Special Education.....	2
Roles and Responsibilities in Special Education	
Administrators.....	3
Resource Specialists.....	4
Special Day Class Teachers.....	7
Designated Instruction and Services (DIS) Specialists.....	9
Referral.....	12
Assessment.....	18
Individualized Education Program IEP Components.....	27
Individualized Education Program IEP Team Members.....	31
Individualized Education Program Scheduling and Conducting IEP Meeting.....	34
Individualized Education Program IEP Team Meeting Agenda.....	37
Individualized Education Program Post IEP Meeting Activities.....	39
Placement of Students in Special Education Programs.....	40
Annual IEP Reviews.....	42
Triennial Reviews.....	43
Early Start Infant Program.....	46

PURPOSE AND SCOPE

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The purpose of this Special Education Procedural Handbook is to serve as a guideline for required, as well as best practices within the realm of special education. With the exception of language mandated by federal and state laws and regulations, the contents of this handbook are procedural suggestions intended to assist districts in meeting the requirements of the law. It provides district personnel clear and systematic procedures regarding student rights and responsibilities, in accordance with federal and state laws and regulations. It draws from the IDEA, Title V, the Education Code, and articulates with the Sonoma County Local Plan for Special Education.

Students who are eligible for special education and related services are afforded a free and appropriate public education, designed to meet their needs in the least restrictive environment. Procedural safeguards are available for every student. Each district is responsible for ensuring that the above mission is accomplished in a timely, thoughtful and thorough manner.

The following pages include the special education guidelines, procedures and forms used in the implementation of special education services in the Sonoma County SELPA. This handbook is a flexible document that will be updated to stay current and may be adapted by districts to meet their specific needs.

OVERVIEW OF SPECIAL EDUCATION

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Special Education is defined by law as “specially designed instruction, at no cost to the parents, to meet the unique needs of the child with a disability.”

In order to determine a student's eligibility for special education, a multi-disciplinary assessment is conducted. This assessment team determines if a student satisfies both parts of a two-part test. First, the student must meet the definition of one or more of the categories of disabilities specified under the IDEA. Second, the student must be shown to be in need of special education and related services as a result of his or her disability or disabilities. In general, a student is identified to be in need of special education and related services if he or she is unable to function satisfactorily in the general education classroom, even with accommodations and modifications to the curriculum. Students whose educational needs are due primarily to limited English proficiency, a lack of instruction in reading or mathematics, temporary physical disabilities, social maladjustment, environmental, cultural, or economic factors, do not qualify as students with disabilities.

Upon determination of eligibility, the Individualized Education Program (IEP) team develops the IEP, which is a document that describes the student's current level of educational performance, a statement of annual goals aligned to the general education standards, a statement of the special education and related services the student will receive, and the extent to which he or she will participate in general education. The IEP is reviewed and modified at least annually.

With certain exceptions, at least every three years a reevaluation of the student is conducted to determine if he or she continues to be eligible for special education and related services. If determined by the IEP team and other qualified professionals that additional data are not needed to make the determination and the parent agrees, a reevaluation is not necessary. A student may be dismissed from special education and related services if the IEP team, based on an assessment, determines that the student no longer meets the eligibility criteria for special education.

Students with disabilities and their parents are afforded certain procedural safeguards designed to provide them with meaningful involvement in the educational program. Parents may file a complaint if they believe that the school district has not complied with the laws and regulations governing special education. They may also request a due process hearing in the event they disagree with the district's decisions regarding their child's educational program.

**ROLES AND RESPONSIBILITIES IN
SPECIAL EDUCATION**

ROLES AND RESPONSIBILITIES IN SPECIAL EDUCATION

ADMINISTRATORS

Administrator, Principal, Assistant Principal, or Designee Checklist

- ❑ Inform parents of the need to file a written request for assessment when a verbal request is made. Assistance in completing this written notice will be provided if necessary.
- ❑ Calendar all annual IEP review meetings for the school year.
- ❑ Conduct all IEP meetings before or on due dates.
- ❑ Ensure that there is appropriate representation of all staff at each IEP meeting. It is especially important that a parent, a special education teacher, a general education teacher, and an administrator attend each IEP meeting. As appropriate, the psychologist and any DIS provider should also be included. If the required members are unable to attend, the IEP meeting should be postponed and rescheduled.
- ❑ Monitor the IEP paper work. Make sure that every item on each page of the IEP is completed, even if you must write "N/A" (Not Applicable). Make sure the IEP is accurate and is a suitable response to the information needed.
- ❑ Identify and document on the IEP who will share goals and benchmarks to the general education teacher(s) who serve the student and are responsible for implementing goals and accommodations/modifications in the classroom. Distribute copies of the completed, signed IEP to appropriate IEP team members, including the parent.
- ❑ After each IEP meeting, send a copy of completed IEP paperwork to the appropriate Management Information System (MIS) operator.

ROLES AND RESPONSIBILITIES IN SPECIAL EDUCATION

RESOURCE SPECIALISTS

Resource Specialists

The RSP teacher is the case manager for students assigned to the school site(s). The activities of a case manager are varied depending on the site, the program, and grade level(s) of students involved. The following list describes the roles and responsibilities of RSP teachers:

1. Informs parents of the need to file a written request for assessment when a verbal request is made. Provides assistance in completing this written notice if necessary.
2. Completes the following forms:
 - SELPA-1 Special Education Referral
 - SELPA-2 Referral Log
 - SELPA-3 Case Planning Guide
 - SELPA-4 Acknowledgment of Referral
 - SELPA-5 Parent Consent for Exchange of Information
3. Assists in the development of the assessment plan (SELPA-8). An assessment plan must be completed whenever an assessment for the development or revision of the IEP is to be conducted and must be signed by the parent/guardian prior to the testing. For initial referrals, the assessment plan must be given to the parent within 15 days of the referral for assessment, not counting days between the student's regular school sessions or terms or days of school vacation in excess of 5 school days from the date of the referral, unless the parent agrees, in writing to an extension. An assessment plan must be developed within 10 days after the beginning of the regular school year for any referral made 10 days or less prior to the end of the previous school year.

Ensures that the Notice of Procedural Safeguards is given to the parent along with the assessment plan.
4. Assists in the identification of student's individual needs through assessment. Provides results of academic achievement assessments to the school psychologist at least 10 days in advance of the IEP meetings, so that these results can be incorporated into the written psychological report prior to the IEP team meeting.

5. Arranges and coordinates IEP team meetings.
 - Completes the SELPA-6 form (Parent/Guardian Notification of IEP Meeting and Intention to Participate) and sends it to the parent early enough to ensure an opportunity to attend.
 - Ensures that the following timelines are met:
 - Initial IEP meetings must be held within 50 days of the receipt of the signed assessment plan.
 - Annual IEP reviews must be held before or on the date of the previous annual IEP review or initial/triennial.
 - Triennial reevaluations must be conducted within three years of the previous triennial or within three years of the initial assessment.
 - For administrative placements, complete SELPA-7 (30-Day Interim Placement) form and send it to an appropriate administrator within 24 hours of placement. The administrative placement IEP team meeting must take place within 30 days of the placement.
6. Meets with site administrator/designee and other staff as needed, to calendar IEP meetings according to due dates.
7. Participates in the development of IEPs.
8. Provides direct instruction to special education students, as designated in the IEP.
9. Supervises the RSP assistant and contributes input to his/her evaluation, if appropriate.
10. Provides in-service training for site school staff and community in order to promote a better understanding of students with disabilities as needed.
11. Coordinates and consults with administrators, special education specialists, general education classroom teachers, psychologists, program specialists, other support staff, outside agencies, and parents regarding instructional planning for special education students.
12. Notifies special education department and site administrator of accurate monthly caseload numbers.
13. Provides resources, such as instructional materials and staff time to the regular classroom teacher as appropriate.

14. Evaluates student progress, maintains necessary records indicating student performance and attendance, and recommends revisions of the IEP when appropriate. This includes grades, progress reports, and benchmark documentation of goals and objectives cited in students' IEPs.
15. Assists with coordination of services provided by DIS personnel.
16. Assists parents in understanding their rights and the special education process and procedures.
17. Attends district and site level meetings.
18. Provides the necessary information to the site/district testing coordinator for all state/district assessments.
19. Submits a monthly list of student adds.

