



## **Chapter 5: Supports and Services**

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### **Introduction**

It is the philosophy of the Desert/Mountain Special Education Local Plan Area (SELPA) that all individual students with exceptional needs be provided a Free Appropriate Public Education

(FAPE) in the Least Restrictive Environment (LRE). This philosophy is in accordance with state and federal mandates.

If a related service or services cannot be provided by a Local Education Agency (LEA) employee, the LEA may contract with a certified nonpublic, nonsectarian school or agency in accordance with the requirements of a master contract and an Individual Services Agreement (ISA). For mental health services or medically necessary occupational and physical therapy, employees, vendors or contractors of the State Department of Health Services or Mental Health, or any designated local public health or mental health agency, may provide related services in accordance with procedures outlined in local interagency agreements.

All special education and related services determined by the Individualized Education Program (IEP) team to be necessary for a student to benefit from education shall be listed on the student's IEP. A LEA shall assure that each student with a disability is provided services in accordance with his or her IEP, regardless of whether the LEA or an agency or contractor is to provide the service.

When an agency providing a related service fails to provide the service listed on the IEP, the LEA is responsible and shall provide the service in accordance with an IEP unless otherwise provided by law, without a disruption in service, and at no cost to the parent.

Special education programs, appropriate to meet student needs, are housed on regular school campuses, as well as on leased sites, and are dispersed throughout the Desert/Mountain SELPA as equitably as possible to ensure that students with disabilities are served as close to home as much as possible. Each LEA shall ensure that the physical location of special education programs is selected to facilitate continuing social interaction with nondisabled students. Each LEA shall ensure that students with disabilities shall have equal access to general education activities, programs, and facilities while on the regular school site and participate in those activities as appropriate to meet their needs. The Desert/Mountain SELPA IEP form contains a statement of supplementary aids and services that the student with a disability may need to ensure his or her participation in the general education curriculum. Each LEA shall encourage the close cooperation of all school personnel to facilitate opportunities for social as well as academic interaction between students with disabilities and nondisabled students. Each LEA shall ensure that all students with disabilities are educated and participate with nondisabled students in academic, nonacademic, and extracurricular activities to the extent appropriate. The IEP shall contain a statement of the program modifications and/or supports for school personnel that will be provided for the student with a disability in order to be educated and participate in activities with nondisabled students.

The LEA ensures that removal of students with disabilities from the general education environment occurs only when the nature or severity of the disability is such that education in the general education program even with the use of supplementary aids and services cannot be achieved satisfactorily. The IEP shall include an explanation of the extent, if any, to which the student will not participate with nondisabled students in the general education program and in extracurricular and other nonacademic activities.

Each LEA shall provide school personnel the necessary support to ensure student success. The Desert/Mountain SELPA's funding allocation plan shall consider the distribution of resources to ensure that each LEA can provide the necessary supports.

Each LEA shall ensure that a student will be referred for special education instruction and services only after the resources of the general education program have been considered and, where appropriate, utilized. Such resources may include, but are not limited to, Student Study Teams (SSTs), early literacy programs and remedial programs.

The Desert/Mountain SELPA also coordinates the distribution of low-incidence equipment. Additional information is available in Chapter 13.

## **Section A – Least Restrictive Environment, a Continuum of Services and Placement Options**

*California Education Code § 56360. Each special education local plan area 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, as required by the Individuals with Disabilities Education Act (Title 20 of the United States Code, section 1400 et seq) and federal regulations relating thereto.*

*California Education Code § 56361. The continuum of program options shall include, but not necessarily be limited to, all of the following or any combination of the following:*

- (a) Regular education,*
- (b) A resource specialist program,*
- (c) Designated instruction and services,*
- (d) Special classes,*
- (e) Nonpublic, nonsectarian school services,*
- (f) State special schools,*
- (g) Instruction in settings other than classrooms where specially designed instruction may occur,*
- (h) Itinerant instruction in classrooms, resource room, and settings other than classrooms where specially designed instruction may occur to the extent required by federal law or regulation,*

- (i) *Instruction using telecommunication and instruction in the home, in hospitals, and in other institutions to the extent required by federal law or regulation.*

A full continuum of program options is available for the educational placement of students with disabilities. Program options provide a spectrum of educational offerings, which range from regular classroom alternatives to the special site structured to deliver intensive and specialized services. The IEP team remains the primary decision-making body in determining the individual needs of students and the appropriate placement. Every effort is made to ensure that students with disabilities have access to state determined frameworks and standards, and participation in academic and extracurricular activities.

The student's instructional program is based on the core curriculum, standards, and frameworks identified by specific goals and objectives outlined in the IEP. The instructional settings and coordination of instruction varies depending upon the concepts and skills deemed appropriate for individual needs. Settings for instruction may include regular classrooms, regular classrooms with support services, special education classrooms, or community nonpublic schools or agencies as well as all other options outlined within the Service Delivery Options section of the Desert/Mountain SELPA Local Plan.

Students with low-incidence disabilities receive services consistent with the state guidelines and student needs. Students are referred for special education consideration after general education modifications are deemed not to be appropriate. They are identified and provided with special education services in accordance with appropriate legal assessment standards. The Desert/Mountain SELPA staff and LEA administrators review programs on a regular basis to determine whether or not a disproportionate representation of any one ethnicity exists.

Specialized instruction within the continuum of program options is supported with professional learning activities including disability awareness training, classroom visitations, and appropriately developed curricular programs. The Desert/Mountain SELPA and LEA support and encourages successful transition toward the least restrictive environment.

The extent of placement within the LRE is regularly reviewed by the Desert/Mountain SELPA. It is the SELPA's expressed intent that all students shall be educated to the maximum extent appropriate with their nondisabled peers, and special classes or removal of students with disabilities from the general educational environment shall only occur if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

In summary, students are placed in settings based on the needs set forth in their IEP and not solely on the disabling condition, configuration of services, availability of staff, or administrative expediency.

## Section B – Related Services

*California Education Code § 56363. (a) Designated instruction and services means “related services” as that term is defined in Section 1401(26) of Title 20 of the United States Code and Section 300.24 of Title 34 of the Code of Federal Regulations (CFR). The term “related services” means transportation, and such developmental, corrective, and other supportive services (including speech-language pathology and audiology services, interpreting services, psychological services, physical and occupational therapy, recreation, including therapeutic recreation, social work services, school nurse services designed to enable an individual with exceptional needs to receive a free appropriate public education as described in the individualized education program of the child, counseling services, including rehabilitation counseling, orientation and mobility services, and medical services, except that such medical services shall be for diagnostic and evaluation purposes only) as may be required to assist an individual with exceptional needs to benefit from special education, and includes the early identification and assessment of disabling conditions in children.*

*(b) These services may include, but are not limited to, the following:*

- (1) Language and speech development and remediation. The language and speech development and remediation services may be provided by a speech-language pathology assistant as defined in subdivision (f) of Section 2530.2 of the Business and Professions Code.*
- (2) Audiological Services*
- (3) Orientation and mobility services*
- (4) Instruction in the home or hospital*
- (5) Adapted physical education*
- (6) Physical and occupational therapy*
- (7) Vision service*
- (8) Specialized driver training instruction*
- (9) Counseling and guidance services, including rehabilitation counseling*

- (10) *Psychological services other than assessment and development of the individualized education program*
- (11) *Parent counseling and training*
- (12) *Health and nursing services, including school nurse services designed to enable an individual with exceptional needs to receive a free appropriate public education as described in the individual education program*
- (13) *Social worker services*
- (14) *Specially designed vocational evaluation and career development*
- (15) *Recreation services*
- (16) *Specialized services for low-incidence disabilities, such as readers, transcribers, and vision and hearing services*
- (17) *Interpreting services*

*(c) The terms “designated instruction and services” and “related services” do not include a medical device that is surgically implanted, including cochlear implants, the optimization of the functioning of a medical device, maintenance of that device, or the replacement of that device.*

*Designated instruction and services shall meet the standards adopted by the board.  
(b) These services may include, but are not limited to, the following:*

**1. *Language and speech development and remediation***

*The speech and language development and remediation services may be provided by a speech-language pathology assistant as defined in subdivision (f) of Section 2530.2 of the Business and Professions Code.*

***Title 5 of the California Code of Regulations (CCR) § 3051.1.***

*“Language, Speech and Hearing Development and Remediation services” include: (1) Referral and assessment of individuals suspected of having a disorder of language, speech, or hearing. Such individuals are not considered as part of the caseload pursuant to Education Code section 56363.3 unless an IEP is developed and services are provided pursuant to sections 3051.1(a)(2) and (3); (2) Specialized instruction and services for individuals with disorders of language, speech, and hearing, including monitoring of pupil progress on a regular basis,*

*providing information for the review, and when necessary participating in the review and revision of IEPs of pupils; (3) Consultative services to pupils, parents, teachers, or other school personnel; (4) Coordination of speech and language services with an individual's regular and special education program.*

*Caseloads of full-time equivalent language, speech and hearing specialists providing instruction and services within the LEA, SELPA, or county office shall not exceed a districtwide, SELPAwide, or countywide average of 55 individuals unless prior written approval has been granted by the SSPI.*

*Language and speech development and remediation shall be provided only by personnel who possess: (1) a licensed in Speech-Language Pathology issued by a licensing agency within the Department of Consumer Affairs; or (2) a credential authorizing language or speech services.*

*Services may also be provided by speech-language pathology assistants working under the direct supervision of a qualified language, speech, and hearing specialist, as defined in Business and Professions Code section 2530.2(i), and if specified in the IEP. No more than two assistants may be supervised by one qualified language, speech, and hearing specialist. The caseloads of persons in subdivision (b) shall not be increased by the use of assistants.*

## **2. Audiological services**

***Title 5 of the California Code of Regulations § 3051.2.*** “Audiological instruction and services may include: (1) Aural rehabilitation (auditory training, speech reading, language habilitation, and speech conversation) and habilitation with individual pupils or groups and support for the hearing-impaired pupils in the regular classroom; (2) Monitoring hearing levels, auditory behavior, and amplification for all pupils requiring personal or group amplification in the instructional setting; (3) Planning, organizing, and implementing an audiology program for individuals with auditory dysfunctions, as specified in the IEP; (4) Consultative services regarding test findings, amplification needs and equipment, ontological referrals, home training programs, acoustic treatment of rooms, and coordination of educational services to hearing-impaired individuals.

*Audiological services shall be provided only by personnel who possess: (1) a licensed in Audiology issued by a licensing agency within the Department of Consumer Affairs; or (2) a credential authorizing audiology services.*

## **3. Orientation and mobility services**

**Title 5 of the California Code of Regulations § 3051.3.** “Orientation and mobility instruction” may include: (1) Specialized instruction for individuals in orientation and mobility techniques; (2) Consultative services to other educators and parents regarding instructional planning and implementation of the IEP relative to the development of orientation and mobility skills and independent living skills.

*Orientation and mobility instruction shall be provided only by personnel who possess a credential that authorizes services in orientation and mobility instruction.*

#### **4. Instruction in the home or hospital**

**Title 5 of the California Code of Regulations § 3051.4.** Special education and related services provided in the home or hospital for school age pupils is limited to those pupils who have been identified as individuals with exceptional needs in accordance with section 3030 and for whom the IEP team recommends such instructions or services. Instructions may be delivered individually, in small groups or by teleclass. For those individuals with exceptional needs with a medical condition such as those related to surgery, accidents, short-term illness or medical treatment for a chronic illness, the IEP team shall review, and revise, if appropriate, the IEP whenever there is a significant change in the pupil’s current medical condition. When recommending placement for home instruction, the IEP team shall have in the assessment information a medical report from the attending physician and surgeon or the report of the psychologist, as appropriate, stating the diagnosed condition and certifying that the severity of the condition prevents the pupil from attending a less restrictive placement. The report shall include a projected calendar date for the pupil’s return to school. The IEP team shall meet to reconsider the IEP prior to the projected calendar date for the pupil’s return to school.

*Instruction in the home or hospital shall be provided by a regular class teacher, the special class teacher or the resource specialist teacher, if the teacher or specialist is competent to provide such instruction and services and if the provision of such instruction and services by the teacher or specialist is feasible. If not, the appropriate related services specialist shall provide such instruction.*

#### **5. Adapted physical education**

**Title 5 of the California Code of Regulations § 3051.5.** “Adapted physical education” is for individuals with exceptional needs 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. Consultative services may be



*provided to pupils, parents, teachers, or other school personnel for the purpose of identifying supplementary aids and services or modifications necessary for successful participation in the regular “D” Physical education program or specially designed physical education programs. Adapted physical education shall be provided only by personnel who possess a credential issued by the California CTC that authorizes service in adapted physical education.*

**6. Physical and occupational therapy**

***Title 5 of the California Code of Regulations § 3051.6.** When the LEA, SELPA, or county office contracts for the services of a physical therapist or an occupational therapist, the following standards shall apply: (1) Occupational or physical therapists shall provide services based upon recommendation of the IEP team. Physical therapy and occupational therapy services for infants are limited by Education Code section 56426.6. Physical therapy services may not exceed the services specified in the Business Professions Code section 2620. Occupational therapy services may not exceed the services specified in the Business and Professions Code section 2570.2(k). The LEA, SELPA, or county office shall assure that the therapist has available safe and appropriate equipment.*

*Individuals providing physical or occupational therapy shall be qualified: (1) Physical therapy shall be provided only by personnel who possess a valid license in Physical Therapy issued by a licensing agency within the Department of Consumer Affairs; (2) Occupational therapy shall be provided only by personnel who possess a license in occupational therapy issued by a licensing agency within the Department of Consumer Affairs. Services provided by a Certified Occupational Therapy Assistant shall be supervised by a registered occupational therapist in accordance with professional standards outlined by the American Occupational Therapy Association.*

**7. Vision services**

***Title 5 of the California Code of Regulations § 3051.7.** Vision services may include: (1) Adaptations in curriculum, media, and the environment, as well as instruction in special skills; (2) Consultative services to pupils, parents, teachers, and other school personnel. An assessment of and provision for services to visually impaired pupils may be conducted by an eye specialist who has training and expertise in low vision disabilities and has available the appropriate low vision aids for the purpose of assessment. The eye specialist may provide consultation to the pupil, parents, teacher and other school personnel as may be requested by an IEP team.*

*Procedures which may be utilized by qualified personnel are those procedures authorized by federal and state laws and regulations and performed in accordance with these laws and regulations and standards of the profession.*

*For the purposes of this section, an eye specialist shall mean a licensed optometrist, ophthalmologist, or other licensed physician and surgeon who has training and expertise in low vision disabilities.*

*Vision services shall be provided only by personnel who possess: (1) a licensed as an Optometrist, Ophthalmologist, Physician or Surgeon, issued by a licensing agency within the Department of Consumer Affairs and authorizing the licensee to provide the services rendered; or (2) a valid credential authorizing vision instruction or services.*

#### **8. Specialized driver training instruction**

*Title 5 of the California Code of Regulations § 3051.8. Specialized driver training instruction may include instruction to an individual with exceptional needs to supplement the regular driver training program. The IEP team shall determine the need for supplementary specialized driver training instruction. The need to supplement the regular program shall be based on an assessment of the pupil's health, physical, and/or educational needs which require modifications which cannot be met through a regular driver training program. Driver training for individuals herein described must be provided by qualified teachers, as defined by Education Code sections 41906 and 41907.*

#### **9. Counseling and guidance**

*Title 5 of the California Code of Regulations § 3051.9. Counseling and guidance services may be provided to an individual with exceptional needs who requires additional counseling and guidance services to supplement the regular guidance and counseling program. The IEP team shall determine the need for additional guidance and counseling services. Counseling and guidance services necessary to implement the IEP may include: (1) Educational counseling in which the pupil is assisted in planning and implementing his or her immediate and long-range educational program; (2) Career counseling in which the pupil is assisted in assessing his or her aptitudes, abilities, and interests in order to make realistic career decisions; (3) Personal counseling in which the pupil is helped to develop his or her ability to function with social and personal responsibility; (4) Counseling and consultation with parents and staff members on learning problems and guidance programs for pupils.*

*Counseling and guidance shall be provided only by personnel who possess a:*

- (1) license as a Marriage and Family Therapist, or Marriage and Family Therapist Registered Intern who is under the supervision of a Licensed Marriage and Family Therapist, a Licensed Clinical Social Worker, a Licensed Professional Clinical Counselor, a Licensed Psychologist, or a Physician who is certified in psychiatry by the Medical Board of California, the Board of Behavioral Sciences, or the Board of Psychology, within the Department of Consumer Affairs.*

- (2) *License as a Clinical Social Worker, or Associate Clinical Social Worker who is under the supervision of either a Licensed Clinical Social Worker or a licensed Mental Health Professional by the Board of Behavioral Sciences, within the Department of Consumer Affairs; or*
- (3) *License as an Educational Psychologist issued by a licensing agency within the Department of Consumer Affairs; or*
- (4) *License in psychology, or who are working under supervision of a licensed psychologist, both regulated by the Board of Psychology, within the Department of Consumer Affairs; or*
- (5) *Pupil Personnel Services Credential, which authorizes school counseling or school psychology.*
- (6) *License as a Licensed Professional Clinical Counselor, or a Professional Clinical Counselor Registered Intern who is under the supervision of a Licensed Professional Clinical Counselor, a Licensed Marriage and Family Therapist, a Licensed Clinical Social Worker, a Licensed Clinical Psychologist, or a Physician who is certified in psychiatry by the American Board of Psychiatry and Neurology.*

**10. Psychological services other than assessment and development of the individualized education program**

*Title 5 of the California Code of Regulations § 3051.10. Psychological services may include: (1) Counseling provided to an individual with exceptional needs by a credentialed or licensed psychologist or other qualified personnel; (2) Consultative services to parents, pupils, teachers, and other school personnel; (3) Planning and implementing a program of psychological counseling for individuals with exceptional needs and parents; (4) Assisting in developing positive behavioral intervention strategies; (5) This term does not include assessment services and the development of an IEP.*