ROLES AND RESPONSIBILITIES IN SPECIAL EDUCATION

SPECIAL DAY CLASS TEACHERS

Special Day Class Teachers

The SDC teacher is the case manager for students assigned to his/her classroom. The activities of a case manager are varied depending on the site, the program, and grade level(s) of students involved. The following list describes the roles and responsibilities of SDC teachers:

1. Informs parents of the need to file a written request for assessment when a verbal request is made. Provides assistance in completing this written notice if necessary.
2. Assists in the identification of student's individual needs through assessment. Provides results of academic achievement assessments to the school psychologist at least 10 days in advance of the IEP meetings, so that these results can be incorporated into the written psychological report prior to the IEP team meeting.
3. Arranges and coordinates IEP team meetings.
 - Completes the SELPA-6 form (Parent/Guardian Notification of IEP Meeting and Intention to Participate) and sends it to the parent early enough to ensure an opportunity to attend.
 - Ensures that the following timelines are met:
 - Initial IEP meetings must be held within 50 days of the receipt of the signed assessment plan.
 - Annual IEP reviews must be held before or on the date of the previous annual IEP review or initial/triennial.
 - Triennial reevaluations must be conducted within three years of the previous triennial or within three years of the initial assessment.
 - For administrative placements, complete SELPA-7 (30-Day Interim Placement) form and send it to an appropriate administrator within 24 hours of placement. The administrative placement IEP team meeting must take place within 30 days of the placement.
4. Coordinates the application process for SDC students to register for the Extended School Year program according to timelines, as appropriate.

5. Meets with site administrator/designee and other staff as needed, to calendar IEP meetings according to due dates.
6. Participates in the development of IEPs.
7. Provides direct instruction to special education students, as designated in the IEP.

ROLES AND RESPONSIBILITIES IN SPECIAL EDUCATION

DESIGNATED INSTRUCTION AND SERVICES SPECIALISTS

Designated Instruction and Services Specialists

The DIS specialist is the case manager for students assigned to his/her caseload. The activities of a case manager are varied depending on the site, the program, and grade level(s) of students involved. The following list describes the roles and responsibilities of DIS specialists:

1. Conducts screenings, when indicated.
2. Informs parents of the need to file a written request for assessment when a verbal request is made. Provides assistance in completing this written notice if necessary.
3. For DIS only students, completes the following forms as appropriate:
 - SELPA-1 Special Education Referral
 - SELPA-2 Referral Log
 - SELPA-3 Case Planning Guide
 - SELPA-4 Acknowledgment of Referral
 - SELPA-5 Parent Consent for Exchange of Information
4. For DIS only students, develops the assessment plan (SELPA-8). For all other special education students, assists in the development of the assessment plan. An assessment plan must be completed whenever an assessment for the development or revision of the IEP is to be conducted and must be signed by the parent/guardian prior to the testing. For initial referrals, the assessment plan must be given to the parent within 15 days of the referral for assessment, not counting days between the student's regular school sessions or terms or days of school vacation in excess of 5 school days from the date of the referral, unless the parent agrees, in writing to an extension. An assessment plan must be developed within 10 days after the beginning of the regular school year for any referral made 10 days or less prior to the end of the previous school year.

Ensures that the Notice of Procedural Safeguards is given to the parent along with the assessment plan.
5. Conducts appropriate assessments in the areas of suspected disability.

6. For DIS only students, arranges and coordinates IEP team meetings.
 - Completes the SELPA-6 form (Parent/Guardian Notification of IEP Meeting and Intention to Participate) and sends it to the parent early enough to ensure an opportunity to attend.
 - Ensures that the following timelines are met:
 - Initial IEP meetings must be held within 50 days of the receipt of the signed assessment plan.
 - Annual IEP reviews must be held before or on the date of the previous annual IEP review or initial/triennial.
 - Triennial reevaluations must be conducted within three years of the previous triennial or within three years of the initial assessment.
 - For administrative placements, complete SELPA-7 (30-Day Interim Placement) form and send it to an appropriate administrator within 24 hours of placement. The administrative placement IEP team meeting must take place within 30 days of the placement.
7. Provides a written report of all assessment conducted.
8. Provides assessment information at IEP meetings, and makes program and/or service recommendations when appropriate.
9. Participates in the development of the IEP.
10. Provides direct services as indicated in the IEP.
11. Serves as consultant to administrators, psychologists, other special education support staff, regular classroom teachers, and parents.
12. Meets with site administrator/designee and other staff as needed, to calendar IEP meetings in accordance with due dates.
13. Provides in-service training for site school staff and community in order to promote a better understanding of students with disabilities as needed.
14. Notifies special education department and site administrator of accurate monthly caseload numbers.
15. Provides resources, such as instructional materials and staff time to the regular classroom teacher as appropriate.

16. Evaluates student progress, maintains necessary records indicating student performance and attendance, and recommends revisions of the IEP when appropriate. This includes grades, progress reports, and benchmark documentation of goals and objectives cited in students' IEPs.
17. Assists parents in understanding their rights and the special education process and procedures.
18. Attends district and site level meetings.
19. Provides the necessary information to the site/district testing coordinator for all State/district assessments.
20. Submits a monthly list of student adds/drops to the MIS operator.

REFERRAL

REFERRAL

SYSTEMATIC SEARCH

Each local educational agency shall actively and systematically seek out all individuals with exceptional needs, ages 0 through 21, including (1) children in private, including religious schools, (2) highly mobile individuals with exceptional needs such as children who are migrant or homeless, (3) children who are advancing from grade to grade even though they are suspected of being an individual with exceptional needs and in need of special education and related services, and (4) children not enrolled in public school programs, who reside in a district or are under the jurisdiction of a SELPA or a county office. All districts have adopted policies for notifying parents of their rights and for initiating a referral for assessment to identify individuals with exceptional needs. Identification procedures shall include utilization of referrals from teachers, parents, agencies, appropriate professional persons, and from other members of the public.

The child find process shall ensure the equitable participation of parentally placed private school children with disabilities, including an accurate count of such children and comparable timelines to that for public school children.

School site procedures and identification procedures are coordinated to provide referral of pupils with needs that cannot be met with modification of the regular instructional program.

A pupil shall be referred for special education instruction and services only after the resources of the regular education program have been considered and, where appropriate, utilized.

All referrals for special education shall be documented. When a verbal referral is made, staff of the school district, county office or SELPA shall offer assistance to the individual making the request, and shall assist the individual if he/she requests such assistance. It is recommended that form SELPA-1 (Special Education Referral) be used to document the referral.

SOURCES OF REFERRALS

The referral of a pupil to for a special education assessment may be initiated or submitted by, or as a result of:

1. School screening programs, such as vision, hearing, and speech and language screenings.
2. Student Study Teams (SST).

3. Direct referrals from agencies or individuals having knowledge of an individual with exceptional needs.
4. Direct referral from parents.

Parents shall be given a copy of their rights and procedural safeguards upon initial referral for assessment.

ACKNOWLEDGEMENT OF REFERRAL

When a complete and appropriate referral is received by a member of the assessment team for the assessment of a student for special education purposes, an appropriate team member will notify parents/guardians that a referral was made.

1. If the parent participated in a Student Study Team meeting when the decision was made to refer the student for an assessment, the notification requirement will have been met.
2. The formal written notification of parent is necessary when referrals have been initiated without parental involvement.
3. Notification shall be in writing. A designated member of the assessment team shall immediately send or deliver a completed Acknowledgment of Referral form (SELPA-4) to the parent.
4. Personal contact in the parent's primary language to provide an explanation of the referral/assessment process and the forms is strongly recommended.

BEST PRACTICES FOR SCHOOL SITE REFERRALS

The following is a sequence of activities that reflects best practices in addressing a possible referral for a special education assessment:

1. An individual at the school site has a concern about a student's academic progress. That individual begins to access resources available at the school and/or consults with persons knowledgeable about the individual student or available resources.
2. The student's parent/guardian is contacted for support, information, and sharing of ideas.
3. Attempts are made to modify the student's educational program in order to address the original concerns. If the concerns remain after such attempts have

been made, a referral is initiated to the Student Study Team.

4. A Student Study Team meeting is scheduled, involving the parent, the pupil, and any necessary community resources. Documentation of regular education interventions is maintained.
5. Should the interventions be determined inadequate in meeting the student's needs, the Student Study Team, with participation by the parent, submits a referral for a special education assessment is warranted. The parent gives informed consent and the assessment process is initiated.

BEST PRACTICES FOR A DIRECT PARENT REFERRAL

The following is a sequence of activities that reflects best practices in addressing a direct referral from a parent:

1. A school site member is approached by a parent/guardian who requests that his/her child be assessed for special education. If the staff member has adequate knowledge of the school's procedures and the parent's concerns, the staff member establishes the basis for the request and informs the parent of the option to participate in a Student Study Team.
2. If the parent elects not to participate in the Student Study Team, the staff member assists the parent in putting the request for assessment in writing, and the request is submitted to an appropriate member of the assessment team. If the staff member does not have adequate knowledge of school identification procedures, he/she may refer the parent to other personnel, such as a site administrator, school psychologist, or Student Study Team chairperson.
3. The parent gives informed consent and the assessment process is initiated. However, if the school district believes that an assessment for special education is not appropriate, it may refuse to conduct the assessment. In such cases, the district must complete the SELPA-36 form (Notice of District Refusal).

Note: The assessment of a student may be conducted without a Student Study or similar intervention team meeting if the parent so requests or if the school does not utilize a formal process. However, the school must have in place some mechanism for documenting that the resources of the regular education program have been considered and, where appropriate, utilized.

BEST PRACTICES FOR NON-ENGLISH SPEAKING PARENTS

Parents whose primary language is not English will be informed of the need to file a written request when a verbal request is made. They will be informed both verbally and

in writing in their primary language, unless to do so is clearly not feasible. The district will make every effort to provide a translator who speaks the parents' native language to ensure the parents' full participation in the referral process.

REFERRAL TO INFANT PROGRAM

The Sonoma County SELPA coordinates programs for infants with low incidence disabilities (deaf and hard of hearing, visually impaired and orthopedically impaired). Referrals to the program should be directed to the Sonoma County SELPA Early Start Coordinator, 5340 Skylane Blvd., Santa Rosa, CA 95403-1082, (707) 524-2763.

Except for exceptional circumstances which make it impossible to complete the initial evaluation, the initial evaluation and assessment for eligibility for each infant or toddler shall be completed within 45 days of the date that the regional center or LEA received the referral.

REFERRAL TO PRESCHOOL PROGRAM

All referrals for preschool age children shall follow the above procedures and shall be made to the district's special education program coordinator.

In the event that the district determines that it does not have an appropriate program for special education preschool children, a referral may be made to the Sonoma County Office of Education.

The following procedures shall apply:

The administrator, or designee of the district of residence shall:

1. Ensure that all of the following data is accurate and present for review:

Student Name
Birth Date
Parent Names
Address
Phone Number(s)

All medical and/or health and developmental assessment information must be current. Academic assessments will have been conducted within the previous 12 months and a psychological evaluation within two years. If a student is due for a three-year evaluation within five months of the impending transfer, the district of residence must have completed all psychological and academic assessments prior to the student's entry into the district of service's program, unless otherwise agreed in writing by the districts.

2. Notify the administrator or designee of the potential district of service of the request to consider a student for placement, and provide an opportunity for a staff member from the potential district of service to observe the pupil in question.
3. Provide copies of all assessment reports and IEPs to appropriate staff of the district of service at least three days in advance of the scheduled joint IEP team meeting.
4. Coordinate the opportunity for parents to visit potential program placements. This opportunity and option should only be discussed with the parent/guardian after the potential district of service has consented to such potential option.
5. At the appropriate time, coordinate the scheduling and notification of parents and staff members of both districts of the joint IEP team meeting.
6. Coordinate with the district of service, the arrangements for the transportation of the student to the new school. In all cases, the district of residence is financially responsible for all transportation costs.
7. Conduct the joint IEP team meeting and assume all of the duties described for IEP team meetings.
8. Forward all relevant student records to the district of service as soon as possible after the joint IEP team meeting.
9. Attend annual IEP meetings when significant issues regarding service needs and/or change of placement are being considered. Also attend when specifically requested by either the parent or the district of service. Parents will be notified in writing that upon placement in another district, the district of service will generally be the designated representative of the district of residence and therefore a representative of the district of residence will not typically attend IEP meetings except as noted above. However, parents will be notified that they may request attendance of the district of residence at IEP meetings.

PRIOR WRITTEN NOTICE

Written notice must be given to parents of a child with a disability a reasonable time before the district:

Proposes to initiate or change the identification, evaluation or education placement of the child or the provision of FAPE to the child; or

Refuses to initiate or change the identification, evaluation, or educational placement of the child or the provision of FAPE to the child.

The notice must include:

A description of the action proposed or refused by the district;

An explanation of why the district proposes or refuses to take the action;

A description of any other options that the district considered and the reasons why those options were rejected;

A description of each evaluation procedure, test, record, or report the district used as a basis for the proposed or refused action;

A description of any other factors that are relevant to the district's proposal or refusal;

A statement that the parents of a child with a disability have protection under the procedural safeguards of this part and, if this notice is not an initial referral for evaluation, the means by which a copy of a description of the procedural safeguards can be obtained; and

Sources for parents to contact to obtain assistance in understanding the provisions of this part.

The notice must be:

Written in language understandable to the general public; and

Provided in the native language of the parent or other mode of communication used by the parent, unless it is clearly not feasible to do so.

If the native language or other mode of communication of the parent is not a written language, the district shall take steps to ensure:

That the notice is translated orally or by other means to the parent in his or her native language or other mode of communication;

That the parent understands the content of the notice; and

That there is written evidence that these requirements have been met.

Written notice shall be given to the parent or a pupil who has attained the age of majority prior to graduation from high school with a regular diploma.

ASSESSMENT

ASSESSMENT

INTRODUCTION

Prior to any action taken with respect to the initial placement of a student with disabilities, an individual assessment of the student's educational needs must be conducted by qualified staff in accordance with requirements specified by the Education Code. No assessment will be conducted without a signed completed Assessment Plan (SELPA Form # 8) unless the district has prevailed in a due process hearing regarding the assessment or the student is required to have an assessment as part of an expulsion process.

TIMELINES

Upon receipt of a signed assessment plan, the assessment team has 60 calendar days, not counting days between the student's regular school sessions, terms, or days of school vacation in excess of five schooldays, in which to conduct an appropriate evaluation and hold an IEP meeting to discuss assessment results and develop an IEP.

1. The 60-day timeline begins the day the signed assessment plan is received by a staff member.
2. If an assessment plan is signed within 20 days of the end of the traditional school year, the IEP meeting may be held up to 30 days after the start of the following school year.
3. The case manager is responsible for distributing copies of the assessment plan to all persons named as assessors on the plan. This should be done as soon as possible to allow all assessors ample time to evaluate the student.

DEVELOPMENT OF ASSESSMENT PLAN

As part of an initial assessment or a reassessment, the school district shall review existing assessments and information, and on the basis of that review, and with input from the parents, identify what additional data, if any, are needed to determine eligibility, present levels of performance, the pupil's need for special education and related services, and any modifications needed to enable the pupil to meet the goals and to participate in the general curriculum.

Within 15 days of the receipt of the referral for assessment, the appropriate IEP assessment team member(s) shall prepare and mail or personally deliver to the parent the following:

1. The completed SELPA-8 form (Assessment Plan).

2. A copy of the SELPA Special Education Rights of Parents and Children document.

The 15 days does not include days between the student's regular school sessions or days of school vacation in excess of five school days. The assessment plan shall be developed within 10 days after the beginning of the regular school year for whom a referral has been made 10 days or less prior to the end of the regular school year. In the case of school vacations, the 15-day timeline will recommence on the date the student's regular schooldays reconvene. The parent may agree, in writing, to an extension.

The assessment plan shall be in the primary language of the parent (or other mode of communication used by the parent) unless to do so is clearly not feasible.

The assessment plan shall include the child's primary language and level of English proficiency.

The assessment plan shall include a description of any recent assessments conducted, including any available independent assessments and any assessment information the parent requests to be considered, and information indicating the pupil's primary language and the pupil's language proficiency in the primary language.