*Psychological services required by a student’s IEP may be rendered by any of the following professionals who possess the credential or license required by law for the performance of particular psychological services by members of that profession: (1) Licensed Educational Psychologist pursuant to Business and Professions Code section 4989.14; (2) Licensed Marriage and Family Therapist pursuant to Business and Professions Code section 4980.02; (3) Licensed Clinical Social Worker pursuant to Business Professions Code section 4996.9; or (4) Licensed Psychologist pursuant to Business and Professions Code section 2903; or (5) Pupil Personnel Services Credential that authorizes school psychology.*

**11. Parent counseling and training**

*Title 5 of the California Code of Regulations § 3051.11. Parent counseling and training may include: (1) assisting parents in understanding the special needs*

*of their child; and (2) Providing parents with information about child development.*

*Parent counseling and training shall be provided only by personnel who possess a:*

- (1) credential that authorizes special education instruction; or*
- (2) credential that authorizes health and nursing services; or*
- (3) license as a Marriage and Family Therapist, or Marriage and Family Therapist Registered Intern who is under the supervision of a Licensed Marriage and Family Therapist, a Licensed Clinical Social Worker, a Licensed Professional Clinical Counselor, a Licensed Psychologist, or a Physician who is certified in psychiatry by the Medical Board of California, the Board of Behavioral Sciences, or the Board of Psychology, within the Department of Consumer Affairs; or*
- (4) license as a Clinical Social Worker, or Associate Clinical Social Worker who is under the supervision of either a Licensed Clinical Social Worker or a licensed Mental Health Professional by the Board of Behavioral Sciences, within the Department of Consumer Affairs; or*
- (5) license as an Educational Psychologist, issued by a licensing agency within the Department of Consumer Affairs; or*
- (6) license as a Psychologist, or who are working under the supervision of a licensed Psychologist, both regulated by the Board of Psychology, within the Department of Consumer Affairs; or*
- (7) Pupil Personnel Services Credential that authorizes school counseling or school psychology or school social work.*
- (8) license as a Licensed Professional Clinical Counselor, or a Professional Clinical Counselor Registered Intern who is under the supervision of a Licensed Professional Clinical Counselor, a Licensed Marriage and Family Therapist, a Licensed Clinical Social Worker, a Licensed Clinical Psychologist, or a Physician who is certified in psychiatry by the American Board of Psychiatry and Neurology.*

## **12. Health and nursing services**

***Title 5 of the California Code of Regulations § 3051.12. Health and nursing service may include: (1) Providing services by qualified personnel; (2) Managing the individual's health problems on the school site; (3) Consulting with pupils, parents, teachers, and other personnel; (4) Group and individual counseling with parents and pupils regarding health problems; (5) Maintaining communication with health agencies providing care to individuals with disabilities.***

### **13. Social worker services**

*Title 5 of the Code of Federal Regulations § 3051.13. Social worker services may include: (1) Individual and group counseling with the individual and his or her immediate family; (2) Consultation with pupils, parents, teachers, and other personnel regarding the effects of family and other social factors on the learning and developmental requirements of individual pupils with exceptional needs; (3) Developing a network of community resources, making appropriate referral and maintaining liaison relationships among the school, the pupil with exceptional needs, the family, and the various agencies providing social, income maintenance, employment development, mental health, or other developmental services.*

*Social worker services shall be provided only by personnel who possess a:*

- (1) license as a Clinical Social Worker, or Associate Clinical Social Worker who is under the supervision of either a Licensed Clinical Social Worker or a licensed Mental Health Professional by the Board of Behavioral Sciences, within the Department of Consumer Affairs; or*
- (2) license as a Marriage and Family Therapist, or Marriage and Family Therapist Registered Intern who is under the supervision of a Licensed Marriage and Family Therapist, a Licensed Clinical Social Worker, a Licensed Professional Clinical Counselor, a Licensed Psychologist, or a Physician who is certified in psychiatry by the Medical Board of California, the Board of Behavioral Sciences, or the Board of Psychology, within the Department of Consumer Affairs; or*
- (3) credential authorizing school social work.*
- (4) license as a Licensed Professional Clinical Counselor, or a Professional Clinical Counselor Registered Intern who is under the supervision of a Licensed Professional Clinical Counselor, a Licensed Marriage and Family Therapist, a Licensed Clinical Social Worker, a Licensed Clinical Psychologist, or a Physician who is certified in psychiatry by the American Board of Psychiatry and Neurology.*

### **14. Specially designed vocational education and career development services**

*Title 5 of the California Code of Regulations § 3051.14. Specially designed vocational education and career development for individuals with exceptional needs regardless of severity of disability may include: (1) Providing prevocational programs and assessing work-related skills, interests, aptitudes, and attitudes; (2) Coordinating and modifying the regular vocational education program; (3) Assisting individuals in developing attitudes, self-confidence, and vocational competencies to*

*locate, secure, and retain employment in the community or sheltered environment, and to enable such individuals to become participating members of the community; (4) Establishing work training programs within the school and community; (5) Assisting in job placement; (6) Instructing job trainers and employers as to the unique needs of the individuals; (7) Maintaining regularly scheduled contact with all work stations and job-site trainers; (8) Coordinating services with the Department of Rehabilitation and other agencies as designated in the IEP.*

*Specially designed vocational education and career development shall be provided only by personnel who possess: (1) an adult education credential with a career development authorization; or (2) a credential that authorizes instruction in special education or vocational education; or (3) a Pupil Personnel Services Credential that authorizes school counseling.*

## **15. Recreation services**

*Title 5 of the California Code of Regulations § 3051.15. Recreation services include but are not limited to: (1) Therapeutic recreation services which are those specialized instructional programs designed to assist pupils in becoming as independent as possible in leisure activities, and when possible and appropriate, facilitate the pupil's integration into regular recreation programs; (2) Recreation programs in schools and the community which are those programs that emphasize the use of leisure activity in the teaching of academic, social, and daily living skills; and, the provision of nonacademic and extracurricular leisure activities and the utilization of community recreation programs and facilities; (3) Leisure education programs which are those specific programs designed to prepare the pupil for optimum independent participation in appropriate leisure activities, including teaching social skills necessary to engage in leisure activities, and developing awareness of personal and community leisure resources.*

*Recreation services shall be provided only by personnel who possess: (1) a certificate issued by the California Board of Recreation and Park Certification; or (2) a certificate issued by the National Council for Therapeutic Recreation; or (3) the National Recreation and Park Association, authorizing services in recreation or therapeutic recreation.*

## **16. Specialized Services for Low-Incidence Disabilities**

*Title 5 of the California Code of Regulations § 3051.16. Specialized services for low-incidence disabilities may include: (1) Specially designed instruction related to the unique needs of pupils with low-incidence disabilities provided by teachers credentialed pursuant to Education Code section 44265; (2) Specialized services related to the unique needs of pupils with low-incidence disabilities provided by qualified individuals such as*

*interpreters, notetakers, readers, transcribers, and other individuals who provide specialized materials and equipment.*

*An “educational interpreter” provides communication facilitation between students who are deaf or hard of hearing, and others, in the general education classroom and for other school-related activities, including extracurricular activities, as designated in a student's IEP. An educational interpreter shall be certified by the national Registry of Interpreters for the Deaf (RID), or equivalent; in lieu of RID certification or equivalent, an educational interpreter must have achieved a score of 4.0 or above on the Educational Interpreter Performance Assessment (EIPA), the Educational Sign Skills Evaluation-Interpreter and Receptive (ESSE-I/R), or the National Association of the Deaf/American Consortium of Certified Interpreters (NAD/ACCI) assessment. If providing Cued Language transliteration, a transliterator shall possess Testing/Evaluation and Certification Unit (TECUnit) certification, or have achieved a score of 4.0 or above on the EIPA - Cued Speech.*

*Specialized services for pupils with low-incidence disabilities shall be provided only by personnel who possess a credential that authorizes services in special education or clinical rehabilitation services in the appropriate area of disability.*

All services currently listed in *California Education Code section 56363(b)* are available to students with disabilities within the Desert/Mountain SELPA based upon what the student needs to benefit from their instructional program. Services are offered to appropriately identified students. Care is continually taken in order to ensure a uniformity of meaningful and appropriate services. Caseload assignments to various related services personnel are periodically reviewed to ensure compliance with state regulations and adherence to program guidelines.

There are basic tasks performed by related services personnel: first, to assist with the diagnosis of students with disabilities; and second, to conduct therapeutic and remedial work that attempts to offset or to mitigate the effects of the student’s disability. The emphasis is to extend education services provided by the general education classroom teacher, and personnel designated to provide special academic instruction. These specialized educational services promote student success with standards and frameworks through appropriate application of the core curriculum or the alternate curriculum.

The IEP substantiates the need for specific related services and identifies the goals and objectives to be reached. When the student has reached the objectives specified, the student is reviewed by the appropriate assessment service. Related services that are normally provided through public and private agencies, such as California Children’s Services (CCS), continue to be provided by these agencies when appropriate. When needed services are not available within the Desert/Mountain SELPA, they are contracted through private vendors. This is accomplished through the referral of the case to the Desert/Mountain SELPA Due Process Manager or designee who participates in the IEP team meeting. This team, in cooperation with parents and teachers, determines the necessary

services and the appropriate provider. The Desert/Mountain SELPA initiates all contracts for private services and is responsible for evaluating and monitoring those services to students and parents.

### **Specific Provisions for Nursing Services**

SELPA policy specifies the appropriate use of nursing services for medically fragile students who meet appropriate criteria. Additional information is available in Chapter 20.

## **Section C – Service Animals**

The Desert/Mountain SELPA recognizes that animals can be an effective teaching aid, and that animals may perform vital service functions for individuals with disabilities. In addition, that instruction related to the care and treatment of animals teaches students a sense of responsibility and promotes the humane treatment of living creatures. The following information is designed to provide guidance regarding the use of guide dogs, signal dogs, and service dogs by students with disabilities enrolled in schools within the Desert/Mountain SELPA region, as well as the use of such dogs by visitors and personnel on school property and at school-sponsored programs and activities.

### **DEFINITIONS**

- (a) Individual with a Disability: as defined by section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act.*
- (b) Guide Dog: defined by California Civil Code section 54.1 as any dog trained by an appropriately licensed person to assist an individual with a disability.*
- (c) Signal Dog: defined by California Civil Code section 54.1 as any dog individually trained to alert an individual, who is deaf or hearing impaired, to intruders or sounds.*
- (d) Service Dog: defined by California Civil Code section 54.1 as any dog individually trained to the requirements of the individual with a disability, including, but not limited to, minimal protection work, rescue work, pulling a wheelchair, or fetching dropped items.*
- (e) User: an individual with a disability as defined in paragraph (a) above and persons authorized to train guide dogs, signal dogs, or service dogs for individuals with disabilities, consistent with California Civil Code sections 54.1 and 54.2.*
- (f) Service Animal: defined by Title II of the Americans with Disabilities Act of 1990 as any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Examples of work or tasks performed by service animals include, but are not limited to, assisting individuals who are visually-impaired with navigation and other tasks, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, and helping individuals with psychiatric and neurological*



*disabilities by preventing or interrupting impulsive or destructive behaviors. Other animals, whether wild or domestic, do not qualify as service animals.*

Dogs that are trained to perform tasks that mitigate the effects of a disability, including dogs that are used purely for emotional support, are not service animals nor shall it be considered a guide dog or service dog if its sole function is to provide emotional support, comfort, therapy, companionship, or therapeutic benefits. Provision of emotional support, well-being, comfort, or companionship does not constitute work or tasks performed.

If an individual with a disability or an authorized trainer seeks to bring a service animal other than a guide dog, signal dog, or service dog, as defined in Civil Code section 54.1, on school property or to a school-sponsored program or activity, the site administrator or designee shall make the determination as to whether the individual may bring the service animal on a case-by-case basis using the guidelines specified herein.

### **Written Notification to Parents**

Before an individual may bring a guide dog, signal dog, or service dog into the classroom, the site administrator or designee shall provide written notification to all parents/guardians of students in the affected class and/or LEA program, asking them to verify whether their child has any known allergies, asthma, or other health conditions that may be affected by the animal's presence. Special consideration shall be given to any student who has allergies to certain animals, except that all reasonable accommodations shall be made for service animals used by individuals with disabilities.

All animals brought to school must be:

- In good physical condition;
- Vaccinated against transmittable diseases;
- In clean, safe and suitable cages or containers, or otherwise appropriately controlled at all times; and
- Must be housebroken.

Any guide dog, signal dog, or service dog brought to school by an individual with a disability shall be taken home the same day.

The site administrator or designee should be familiar with the needs and behaviors of a given species prior to its introduction into the classroom. Students should be instructed on proper animal care and handling before having direct contact with the animal.

The LEA assumes no liability and shall not be responsible for the provision of a guide dog, signal dog, or service dog. The user of the dog is responsible for its care and conduct at all times.

### **Right to Use of Facilities and Services**

A user has the right to be accompanied, in or on county office property/facilities or at school-sponsored programs or activities, by a guide dog, signal dog, or service dog specially trained for an individual with a disability. However, prior to receiving permission from the site administrator

or designee to bring a guide dog, signal dog, or service dog on school property or to a school-sponsored program or activity, the user of the dog shall:

1. Ensure the dog is properly harnessed or on a leash at all times and wears an identification tag that identifies the dog as a guide dog, signal dog, or service dog, unless either the handler is unable because of a disability to use a harness, leash, or tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control (e.g., voice control, signals, or other effective means).
2. Complete and sign a release of liability form, which shall release the LEA from any and all liability for damage to persons, premises, or facilities caused by the dog. If the user is a minor under the age of 18 years old, the parent/guardian shall complete and sign the release of liability form (see Appendix E). By signing the release, the individual, or the parent/guardian if the individual is a minor, agrees to assume all liability for any and all damages to persons, premises, or facilities caused by the dog.
3. Be responsible for the care and conduct of the dog at all times. The dog shall be under the user's control at all times. The user is responsible for the cleanliness of the dog, including flea control and ensuring the dog is housebroken, to protect the health and safety of others.

The site administrator or designee shall not permit the user to bring the guide dog, signal dog, or service dog on school property or to school-sponsored programs or activities if any of the conditions stated in items one through three above are not met. If the site administrator or designee grants permission to the user to bring the guide dog, signal dog, or service dog on school property or to school-sponsored programs or activities, the user shall continue to be subject to the conditions stated above. If any of the above conditions are not met, the user requiring the use of the dog can be required to remove the animal immediately and not bring the animal back to the school premises until he or she can demonstrate that all conditions are met. If the public entity properly excludes a service animal under Section 35.136(b), it shall give the individual with a disability the opportunity to participate in the service program, or activity without having the service animal on the premises.

The user cannot be asked to remove his or her service animal from the premises unless:

- The animal is out of control and the animal's user does not take effective action to control the animal (i.e., dog that barks repeatedly, jumps, displays aggressive behavior, etc.); or
- The animal poses a direct threat to the health and safety of others (significant risk to health and safety of others that cannot be eliminated by a modification of policies, practices, or procedures).

LEAs should consider whether allowing the animal into a particular setting would constitute a fundamental change in the nature of the program.

The LEA and/or site administrator or designee shall not require the following as a condition for the user to be accompanied by the service animal onto public accommodations and/or facilities:

- Documentation of a medical disability and/or the extent of the individual's disability; or

- Proof of state certification for the service animal.

The LEA may inquire on the type of work or task the animal has been trained to perform, except when it is readily apparent that an animal is trained to do work or perform tasks for the individual with a disability.

### **Section 504 Plan and IEP - FAPE**

Before granting permission to a student with a disability, who is enrolled in a public school of the LEA and has a Section 504 plan or an IEP, to bring a guide dog, signal dog, or service dog on school property or to school-sponsored programs or activities, the site administrator or designee shall determine whether the student's Section 504 or IEP team has addressed the student's educational needs in another manner that would eliminate his or her need for the dog in order to receive a Free Appropriate Public Education (FAPE).

Nothing shall preclude the site administrator or designee, upon receiving a request from or on behalf of a student with a disability, to bring a guide dog, signal dog, or service dog on school property or to school-sponsored programs or activities, from convening a Section 504 or IEP team meeting to further clarify the student's need for additional support. Should such a service animal be found to be required by an IEP team, conditions for the use of such a service animal should be referenced in the IEP document. Similarly, should a service animal be included in a student's Section 504 plan, the conditions for the use of such a service animal should be referenced in the 504 plan document.

### **Liability for Service Animals**

The user of the service animal shall keep the service animal properly harnessed or leashed and under control at all times. The owner/user of the service animal is solely responsible for any damage to persons, premises or facilities caused by that service animal. The LEA assumes no responsibility for any guide dog, signal dog, or service dog brought on school property or to school-sponsored programs or activities.

### **Transportation on School Bus**

Animals shall not be brought to school on school buses without express permission of the appropriate site administrator or designee, except that guide dogs, signal dogs, and service dogs trained to provide assistance to individuals with disabilities may be transported in a school bus when accompanied by students with disabilities enrolled in a public or private school or by teachers with disabilities employed in a public or private school or community college or by persons training dogs (*California Education Code section 39839; Civil Code section 54.2*).

### **Court Cases Regarding the Use of Service Animals**

- Bakersfield (CA) City Sch. Dist., 50 IDELR 169 (OCRIX, San Francisco (CA) 2008);
- Sullivan v. Vallejo City Unified Sch. Dist., 16 IDELR 597 (E.D. Cal. 1990); and
- Bakersfield City School District, California State Educational Agency, 51 IDELR 142.

## Section D – Assistive Technology

Assistive technology needs must be considered for each individual with a disability. Amendments to the Individuals with Disabilities Education Act (IDEA) 2004 require the IEP team to consider whether the child requires assistive technology and services (*IDEA; Title 20 of the United States Code, section 1414(d)(3)(B)(v)*).

Assistive technology and services is defined in federal law as follows:

**Assistive Technology Device:** The term “assistive technology device” means any item, piece of equipment or product system, whether acquired commercially off the shelf, modified or customized, that is used to increase, maintain or improve functional capabilities of a child with a disability. The term does not include a medical device that is surgically implanted, or the replacement of such device.

**Assistive Technology Service:** The term “assistive technology service” means any service that directly assists a child with a disability in the selection, acquisition, or use of an assistive technology device. Such terms include:

- The evaluation of the needs of a child with a disability, including a functional evaluation of the child in the child’s customary environment.
- Purchasing, leasing or otherwise providing for the acquisition of assistive technology devices by children with disabilities.
- Selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing of assistive technology devices.
- Coordinating and using other therapies, interventions or services, with assistive technology devices such as those associated with existing education and rehabilitation plans and programs.
- Training or technical assistance or a child with a disability or, if appropriate, that child’s family; and
- Training or technical assistance for professionals (including individuals providing education or rehabilitation services), employers, or other individuals who provide services to, employ, or are otherwise substantially involved in the major life functions of that child.

### **Kinds of Assistive Technology and Services that are to be considered by the IEP Team**

It is important that members of the IEP team recognize that technology is just one strategy in a multi-faceted approach in addressing the needs and strengths of students with disabilities. IEP teams will therefore need to balance the degree of technology assistance with the student’s learning potential, motivation, chronological developmental level and goals/objectives, which include, but are not limited to:

1. **Low-Tech:** Equipment and other supports readily available in schools, including off-the-shelf items to accommodate the needs of students, which can be provided by

general/special education through the Student Study Team (SST)/IEP processes (e.g., calculators, tape recorder, pencil grip, and larger pencils).

2. **High-Tech:** Supports students who may need more specialized equipment and support services beyond basic assistive technology, often students with low-incidence and/or significant/severe disabilities, which requires more in-depth assessment (e.g., closed circuit television [CCTV], FM systems, augmentative communication devices, sound field systems, alternative computer access, and specialized software).

### **Process for considering whether the child requires assistive technology and services**

Assistive technology is as much a process as a product. Assistive technology is a tool for access (e.g., school environment, core curriculum) and for independence (e.g., communication, mobility) and will therefore change as the needs of the student change and as technology continues to change. The need for assistive technology should therefore be an integral part of a comprehensive assessment for students with disabilities in all areas related to their disabilities, as appropriate, for each student and must be considered by the IEP team, based upon the student's assessed needs and strengths. It is important to use a collaborative school-based team approach in education settings for assessment, planning, and provision of needed assistive technology, which includes individuals who are knowledgeable about the student's disability needs and strengths in the area of assistive technology.

The **Wisconsin Assistive Technology Initiative (WATI)** developed a “checklist” of additional examples of assistive technology which may be needed by students.

It is also important to consider and use the technology purchased with state and federal technology funds for all students (e.g., computers, basic software), and to request funding for students with disabilities who do not have access to the technology purchased with these funds.

<b>ASSISTIVE TECHNOLOGY CHECKLIST</b>	
<b>Writing: Mechanics of Writing</b>	
	Pencil/pen with adaptive grip
	Adapted paper (e.g., raised line, highlighted lines)
	Slantboard
	Typewriter
	Portable word processor
	Computer
	Other: _____
<b>Alternate Computer Access</b>	
	Keyboard with easy access
	Keyguard
	Arm support
	Track ball/track pad/joystick with on-screen keyboard
	Alternate keyboard
	Mouth stick/head pointer with standard/alternate keyboard
	Head mouse/head master/tracker with on-screen keyboard
	Switch with Morse Code
	Switch with scanning
	Voice recognition software
	Word prediction to reduce keystrokes
	Other: _____
<b>Composing Written Material</b>	
	Word cards/word book/word wall
	Pocket dictionary/thesaurus
	Electronic/talking electronic dictionary/thesaurus/spell checker
	Word processor with spell check/grammar check
	Word processor with word prediction to facilitate spelling and sentence construction
	Talking word processor for multi-sensory typing
	Voice recognition software
	Multimedia software for expression of ideas (assignments)
	Other: _____
<b>Reading, Studying and Math</b>	
	Changes in text size, spacing, color, background color
	Use of pictures with text
	Book adapted for page turning (e.g., page fluffers, 3-ring binder)
	Talking electronic device to pronounce challenging words
	Scanner with talking word processor
	Electronic books
	Other: _____

<b>Learning/Studying</b>	
	Print or picture schedule
	Low tech aids to find materials (e.g., index tabs, color coded folders)
	Highlight text (e.g., markers, highlight tape, ruler, etc.)
	Voice output reminders for assignments, steps of task, etc.
	Software for manipulation of objects/concept development input device (e.g., switch, touch window)
	Software for organization of ideas and studying
	Recorded material (e.g., books on tape, taped lectures with number coded index)
	Other: _____
<b>Math</b>	
	Abacus/math line
	Calculator/calculator with print out
	Talking calculator
	Calculator with large keys and/or large LCD print out
	On screen calculator
	Software with templates for math computation (may use adapted input methods)
	Tactile/voice output measuring devices (e.g., clock, ruler)
	Other: _____
<b>Communication</b>	
	Communication board/book with pictures/objects/letters/words
	Eye gaze board (eye gaze communication)
	Simple voice output device
	Voice output device with levels
	Device with speech synthesis for typing
	Other: _____
<b>Activities of Daily Living Skills (ADL)</b>	
	Adaptive eating devices (e.g., foam handle on utensil)
	Adaptive drinking devices (e.g., cup with cut out rim)
	Adaptive dressing equipment (e.g., button hook, reacher)
	Other: _____
<b>Mobility Walker</b>	
	Grab rails
	Manual wheelchair
	Powered mobility toy
	Powered wheelchair with joystick, head switch or sip/puff control
	Other: _____
<b>Environmental Control</b>	
	Light switch extension
	Use of universal link and switch to turn on electrical appliances (e.g., radio, fan blender)
	Radio/ultra sound/remote controlled appliances
	Other: _____

<b>Recreation and Leisure</b>	
	Adapted toys and games (e.g., toy with adaptive handle)
	Use of battery interrupter and switch to operate a toy
	Adaptive sporting equipment (e.g., lighted/bell ball, Velcro mitt)
	Universal cut to hold crayons, markers, paint brush
	Modified utensils (e.g., rollers, stampers, scissors)
	Arm rest to support arm for drawing/painting
	Drawing/graphic program on computer
	Playing games on the computer
	Music software on computer
	Other: <input type="text"/>
<b>Vision</b>	
	Eye glasses
	Magnifier
	Large print books
	Screen magnifier (mounted over screen)
	Screen color cornets
	Screen magnification software
	CCTV (closed-circuit television)
	Screen reader
	Braille keyboard and note taker
	Braille translation software
	Braille printer
	Other: <input type="text"/>
<b>Hearing</b>	
	Hearing aid
	Classroom amplification
	Captioning
	Signaling device (e.g., vibrating pager)
	TDD/TTY for phone access
	Screen flash for alert signals on computer
	Other: <input type="text"/>
<b>Positioning and Seating</b>	
	Non-slip surface on chair to prevent slipping
	Bolster, rolled towel, blocks for feet
	Adapted/alternate chair, side lyer, stander
	Custom fitted wheelchair or insert
	Other: <input type="text"/>

To order a copy of the complete Resource Manual for Assessing Student's Needs for Assistive Technology (\$50.00, including shipping and handling), contact: Polk Library, 800 Algoma Blvd., Oshgosh, MI 54901.

For information about other materials that have been developed by WATI, contact: <http://www.wati.org>



# **APPENDIX A: Guideline Statement – Least Restrictive Environment**

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It is the philosophy of the Desert/Mountain Special Education Local Plan Area (SELPA) that all individuals with exceptional needs shall be provided a free appropriate public education in the least restrictive environment. This philosophy is in accordance with state and federal mandates and specifically includes changes that were made in the provisions of the Individuals with Disabilities Education Act (IDEA) which addresses issues of education of students with disabilities in the least restrictive environment.

A full continuum of program options is available for educational placement of students with disabilities. Program options shall provide a spectrum of educational offerings, which range from regular alternatives to a site structured to deliver intense and specialized services. The Individualized Education Program (IEP) team remains the primary decision-making body in determining the individual needs of students and the appropriate placement for them. A strong preference for educating students with disabilities in general education classes with appropriate aids and services is made to ensure that students with disabilities participate in meaningful academic and extracurricular activities, including meals, recess periods, and other activities, as much as possible.

The student's instructional program includes the core curriculum as well as the specific goals and objectives of the IEP. Instruction as well as coordination of instruction will vary depending upon the concepts and skills being taught. The instruction may take place in the regular classroom, special education classroom, or community environment.

Students with low-incidence disabilities receive services consistent with the state guidelines and students, including those who are ethnically and culturally diverse, are referred after general education modifications are deemed to be not appropriate. They are identified and served in special education in accordance with appropriate legal assessment standards. The SELPA staff and LEA program administrators review programs on a regular basis to determine whether or not a disproportionate representation exists.

If the IEP team determines support to staff is necessary, then those services must be delineated in the student's IEP. Such services may include, but are not limited to, professional learning activities including disability awareness in-services, classroom visitations, and training in appropriately developed curricular programs.

If the IEP team determines that the student requires supplemental aids or services, then those services must also be delineated in the student's IEP and provided to the student. Such reports may include, but are not limited to, Braille instruction, positive behavioral interventions, communication aids, assistive technology devices and services, language supports, related services, curricular modifications or adaptations, and classroom assistant support.

If it is determined that a student with a disability cannot be educated satisfactorily in the general education classroom even for some portion of the school day, then the student's IEP team must

provide the specific rationale for this on the IEP and select the appropriate option in the array of alternative placements that best meets the student’s needs. Whatever placement and program is determined appropriate for the student within the IEP process, opportunities must be maximized for the student to interact with nondisabled peers to the greatest extent appropriate. Discussions by the team should continue regarding transition to less restrictive settings within the continuum of options. Every effort is made to encourage successful transition toward the least restrictive environment in which a student is capable of achieving.

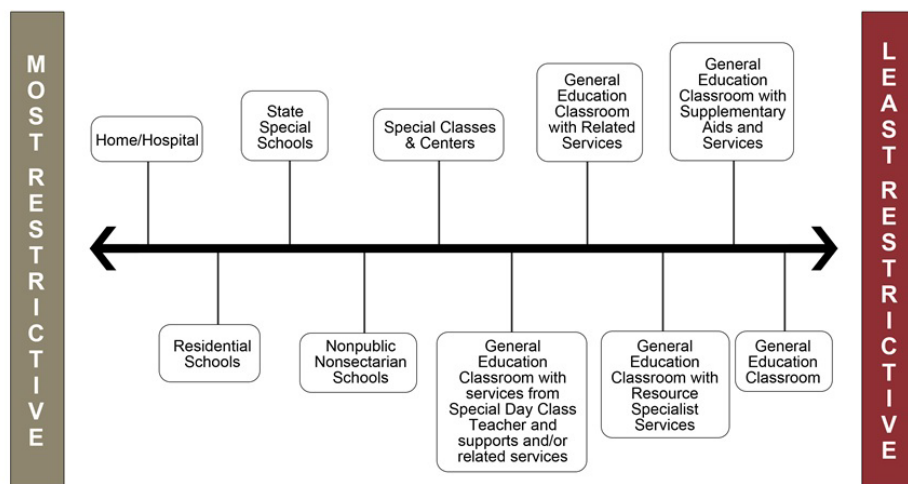
In accordance with state requirements, the SELPA is prepared to work with the California Department of Education (CDE) on student performance standards to address the success of special education programs and services. All students with disabilities, regardless of placement or program, must have access to the general education curriculum and to LEA and state assessments. All students, including those with disabilities, must be held to high expectations, according to state and LEA standards of performance, as delineated in their IEPs. If the IEP team determines that the student cannot participate in the LEA and/or state assessments even with accommodation(s), the student must participate in the state alternative assessment program.

In summary, all students shall be educated to the maximum extent possible with children who are not disabled, unless there are demonstrated and compelling reasons why a student must be provided education in a special class or center. As appropriate, a student with a disability may be educated with students who are less disabled than he or she may be which may not be the least restrictive environment but one that is considered to be less restrictive.

**Reference:** *California Education Code section 56205(a); Title 20 United States Code section 1412(a)(5)(A).*

### Continuum of Placement Options

Note: The continuum options include, but are not necessarily limited to all of the following or any combination of the following.



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# Least Restrictive Environment (LRE) Decisions

## Questions to Assist with LRE Decision-making

(Source: LRE Resources Project at WestEd, 916-492-4013, [dmeinde@wested.org](mailto:dmeinde@wested.org))

### 1. General Questions to Ask (Yes / No)

- a. Have the characteristics and needs of the student been identified?

**Evidence:**

- b. Were the student's strengths, interests, and preferences considered in planning his/her educational program?

**Evidence:**

- c. Is the student's progress assessed and documented?

**Evidence:**

- a. Has the LRE decision been reviewed at least annually?

**Evidence:**

### 2. Supplementary Aids and Services (Yes / No)

- a. Have supplementary aids and services been identified and assessed?

**Evidence:**

- b. Have a full array of supplementary aids and services been attempted and assessed?

**Evidence:**

- c. Have identified accommodations and/or modifications been implemented?

**Evidence:**

- d. Have accommodations and/or modifications been effective?

**Evidence:**

### 3. Assistive Technology (Yes / No)

- a. Has low-tech and high-tech assistive technology been considered to provide access to the general education?

**Evidence:**

### 4. Teacher Support

- a. Do teachers have support they need to provide core curriculum access (standards-based materials, assistive technology, etc.)?

**Evidence:**

- b. Has professional development been provided on:

- Evidence-based instructional practices
- Differentiating instruction for specific students

**Evidence:**

# **Least Restrictive Environment (LRE) Decisions**

## **Questions to Assist with LRE Decision-making**

(Source: LRE Resources Project at WestEd, 916-492-4013, [dmeinde@wested.org](mailto:dmeinde@wested.org))

### **Holland Factors**

1. Education benefit
2. Non-academic benefit
3. Effect on other children
4. Cost

#### **1. Assessing Academic Benefit**

Possible sources of evidence:

- List of supplemental aids and services which provide access to curriculum
- Documentation of effectiveness of accommodations and/or modifications
- State assessment scores
- District benchmark assessment results
- Description of how instruction was modified based on student assessment data

#### **2. Assessing non-academic Benefit**

Possible sources of evidence:

- Parent/teacher reports
- Observations in classroom and other school settings
- Assessments from mental health professionals
- List of student supports for non-academic activities

#### **3. Assessing the Effect on others**

Possible sources of evidence:

- List of supplementary aids and services provided to student
- Teacher charting/documenting classroom disruption
- Documentation of supports provided for teacher
- Observations from principal, psychologist, social worker

#### **4. Assessing the Costs**

Possible sources of evidence:

- Estimates from district for regular class placement vs. alternative placements
  - ❖ Itemized by per diem cost, supports and materials provided, and personnel

# **APPENDIX B: Determining the Need for Temporary Intensive Supports Assessment (TISA)**

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Section A: Rationale

Section B: Least Restrictive Environment (LRE)

Section C: Factors for Special Circumstances

Section D: Temporary Intensive Supports Assessment

Section E: Procedures for Requesting a Temporary Intensive Supports Assessment (TISA)

Section F: Training

## **Introduction**

The purpose of this section is to provide Local Education Agency (LEA) personnel information and guidance in determining a student’s need for temporary intensive supports. A recommendation for temporary intensive supports is a significant programmatic decision and one that should only be made after a comprehensive discussion of other options considered and clear documentation of as to why those options are not appropriate. While some students may need temporary intensive supports to receive a free appropriate public education (FAPE), for other students, the assignment of such supports may be unnecessary and inappropriately restrictive.

A goal for all students with disabilities is to promote and maximize independence. LEAs are responsible for developing and implementing individualized education programs (IEPs) that promote such independence. When an IEP team determines that a student needs temporary intensive supports, it should always be considered a time-limited recommendation and specific conditions/goals must be established to fade the use of such supports.

California Education Code states,

***E.C. § 56363 (a)** As used in this part, the term “designated instruction and services” means “related services” as that term is defined in Section 1401(26) of Title 20 of the United States Code and Section 300.34 of Title 34 of the Code of Federal Regulations. The term “related services” means transportation, and such developmental, corrective, and other supportive services (including speech-language pathology and audiology services, interpreting services, psychological services, physical and occupational therapy, recreation, including therapeutic recreation, social work services, school nurse services designed to enable an individual with exceptional needs to receive a free appropriate public education as described in the individualized education program of the child, counseling services, including rehabilitation counseling, orientation and mobility services, and medical services, except that such medical services shall be for diagnostic and evaluation purpose only) as may be required to assist an individual with exceptional needs to*

*benefit from special education, and includes the early identifications and assessment of disabling conditions in children.*

## **Section A: Rationale**

Every LEA within the Desert/Mountain Special Education Local Plan Area (SELPA) is required to provide a full continuum of placement options for students with identified disabilities who are receiving special education services. The Individuals with Disabilities Education Act (IDEA 2004) and California laws and regulations describe a continuum of alternative placements such as instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions [Title 34 of the Code of Federal Regulations (CFR) 300.551(b)(1)]. Both federal and state laws also contain provisions to ensure that children with disabilities are educated to the maximum extent possible with children who are not disabled, and that children are removed from the general education environment only when the nature and severity of the disability is such that education in the regular classroom cannot be satisfactorily achieved with the use of related services.

## **Section B: Least Restrictive Environment (LRE)**

By law, services to students with special needs must be delivered in the "least restrictive environment." When an IEP team is considering temporary intensive supports for a student, all aspects of the student's program must be considered with the intent of maximizing student independence. The teacher(s) is responsible for the design and implementation of the student's program.