The parent shall have at least 15 calendar days from the receipt of the assessment plan to arrive at a decision. Assessment may begin immediately upon receipt of the parent's written consent.

As part of the assessment plan, the parent shall be informed that upon completion of the administration of tests and other assessment materials, an IEP team meeting shall be scheduled to determine whether the pupil is an individual with exceptional needs and to discuss the assessment, the educational recommendations, and the reasons for these recommendations.

ASSESSMENT REQUIREMENTS

An individual comprehensive assessment of a student must be conducted according to the following Education Code requirements:

1. Assessment materials and procedures must be selected and administered so as not to be racially, culturally, or sexually discriminatory.
2. Tests and other assessment materials must meet all the following requirements:
 - A. Are provided and administered in the language and form most likely to yield accurate information on what the pupil knows and can do academically, developmentally, and functionally, unless it is not feasible to so provide or

developmentally, and functionally, unless it is not feasible to so provide or administer.

- B. Have been validated for the specific purpose for which they are used.
 - C. Are administered by trained personnel in conformance with the instructions provided by the producer of the tests and other assessment materials, except that individually administered tests of intellectual or emotional functioning shall be administered by a credentialed school psychologist.
 - D. Are selected and administered to ensure that they measure the extent to which the child has a disability and needs special education, rather than measuring the child's English language skills.
3. Tests and other assessment materials include those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient.
 4. Tests are selected and administered to best ensure that when a test administered to a pupil with impaired sensory, manual, or speaking skills produces test results that accurately reflect the pupil's aptitude, achievement level, or any other factors the test purports to measure and not the pupil's impaired sensory, manual, or speaking skills unless those skills are the factors the test purports to measure.
 5. No single procedure is used as the sole criterion for determining whether a pupil is an individual with exceptional needs and for determining an appropriate educational program for the pupil.
 6. The pupil is assessed in all areas related to the suspected disability including, if appropriate, health and development, vision, including low vision, hearing, motor abilities, language function, general intelligence, academic performance, communicative status, self-help, orientation and mobility skills, career and vocational abilities and interests, and social and emotional status. A developmental history is obtained, when appropriate. For pupils with residual vision, a low vision assessment shall be provided in accordance with guidelines established pursuant to Education Code Section 56136.
 7. The assessment of a pupil, including the assessment of a pupil with a suspected low incidence disability, shall be conducted by persons knowledgeable of that disability. Special attention shall be given to the unique educational needs, including, but not limited to, skills and the need for specialized services, materials, and equipment consistent with guidelines established pursuant to Education Code Section 56136.

8. Assessment must be conducted by those competent to perform the assessment, as determined by the school district, county office, or SELPA.
 - A. Any psychological assessment must be conducted by a credentialed school psychologist, capable of assessing cultural and ethnic factors pertaining to the child being assessed.
 - B. Any health assessment must be conducted by a credentialed school nurse or physician, capable of assessing cultural and ethnic factors pertaining to the child being assessed.
9. Assessment must include observations of the child according to the following criteria:
 - A. For a child with suspected learning disabilities, at least one person other than the child's regular teacher shall observe his/her performance in the regular classroom setting.
 - B. If the child is younger than 4 years, 9 months or is out of school, an assessment team member shall observe him/her in an environment appropriate for a child of that age.
10. Vision and hearing screenings must be conducted for all initial assessments and three-year reevaluations, unless parental permission was denied.
11. The assessment must include consideration of information and private assessments provided by the parent.
12. Assessments must include information related to enabling the child to be involved in and progress in the general curriculum.
13. Districts must ensure that IQ tests are not administered to African-American students. Alternative assessments to IQ tests will be used to obtain information about these students' cognitive development.
14. All children whose home language survey indicates a language other than English must be assessed using the California English Language Development Test (CELDT) or an alternate assessment to determine English language proficiency.

In developing the IEP for students identified as English learners, the IEP team will consider the results of the CELDT or an alternate to determine English language proficiency.

The IEPs of students identified as English learners will include a determination of

whether the CELDT will be administered with or without modifications or accommodations, or whether English proficiency will be measured using an alternate assessment.

The IEPs of students identified as English learners will include activities which lead to the development of English language proficiency.

The IEPs of students identified as English learners will include instructional systems which meet the language development needs of the students and ensure access to the general education curriculum.

15. In conducting an assessment, districts must use a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the pupil, including information provided by the parent that may assist in determining whether the pupil is a pupil with a disability and the content of the pupil's IEP, including information related to enabling the pupil to be involved in and progress in the general education curriculum (or for a preschool child, to participate in appropriate activities).

ASSESSMENT REPORTS

The personnel who assess the pupil shall prepare a written report, or reports, as appropriate, of the results of each assessment. The report shall include, but not be limited to, all the following:

- A. Whether the pupil may need special education and related services.
- B. The basis for making the determination.
- C. The relevant behavior noted during the observation of the pupil in an appropriate setting.
- D. The relationship of that behavior to the pupil's academic and social functioning.
- E. The educationally relevant health and development, and medical findings, if any.
- F. For pupils with learning disabilities, whether there is such a discrepancy between achievement and ability that it cannot be corrected without special education and related services.
- G. A determination concerning the effects of environmental, cultural, or economic disadvantage, where appropriate.

- H. The need for specialized services, materials, and equipment or pupils with low incidence disabilities, consistent with guidelines established pursuant to Education Code Section 56136.
- I. Information related to enabling the child to be involved in and progress in the general curriculum or, for preschool children, to participate in appropriate activities.
- J. Documentation of the language of assessment for children whose primary language is not English and the results of tests administered in the child's primary language by qualified personnel.
- K. A statement regarding the validity of the assessment if the assessment was administered through an interpreter.

A copy of the assessment report shall be given to the parent. Best practices suggest that the parent receive the report in sufficient time prior to the IEP meeting to read and assimilate the information.

It is recommended that form SELPA-9 (Psycho-Educational Assessment Report Format) and form SELPA-10 (Assessment Report Form) be used.

ASSESSMENT OF STUDENTS WITH SPECIFIC LEARNING DISABILITIES

For a pupil suspected of having a specific learning disability, the documentation of the determination of eligibility must contain a statement that the learning disability is not primarily the result of a visual, hearing, motor disability, mental retardation, emotional disturbance, cultural, environmental or economic disadvantage and that the disability is due to a disorder in one or more of the basic psychological processes.

When standardized tests are considered to be invalid for a specific pupil, the discrepancy between ability and achievement shall be measured by alternative means as specified on the assessment plan.

Each member conducting the assessment must certify in writing whether the report reflects the member's conclusion. If it does not reflect the member's conclusion, the member must submit a separate statement presenting the member's conclusions.

INDEPENDENT EDUCATIONAL ASSESSMENT

A parent or guardian has the right to obtain, at public expense, an independent educational assessment of the pupil from qualified specialists, as defined by regulations of the State Board of Education, if the parent or guardian disagrees with an assessment obtained by the public education agency. If a public education agency observed the pupil

in conducting its assessment, or if its assessment procedures make it permissible to have in-class observation of a pupil, an equivalent opportunity shall apply to an independent educational assessment of the pupil in the pupil's current educational placement and setting, and observation of an educational placement and setting, if any, proposed by the public education agency, regardless of whether the independent educational assessment is initiated before or after the filing of a due process hearing proceeding.

The public education agency may initiate a due process hearing to show that its assessment is appropriate. If the final decision resulting from the due process hearing is that the assessment is appropriate, the parent or guardian still has the right for an independent educational assessment, but not at public expense.

If the parent or guardian obtains an independent educational assessment at private expense, the results of the assessment shall be considered by the public education agency with respect to the provision of free, appropriate public education to the child, and may be presented as evidence at a due process. If a public education agency observed the pupil in conducting its assessment, or if its assessment procedures make it permissible to have in-class observation of a pupil, an equivalent opportunity shall apply to an independent educational assessment of the pupil in the pupil's current educational placement and setting, and observation of an educational placement and setting, if any, proposed by the public education agency, regardless of whether the independent educational assessment is initiated before or after the filing of a due process hearing proceeding.