## **Section C: Factors for Temporary Intensive Supports**

Whenever temporary intensive supports are being considered by an IEP team for a student with special needs, the following factors need to be considered:

### **Personal Independence**

First and foremost, an important goal for all special education students is to encourage, promote, and maximize independence. If not carefully monitored, temporary intensive supports can easily and unintentionally foster dependence. A student's total educational program must be carefully evaluated to determine where support is indicated. Natural support and existing staff support should be used whenever possible to promote the least restrictive environment.

The general categories to be considered for temporary intensive supports include:

1. Health/Personal Care Issues
2. Behavioral Support
3. Instruction
4. Inclusion/Mainstreaming

## Section D: Temporary Intensive Supports Assessment

1. IEP teams should identify the need for related services based on appropriate documentation and assessment. If the IEP team recommends such services, the following statements must be considered for inclusion in the IEP:
  - a) The related service is necessary to the child to benefit from his/her special education program;
  - b) The program modifications or supports for school personnel are necessary to assist the child to:
    - (1) Advance appropriately toward the annual goals;
    - (2) Be involved in and progress in the general curriculum;
    - (3) Participate in extracurricular and other nonacademic activities; and
    - (4) Be educated and participate with other disabled and non-disabled children.
2. The IEP team shall address the means for reviewing and evaluating the necessity of continuing temporary intensive services to the student. It is recommended that these intensive supports be monitored every six months and reconsidered at every annual IEP.
3. The IEP team shall also include a statement of the anticipated frequency and duration for the services and modifications.
4. If it is determined that additional personnel support is required, the IEP team should periodically review the effectiveness of this additional support. A systematic, written plan needs to address how additional personnel support will be monitored.
5. For services requiring additional personnel support as a result of a student's behavioral difficulties, the student's IEP needs to include appropriate goals. In addition, a behavioral intervention plan (BIP) should be developed in accordance with Sections 3001 and 3052 in Title 5 of the California Code of Regulations (CCR). The BIP needs to include a provision describing how and when support, including personnel, will be utilized to implement the plan, and when the plan will be reviewed and modified.
6. When determining the need for additional personnel support due to an instructional need, the IEP team must utilize appropriate assessment information to support this recommendation. The written plan must be developed by the IEP team in collaboration with a general and special education teachers specifying how the additional personnel will be utilized to support the teacher in implementing the student's goals and objectives and what attempts will be made to transition other available classroom resources and supports.
7. When a need for additional support is due to medical need, a specialized health care plan will need to be developed. (Utilize D/M SELPA Form 93, 94, and 95, as appropriate)

8. When temporary intensive supports in the form of personnel are being considered for a specific student, an LEA representative shall be required to participate in the decision-making process of the IEP meeting.

## **Section E: Procedures for Requesting a Temporary Intensive Supports Assessment (TISA)**

Temporary intensive supports may be provided for students with disabilities when additional support is necessary to the student in order to meet his or her goals and to benefit educationally. Whenever possible, additional assistance is assigned to a school environment, class, or case manager. Occasionally, however, a student requires individual support for a designated period of time to address a unique need. By law, services to students with special needs must be delivered in the "least restrictive environment." When the IEP team is considering a temporary intensive support, all aspects of the student's program must be considered. A request for Temporary Intensive Supports Assessment (TISA) is made only after other site interventions have proven to be ineffective. A student's educational program must be carefully evaluated to determine when and where the additional support is required. Additionally, the IEP team must plan for periodic reviews to assess the continued need for this type of individualized assistance.

It is expected that students enrolling in a non-public school (NPS) will not require temporary intensive supports. For students currently in NPS, if the need for temporary intensive supports becomes evident, the NPS should contact the student's LEA of residence to initiate a referral for a Temporary Intensive Supports Assessment (TISA). The LEA will evaluate the student and present findings and recommendations to the IEP team. Whether in public school or NPS, if the student already has designated temporary intensive supports, it is recommended that the LEA conduct an evaluation to determine the continued need for that level of support prior to the next annual IEP meeting. When a student new to the LEA enrolls with an existing IEP that indicates assistance is needed, a temporary substitute should be assigned until the evaluation process is completed.

- **Step 1: Referral for Temporary Intensive Supports Assessment (TISA)**  
If the principal and special education team at the site believe extra support may be necessary to meet the student's goals, they must conduct an **assessment** of the student's needs prior to an IEP meeting, at which time this topic will be considered. The ***Referral for Temporary Intensive Supports Assessment (D/M 157A)*** needs to be completed. Use the ***Student Needs for Additional Support Rubric (D/M 157B)*** to assist in quantifying the severity of student need. Supporting documentation should include ***Review of IEP Goals (D/M 157C)***, ***Review of Behavioral Intervention Plan (BIP) (D/M 157D)*** and review of other documents as appropriate, such as a nurse's assessment, health report, discipline records, independent assessments, etc.

If the parent requests additional support, the school principal, designee, or special education director shall confer with the parent to clarify his or her concerns, discuss options, and assist the parent in completing the ***Referral for Temporary Intensive Supports Assessment (D/M 157A)***. The parent should sign as the person requesting referral. The 15-day timeline for developing the evaluation plan begins on the date of the parent signature.



If temporary intensive supports are requested during an IEP meeting without a previous referral, the procedure for requesting TISA must be initiated at that time. The IEP meeting should be completed and the referral for a TISA should be indicated in the IEP notes. Another IEP meeting will need to be scheduled to review the results of the evaluation.

Submit the *Referral for Temporary Intensive Supports Assessment (D/M 157A)*, *Student Needs for Additional Support Rubric (D/M 157B)*, *Review of IEP Goals (D/M 157C)*, and *Review of Behavioral Intervention Plan (BIP) (D/M 157D)* if appropriate, with additional supplemental documentation, if necessary, to the director of special education. The TISA evaluation should be completed by any certificated staff who received training in the completion of such evaluation, and by an individual who can objectively consider all circumstances and make recommendations in the best interest of the student.

- **Step 2: Assessment Plan and Parent Permission**

The director of special education will assign the referral to appropriate staff who will be responsible for securing written parent permission/consent on an *Assessment Plan (D/M 66)*, within 15 days of completion of the referral.

- **Step 3: Parent/Teacher/Student Interviews**

Best practices would be for the interviews to be completed at the beginning of the evaluation process. The TISA case manager/coordinator should complete the *TISA Parent Interview (D/M 157E)* and the *TISA Teacher Interview (D/M 157F)* to identify specific areas of concern. When appropriate the *TISA Student Interview (D/M 157G)* should be completed.

- **Step 4: Complete Observations**

It is necessary for, and the responsibility of the TISA case manager/coordinator to ensure that observations of the student are conducted, using the *TISA Student Observation Worksheet (D/M 157H)*. The TISA case manager/coordinator, in addition to the other appropriate assessors, will review strategies, materials, modifications, and/or accommodations currently in place to assist the student toward achieving goals and objectives. To the maximum extent possible and whenever appropriate, quantifiable data should be collected as part of the observation process. The data collected will later be used to develop independence goals, should the IEP team determine that temporary intensive supports are needed. When necessary and appropriate, the assessors should also utilize the *TISA Evidence-Based Classroom practices Observation Checklist (D/M 157 Appendix A)* in order to assist the IEP team in determining the educational environment of the student.

- **Step 5: Develop TISA Evaluation Report**

When an IEP team is considering temporary intensive supports for a student, all aspects of the student's program must be considered with the intent of maximizing student independence. The *TISA Evaluation Report (D/M 157I)* should address the areas of concern identified in the referral, background information and educational history, summary of interviews, and summary of observations, and include the assessor's

results and recommendations. The TISA case manager/coordinator will ensure the *TISA Evaluation Report (D/M 157I)* is developed.

- **Step 6: Review Evaluation at IEP Meeting**

Within 60 days following the receipt of parent consent to evaluate for temporary intensive supports, an IEP team shall review the results of the evaluation and recommendations at an IEP meeting. If the IEP team determines a need for temporary intensive supports, it is written on the IEP with specific goals, monitoring strategies, fading strategies, and review dates. Regardless of the circumstances that may indicate the need for support, it is imperative for every IEP to address the skills that will be taught in order for the temporary intensive supports to be faded. The level of support required for the student to advance appropriately toward annual goals needs to be defined. A systematic, written plan should specify how additional support should be utilized and monitored. The *TISA Initial Plan (D/M 157J)* should be used to develop the initial plan. An IEP meeting should be convened if necessary to modify the temporary intensive supports. Discussion at this meeting should be concluded with a written plan outlining the team's criteria and possible timeline for phasing out the necessity for temporary intensive supports.

To assist LEAs in developing appropriate independence and fading plans, IEP teams should refer to the *TISA Terms and Definitions of Fading (D/M 157 Appendix B)*, *TISA Checklist to Support Independence (D/M 157 Appendix C)*, and the *TISA Independence/Fading Resources (D/M 157 Appendix D)*.

- **Step 7: Request/Assign Temporary Intensive Support: Personnel**

When an IEP team has determined that temporary intensive supports in the form of additional staff is required, the special education director or designee will process the appropriate paperwork in accordance with LEA procedures.


- **Step 8: Annual Review**

The goal for any student with special needs is to encourage, promote, and maximize independence. Periodic observations and review of data may be required to assess the effectiveness of this additional support and to monitor the duration of services. The IEP team should identify the next scheduled observation date, often within six months and no later than the next annual IEP review, to continually monitor the effectiveness of the temporary intensive supports provided to the student. The *TISA Annual Review Fading Plan (D/M 157K)* should be used to review and determine the current needs of the student.

## **Section F: Training**

It is critical that all staff receive appropriate training on the student's health issues, curriculum modifications, the student's instructional environment, behavioral interventions, using and fading prompts, data collection and reporting, etc.

# Form D/M 157A - Referral for Temporary Intensive Supports Assessment

DESERT/MOUNTAIN SPECIAL EDUCATION LOCAL PLAN AREA DESERT/MOUNTAIN CHARTER SPECIAL EDUCATION LOCAL PLAN AREA 17800 HIGHWAY 18 • APPLE VALLEY, CA 92307 (760) 552-6700 • (760) 242-5363 FAX		
<b>Referral for Temporary Intensive Supports Assessment (TISA)</b>		
<b>STUDENT INFORMATION</b>		
Student Name:	Date of Birth:	Age:
Disability:	Grade:	Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female
School Site:	Program/Placement:	
General Education Teacher:	Contact Phone:	
Special Education Teacher:	Contact Phone:	
Case Manager/Coordinator:	Contact Phone:	
<b>DIRECTIONS:</b> Please complete the following information. Submit the Referral for TISA and the following forms: TISA Rubric (D/M 157C and D), Review of IEP Goals (D/M 157E), and Review of Behavioral Intervention Plan (BIP) (D/M 157F) to the special education office.		
<b>Behavior</b> <input type="checkbox"/> Non-compliant behaviors in class <input type="checkbox"/> Non-compliant behaviors on campus <input type="checkbox"/> Self-injurious <input type="checkbox"/> Eloping <input type="checkbox"/> Intense sensory needs <input type="checkbox"/> Severe physical aggression <input type="checkbox"/> Substantial attentional problems <input type="checkbox"/> Significant disruptive behaviors <input type="checkbox"/> Non-compliant behavior on bus <input type="checkbox"/> Other: <input type="checkbox"/> Comments:		<b>Health</b> <input type="checkbox"/> Specialized physical health care plan <input type="checkbox"/> G-tube feeding <input type="checkbox"/> Medication <input type="checkbox"/> Suction <input type="checkbox"/> Food preparation <input type="checkbox"/> Toileting assistance <input type="checkbox"/> Feeding – full support <input type="checkbox"/> Seizures <input type="checkbox"/> Other: <input type="checkbox"/> Comments:
<b>Mobility</b> <input type="checkbox"/> Lifting/transfers <input type="checkbox"/> Physical support/positioning <input type="checkbox"/> Toileting assistance <input type="checkbox"/> Mainstreaming needs <input type="checkbox"/> Other: <input type="checkbox"/> Comments:		<b>Instructional/Mainstreaming</b> <input type="checkbox"/> AAC supports <input type="checkbox"/> Significant need for verbal/physical prompts <input type="checkbox"/> Severe attentional problems <input type="checkbox"/> Significant transitional time needs <input type="checkbox"/> Mainstreaming <input type="checkbox"/> Other: <input type="checkbox"/> Comments:
This referral is made at the request of the:		
<input type="checkbox"/> Teacher <input type="checkbox"/> Case Manager <input type="checkbox"/> Parent/Guardian <input type="checkbox"/> Other:		
Individual Requesting Referral:	Date:	
Site Administrator/Designee:	Date:	

# Form D/M 157B – Student Needs for Additional Support Rubric

DESERT/MOUNTAIN SPECIAL EDUCATION LOCAL PLAN AREA  
 DESERT/MOUNTAIN CHARTER SPECIAL EDUCATION LOCAL PLAN AREA  
 17800 HIGHWAY 18 • APPLE VALLEY, CA 92307  
 (760) 552-6700 • (760) 242-5363 FAX



## Student Needs for Additional Support Rubric

### STUDENT INFORMATION

Student Name:	Date of Birth:	Age:	Review Date:
Disability:	Program/Placement:	Teacher:	

	Health/Personal Care/Mobility Rating	Behavior Rating	Instruction Rating	Inclusion/Mainstreaming Rating
0	General good health. No specialized health care procedure, medications taken, or time for health care. Independently maintains all "age appropriate" personal care. Is able to navigate environment without any excessive delays. Can transition from and within classrooms requiring few modifications. <input type="checkbox"/>	Follows adult directions without frequent prompts or close supervision. Handles change and redirection. Usually gets along with peers and adults. Seeks out friends. <input type="checkbox"/>	Participates fully in whole class instruction. Stays on task during typical instruction activity. Follows direction with few to no additional prompts. <input type="checkbox"/>	Participates in some core curriculum within general education class and requires few modifications. Can find classroom. Usually socializes well with peers. <input type="checkbox"/>
1	Mild or occasional health concerns. Allergies or other chronic health conditions. No specialized health care procedures. Medication administration takes less than 10 minutes. Needs reminders to complete "age appropriate" personal care activities. Can independently navigate from one location to another. Minimal assistance to transition from and within classrooms. <input type="checkbox"/>	Follows adult direction but occasionally requires additional encouragement and prompts. Occasional difficulty with peers or adults. Does not always seek out friends but plays if invited. <input type="checkbox"/>	Participates in groups at instructional level but may require additional prompts, cues or reinforcement. Requires reminders to stay on task, follow directions, and to remain engaged in learning. <input type="checkbox"/>	Participates with modifications and accommodations. Needs occasional reminders of room and schedule. Requires some additional support to finish work and be responsible. Needs some social cueing to interact with peers appropriately. <input type="checkbox"/>
2	Chronic health issues, generic specialized health care procedure. Takes medication. Health care intervention for 10-15 minutes daily (diet, blood sugar, medication). Requires reminders and additional prompts or limited hands-on assistance for washing hands, using bathroom, wiping mouth, shoes, buttons, zippers, etc. Occasional toileting accidents. Requires limited assistance to mobilize from one location to another. Requires limited assistance with mobility in order to care for self. <input type="checkbox"/>	Has problems following directions and behaving appropriately. Can be managed adequately with a classroom behavioral management plan, but unable to experience much success without behavioral intervention plan implementation. <input type="checkbox"/>	Cannot always participate in whole class instruction. Requires smaller groups and frequent verbal prompts, cues, or reinforcement. On task about 50% of the time with support. Requires more verbal prompts to follow directions. <input type="checkbox"/>	Participates with visual supervision and occasional verbal prompts. Requires visual shadowing to get to class. Needs modifications and accommodations to benefit from class activities. Regular socialization may require adult facilitation. <input type="checkbox"/>
3	Very specialized health care procedure and medication. Limited mobility. Physical limitations requiring assistance (stander, walker, gait trainer, or wheelchair). Special food prep or feeding. Health related interventions 15-45 minutes daily. Frequent physical prompts and direction assistance for personal care. Food prep required regularly. Requires toilet schedule, training, direct help, and diapering. <input type="checkbox"/>	Serious behavioral problems almost daily. Defiant and/or prone to physical aggression. Requires a Behavioral Intervention Plan (BIP) and behavioral goals and objectives on the IEP. Requires close visual supervision to implement BIP. Medication for ADHD or other behaviors. <input type="checkbox"/>	Difficult to participate in a large group. Requires low student staff ratio, close adult proximity and prompts including physical assistance to stay on task. Primarily complies only with 1:1 directions and monitoring. Cognitive abilities and skills likely require modifications not typical for class as a whole. Needs additional support(s) as determined by the IEP team. <input type="checkbox"/>	Participation may require additional staff for direct instructional and behavioral support. Requires direct supervision going to and from class. Always requires modifications and accommodations for class work. Requires adult to facilitate social interaction with peers. <input type="checkbox"/>
4	Specialized health care procedure requiring care by specially trained employee (G tube, tracheotomy, cauterization). Takes medication, requires positioning or bracing multiple times daily. Health related interventions 45 minutes daily. Direct assistance with most personal care. Direct 1:1 assistance 45 or more minutes daily. Requires two-person lift. Requires direct supervision going to & from class. <input type="checkbox"/>	Serious behavioral problems with potential for injury to self and others, runs away, aggressive on a daily basis. Functional Behavioral Analysis (FBA) has been completed and the student has a well-developed BIP, which must be implemented to allow the student to safely attend school. Staff has been trained in the management of assaultive behaviors. <input type="checkbox"/>	Cannot participate in a group without constant 1:1 support. Requires constant verbal and physical prompting to stay on task and follow directions. Regularly requires specific 1:1 instructional strategies to benefit from the IEP. Cognitive abilities and skills require significant accommodations and modifications not typical for the class group. <input type="checkbox"/>	Always requires 1:1 staff in close proximity for direct instruction, safety, mobility, or behavior monitoring. Requires 1:1 assistance to go to and from class 80% of the time. Requires adult to facilitate social interaction with peers and remain in close proximity at all times. <input type="checkbox"/>

\*Attach a copy of documentation indicating frequency and duration over a period of time to determine further consideration of special circumstance instructional assistance. If mostly ratings of 3's and 4's, in two or more areas, continue with needs assessment process.

# Form D/M 157C – Temporary Intensive Supports Assessment (TISA) Review of IEP Goals

Temporary Intensive Supports Assessment (TISA) Review of IEP Goals			
STUDENT INFORMATION			
Student Name:		DOB:	
TISA Case Manager/Coordinator:		Contact Phone:	
<p><b>DIRECTIONS:</b> Attach IEP goals and latest progress of goals. The following information is to be completed by the school site staff. Initial and date where indicated as items are completed.</p>			
Date	Initial	Yes	No
[ ]	[ ]	<input type="checkbox"/>	<input type="checkbox"/>
All goals are developmentally appropriate for student			
[ ]	[ ]	<input type="checkbox"/>	<input type="checkbox"/>
All goals are current			
[ ]	[ ]	<input type="checkbox"/>	<input type="checkbox"/>
All goals are clear and measurable			
[ ]	[ ]	<input type="checkbox"/>	<input type="checkbox"/>
The goals address needs for which a TISA is needed (behavior, academic, independence, self-help, etc.)			
<p>Is the student making progress in the obtainment of goals? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Describe progress and indicate supporting evidence (e.g., grades, rate of work completion, etc.)</p> <p>[ ]</p>			
<p>Level of assistance student requires to perform/achieve goals?</p>			
<input type="checkbox"/>	Physical prompt:	[ ]	
<input type="checkbox"/>	Modeling:	[ ]	
<input type="checkbox"/>	Verbal cue:	[ ]	
<input type="checkbox"/>	Independent:	[ ]	

# Form D/M 157D – Temporary Intensive Supports Assessment (TISA) Review of Behavioral Intervention Plan

Student Name: _____	DOB: _____	Date: _____
<b>Temporary Intensive Supports Assessment (TISA) Review of Behavioral Intervention Plan</b>		
<b>DIRECTIONS:</b> Attach BIP. The following information to be completed by the school site staff. Initial and date as items are completed.		
Does the student have a Behavioral Intervention Plan (BIP)? <input type="checkbox"/> Yes <input type="checkbox"/> Level 1 <input type="checkbox"/> Level 2		
<input type="checkbox"/> No If no, refer to ACTIONS Section		
<b>Date</b>	<b>Initial</b>	
_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No The request for TISA is related to the identified targeted behaviors in the BIP.
_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No Does the BIP address the behavioral identified on the initial concern checklist?
_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No All interventions are developmentally appropriate for the student.
_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No BIP is written with enough clarity and detail for any new staff to understand and implement.
_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No All implementers have a copy of the plan.
_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No The BIP is being fully implemented.
_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No All implementers understand and/or have training in the strategies contained in the plan.
_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No Behavioral support for the plan is adequate.
Is the student making progress in the targeted behaviors? Indicate supporting evidence (e.g., grades, rate of homework completion, duration of on-task behavioral, frequency and quality of social interactions). _____		
<b>ACTIONS:</b>		
<input type="checkbox"/>	Develop BIP	
<input type="checkbox"/>	BIP is appropriate, and no modifications are needed	
<input type="checkbox"/>	Revise BIP	
<input type="checkbox"/>	Behavioral Plan is based on a Functional Behavioral Analysis (FBA)	
	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> In process <input type="checkbox"/> Need to initiate if function of behavioral is unknown
<input type="checkbox"/>	Additional staff training needed:	
	Describe: _____	
<input type="checkbox"/>	Other: Describe: _____	
Comments: _____		

# Form D/M 157E – Temporary Intensive Supports Assessment (TISA) Parent Interview

Temporary Intensive Supports (TISA) Parent Interview		
STUDENT INFORMATION		
Student Name:	█	DOB: █ Date: █
Interviewee Name:	█	Interviewed By: █
What are the educational concerns you have for your child? █		
What needs does your child have? █		
What recent changes have occurred in your child (health, medication, family status, etc.)? █		
What supports does your child receive outside of school? Frequency? How long? █		
What skills would you like your child to develop to be more independent? █		
Is there anything else you would like us to consider? █		

# Form D/M 157F – Temporary Intensive Supports Assessment (TISA) Teacher Interview

Temporary Intensive Supports (TISA) Teacher Interview		
STUDENT INFORMATION		
Student Name:	█	DOB: █
		Date: █
Interviewee Name:	█	Interviewed By: █
What supports/programs are working? █		
When is the student successful? █		
What are the areas of difficulty or concern? █		
What staff and classroom supports are provided? █		
What skills would you like the student to develop to be more independent? █		
Is there anything else you would like us to consider? █		



# Form D/M 157G – Temporary Intensive Supports Assessment (TISA) Student Interview



Temporary Intensive Supports (TISA) Student Interview			
STUDENT INFORMATION			
Student Name:	<input type="text"/>	DOB:	<input type="text"/>
Date:	<input type="text"/>		
Interviewed By:	<input type="text"/>	Title:	<input type="text"/>
What do you like about school? <input type="text"/>			
When are you successful? <input type="text"/>			
When do you have problems during your school day? <input type="text"/>			
How do school staff members help you during the day? <input type="text"/>			
Who else helps you in school? <input type="text"/>			
What are some things you would like to learn to help you to be more independent? <input type="text"/>			
Is there anything else you would like us to know about you? <input type="text"/>			



# Form D/M 157H – Temporary Intensive Supports Assessment (TISA) Student Observation Worksheet

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Temporary Intensive Supports (TISA) Student Observation Worksheet			
STUDENT INFORMATION			
Student Name:	DOB:	Date:	
<p><b>DIRECTIONS:</b> The individual conducting the observation should complete the domains that are applicable based on the referral. It is recommended that the student be observed on several occasions at different times during the instructional day. Quantifiable data will be collected whenever possible as a way of establishing a baseline for the apparent need for additional intensive supports. Such data will be critical as a fading plan is designed later in the process. See Appendix A</p>			
Instruction/Inclusion Domain			
Is there an individual student schedule? <input type="checkbox"/> Yes <input type="checkbox"/> No			
Student uses the following format for individualized schedule:			
<input type="checkbox"/> Object	<input type="checkbox"/> Picture	<input type="checkbox"/> Icon	<input type="checkbox"/> Photograph <input type="checkbox"/> Word
Student's ability to follow the schedule:			
<input type="checkbox"/> Independent	<input type="checkbox"/> With indirect verbal or gestural prompts	<input type="checkbox"/> With direct verbal prompts	<input type="checkbox"/> With physical prompts <input type="checkbox"/> Inconsistent
Student's use of the schedule:			
<input type="checkbox"/> Student carries schedule	<input type="checkbox"/> Student goes to schedule board	<input type="checkbox"/> Student carries transition cards	<input type="checkbox"/> Teacher carries and shows the schedule
Room is arranged with structure to correlate with tasks on schedule (check all that apply):			
<input type="checkbox"/> Area for one-to-one work	<input type="checkbox"/> Area for group work	<input type="checkbox"/> Area for independent work	<input type="checkbox"/> Area for leisure <input type="checkbox"/> Not applicable
What curricular accommodations/modifications are being used for this student? (Describe):			
What is the student's engagement in classroom activities? (Describe):			
Check the curricular domains included in the student's program:			
<input type="checkbox"/> Communication	<input type="checkbox"/> Domestic skills	<input type="checkbox"/> Self-care	<input type="checkbox"/> Social skills
<input type="checkbox"/> Academics	<input type="checkbox"/> Pre-vocational/vocational	<input type="checkbox"/> Recreation/leisure	<input type="checkbox"/> Motor skills/mobility
<input type="checkbox"/> Other: _____			
Describe, using quantifiable data, the student level of support needed to participate, remain on task, complete assignments (i.e., frequency of reinforcement, prompting level, redirection):			
List equipment or device used/available that may relate to the need for assistance (may be low incidence equipment or assistive technology devices):			
Describe at what level of independence the student is able to navigate the school campus.			

Behavior Domain		
Are there problem behaviors interfering with learning of self or others? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Brief description of problem behavior: _____		
Where does the behavior(s) typically occur? _____		
When do the behaviors occur? _____		
Frequency: _____	Duration: _____	Intensity: _____
What activities can the student do without assistance? ( <i>time of day, group, transitions, etc.</i> ) _____		
Describe the school day and assistance now provided and natural supports such as peers, school staff, volunteers, etc. _____		
Is the classroom behavior system appropriate for the student? ( <i>developmentally appropriate, engagement, effectiveness, etc.</i> ) _____		
Describe, using <b>quantifiable data</b> , the student's interaction with peers: _____		
Describe, using <b>quantifiable data</b> , the student's interaction with staff in structured and non-structured environments: _____		
Are there any adjustments that need to be made to help the student be successful? _____		
Are there significant medical needs/concerns observed that could affect behavior? _____		

Health Domain					
Does that student have an existing health care plan? <input type="checkbox"/> Yes (Is so, attach) <input type="checkbox"/> No <input type="checkbox"/> In process <input type="checkbox"/> Need to initiate					
<b>Indicate which health/personal care the student requires:</b>					
Health/Personal Care	Frequency/Duration	Time of Day Support is Needed	Existing Support Available	Level of Support	Training Needed
G-tube feeding	█	█	█	█	█
Medication	█	█	█	█	█
Suctioning	█	█	█	█	█
Food preparation	█	█	█	█	█
Toileting assistance	█	█	█	█	█
Diapering	█	█	█	█	█
Feeding – full support	█	█	█	█	█
Seizures	█	█	█	█	█
Lifting/transfers	█	█	█	█	█
Other: █					
Are appropriate safety and medical procedures being used? <input type="checkbox"/> Yes <input type="checkbox"/> No Comment: █					
What activities can the student do without assistance? ( <i>time of day, group, transitions, etc.</i> ) █					
Describe the school day and assistance now provided and natural supports such as peers, school staff, volunteers, etc. █					
Specify the student-teacher ratio: █					
Number of students requiring assistance in:					
Health:	█	Personal Care:	█	Behavior:	█
		Instruction:	█	Inclusion:	█
Can current conditions be modified to meet the student's goals and/or objectives and/or personal care needs? <input type="checkbox"/> Yes <input type="checkbox"/> No Comment: █					

Mobility Domain					
Does the student have an existing health care plan? <input type="checkbox"/> Yes (If so, attach) <input type="checkbox"/> No <input type="checkbox"/> In process <input type="checkbox"/> Need to initiate					
<b>Indicate which mobility/personal care the student requires:</b>					
Needs	Frequency/Duration	Time of Day Support is Needed	Existing Support Available	Level of Support	Training Needed
Lifting	█	█	█	█	█
Transfer	█	█	█	█	█
Physical Support/Positioning	█	█	█	█	█
Toileting assistance	█	█	█	█	█
Diapering	█	█	█	█	█
Feeding – full support	█	█	█	█	█
Bracing	█	█	█	█	█
Use of mobility equipment ( <i>Specify</i> ): █					
Other: █					
Are there appropriate safety equipment(s) in place? <input type="checkbox"/> Yes <input type="checkbox"/> No					
Comment: █					
What level of support is needed for the student to transition ( <i>from one class to another, or from one activity to another, or mainstream</i> )? █					
What activities can the student do without assistance? ( <i>time of day, group, transitions, etc.</i> ) █					
Describe the school day and assistance now provided. Specify and include the student-teacher ratio, and natural supports such as peers, school staff, volunteers, etc. █					
Can current conditions be modified to meet the student's goals and/or objectives and/or personal care needs? █					
First Observation Date: █		Time: █			
Completed by: █		Title: █			
Second Observation Date: █		Time: █			
Completed by: █		Title: █			

# Form D/M 157I – Temporary Intensive Supports Assessment (TISA) Evaluation Report



DESERT/MOUNTAIN SPECIAL EDUCATION LOCAL PLAN AREA  
 DESERT/MOUNTAIN CHARTER SPECIAL EDUCATION LOCAL PLAN AREA  
 17800 HIGHWAY 18 • APPLE VALLEY, CA 92307  
 (760) 552-6700 • (760) 242-5363 FAX



## Temporary Intensive Supports (TISA) Evaluation Report

Student Name: [REDACTED]	DOB: [REDACTED]	Date Completed: [REDACTED]
Evaluation Report Prepared By: [REDACTED]		

1. **Reason for Referral:** *(Review of Behavioral Intervention Plan, disciplinary information, academic progress, and progress on IEP goals.)*  
 [REDACTED]

2. **Background Information and Educational Setting:** *(Summarize previous interventions and outcomes, include information regarding educationally relevant health, developmental, and medical findings; and include the results of any independent educational evaluations.)*  
 [REDACTED]

3. **Summary of Interviews:** *(Summarize results of the parent, teacher, and student interviews)* [REDACTED]

4. **Summary of Observations:** *(Include quantifiable data collected during observations, include information regarding relevant behavior noted during the observation of the student.)* [REDACTED]

5. **Results and Recommendations:** *(Include information regarding the need for specialized services, materials, and equipment and indicate if the student's needs can be met in the current setting with the current level of support; recommend goals for apparent need(s) observed.)*  
 [REDACTED]

# Form D/M 157J – Temporary Intensive Supports Assessment (TISA) Initial Plan

Temporary Intensive Supports Assessment (TISA) Initial Plan		
STUDENT INFORMATION		
Student Name: [ ]	DOB: [ ]	Date: [ ]
<p><b>DIRECTIONS:</b> When Temporary Intensive Support Assistance is determined by the IEP team to be necessary for a student, the IEP team should develop an independence and fading plan in order to promote the student's independence and to avoid potential harmful effects, such as dependency. This form should be completed by the IEP team with input from all members, including parents.</p>		
IDENTIFIED NEEDS		
Time/Subject Area	Support Needed (ratio, equipment, materials, etc.)	Does support require additional staff? <i>(Please check)</i>
[ ]	[ ]	<input type="checkbox"/>
[ ]	[ ]	<input type="checkbox"/>
[ ]	[ ]	<input type="checkbox"/>
[ ]	[ ]	<input type="checkbox"/>
[ ]	[ ]	<input type="checkbox"/>
[ ]	[ ]	<input type="checkbox"/>
INDEPENDENCE GOAL (TO BE ADDED TO IEP GOALS)		
		Comment
Present Level of Independence (Baseline)		[ ]
Independence Goal (to reduce and/or eliminate Temporary Intensive Support Assistance)		[ ]
FADING PLAN (See Appendix B) MAY NOT BE APPLICABLE FOR STUDENTS WITH MOBILITY OR HEALTH NEEDS		
	Comment	Person(s) Responsible
1. <b>Procedure:</b> What will be taught so the student learns the replacement behavior/skills? (Task analysis of skill development. What does the teacher or staff do to get the student to perform the behavior?)	[ ]	[ ]
a. <b>Level of Support:</b> Description of how and who support changes as student independence increases. Prompting type; frequency; proximity of personnel; role of teacher/paraprofessional.	[ ]	[ ]
2. <b>Progress Monitoring Method:</b> Who, how often, and how will the data be collected (If using a documentation sheet, please attach.)	[ ]	[ ]
a. <b>Evaluation:</b> How will the data be evaluated to determine if intervention is working?	[ ]	[ ]
b. <b>Measurement:</b> What are the criteria for fading and description of the level of TISA support?	[ ]	[ ]
3. <b>Maintenance:</b> What are the adaptations/accommodations that will be used to promote and sustain independence?	[ ]	[ ]

# Form D/M 157K – Temporary Intensive Supports Assessment (TISA) Annual Review Fading Plan

157K – Page 1 of 2

Temporary Intensive Supports (TISA) Annual Review Fading Plan		
STUDENT INFORMATION		
Student Name:	DOB:	Date:
<p><b>DIRECTIONS:</b> When Temporary Intensive Support Assistance is determined by the IEP team to be necessary for a student, the IEP team should develop an independence and fading plan in order to promote the student's independence and to avoid potential harmful effects, such as dependency. This form should be completed by the IEP team with input from all members, including parents.</p>		
INDEPENDENCE PLAN DISCUSSION		
Team Discussion Questions	Comment	
In what setting(s) and/or time of day is the highest level of assistance needed?		
What tasks/activity needs the highest level of assistance?		
What are the expectations and instructional demands on the student that requires intensive support?		
What natural student-teacher ratio supports are available?		
What environmental cues are currently available in the natural environment?		
Are there any schedule changes available to support independence?		
What is the prompting hierarchy needed for student to increase independence?		
Has assistive technology and/or equipment been considered to support independence?		
Has any staff and/or student training been considered to support independence?		
What are the next steps needed for the next level of independence?		
Other things for teams to consider:		
	Student's Independence Strengths What can student already do independently?	Student's Independence Concerns What are the student's areas of struggle/need?
<i>Consider setting, instruction, curriculum, activities, social interaction, and participation</i>		
Health/Personal Care/Mobility		
Communication		
Behavior		
Academic/Instruction (Task Initiation & Output)		
Social/Inclusion		



Student Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

IDENTIFIED NEEDS		
Time/Subject Area	Support Needed (ratio, equipment, materials, etc.)	Does support require additional staff? <i>(Please check)</i>
■	■	<input type="checkbox"/>
■	■	<input type="checkbox"/>
■	■	<input type="checkbox"/>
■	■	<input type="checkbox"/>
■	■	<input type="checkbox"/>
■	■	<input type="checkbox"/>

INDEPENDENCE GOAL (TO BE ADDED TO IEP GOALS)	
	Comment
Present Level of Independence (Baseline)	■
<b>Independence Goal</b> <i>(to reduce and/or eliminate Temporary Intensive Support Assistance)</i>	■