If a parent or guardian proposes a publicly financed placement of the pupil in a nonpublic school, the public education agency shall have an opportunity to observe the proposed placement and the pupil in the proposed placement, if the pupil has already been unilaterally placed in the nonpublic school by the parent or guardian. Any observation conducted pursuant to this subdivision shall only be of the pupil who is the subject of the observation and may not include the observation or assessment of any other pupil in the proposed placement. The observation or assessment by a public education agency of a pupil other than the pupil who is the subject of the observation pursuant to this subdivision may be conducted, if at all, only with the consent of the parent or guardian. The results of any observation or assessment of any other pupil in violation of this subdivision shall be inadmissible in any due process or judicial proceeding regarding the free appropriate public education of that other pupil.

For further information regarding independent educational evaluations, refer to SELPA policy #11 (Independent Education Evaluations (IEE) Criteria).

The right of parents to obtain, at public expense, an independent educational assessment if they disagree with the assessment conducted by the district, is included in

the Procedural Safeguards notice, which is distributed pursuant to Education Code Section 56301(d)(2).

**INDIVIDUALIZED EDUCATION
PROGRAM IEP COMPONENTS**

INDIVIDUALIZED EDUCATION PROGRAM IEP COMPONENTS

IEP COMPONENTS

- (a) The individualized education program is a written statement for each individual with exceptional needs that is developed, reviewed, and revised in accordance with this section, as required by subsection (d) of Section 1414 of Title 20 of the United States Code, and that includes the following:
 - (1) A statement of the individual's present levels of academic achievement and functional performance, including the following:
 - (A) The manner in which the disability of the individual affects his or her involvement and progress in the general education curriculum.
 - (B) For preschool children, as appropriate, the manner in which the disability affects his or her participation in appropriate activities.
 - (C) For individuals with exceptional needs who take alternate assessments aligned to alternate achievement standards, a description of benchmarks or short-term objectives.
 - (2) A statement of measurable annual goals, including academic and functional goals, designed to do the following:
 - (A) Meet the individual's needs that result from the individual's disability to enable the pupil to be involved in and make progress in the general curriculum.
 - (B) Meet each of the pupil's other educational needs that result from the individual's disability.
 - (3) A description of the manner in which the progress of the pupil toward meeting the annual goals described in paragraph (2) will be measured and when periodic reports on the progress the pupil is making toward meeting the annual goals, such as through the use of quarterly or other periodic reports, concurrent with the issuance of report cards, will be provided.
 - (4) 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 pupil, or on behalf of the pupil, and a statement of the program modifications or supports for school personnel that will be provided to the pupil to do the following:

- (A) To advance appropriately toward attaining the annual goals.
- (B) To be involved in and make progress in the general education curriculum in accordance with paragraph (1) and to participate in extracurricular and other nonacademic activities.
- (C) To be educated and participate with other individuals with exceptional needs and non-disabled pupils in the activities described in this subdivision.
- (5) An explanation of the extent, if any, to which the pupil will not participate with non-disabled pupils in the regular class and in the activities described in subparagraph (C) of paragraph (4).
- (6) (A) A statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the pupil on state and district wide assessments consistent with subparagraph (A) of paragraph (16) of subsection (a) of Section 1412 of Title 20 of the United States Code.
- (B) If the individualized education program team determines that the pupil shall take an alternate assessment on a particular state or district wide assessment of pupil achievement, a statement of the following:
 - (i) The reason why the pupil cannot participate in the regular assessment.
 - (ii) The reason why the particular alternate assessment selected is appropriate for the pupil.
- (7) The projected date for the beginning of the services and modifications described in paragraph (4), and the anticipated frequency, location, and duration of those services and modifications.
- (8) Beginning not later than the first individualized education program to be in effect when the pupil is 16 years of age, and updated annually thereafter, the following shall be included:
 - (A) Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and where appropriate, independent living skills.
 - (B) The transition services, as defined in Section 56345.1, including courses of study, needed to assist the pupil in reaching those goals.
 - (b) If appropriate, the individualized education program shall also include, but not be limited to, all of the following:

- (1) For pupils in grades 7 to 12, inclusive, any alternative means and modes necessary for the pupil to complete the district's prescribed course of study and to meet or exceed proficiency standards for graduation.
- (2) For individuals whose native language is other than English, linguistically appropriate goals, objectives, programs, and services.
- (3) Pursuant to Section 300.309 of Title 34 of the Code of Federal Regulations, extended school year services shall be included in the individualized education program and provided to the pupil if the pupil's individualized education program team determines, on an individual basis, that the services are necessary for the provision of a free appropriate public education to the pupil.
- (4) Provision for the transition into the regular class program if the pupil is to be transferred from a special class or nonpublic, nonsectarian school into a regular class in a public school for any part of the school day, including the following:
 - (A) A description of activities provided to integrate the pupil into the regular education program. The description shall indicate the nature of each activity, and the time spent on the activity each day or week.
 - (B) A description of the activities provided to support the transition of pupils from the special education program into the regular education program.
- (5) For pupils with low-incidence disabilities, specialized services, materials, and equipment, consistent with guidelines established pursuant to Section 56136.
- (6) The IEP shall show a direct relationship between the present levels of performance, the goals and objectives, and the specific educational services to be provided.
- (7) Beginning not later than one year before the pupil reaches the age of majority, the IEP must include a statement that the pupil has been informed of the pupil's rights, if any, that will transfer to the pupil on reaching the age of majority.

Note: See the Sonoma County SELPA IEP Procedural Manual for explanation and examples of how to complete the IEP.

CONSIDERATIONS FOR DEVELOPMENT OF THE IEP

When developing each pupil's IEP, the IEP team shall consider the following:

- (1) The strengths of the pupil.
- (2) The concerns of the parents or guardians for enhancing the education of the pupil.

(3) The results of the initial assessment or most recent assessment of the pupil.

(4) The academic, developmental, and functional needs of the child.

The IEP team shall do the following:

(1) In the case of a pupil whose behavior impedes his or her learning or that of others, consider the use of positive behavioral interventions and supports, and other strategies, to address that behavior.

(2) In the case of a pupil with limited English proficiency, consider the language needs of the pupil as those needs relate to the IEP.

(3) In the case of a pupil who is blind or visually impaired, provide for instruction in braille, and the use of braille, unless IEP team determines, after an assessment of the pupil's reading and writing skills, needs, and appropriate reading and writing media, including an assessment of the pupil's future needs for instruction in braille or the use of braille, that instruction in braille or the use of braille is not appropriate for the pupil.

(4) Consider the communication needs of the pupil, and in the case of a pupil who is deaf or hard of hearing, consider the pupil's language and communication needs, opportunities for direct communications with peers and professional personnel in the pupil's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the pupil's language and communication mode.

(5) Consider whether the pupil requires assistive technology devices and services as defined in Section 1401(1) and (2) of Title 20 of the United States Code.

If, in considering the special factors described in subdivisions (a) and (b), the IEP team determines that a pupil needs a particular device or service, including an intervention, accommodation, or other program modification, in order for the pupil to receive a free appropriate public education, IEP team shall include a statement to that effect in the pupil's IEP.

The IEP team shall review the pupil's IEP periodically, but not less frequently than annually, to determine whether the annual goals for the pupil are being achieved, and revise IEP, as appropriate, to address among other matters the following:

(1) A lack of expected progress toward the annual goals and in the general education curriculum, where appropriate.

(2) The results of any reassessment conducted pursuant to Section 56381.

- (1) A lack of expected progress toward the annual goals and in the general education curriculum, where appropriate.
- (2) The results of any reassessment conducted pursuant to Section 56381.
- (3) Information about the pupil provided to, or by, the parents or guardians, as described in subdivision (b) of Section 56381.
- (4) The pupil's anticipated needs.
- (5) Any other relevant matter.

A regular education teacher of the pupil, who is a member of IEP team, shall participate, consistent with Section 1414(d)(1)(C) of Title 20 of the United States Code, in the review and revision of IEP of the pupil.

The parent or guardian shall have the right to present information to the IEP team in person or through a representative and the right to participate in meetings, relating to eligibility for special education and related services, recommendations, and program planning.

PROVISION OF SERVICES

1. All related services specified in the IEP, such as specialized health care services, shall be provided to enable the pupil to be involved in and make progress in the general education curriculum and to participate in extracurricular and other nonacademic activities.
2. Each teacher and provider is informed of his or her specific responsibilities related to implementing the pupil's IEP and the specific accommodations, modifications, and supports that must be provided to the pupil in accordance with the IEP. Each teacher and provider is responsible to ensure that the pupil receives all related services specified in the IEP, such as specialized health care services.