FADING PLAN (See Appendix B) MAY NOT BE APPLICABLE FOR STUDENTS WITH MOBILITY OR HEALTH NEEDS		
	Comment	Person(s) Responsible
1. <b>Procedure:</b> <i>What will be taught so the student learns the replacement behavior/skills? (Task analysis of skill development. What does the teacher or staff do to get the student to perform the behavior?)</i>	■	■
a. <b>Level of Support:</b> <i>Description of how and who support changes as student independence increases. Prompting type; frequency; proximity of personnel; role of teacher/paraprofessional.</i>	■	■
2. <b>Progress Monitoring Method:</b> <i>Who, how often, and how will the data be collected (If using a documentation sheet, please attach.)</i>	■	■
a. <b>Evaluation:</b> <i>How will the data be evaluated to determine if intervention is working?</i>	■	■
b. <b>Measurement:</b> <i>What are the criteria for fading and description of the level of TISA support?</i>	■	■
3. <b>Maintenance:</b> <i>What are the adaptations/accommodations that will be used to promote and sustain independence?</i>	■	■

# D/M 157 Appendix A – Temporary Intensive Supports Assessment (TISA) Evidence-Based Classroom Practices Observation Checklist

D/M 157 Appendix A – Page 1 of 2

Appendix A Temporary Intensive Supports (TISA) Evidence-Based Classroom Practices Observation Checklist	
STUDENT INFORMATION	
Student Name: <input type="text"/>	DOB: <input type="text"/> Date: <input type="text"/>
<p><b>DIRECTIONS:</b> To be used by the administrator, psychologist, or TISA case manager to examine a student's current environment and supports. To be used prior to requesting help for a student not making progress on IEP goals or if more student support in an area is needed. <i>(Not to be used for student with medical/health needs).</i></p>	
STRATEGIES	
Physical Design	Comments
<input type="checkbox"/> Layout of the classroom is such that facilitates typical instructional activities (e.g., small group, whole group, learning center)	
<input type="checkbox"/> Furniture is arranged to allow for smooth teacher and student movement	
<input type="checkbox"/> Instructional materials are neat, orderly, and ready for use	
<input type="checkbox"/> Posted materials that support critical learning content and learning strategies (e.g., word walls, steps for writing process, math formulas)	
<input type="checkbox"/> Teacher demonstrates organization and how to use classroom areas	
Routines	Comments
<input type="checkbox"/> Evidence of predictable patterns and activities	
<input type="checkbox"/> Evidence that routines and procedures are taught directly	
<input type="checkbox"/> Students are recognized when they successfully follow classroom routines and procedures	
<input type="checkbox"/> Students are encouraged to use self-management skills	
<input type="checkbox"/> Evidence of student-guided schedules and routines	
Expectations	Comments
<input type="checkbox"/> Evidence of 3-5 school-wide expectations adopted in the classroom	
<input type="checkbox"/> Expectations are observable, measurable, positively stated, understandable, and always applicable	
<input type="checkbox"/> Expectations are taught using examples and non-examples and with opportunities to practice and receive feedback	
<input type="checkbox"/> Evidence of student involvement in defining the 3-5 school-wide expectations within the classroom routines	
<input type="checkbox"/> Students are committed to supporting the expectations	
<input type="checkbox"/> Teacher manages classroom proactively and calmly	

Supervision	Comments
<input type="checkbox"/> Teacher engages in active supervision which includes all the following: <ul style="list-style-type: none"> <li><input type="checkbox"/> Scanning: visual sweep of entire space</li> <li><input type="checkbox"/> Moving: continuous movement, proximity</li> <li><input type="checkbox"/> Interacting: verbal communication in a respectful manner, pre-corrections, non-contingent attention, specific verbal feedback</li> </ul>	
Opportunity	Comments
<input type="checkbox"/> Instruction includes high rates of opportunities to respond, which includes at least one of the following during the observation: <ul style="list-style-type: none"> <li><input type="checkbox"/> Individual or small group questioning</li> <li><input type="checkbox"/> Choral responding</li> <li><input type="checkbox"/> Nonverbal responding</li> </ul>	
Academic Rigor	Comments
<input type="checkbox"/> Instruction is engaging	
<input type="checkbox"/> Instruction is differentiated to support all types of learners	
<input type="checkbox"/> Visual supports are used as appropriate	
<input type="checkbox"/> Manipulatives are used to support learning	
<input type="checkbox"/> Communication systems/strategies with non-verbal students are used, as necessary	
Social/Emotional Supports	Comments
<input type="checkbox"/> Teacher models identification of feelings	
<input type="checkbox"/> Self-talk strategies are taught and practiced	
<input type="checkbox"/> Relaxation techniques are employed	
<input type="checkbox"/> Role-play social interactions	
<input type="checkbox"/> Emotional cards are used when appropriate	
<input type="checkbox"/> Praise and encouragement are provided	
Sensory Supports	Comments
<input type="checkbox"/> Observed used in the classroom/or by student: <ul style="list-style-type: none"> <li><input type="checkbox"/> Stretchy kick bands for chairs</li> <li><input type="checkbox"/> Vestibular cushions</li> <li><input type="checkbox"/> Headphones</li> <li><input type="checkbox"/> Music</li> <li><input type="checkbox"/> Partitions/corrals (individual or for an area)</li> <li><input type="checkbox"/> Flexible seating</li> <li><input type="checkbox"/> Sensory tactile tables</li> <li><input type="checkbox"/> Weighted vest</li> <li><input type="checkbox"/> Compression shirts</li> <li><input type="checkbox"/> Other:</li> </ul>	
<input type="checkbox"/>	
Completed by: _____	Title: _____

# D/M 157 Appendix B – Temporary Intensive Supports Assessment (TISA) Terms and Definitions of Fading

Student Name: \_\_\_\_\_ DOB: \_\_\_\_\_ Date: \_\_\_\_\_

## Appendix B Temporary Intensive Supports (TISA) Terms and Definitions of Fading

**Prompt Hierarchy:** Prompts range from the least to the most intrusive. The amount of assistance increases with each level in the hierarchy.

**Natural Cue**

Behavior independently occurs because of a natural cue to a stimulus in the environment. The individual performs the behavior without any assistance.

*Example: John stands up to sing when he sees his peers stand up.*

**Gestural (Nonverbal) Prompt**

Physical gestures that may include pointing, beckoning, pantomiming, or shaking one's head to indicate approval or disapproval.

*Example: Mrs. Brown points to the yellow square to signal time for yellow reading group. Mr. Jones holds up two fingers to signal "quiet now."*

**Indirect Verbal Prompt**

The instructor uses words to imply that some behaviors need to occur.

*Example: Mr. Sanchez says, "Children, what should you be doing?" Students understand it is time to quiet down and open their books.*

**Modeling**

Performing the desired behavior to encourage the initiation of the behavior by the individual.

*Example: Ms. Nguyen sits up tall in her seat with her hands folded on top of the desk as students come to a reading group. She waits until they copy her behavior.*

**Symbolic (Pictorial or Written Prompt)**

Symbols (pictures or words) are presented to guide the behavior. Often a sequence of pictures or a list of words is used, combined with a gestural prompt of pointing to the symbol of the desired behavior for that moment in time.

*Example: Devon has 4 pictures of how to solve multi-digit addition which he uses in sequence to solve math problems. When he appears confused, his teacher gesturally redirects him to the correct picture.*

**Direct Verbal Prompt**

The instructor explicitly states the behavior that needs to occur.

*Example: "Boys and girls, please stand up now."*

**Minimal Physical Prompt**

Slight physical contact that guides the individual towards the behavior.

*Example: When Katie does not open the door when verbally told to do so, Ms. Hernandez lightly touches her elbow. \*Note: depending on the situation, a minimal physical prompt may be less intrusive and facilitate more independence than a direct verbal prompt.*

**Partial Physical Prompt**

The instructor physically starts the individual on the desired behavior, and then ceases the physical assistance to the individual to complete the behavior independently.

*Example: When Katie does not open the door after being lightly touched on the elbow, Ms. Hernandez gently nudges her arm upward until the knob is touched and then releases contact.*

**Full Physical Prompt**

The instructor physically guides the individual through the entire behavior.

*Example: Amy's teacher physically positions her fingers on the pencil and guides Amy's hand as she writes her name.*

# D/M 157 Appendix C – Temporary Intensive Supports Assessment (TISA) Checklist to Support Independence

Student Name:	DOB:	Date:
<p><b>Appendix C</b>  <b>Temporary Intensive Supports (TISA)</b>  <b>Checklist to Support Independence</b></p>		
<p><b>DIRECTIONS:</b> For the IEP team to discuss with the family in the IEP to ensure team is working toward student's increasing independence.</p>		
	Student has a measurable <b>independence goal</b> in the IEP with a <b>proposed potential date</b> to have the support faded out	
	IEP informs the family of <b>concerns of having extra adult support</b> such as: prompt dependency, learned helplessness, decrease in independence and self-efficacy, social isolation, and social stigma	
	IEP team discusses what <b>Natural Supports</b> will be utilized <b>FIRST</b> before using extra adult support (peers, teacher, visuals, rules and routines, task analysis, classroom structure, CHAMPS, etc.)	
	IEP team tells family <b>WHY the extra support is needed</b> (to support behavior plan, academic on task, social facilitation, safety, medical reasons)	
	IEP team describes exactly <b>WHEN the support is needed and NOT needed</b> (during math, PE, reading, writing, social, etc.)	
	IEP team describes exactly <b>WHAT the support will look like</b> (will the paraprofessional roam around, sit next to the student, take small groups, use non-verbal gesture, point to and use visuals, or verbally prompt)	
	IEP team discusses <b>HOW they will support increasing the student's independence</b> (through goals, visuals, teaching independence, gestures, task analysis, self-monitoring, peer support, and/or other evidenced-based practices)	
	IEP team discusses <b>ON-going progress monitoring</b> , data collection, areas to teach independence, and gradual fading back of extra adult support	
	IEP team discusses the <b>student's progress</b> on independence goal in all future IEP's or as needed	

# D/M 157 Appendix D – Temporary Intensive Supports Assessment (TISA) Independence/Fading Resources

Student Name: _____		DOB: _____		Date: _____	
<b>Appendix D</b> <b>Temporary Intensive Supports (TISA)</b> <b>Independence/Fading Resources</b>					
Area of Need		Criteria			
Social – Emotional/Behavioral		Able to independently review his daily schedule/checklist and expectations first thing in the morning and prior to each transition			
Social – Emotional/Behavioral		Able to independently follow classroom procedures to transition between activities with the class			
Social – Emotional/Behavioral		Able to initiate a task with 2 or fewer prompts			
Social – Emotional/Behavioral		Able to eliminate incidents of socially inappropriate interactions with peers			
Social – Emotional/Behavioral		Able to independently use a sensory tool or strategy and return to task within 5 minutes			
Social – Emotional/Behavioral		Able to attend lectures and discussions using eye contact, head nodding, hand raising, and/or verbal participation with 2 or fewer prompts			
Social – Emotional/Behavioral		Independently demonstrate school-wide expected behaviors in common areas (playground, cafeteria, lunch line, restrooms, etc.)			
<b>Sample Specific Annual Goals and Objectives to Address Achieving Criteria for Independence</b>					
<ul style="list-style-type: none"> <li>Independently review daily schedule/checklist of expectations first thing in the morning and prior to each transition 80% of the time over 2 consecutive weeks as measured by teacher recorded data.</li> <li>Independently follow classroom procedures to transition between activities with the class 80% of the time over 2 consecutive weeks as measured by teacher recorded data.</li> <li>Initiate a task with 2 or fewer prompts in 80% of opportunities over 2 consecutive weeks as measured by teacher recorded data. Eliminate incidents of socially inappropriate physical interaction with peers in 90% of opportunities for a trimester as measured by teacher recorded data.</li> <li>Independently use a sensory tool or strategy and return to task within 5 minutes in 80% of opportunities over 2 consecutive weeks as measured by teacher recorded data.</li> <li>Attend to lectures and discussions using eye contact, head nodding, hand raising, and/or verbal participation with 2 or fewer prompts in 80% of opportunities over 2 consecutive weeks as measured by teacher recorded data.</li> <li>Independently demonstrate school-wide expected behaviors in common areas (playground, cafeteria, lunch line, restrooms) in 90% of opportunities for a trimester as measured by teacher recorded data.</li> </ul>					
<b>Environmental/Teaching Strategies to Support Independence and Fading of Intensive Supports</b>					
Environmental Strategies			Teaching Strategies		
Paraprofessionals and teachers should be reminded of the prompt hierarchy described below to avoid over-prompting. The least intrusive prompts possible will be utilized based on each individual situation.			Teach student how to independently utilize and review his schedule or checklist.		
It is recommended that various individuals work with student over time so that he/she does not become over-accustomed to the support/style of any one individual. This will increase student's flexibility and further develop independence.			Teach student to independently self-monitor his/her need for sensory breaks.		
Utilize checklists whenever possible to ensure that student gains independence in task completion.			Utilize role playing a practice to teach student how to respect personal space and to conduct self on the school campus.		
Identify effective reinforcers and provide positive reinforcement for independent work and appropriate social behaviors.			Teach student cause/effect (decision making) strategies to help him learn to take ownership of choices.		
Allow access to sensory breaks and tools when requested appropriately.			Teach student appropriate ways to request assistance.		
Prime student prior to all transitions of expectations, plans, and materials needed.					
When redirecting student, provide the expected/replacement behaviors instead of negative behavior being displayed.					

# APPENDIX C: Transportation Guidelines

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Section A: Determining Eligibility & Least Restrictive Environment: IEP Process

Section B: Transportation Options

Section C: Specialized Equipment

Section D: Considerations: School District & IEP Team Responsibilities

Section E: Special Considerations

Section F: Individualized Health Plan

Section G: Extracurricular Activities

Section H: Suspension from the Bus

Section I: Periodic Evaluation of Transportation Need

## Introduction

The following guidelines have been developed to assist Individualized Education Program (IEP) teams when determining eligibility for special education transportation as a related service. *Title 34 C.F.R. § 300.34*, states “related services” means transportation and such developmental, corrective, and other supportive services as are required to assist a child with a disability to benefit from special education. Under the Individuals with Disabilities Education Act (IDEA) 2004, school districts are obligated to provide transportation if the student requires transportation in order to benefit from his/her special education program. Decisions about transportation must be documented on the student’s IEP and should address the type of vehicle and any necessary equipment. Services shall be described in enough detail to inform the parties of (how, when, from where to where transportation will be provided and, where arrangements for the reimbursement of parents is required, the amount and frequency of reimbursement). Failure to specify transportation provisions in the terms of an IEP is considered a procedural violation of the IDEA.

IDEA defines transportation as,

***34 C.F.R. § 300.34(c) (16)***

*Transportation includes:*

*(i) Travel to and from school and between schools;*

*(ii) Travel in and around school buildings; and*

*(iii) Specialized equipment (such as special or adapted buses, lifts, and ramps), if required to provide special transportation for a child with a disability [§*

*300.34(c)(17)]*

California Education Code states,

*E.C. § 56040 (a) Every individual with exceptional needs who is eligible to receive special education instruction and related services under this part, shall receive that instruction and those services at no cost to his or her parents or, as appropriate, to him or her. A free appropriate public education shall be available to individuals with exceptional needs in accordance with Section 1412(a)(1) of Title 20 of the United States Code and Section 300.101 of Title 34 of the Code of Federal Regulations.*

## **Section A – Determining Eligibility and Least Restrictive Option: IEP Process**

Districts must identify and resolve most transportation issues through the data and information provided to the IEP team. The IEP team determines if the child is eligible for transportation as a related service. Although it is not necessary to include transportation staff in all IEP meetings, it is important to involve and/or invite appropriate transportation staff whenever there are unique or unusual circumstances regarding the child and his/her transportation needs. The IEP team must evaluate the need for transportation as a related service on an individual basis, providing the least restrictive environment (LRE). The IEP team must determine whether the student can use the same transportation provided to non-disabled children or whether the student can get to school in the same manner as non-disabled children.

Transportation is considered necessary for a child to benefit from special education if, in its absence, a child with a disability would be denied a genuine opportunity for equitable participation in a special education program (See *Donald B. v. Board of Sch. Commissioners of Mobile County, Ala., 26 IDELR 414 (11th Cir. 1997)*).

Transportation is not a related service when a student with a disability is eligible for transportation because the student lives outside the established walking distance to the school.

The IEP team shall consider the following:

1. Does the student require transportation in a manner different from his/her non-disabled peers due to his/her disability?
2. Is the program location to which the district has assigned the student different from the student's neighborhood school and beyond the district's distance eligibility criteria?
3. Is transportation required in order for the student to benefit from his/her specialized instruction?

## **Section B – Transportation Options**

Transportation is appropriately discussed after an educational program (goals, services and placement) has been selected. The IEP team should have knowledge as to whether or not the entirety of the student's educational placement will take place within one building or if it requires



that the student move between various educational facilities throughout the school day. Additionally, related services and participation in supplemental educational programs, such as extracurricular activities, may also create additional transportation needs, particularly, if they are offered at times other than the typical school day. The IEP team must be knowledgeable of the details concerning both the length and location of the educational program to determine if a transportation is appropriate in order to derive educational benefit.

Several options are available to the IEP team regarding transportation arrangements or assignments. Students generally require transportation if the IEP cannot be implemented at their school of residence due to the unavailability of programs and/or services. Additionally, students may require transportation due to personal factors such as health, cognitive judgment, or lack of ability to communicate.

Districts, Special Education Local Plan Areas (SELPA), and County Offices of Education (COEs) who are responsible for the implementation of IEPs should be knowledgeable of transportation policies and/or procedures that address the responsibilities of the IEP team regarding the transportation and delivery of services to eligible students in their least restrictive environments. This includes consideration of services that are provided in the setting appropriate for the needs of the student at his/her neighborhood school or within the district or SELPA. This includes regional and/or magnet programs and services that may also accommodate the needs of the student. IEP teams should consider the location of a placement and the length of time that a student will need to be transported to or from school each day. If a student is receiving services outside of his/her district of residence, the placement should be reviewed, at the minimum, once a year, in order to determine if a placement closer to the student's residence would be more appropriate as the LRE.