**INDIVIDUALIZED EDUCATION
PROGRAM IEP TEAM MEMBERS**

INDIVIDUALIZED EDUCATION PROGRAM IEP TEAM MEMBERS

IEP TEAM MEMBERS

- (b) The individualized education program team shall include all of the following:
- (1) One or both of the pupil's parents, a representative selected by a parent, or both, in accordance with the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.).
 - (2) Not less than one regular education teacher of the pupil, if the pupil is, or may be, participating in the regular education environment. If more than one regular education teacher is providing instructional services to the individual with exceptional needs, one regular education teacher may be designated by the local educational agency to represent the others.

The regular education teacher of an individual with exceptional needs shall, to the extent appropriate, participate in the development, review, and revision of the pupil's individualized education program, including assisting in the determination of appropriate positive behavioral interventions and supports, and other strategies for the pupil, and the determination of supplementary aids and services, program modifications, and supports for school personnel that will be provided for the pupil, consistent with subclause (IV) of clause (i) of subparagraph (A) of paragraph (1) of subsection (d) of Section 1414 of Title 20 of the United States Code.

For a preschool child, at least one regular preschool teacher is the child is, or may be, participating in a regular education environment.

- (3) Not less than one special education teacher of the pupil, or if appropriate, not less than one special education provider of the pupil.
- (4) A representative of the local educational agency who meets all of the following:
 - (A) Is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of individuals with exceptional needs.
 - (B) Is knowledgeable about the general curriculum.
 - (C) Is knowledgeable about the availability of resources of the local educational agency.
- (5) An individual who can interpret the instructional implications of the assessment results. The individual may be a member of the team described in paragraphs (2) to

(6), inclusive.

- (6) At the discretion of the parent, guardian, or the local educational agency, other individuals who have knowledge or special expertise regarding the pupil, including related services personnel, as appropriate. The determination of whether the individual has knowledge or special expertise regarding the pupil shall be made by the party who invites the individual to be a member of the individualized education program team.
- (7) Whenever appropriate, the individual with exceptional needs.
- (c) In accordance with Sections 300.540 and 300.542 of Title 34 of the Code of Federal Regulations, for a pupil suspected of having a specific learning disability, at least one member of the individualized education program team shall be qualified to conduct individual diagnostic examinations of children, such as a school psychologist, speech-language pathologist, or remedial reading teacher. In accordance with Section 300.542 of Title 34 of the Code of Federal Regulations, at least one team member other than the pupil's regular teacher shall observe the pupil's academic performance in the regular classroom setting. In the case of a child who is less than school age or out of school, a team member shall observe the child in an environment appropriate for a child of that age.
- (d) (1) In the case of transition services, the local educational agency shall invite an individual with exceptional needs to attend his or her individualized education program meeting if a purpose of the meeting will be the consideration of the needed transition services for the individual.

(2) If the individual with exceptional needs does not attend the individualized education program meeting, the local educational agency shall take steps to ensure that the individual's preferences and interests are considered.

(3) The local educational agency also shall invite to the individualized education program team meetings a representative that is likely to be responsible for providing or paying for transition services. If an agency invited to send a representative to a meeting does not do so, the local educational agency shall take other steps to obtain participation of the other agency in the planning of any transition services.
- (e) A local educational agency may designate another local educational agency member of the individualized education program team to serve also as the representative required pursuant to paragraph (4) of subdivision (b) if the requirements of subparagraphs (A), (B), and (C) of paragraph (4) of subdivision (b) are met.
- (f) A member of the individualized education program team shall not be required to attend an individualized education program meeting, in whole or in part, if the parent

of the individual with exceptional needs and the local educational agency agree that the attendance of the member is not necessary because the member's area of the curriculum or related services is not being modified or discussed in the meeting.

- (g) A member of the individualized education program team may be excused from attending an individualized education program meeting, in whole or in part, when the meeting involves a modification to or discussion of the member's area of the curriculum or related services, if both of the following occur:
 - (1) The parent and the local educational agency consent to the excusal after conferring with the member.
 - (2) The member submits in writing to the parent and the individualized education program team, input into the development of the individualized education program prior to the meeting.
- (h) A parent's agreement under subdivision (f) and consent under subdivision (g) shall be in writing.
- (i) In the case of a child who was previously served under Chapter 4.4 (commencing with Section 56425), Early Education for Individuals with Exceptional Needs, or the California Early Intervention Services Act under Title 14 (commencing with Section 95000) of the Government Code, an invitation to the initial individualized education program team meeting shall, at the request of the parent, be sent to the infants and toddlers with disabilities coordinator or other representatives of the early education or early intervention system to assist with the smooth transition of services.
- (j) In the case of a child who has received a functional behavioral analysis assessment, the behavioral intervention case manager shall attend the IEP meeting to review the results and, if necessary, to develop a behavioral intervention plan.

**INDIVIDUALIZED EDUCATION
PROGRAM SCHEDULING
AND CONDUCTING IEP MEETING**

INDIVIDUALIZED EDUCATION PROGRAM SCHEDULING AND CONDUCTING IEP MEETING

SCHEDULING AND CONDUCTING AN IEP TEAM MEETING

The case manager ensures that the IEP team periodically, but not less than annually, reviews the pupil's IEP.

The case manager ensures that an IEP shall be in effect for each pupil at the beginning of each school year.

Before the expiration of a 30-day interim placement, the case manager schedules the IEP team meeting to review information from the previous placement and to make final recommendations for placement following all the usual requirements for holding IEP meetings.

An IEP meeting for a student identified as an individual with exceptional needs must be held within 30 days of receipt of a written request by the parent, not counting days between the pupil's regular school sessions, terms, or days of school vacation in excess of 5 school days.

The case manager schedules the IEP team meeting in coordination with all other team members, including the parent.

The following guidelines are best practice procedures for scheduling an IEP Team meeting:

Scheduling the IEP Team meeting

- Schedule annual IEP meetings well in advance, allowing time for re-scheduling if needed.
- Reserve a room that will accommodate all of the needs of the participants: enough room at the table with chairs for all, electrical outlets for tape recorders, a telephone available for telephone conferencing, etc.
- Allow a reasonable amount of time for the IEP meeting.
- Invite all necessary IEP team members:
 - Parent(s)
 - Student, if appropriate
 - Administrator or designee
 - Special education teacher
 - General education teacher
 - Anyone else who has assessed the student for the upcoming IEP or has important information to share

- Include a Request for Parent Information for the IEP Meeting (SELPA Form # 29) with Parent/Guardian Notification of IEP Meeting (SELPA Form #6) sent to the parent.
- Ask general education teachers to complete the General Education Teacher Input for the IEP (SELPA Form #30).
- If neither parent can attend the IEP meeting, use other means to ensure parent participation, including individual or conference phone calls.
- If unable to convince the parent to attend the IEP meeting, record the attempts to arrange for a mutually agreed on time and place.
- Ensure that the parent understands the proceedings at the IEP meeting, including arranging for an interpreter for parents with deafness or whose native language is other than English.
- Inform the parent of his/her right to electronically record the IEP meeting.

Prior to the IEP meeting (10 days or less)

- Send assessment reports and draft IEP goals and objectives/benchmarks to the parent ahead of time. In some cases it may be beneficial to schedule a time to discuss the report and/or goals and objectives over the phone if the parent has questions.
- Be prepared to bring assessment reports, student work samples, the special education file, health and attendance information, draft goals and objectives, etc., to share with the team.
- Confirm that all necessary team members will be attending the IEP meeting.
- Send a copy of the proposed agenda to the parent.

The day of the IEP meeting

- Have basic snacks and water available for the meeting.
- Check that the meeting room is set up and everything that is needed is in the room.
- Confirm that all IEP members will be attending.

At the IEP meeting

- Start on time.
- The Administrator or designee initiates introductions.
- It is highly recommended that every IEP meeting have a school staff member assigned as an IEP Facilitator. The facilitator briefly explains his/her role at the meeting. He/she guides the process of the meeting, ensuring that the agenda, ground rules, (see below) and timelines (see below) are followed.
- Make sure that there is a note taker who records both the family's and the school personnel's comments.
- Review the ground rules for the meeting. Three basic rules include:
 - * No interruptions
 - * Summarizing (not reading) reports in 15 minutes or less
 - * Determine if pagers or phones should be left on or off

- Ask if anyone would like other rules.
- Establish time parameters.
- Review the agenda.
- Complete the IEP form.

Note: The SELPA staff members are available for training school site staff in IEP facilitation. Call 524-2750 to make a request for training.

After the IEP team meeting

- Send progress reports home on the goals and objective at least as often as general education students receive their progress reports.
- If progress or behavior is not going well, communicate that to the family along with suggestions that may help. Enlist their help and support.
- Document all contacts in a contact log.

IEP Amendments

In making changes to the pupil's individualized education program after the annual IEP meeting for a school year, the parent and the district may agree not to convene an IEP meeting for the purposes of making those changes, and instead may develop a written document to amend or modify the pupil's existing IEP. Upon request, the parent shall be provided with a revised copy of the IEP with the amendments incorporated.

Use SELPA Form #39, IEP Amendment, for making the changes, as described above.

Consideration of Postsecondary Goals and Transition Services

Beginning no later than the effective date of the IEP in effect when the pupil reaches the age of 16, or younger if determined appropriate by the IEP team, the meeting notice shall indicate that a purpose of the meeting will be the consideration of postsecondary goals and transition services for the pupil. The meeting notice shall also indicate that the pupil is invited to attend. If the pupil does not attend the IEP meeting, the district shall take steps to ensure that the preferences and interests of the pupil are considered.

The district, to the extent appropriate, with the consent of the parents or the pupil who has reached the age of majority, shall invite a representative of any participating agency that is likely to be responsible for providing or paying for transition services.

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

**INDIVIDUALIZED EDUCATION
PROGRAM IEP MEETING AGENDA**

INDIVIDUALIZED EDUCATION PROGRAM IEP TEAM MEETING AGENDA

IEP TEAM MEETING AGENDA

The following is a suggested IEP team meeting agenda:

1. Chairperson/Case Manager introduces and identifies all members present.
2. Chairperson/Case Manager states the reason for the meeting and the goal(s) or desired outcome of the IEP team meeting.
3. Chairperson/Case Manager reviews parent rights and gives a copy of the Special Education Rights of Parents and Children document to the parent.
4. Chairperson/Case Manager briefly informs team members of the agenda of the meeting.
 - A. Written/oral presentation of reports by team members.
 - B. Summary of reports by assessor or Chairperson/Case Manager.
 - C. Consideration of consensus agreement.
 - D. Development of IEP.
 - E. Obtaining signatures and distribution of copies of IEP forms.
5. Chairperson/Case Manager calls on each team member for report(s). Include strengths and weaknesses of the student.
 - A. General education school personnel.
 - B. Multidisciplinary team personnel.
 - C. Health report(s).
 - D. Parents' report(s).
 - E. Other reports.
 - F. Summary by chairperson/case manager of student's strengths, weaknesses and/or needs.

6. Chairperson/Case Manager seeks consensus of team members.
 - A. At initial and triennial meetings, determine whether pupil meets eligibility criteria for one of the disability categories.
 - B. Attach dissenting statement of any team member who disagrees.
7. The team develops the Individualized Education Program.

The team ensures that the IEP includes a direct relationship between the present levels of performance, goals, objectives (if appropriate), and the specific educational services to be provided.

(See SELPA IEP Instruction Manual for instructions on how to complete SELPA IEP forms #23-28).
8. Chairperson/Case Manager summarizes the IEP with the parent.
9. Chairperson/Case Manager obtains signatures of team members. (Parents have the right to sign or not sign an IEP based on whether or not they agree with the content. Most issues can be resolved through communications at the meeting.)
10. Chairperson/Case Manager distributes copies of the IEP to the parent and all personnel who will participate in its implementation.

**INDIVIDUALIZED EDUCATION
PROGRAM POST
IEP MEETING ACTIVITIES**

INDIVIDUALIZED EDUCATION PROGRAM POST IEP MEETING ACTIVITIES

POST IEP MEETING ACTIVITIES

Following the IEP meeting, it is the Chairperson/Case Manager's responsibility to do the following:

1. Distribute legible copies of IEP forms to appropriate personnel who did not receive copies at the meeting. All individuals who are responsible for implementing the IEP should receive copies.
2. Distribute legible copies of all IEP forms to the individual responsible for the input of MIS data.
3. If needed, complete transportation request forms and send/give them to the personnel in charge of arranging transportation.
4. Notify the parents that they must register their child at the assigned school if a placement is made at a school other than the pupil's home school. The parent may need to check the pupil out of the school of attendance.

Only the special education administrator may specify the appropriate classroom placement for a special day class student based on need, home school attendance area, enrollment, and other relevant considerations.

For students changing program or site, the sending teacher/specialist sends the special education file to the receiving special education teacher/specialist, case manager, or administrator.

The special education administrator sees that the assigned teacher is notified, determines that the teacher/specialist receives all relevant documents from the student's special education file, and ensures that all placements are promptly made.

Each teacher and provider is informed of his or her specific responsibilities related to implementing the pupil's IEP and the specific accommodations, modifications, and supports that must be provided to the pupil in accordance with the IEP.

**PLACEMENT OF STUDENTS IN
SPECIAL EDUCATION PROGRAMS**

PLACEMENT OF STUDENTS IN SPECIAL EDUCATION PROGRAMS

PLACEMENT OF STUDENTS IN SPECIAL EDUCATION PROGRAMS

In determining the program placement of a student with a disability, the IEP team must ensure that the placement decisions and the student's placement are made in accordance with the least restrictive environment requirements in federal and state laws and regulations.

The SELPA shall ensure that a continuum of program options is available to meet the needs of individuals with exceptional needs for special education and related services.

The continuum of programs options available to a student with a disability shall include, but not necessarily be limited to, all of the following or any combination of the following:

1. Regular education programs consistent with Federal law.
2. Resource specialist program (RSP).
3. Designated instruction and services (DIS).
4. Special classes.
5. Nonpublic, nonsectarian school services.
6. State special schools.
7. Instruction in settings other than classrooms where specially designed instruction may occur
8. Itinerant instruction in classrooms, resource rooms, and settings other than classrooms where specially designed instruction may occur to the extent required by federal law or regulation.
9. Instruction using telecommunication, and instruction in the home, in hospitals, and in other institutions to the extent required by federal law or regulation.

Districts shall, prior to the placement of a student with a disability, ensure that the regular teacher or teachers, the special education teacher or teachers, and other persons who provide special education, related services, or both to the student have access to the student's IEP, shall be knowledgeable of the content of the IEP, and shall be informed of his or her specific responsibilities related to implementing the IEP and the specific

accommodations, modifications and supports that shall be provided in accordance with the IEP.

When placement/program changes are to be considered at an IEP team meeting, the receiving site administrator and appropriate special education personnel are to be consulted and invited to attend.

If an IEP team recommends grade retention or adjustment to a higher grade, district procedures are to be followed.

REVIEW OF DISPROPORTIONALITY OF PLACEMENTS

The district shall annually examine data regarding the over/under representation of racially, ethnically, linguistically, and culturally diverse students to determine whether an imbalance exists. If an imbalance exists, the district shall review the appropriateness of its identification, referral, assessment, IEP development, and placement procedures.

WHEN IEPs MUST BE IN EFFECT

As soon as possible following development of the IEP, special education and related services shall be made available to the pupil in accordance with the pupil's IEP.

Each district shall have an IEP in effect for each pupil within its jurisdiction at the beginning of each school year.

ANNUAL IEP REVIEWS

ANNUAL IEP REVIEWS

ANNUAL IEP REVIEWS

The IEP team shall meet at least annually to review the student's progress, the IEP, including whether the annual goals for the student are being achieved, and the appropriateness of placement, and to make any necessary revisions.

The annual IEP review shall consist of those persons specified in the section, IEP TEAM MEMBERS. Other individuals may participate in the annual review if they possess expertise or knowledge essential for the review.

An elementary district shall notify a high school district of all students placed in nonpublic school or agency programs prior to the annual review of the IEP for each student who may transfer to the high school district.