### **Options to Consider:**

- **Regular Bus Stop:** Can the student access the regular bus stop with his/her peers?  
A student will be assigned to the regular bus stop if the student's disability does not prevent him/her from using the same transportation as non-disabled children. When discussing transportation requirements, always consider the regular bus stop first (LRE).
- **Nearest Corner:** Can the student be picked up at the nearest corner to his/her residence?  
A student will be assigned a bus stop closest to the nearest corner when it is determined that, because of the disability, he/she is unable to use the regular bus stop but is able to access the closest corner to his/her home.
- **Curb-to-Curb:** Must the student be picked up curb-to-curb or what is the safest closest location?  
In general, curb-to-curb is considered the street curb located closest to the front of the child's house that can be safely accessed by a school bus. A student is assigned a curb-to-curb bus stop when the student's disability prevents him/her from utilizing the regular bus stop or the nearest corner bus stop. Curb-to-curb assignment creates the most restrictive transportation service.
- **School-to-School Transportation (based on program location)**  
When the IEP team offers a student a special education program located somewhere other than in his/her neighborhood (or home) school or district of residence, the school district

makes the offered services accessible by providing transportation. This option provides school bus transportation from a district school site that is close to the student's home to the school of location (or program of attendance). Parents/guardians are responsible for getting the student to the pick-up site and ensuring supervision of the student is provided until the bus arrives. Parents/guardians are also responsible for picking up the student at the time determine for drop-off at the end of the school day. This option is available to students from pre-school through age 22.

For students where FAPE is offered in a school other than the neighborhood school, school-to-school transportation is the least restrictive option. It is also the first option the IEP team should consider when determining the need for transportation as a related service due to the student's disability.

School-to-school transportation may generally be considered appropriate for a student who requires transportation when programs and services that address his/her needs are not available in the school or district of residence, and whose disability does not include personal factors such as health, cognitive judgment, or lack of ability to communicate to the extent that the safety of the student is a primary consideration.

- **Home-to-School Transportation (Door-to-Door)**

This option may be needed if the information provided to the IEP team indicates that the identified disabilities are so severe they preclude the student, when compared to same-age peers, from meeting the bus at the bus stop or other non-residence pick-up location. This option is more restrictive for students.

The IEP team must consider the most effective way to meet the student's needs when making a recommendation for home-to-school transportation. The IEP team must determine the need for home-to-school transportation with an understanding that special circumstances or exceptions may exist based on the student's needs.

For a student whose disability does include personal factors such as health, cognitive judgment, or lack of ability to communicate to the extent that the safety of the student is a primary consideration, home-to-school transportation or some other mode of transportation may be considered appropriate by the IEP team to address the student's needs.

- **Voluntary Parental Transportation of Student**

If a parent voluntarily elects to arrange for their own transportation for a student on an IEP, it is advisable that school districts document this fact in the IEP notes or under the service line (comment box). Thorough documentation is required and shall include (1) that the student is entitled to specialized transportation, (2) parents are knowledgeable about their special education rights, (3) parents prefer to provide their own transportation without the involvement of the school district, and (4) an explanation of how the reimbursement will be calculated (if applicable). The district may offer reimbursement of a round trip travel to the parent who elects to provide personal (parent provided) transportation for the student.

*NOTE: If a parent elects to waive their right to financial compensation for the transportation, the school district shall reflect this waiver in writing, as well as a statement*

*to the effect that the school district has offered to provide this service without any financial costs on the part of the parent.*

When considering the identified needs of the student, transportation options may include but not be limited to:

- Walking
  - Riding the regular school bus
  - Utilizing available public transportation
  - Riding a special bus from a pick-up point
  - Riding a special bus door-to-door
  - Taxi/district van/district vehicle
  - Reimbursed parent driving with parent's voluntary participation
  - Other mode determined by the IEP team
- **Other Mode of Transportation**

IEP team s should review assessment information, medical information, and other data, and consult with the appropriate transportation staff and/or other relevant health professionals, including district medical personnel, regarding the following factors in establishing the need for transportation as a related service:

    - Unique medical or assistive technology equipment, including wheelchairs or gurneys with unique designs, configurations, or adaptations requiring special handling.
    - When the school bus equipment may require modification.
    - When the student exhibits severe behavioral difficulties and a behavior plan involving transportation must be implemented. When behavior is an issue and an assistant is required on the bus, there must be a behavior support plan and behavior goals to address the need.
    - When the student is medically fragile, requires special assistance, or has other unique needs.
    - When climate control has been requested by a physician to address an identified medical need.
    - When a physician has imposed a limitation of time on the bus to address an identified medical need.
    - When use of the student's primary language is required for effective communication of evacuation procedures and other safety issues and students with special communication needs.
    - Other circumstances, as appropriate.

## **Section C – Specialized Equipment Use/Operation**

In some cases, a student with a disability may require specific equipment or adaptive devices to transport the student to and from the special education program. There is a wide variety of

equipment to accommodate students with disabilities, and such equipment is required to be part of the transportation vehicle's environment. Transportation staff should be familiar with the design and operation procedure for specialized equipment, as well as know how to conduct general equipment inspection and make simple field adjustments during breakdowns. Some examples include:

- (1) Power lifts or ramps
- (2) Emergency escape exits including doors, windows, and roof hatches
- (3) Special fire suppression systems
- (4) Power cut-off switch
- (5) Emergency communications system
- (6) Air conditioning system
- (7) Mobile seating device, including trays and accessories, securement system hardware, and occupant securement system
- (8) Adaptive and assistive devices used to support or secure students, mobility aids, special belts, and harness and devices (such as special crutches, braces, or wheelchairs, including assistive technology devices)
- (9) All specially equipped school buses should be equipped with electronic voice communication systems. These may be provided and installed by the body manufacturer, distributor, school district, operator, or other party.
- (10) Service animals can be transported to assist students with disabilities. District policies and procedures, as well as training, need to be established prior to transport.

## **Section D – Considerations: School District and IEP Team Responsibility**

Some issues involving transportation are decided at an IEP meeting, but others are not. The general parameters for the IEP team's consideration of transportation at an IEP meeting includes how the student's disability affects the need for transportation and determining whether the student's disability prevents the child from using the same transportation provided to non-disabled children or from getting to school in the same manner as non-disabled children.

On the other hand, there are several aspects related to transportation that fall within the discretion of the school system as a matter of the function and operation of a public school district and, therefore, are not appropriate topics for IEP meetings and are not matters requiring input from parents. Although these issues may be incidentally raised at the IEP meeting given their natural relationship to the transportation discussions, the ultimate authority to make decisions regarding these matters rests with the school district. The only exception to this occurs in situations in which the school district's choices affect an element of the student's educational program and would result in the denial of Free Appropriate Public Education (FAPE) or discrimination.

IEP Issues (IEP Team)	Non-IEP Issues (School District)
<p>Description of any personnel to be provided to assist the student.</p> <p>Description of the extent of services to be provided, such as bus stop or door-to-door transportation, including precise pick-up and drop-off points.</p> <p>Description of specific circumstances for the provision of transportation services, such as travel between off-campus buildings and facilities and transportation needs that occur outside of the regular school day.</p> <p>Least restrictive environment considerations in the provision of transportation.</p> <p>For medically fragile students, provision of any necessary medical protocols on the bus.</p>	<p>Bus scheduling matters, including determination of bus route and timing of pick-up and drop-off.</p> <p>Selection of bus stops.</p> <p>Selection of bus driver and any other personnel who will assist the student during the transportation.</p> <p>Decisions about appropriation of resources used to provide that transportation – private fleet versus contracting with companies who have independently owned vehicles.</p> <p><i>(This cell is intentionally left blank.)</i></p>

## Section E – Special Considerations

These may include, but are not limited to:

- (1) Medical diagnosis and health needs consideration of whether or not long bus rides could affect a certain student’s health (duration, temperature control, need for services, health emergencies); general ability and/or strength to ambulate/wheel; approximate distance from school or the distance needed to walk or wheel oneself to the school; consideration of student needs in inclement weather, etc.

*NOTE: Transportation issues are addressed on the student’s IEP and may become a part of the student’s Health Plan if school health services are required on the bus.*

- (2) Physical accessibility of curbs, sidewalks, streets, and public transportation systems.
- (3) The consideration of a student’s capacity to arrive at school on time, to avoid getting lost, to avoid dangerous traffic situations, and to avoid other potentially dangerous or exploitative situations on the way to and from school.
- (4) Behavioral Intervention Plans [Title 5, C.C.R. § 3001(g)] specified by a student’s IEP and consideration of how to implement such plans while a student is being transported.

- (5) Other transportation needs mid-day or other transportation needs as required on a student's IEP (for example, occupational or physical therapy or mental health services that are provided at another site, attending community-based classes, etc.) must also be taken into consideration when the IEP team discusses a student's placement and transportation needs.
- (6) Extended school year services, pursuant to *E.C. § 56345(b)(3)*, should be another consideration of a student's need for transportation if considered necessary to provide FAPE as specified in the student's IEP.

## **Section F – Individualized Health Plan**

An Individualized Health Plan is a separate document used in addition to the IEP. The information contained in this plan goes beyond the legally required contents of the IEP and lays out the steps to be followed by the school district in the event of a medical or other emergency that presents health concerns and occurs while the student is under the care and supervision of the school. Transportation and any specific concerns in this context are covered in this plan. A separate portion of the plan can be specifically devoted to transportation concerns. In drafting an individualized health plan, the expert advice and assistance of medical and health professionals should be sought and relied upon, as these individuals can supply the expertise necessary to respond to emergency situations.

While the federal special education laws do not specifically require the implementation of such plans, it is recommended that school districts use them to address the special concerns raised by medically fragile students who may encounter serious health and safety risks throughout the course of the school day.

The individualized health plan should include:

- The designation an emergency contact for the student
- An alternative emergency contact should one be required
- Names of designated doctors and hospital preferences
- Any allergies
- Descriptions of current medications and dosages and the reasons for medication
- Any interventions to be provided and who will perform those interventions, including level of supervision and training required to perform those services.

## **Section G – Extracurricular Activities**

If a student's extracurricular program or nonacademic activity is related to the student's IEP goals, then a district is required to provide the transportation services the student needs to participate in that activity.

Federal regulations state,

**34 C.F.R. § 300.107.** *The State must ensure the following:*

- (a) Each public agency must take steps, including the provision of supplementary aids and services determined appropriate and necessary by the child’s IEP Team, to provide nonacademic and extracurricular services and activities in the manner necessary to afford children with disabilities and equal opportunity for participation in those services and activities.*
- (b) Nonacademic and extracurricular services and activities may include counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the public agency, referrals to agencies that provide assistance to individuals with disabilities, and employment by the public agency and assistance in making outside employment available.*

The Office of Special Education and Rehabilitation Services (OSERS) has stated that a student’s right to transportation to and from school-related activities that occur outside of normal school hours depends on whether the IEP team has determined that the student needs transportation to benefit from special education and related services (OSERS, 2009).

## **Section H – Suspension from the Bus**

When a student receiving special education services is suspended from bus transportation (*E.C. §§ 48900 - 48900.7*), the suspension can constitute a significant change in placement if the district:

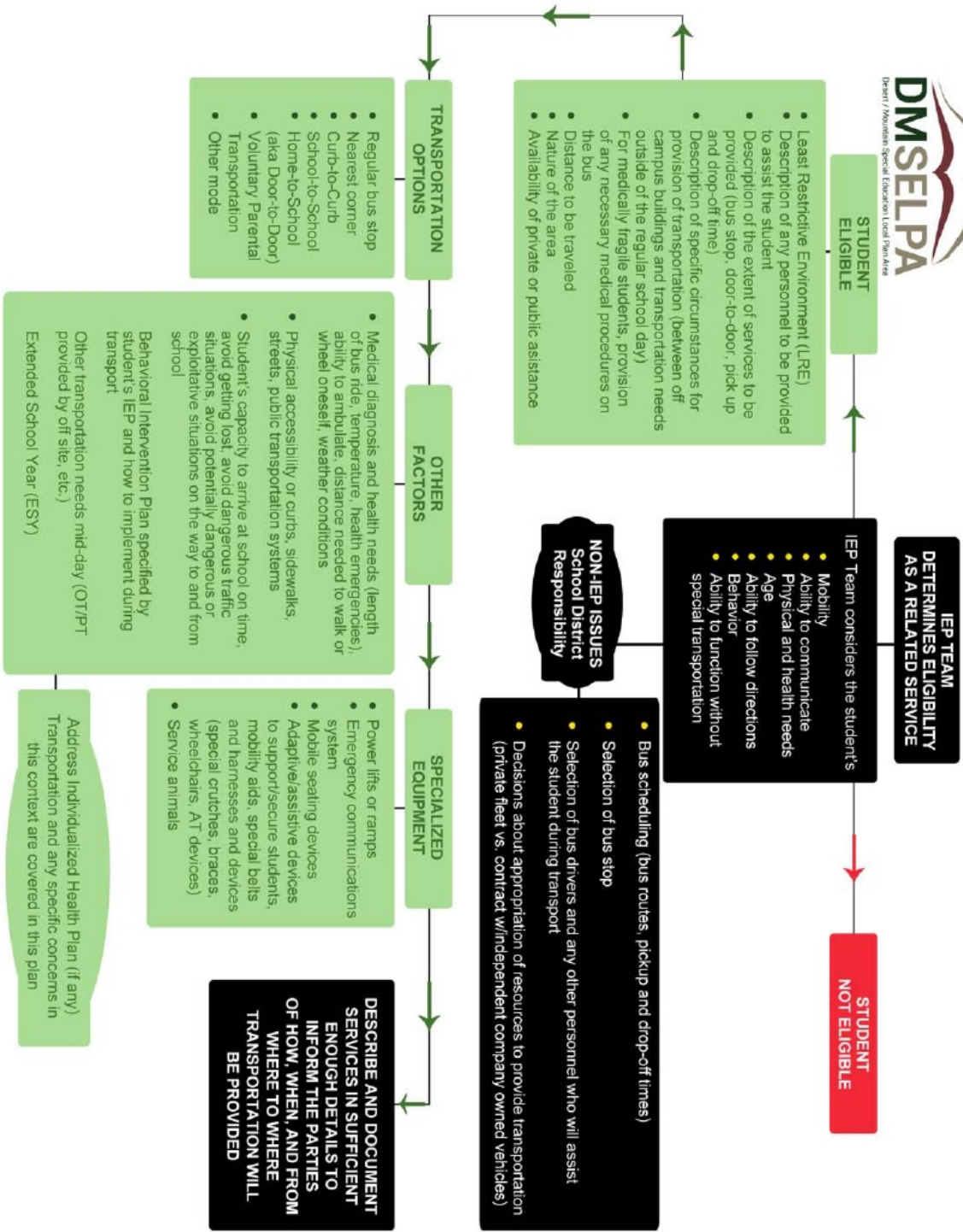
- a. Has been transporting the student
- b. Suspends the student from transportation as a disciplinary measure
- c. Does not provide another mode of transportation (OCR, Letter of Finding Complaint No. 04-89-1286, Dec. 8, 1989).

A significant change in placement requires the IEP team to meet and review the student’s IEP. During the period of any exclusion from bus transportation, students must be provided with an alternative form of transportation at no cost to the student or parent in order to be assured of having access to the required special education instruction and services (*E.C. § 48915.5*).

## **Section I – Periodic Evaluation of Transportation Need**

The IDEA specifies that IEPs must be reviewed periodically and, at the minimum, annually. As a component of the IEP, the same is true of transportation provisions. This means that school districts must consider transportation at the annual IEP meeting as well as other times during the year when necessary.

### TRANSPORTATION SERVICES





# APPENDIX D: CARS+ Guidance for RSP Teachers

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## Do You Know?

- **The caseload for a 100 percent resource specialist is still 28! (Education Code 56362c).**

If the Resource Specialist is 50 percent, the caseload is proportionate — 14! When a resource specialist is over caseload, a waiver process must be requested by a district or the resource specialist. Certain stipulations and a maximum caseload of 32 apply.

- **There is no special day class size limit unless stipulated in a local contract.**

However, if the class size is so large that the teacher cannot implement the IEPs for the students, he/she should file a complaint. To file a complaint, call the hotline: (800) 926-0648.

- **The resource specialist program and special day class options have not been eliminated from the available services for special education students.**

Both are required components of the continuum of options specified in Education Code 56361 (a-i). If you have questions regarding service delivery options, call your local bargaining unit and your Region Director.

- **Education Code 56362 (d) states that Resource Specialists “shall not simultaneously be assigned to serve as resource specialists and teach regular classes.**

The only exemptions to this are resource specialists who are funded by both general education and special education and/or school-based coordinated sites that include special education.

- **IEP goals and objectives must be based on general education content and performance standards.**

See the CARS+ Handbook “Handbook of Goals and Objectives Related to Essential State of California Content Standards.” Also see CARS+ Newsletter or Web site for calendar of upcoming trainings.

- **Transition Services must be written in an IEP during the year a student will turn 14 years of age.**

See the California Department of Education Web site or Special Education Local Plan Area (SELPA) Plan for more information.

- **A student in special education must participate in statewide testing.**

Accommodations and modification can be made and must be documented on the IEP. Student may be exempted only by parent request.

- **A general education teacher and an administrator or designee must be a member of the IEP team. (Education Code 56341)**

- **Any changes to the IEP require an IEP meeting.**

For more information, you can obtain a copy of California Special Education Programs: A Composite of Laws from CDE Press, PO Box 271, Sacramento, CA 95812-0271 — Fax: (916) 323-0823.