To assist in maintaining annual review schedules, it is recommended that teachers, psychologists, support staff and site administrators receive appropriate student lists that include the annual IEP review schedule.

All required components of parent notice and informed consent are to be included in the annual IEP review process.

TRIENNIAL REVIEWS

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State and federal laws and regulations require that students with disabilities receive a reevaluation at least once every three years or more frequently if conditions warrant or if the student's parent or teacher requests an assessment. A reevaluation shall not occur more frequently than once a year, unless the parent and the district agree otherwise, and shall occur at least once every three years, unless the parent and the district agree, in writing that a reevaluation is unnecessary. The date of the IEP meeting following the three-year reevaluation must occur on or before the calendar date that is three years from the initial IEP meeting (or previous triennial). If the reassessment so indicates, a new IEP shall be developed.

As part of any reevaluation, the IEP team and other qualified professionals, as appropriate, shall do the following:

1. Review existing assessment data, including assessments and information provided by the parents of the student.
2. Review current classroom-based local, or State assessments and classroom-based observations.
3. Review teacher and related services provider(s) observations.
4. Ensure that a vision and hearing screening is completed, unless the parent denies permission.

On the basis of the information obtained from the above sources, the team members shall identify what additional data, if any, is needed to determine:

1. Whether the student continues to have a disability.
2. The present levels of performance and the educational needs of the student.
3. Whether the student continues to need special education and related services.
4. Whether any additions or modifications to the special education and related services are needed to enable the student to meet the annual goals included in the student's IEP and to participate, as appropriate, in the general curriculum.

According to California law, no reevaluation shall be conducted unless the written consent of the parent is obtained prior to the reevaluation. However, parental consent is

not required for a review of existing data.

Parental consent is not required for a reevaluation if the district can demonstrate that it has taken reasonable steps to obtain consent and the parent has failed to respond.

Implementation Procedures

In anticipation of the triennial review date the special education case manager will consult with relevant regular education teachers and triennial assessment team members to examine what types of data are needed for the determination of disability and other key components of the IEP review. In cases where comprehensive assessment data may not be required, this consultation should be facilitated by the case manager completing the SELPA's Triennial Assessment Worksheet and submitting it to assessment team members for input. If all members of the assessment team agree that a comprehensive assessment is not required, a parent letter is sent, along with the IEP Meeting Notification Form, which explains the abbreviated assessment process and the parent's right to request a comprehensive assessment.

When an abbreviated assessment is anticipated, it is recommended that the IEP meeting be held 50 days prior to the triennial date. At the IEP meeting, the team reviews the Triennial Worksheet. If the parent requests a full evaluation at this time, this is documented on the IEP form (SELPA Form, Notes, #28). A second IEP meeting is scheduled in these cases, within 50 days, in order to consider the comprehensive assessment results.

All members of the IEP team are required to submit reports regarding assessment findings, even if an abbreviated assessment has been conducted. Reports should summarize the information gleaned from the abbreviated procedures. In cases where no or limited assessment has been conducted, the three-year reassessment report should make reference to the assessment information contained in previous psychoeducational evaluations.

The following are examples of students who should receive a comprehensive assessment at the time of their triennial review:

- A. Students who were initially assessed three years prior.
- B. Students who are not making expected progress in their special education programs.
- C. Students who have undergone a serious illness or serious life-changing event.
- D. Students for whom a change of special education placement may be anticipated, including students anticipated to exit their special education program.

- E. Students whose special education eligibility/disabling condition is no longer apparent.
- F. Students whose previous assessments have contained unusual variability in results.
- G. Students under the age of nine (9).

EARLY START INFANT PROGRAM

EARLY START INFANT PROGRAM

CONTENT OF THE INDIVIDUALIZED FAMILY SERVICE PLAN (IFSP)

The IFSP shall include the following:

(1) With the agreement of the parent, a statement of the family's resources, priorities, and concerns related to enhancing the development of the infant or toddler;

(2) A statement, based on evaluation and assessment information, of the infant's or toddler's present levels of:

(A) Physical development including fine and gross motor development, vision, hearing, and health status;

(B) Cognitive development;

(C) Communication development;

(D) Social or emotional development; and,

(E) Adaptive development;

(3) The statement of present levels of development required in subsection (b)(2) of this section shall be based on evidence that can be measured or observed by a qualified professional;

(4) A statement of the developmental outcomes expected for the infant or toddler and the criteria, procedures, and time lines used to determine the degree to which progress toward achieving outcomes is being made. Such outcomes shall be based on the identified needs of the infant or toddler and family pursuant to assessment;

(5) A statement about the outcomes for the family when services for the family are related to meeting the special developmental needs of the infant or toddler;

(6) Statements of the specific early intervention services necessary to meet the unique needs of the infant or toddler and the family to achieve the outcomes including:

(A) The frequency, intensity, and method of delivering the services;

(B) The location where the services will be delivered;

1. The statements of location shall specify the natural environments such as home,

child care, school program, or private program where early intervention services shall be provided; and

2. The statement shall include a justification of the extent, if any, to which the services will not be provided in a natural environment.

3. The provision of early intervention services may be provided outside of a natural environment, as determined by the parent and the IFSP team, only when early intervention cannot be achieved in a natural environment.

(C) The projected date for initiation of each service;

(D) The anticipated duration of the services;

(E) The scheduled days when services/programs will not be available when the service provider operates a program which has a fixed schedule which includes breaks in service for periods such as holidays or vacations; and

(F) The name of the regional center, LEA or service provider providing each early intervention service;

(7) The funding source for other or non-required services provided by any entity other than regional centers or LEAs including the procedures that will be followed to obtain such funding;

(8) The name of the service coordinator; and,

(9) A statement of the transition steps, which are initiated when the toddler is two years nine months, or at the discretion of all parties, up to six months before the toddler turns three years old, that are necessary to ensure the transition of the toddler to:

(A) Preschool services under Part B of the Individuals with Disabilities Education Act, Title 20 United States Code Sections 1400-1420, if the toddler with a disability is eligible; or

(B) Other public and private services that may be needed by the toddler pursuant to Section 52112 of these regulations .

(c) Regional centers and LEAs shall not place an infant or toddler on a waiting list for early intervention services required by the IFSP.

(d) Regional centers and LEAs shall arrange, provide or purchase early intervention services required by the IFSP as soon as possible.

PROCEDURES FOR THE IFSP

(a) An initial IFSP shall be developed by the regional center and/or LEA for each eligible infant or toddler, who has been evaluated and assessed, within 45 days of the receipt , by either the regional center or LEA, of the oral or written referral except as provided for in Section 52107 of these regulations .

(b) A periodic review of the IFSP for an infant or toddler and the infant's or toddler's family shall be conducted every six months, or more frequently if service needs change, or if the parent requests such a review.

(c) Documentation of each periodic review of the IFSP by the service coordinator shall include:

(1) The degree to which progress toward achieving the outcomes is being made; and

(2) All modifications or revisions of the outcomes or services as necessary.

(d) The periodic review of the IFSP may be carried out by a meeting or by another means that is acceptable to the parent and other participants.

(e) An annual meeting to review the IFSP shall be conducted to document the infant's or toddler's progress and revise its provisions and shall include team members as specified in Section 52104 of these regulations .

(f) Information obtained from ongoing assessment shall be used in reviewing and revising outcomes and determining the appropriate services that will be provided or continued.

(g) All IFSP meetings shall be conducted:

(1) In settings and at times or by means that are reasonably convenient to the parent; and

(2) In the language of parent's choice unless it is clearly not feasible to do so.

(h) Meeting arrangements shall be made with, and written notice provided to, the parent and other members of the multidisciplinary team in a timely manner to ensure attendance at the IFSP meeting pursuant to the general notice requirements contained in Section 52161 of these regulations .

(i) The contents of the initial and annual IFSP and changes to the IFSP resulting from the periodic review shall be fully explained and a legible copy of the document given to the parent. Written consent from the parent shall be obtained prior to the provision of early intervention services described in the IFSP as required in Section 52162 (a) of these regulations.

(j) If the parent does not provide consent with respect to a particular early intervention service listed in the IFSP or withdraws consent after first providing it, that service shall not be provided. The early intervention services to which parental consent is obtained shall be provided.