Feel free to copy this page and share the information with your co-workers

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# APPENDIX E: Memorandum by Fagen Friedman & Fulfrost: Training and Control of Service Animals on School Property

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Fagen Friedman & Fulfrost LLP

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## MEMORANDUM

### ATTORNEY-CLIENT PRIVILEGED & CONFIDENTIAL

Via E-Mail

TO: Carol Bartz, Senior Director  
North Inland SELPA

FROM: Deborah R.G. Cesario and Leslie A. Reed

DATE: December 7, 2009

RE: Training and Control of Service Dogs on School District Property

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We write this memorandum in response to your follow-up questions regarding the training, use, and control of service dogs on school district property for purposes of Board Policy and Administrative Regulation 0411. Specifically, you asked for advice on the following:

- (1) Must a school district permit individuals licensed to train guide dogs, signal dogs, and/or service dogs to bring a dog-in-training onto school property for training purposes?
- (2) What issues arise if a school staff member, who uses a signal dog, becomes unconscious as a result of a seizure or other medical condition? Who maintains responsibility over the dog?

### SHORT ANSWERS

- (1) California Civil Code section 54 *et seq.* affords persons authorized to train signal dogs, guide dogs, and service dogs the right to access public places, including school districts, for the purpose of training the dog for an individual with a disability. Nevertheless, the California Constitution and the Education Code allow school districts to enact reasonable restrictions to protect the health and safety of students and school staff. As explained below, we believe Board Policy and Administrative Regulation 0411, as both currently read, provide the school district with significant discretion to limit or restrict access to authorized trainers to school property, if such access could pose a health or safety risk to students and/or school staff. However, we suggest a few minor revisions to each, which are consistent with the requirements of Civil Code section 54 *et seq.*

- (2) If a school staff member, who uses a signal dog, becomes unconscious and is no longer able to physically “control” the dog, responsibility for the dog still remains with the user. Board Policy and Administrative Regulation 0411, as both currently read, require the user to maintain control of the dog at all times while on school property, and relieve the school district of liability for any signal dog, guide dog, or service dog brought on school property. As discussed below, we do not believe any changes are necessary to address this concern, because both include broad language to protect the school district if this type of situation were to arise.

### ANALYSIS & RECOMMENDATIONS

#### **(1) Training of Service Dogs on School District Property.**

The California Civil Code entitles individuals with disabilities to “full and equal access, as other members of the general public,” to public places. (Civil Code § 54 *et seq.*) This entitlement includes the right to be accompanied by a signal dog, guide dog, or service dog in public places, as described in Civil Code sections 54.1 and 54.2. In addition, Civil Code section 54.1 extends these rights to persons authorized to train such dogs for individuals with disabilities. Specifically, section 54.1 states that “persons authorized to train service dogs for individuals with a disability, may take dogs, for the purpose of training them as guide dogs, signal dogs, or service dogs in any of the places specified in subdivisions (a) and (b).” Subdivisions (a) and (b) refer to public places, including school districts. Section 54.1 requires the trainer to ensure that the dog is properly leashed and tagged as a guide dog, signal dog, or service dog. In addition, section 54.1 imposes liability on the trainer for any damage to the premises or facility by his or her dog.

School districts have the general authority to enact reasonable restrictions to protect the health and safety of students and school staff. Pursuant to the “Right to Safe Schools” provision of the California Constitution, “[a]ll students and staff of public primary, elementary, junior high, and senior high schools, and community colleges, and universities have the inalienable right to attend campuses which are safe, secure and peaceful.” (Cal. Const. art. I, sec. 28(f)(1).) Further, Education Code section 35160 authorizes the governing board of a school district to “initiate and carry on any program, activity, or . . . otherwise act in any manner which is not in conflict with or inconsistent with, or preempted by, any law and which is not in conflict with the purposes for which school districts are established.” Therefore, if the training of a service dog on a school campus or at a school-sponsored program or activity could pose a health or safety risk to students and/or school staff, we believe school districts may, on a case-by-case basis, restrict or limit such access.

School districts should not, however, uniformly deny service dog trainers access to school property, provided that they would otherwise have a right or need to access a school campus or school-sponsored program or activity. In other words, there should be a nexus between the trainer’s statutory right to “full and equal access” in public places and the specific need to train a

Memo to Carol Bartz, Senior Director  
North Inland SELPA  
December 7, 2009  
Page 3

service dog on school property (e.g., for student pick up, meeting with school staff, attending a school-sponsored event).

Based on our research, however, we note that it is not common practice for service dogs to receive individualized training on school property. Rather, service dogs generally must complete a rigorous training course and receive full certification at a training facility prior to being released to the dog's recipient. According to Canine Assistants, which is a reputable organization that trains assistance dogs for individuals with disabilities nationwide, once the service dog has been fully trained and released to the recipient, the dog becomes the responsibility of the recipient or his or her caregiver. Also, a trainer would not accompany a student or school employee onto school property or to a school-sponsored event or activity to train the service dog. However, despite common practice, an individual (e.g., a teacher) may nevertheless ask the school district to permit him or her to bring a dog-in-training on school property, consistent with Civil Code section 54.1.

Although the training of services dogs on school property does not appear to be common practice, Board Policy and Administrative Regulation 0411, as both currently read, afford the school district substantial discretion to limit an authorized trainer's access to a school campus or school-sponsored program or activity for this purpose. For example, the last paragraph of section (2)(e) of Administrative Regulation 0411 reads:

The dog shall not exhibit aggressive behavior toward staff, students, or any other individuals, may not otherwise pose a direct threat to the health and/or safety of others, and may not be disruptive to the educational environment. The principal or designee shall make a reasonable judgment that is based on available objective information regarding whether the dog presents an unacceptable risk or threat to others. (Emphasis added.)

As this provision indicates, the principal or designee has significant discretion in deciding whether to allow *any* individual, including an authorized trainer, to access school property.

We recommend, however, expanding the definition of "user" in the Board Policy and Administrative Regulation to include both individuals with disabilities, as well as persons authorized to train guide dogs, signal dogs, and service dogs to align with the requirements of Civil Code section 54.1. We included the draft language in the attached Board Policy and Administrative Regulation for your review. If you are concerned about drawing attention to the right of authorized trainers to bring dogs-in-training on school property, you do not have to accept our proposed revisions. We believe that you could still use the Board Policy and Administrative Regulation, as both currently read, in the event an authorized trainer seeks permission to bring a dog-in-training on school property.

**(2) Responsibility and Control of Signal Dogs at School When User Becomes Unconscious.**

We understand that you are concerned with the issues that could arise if a school employee with a signal dog becomes unconscious or incapacitated at school due to a seizure or other medical condition. Specifically, you asked who would retain responsibility over the dog under these circumstances, especially in a class of young children.

Based on our research, signal dogs receive specialized training to respond to an emergency in a particular manner depending on the setting. For example, in a school setting, a signal dog can be trained to either fetch medication or a phone, seek outside help in a controlled environment, or lay down next to his or her owner until emergency assistance arrives. We found that the most common response is for the dog to lay down next to his or her owner until help arrives.

Regardless of the emergency, however, responsibility for the signal dog would remain with the user. Board Policy and Administrative Regulation 0411, as both currently read, protect the school district by: (1) requiring the user to maintain full control over the dog at all times while on school property, and (2) assuming no liability for any signal dog, guide dog, or service dog brought onto school grounds. Therefore, even if a school employee with a signal dog becomes unconscious and is no longer able to physically "control" his or her dog, we do not believe responsibility for the dog would shift to the school district based on the express language of the Board Policy and Administrative Regulation.

In addition, as expressed above, a school district can impose reasonable restrictions on an individual's right to bring a service dog on school property. For example, if a teacher with a seizure disorder who teaches young children seeks permission to bring a signal dog to school, we believe the school district could restrict the teacher's access if there was a likelihood that the dog could present an unacceptable safety risk to the young students, or others, in the event he or she becomes incapacitated and unable to maintain control of the dog.

Based on the above, we do not believe any changes to the Board Policy or Administrative Regulation are necessary to address this concern, because both include broad language that would protect the school district from liability under these circumstances.

We hope that this memorandum is responsive to your questions. If you have additional questions and/or issues, please do not hesitate to contact us.

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**NORTH INLAND SPECIAL  
EDUCATION REGION**

**POLICY NO. 0411**

**CLASSIFICATION: Philosophy, Goals, Objectives, and  
Comprehensive Plans**

**DRAFT: 06/19/09  
First Reading: 10/22/09  
APPROVED: 12/17/09**

**SUBJECT: Guide Dogs, Signal Dogs, and Service Dogs at School**

**PAGE: 1 of 2**

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Pursuant to Civil Code section 54.2, individuals with disabilities, including children with disabilities, have the right to be accompanied by specially trained guide dogs, signal dogs, or service dogs in all public places, including schools. Civil Code section 54.1 defines a "guide dog" as a dog trained by an appropriately licensed person to assist an individual with a disability; a "signal dog" as any dog trained to alert an individual, who is deaf or hearing impaired, to intruders or sounds; and a "service dog" as any dog individually trained to the requirements of the individual with a disability, including, but not limited to, minimal protection work, rescue work, pulling a wheelchair, or fetching dropped items.

Guide dogs, signal dogs, and service dogs trained to provide assistance to individuals with disabilities may be transported in a school bus when accompanied by students with disabilities enrolled in a public or private school, by disabled teachers employed in a public or private school or community college, and by individuals who train such dogs.

If the sole function of the dog is to provide emotional support, comfort, therapy, companionship, therapeutic benefits, or to promote emotional well being, it shall not be considered to be a guide dog, signal dog, or service dog.

If an individual with a disability or an authorized trainer seeks to bring a service animal other than a guide dog, signal dog, or service dog, as defined in Civil Code section 54.1, on school property or to a school-sponsored program or activity, the principal or designee shall make the determination of whether the individual may bring the service animal on a case-by-case basis.

Before an individual may bring a guide dog, signal dog, or service dog into a classroom, the principal or designee shall first provide written notification to all parents/guardians of students in the particular class, requesting information regarding whether their child has any known allergies, asthma, or other health-related conditions that may be affected by the dog's presence in the classroom. If the principal or designee determines that a student in the particular class has a health-related condition that would be affected by the presence of the dog, the principal or designee may deny the individual's request to bring the dog into the classroom. The principal or designee may also make alternative arrangements to accommodate the individual's request.

Any guide dog, signal dog or service dog brought to school by an individual with a disability shall be taken home the same day.

The district assumes no liability and shall not be responsible for the provision of a guide dog, signal dog, or service dog. The user of the dog is responsible for its care and conduct at all times.

**NORTH INLAND SPECIAL  
EDUCATION REGION**

**POLICY NO. 0411**

**CLASSIFICATION: Philosophy, Goals, Objectives, and  
Comprehensive Plans**

**DRAFT: 06/19/09  
First Reading: 10/22/09  
APPROVED: 12/17/09**

**SUBJECT: Guide Dogs, Signal Dogs, and Service Dogs at School**

**PAGE: 2 of 2**

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***Legal References:***

CALIFORNIA CONSTITUTION

Article I, Section 28(f)(1) Right to Safe Schools

CIVIL CODE

54.1 Access to public places

54.2 Guide, signal, or service dogs, right to accompany

GOVERNMENT CODE

Section 12926

EDUCATION CODE

Section 35160 Authority of Governing Boards

Section 39839 Transportation of guide dogs, signal dogs, service dogs

Section 56363(b)(3) Designated Instruction and Services

FEDERAL LAW

Titles II and III of the Americans with Disabilities Act of 1990

(Public Law 101-336)

ADA Amendments Act of 2008

FEDERAL REGULATIONS

34 C.F.R. Section 300.34(b)(7) Orientation and Mobility

COURT DECISIONS

Sullivan v. Vallejo City USD, 731 F.Supp. 947 (1990)

OFFICE OF CIVIL RIGHTS OPINIONS

Bakersfield City School District (OCR 2008) 50 IDELR 169.

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This regulation is designed to provide guidance regarding the use of guide dogs, signal dogs, and service dogs by students with disabilities enrolled in schools within the North Inland Special Education Region, as well as the use of such dogs by visitors and staff on school property and at school-sponsored programs and activities.

1. Definitions

(a) **Individual with a Disability:** As defined by Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, and the ADA Amendments Act of 2008.

(b) **Guide Dog:** Any dog trained by an appropriately licensed person to assist an individual with a disability.

(c) **Signal Dog:** Any dog trained to alert an individual, who is deaf or hearing impaired, to intruders or sounds.

(d) **Service Dog:** Any dog individually trained to the requirements of the individual with a disability, including, but not limited to, minimal protection work, rescue work, pulling a wheelchair, or fetching dropped items.

(e) **User:** An individual with a disability as defined in Paragraph 1(a) above and persons authorized to train guide dogs, signal dogs, or service dogs for individuals with disabilities, consistent with California Civil Code sections 54.1 and 54.2.

2. Right to Use of Facilities and Services.

A user has the right to be accompanied on school property or at school-sponsored programs or activities by a guide dog, signal dog, or service dog specially trained for an individual with a disability. However, prior to receiving permission from the principal or designee to bring a guide dog, signal dog, or service dog on school property or to a school-sponsored program or activity, the user of the dog shall do the following:



- (a) The user shall provide information to the principal or designee establishing the individualized training and certification of the dog, including a description of the task(s) the dog performs for the individual.
- (b) The user shall provide information to the principal or designee establishing that he or she has received proper individualized training and/or certification to handle, control, and supervise the dog.
- (c) The user shall ensure the dog is properly harnessed or on a leash at all times and wears an identification tag that identifies the dog as a guide dog, signal dog, or service dog.
- (d) The user shall complete and sign a release of liability form, which shall release the district from any and all liability for damage to persons, premises, or facilities caused by the dog. If the user is a minor under the age of eighteen (18) years old, the parent/guardian shall complete and sign the release of liability form. By signing the release, the individual, or the parent/guardian if the individual is a minor, agrees to assume all liability for any and all damage to persons, premises, or facilities caused by the dog.
- (e) The user shall be responsible for the care and conduct of the dog at all times. The dog shall be under the user's control at all times. The user is responsible for the cleanliness of the dog, including flea control, to protect the health and safety of others.

If the user fails to satisfy any of the above conditions, the principal or designee shall not permit the user to bring the dog on school property or to school-sponsored programs or activities. If the principal or designee grants permission to the user to bring a guide dog, signal dog, or service dog on school property or to school-sponsored programs or activities, the user shall continue to be subject to the conditions stated above. Should the user fail to abide by these conditions, the user shall be required to remove the dog immediately and not bring the dog back on school property until he or she can demonstrate that all conditions are met.

Before granting permission to a student with a disability, who is enrolled in a public school of the district and has a Section 504 plan or an individualized education program ("IEP"), to bring a guide dog, signal dog, or service dog on school property or to school-sponsored programs or activities, the principal or designee shall determine whether the student's Section 504 or IEP team has addressed the student's educational needs in another manner that would eliminate his or her need for the dog in order to receive a free appropriate public education ("FAPE").

Nothing shall preclude the principal or designee, upon receiving a request from or on behalf of a student with a disability to bring a guide dog, signal dog, or service dog on school property or to school-sponsored programs and/or activities, from convening a Section 504 or IEP team meeting to further clarify the student's need for additional support in the classroom.

The dog shall not exhibit aggressive behavior toward staff, students, or any other individuals, may not otherwise pose a direct threat to the health and/or safety of others, and may not be disruptive to the educational environment. The principal or designee shall make a reasonable judgment that is based on available objective information regarding whether the dog presents an unacceptable risk or threat to others. In making this determination, the principal or designee may consider factors such as, but not limited to, the dog's breeding, training, and propensity for harmful or frightening interaction with children or others reasonably attributed to that particular type of dog as determined by those knowledgeable about such dogs.

3. Liability for Service Animals.

The district assumes no responsibility for any guide dog, signal dog, or service dog brought on school property or to school-sponsored programs or activities.

The use of guide dogs, signal dogs, and service dogs must comply with all relevant federal and state laws.

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# APPENDIX F: Waiver & Release of Liability: Permission to Bring Guide Dogs, Signal Dogs, and Service Dogs on School Property or to School- Sponsored Programs or Activities

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## WAIVER AND RELEASE OF LIABILITY Permission to Bring Guide Dogs, Signal Dogs, and Service Dogs on School Property or to School-Sponsored Programs/Activities

In consideration for receiving permission from the \_\_\_\_\_ School District ("District") to bring a guide dog, signal dog, or service dog on school property and/or to school-sponsored programs and activities, I, \_\_\_\_\_, the undersigned, agree to the following waiver and release of liability and make the following representations.

I understand, acknowledge, and agree that bringing a guide dog, signal dog, or service dog on school property or to school-sponsored programs or activities presents the potential for property damage, death, serious injury, and/or illness to myself, my child, students, District employees, and/or other third parties.

I understand, acknowledge, and agree that at all times while on school property or at school-sponsored programs and/or activities, I am (or my child is) bringing the guide dog, signal dog, or service dog at my (or my child's) own risk.

I hereby certify that my (or my child's) dog has received proper individualized training and certification to be a guide dog, signal dog, or service dog.

I further certify that I (or my child) have received proper individualized training and/or certification to handle, control, and supervise a guide dog, signal dog, or service dog.

I understand, acknowledge, and agree that my (or my child's) dog shall remain properly harnessed or on a leash at all times while on school property or at school-sponsored programs or activities and shall wear an identification tag at all times that identifies the dog as a guide dog, signal dog, or service dog.

I understand, acknowledge, and agree that I (or my child) shall be responsible for the care and conduct of the dog at all times while on school property or at school-sponsored programs or activities.

I understand, acknowledge, and agree that I (or my child) shall be responsible for the cleanliness of the dog at all times while on school property or at school-sponsored programs or activities to protect the health and safety of others.

I do hereby forever release, discharge, indemnify, and hold harmless the District and its trustees, officers, employees, agents, insurers, contractors, servants, and volunteers from and against any and all claims or demands by myself, my child, students, District employees and/or other third parties for personal injury, illness, medical expenses, and death, as well as property damage and expenses of any nature whatsoever caused by my (or my child's) dog while on school property or at school-sponsored programs or activities.

In the event a third party brings a claim and/or demand against the District and/or its trustees, officers, employees, agents, insurers, contractors, servants, or volunteers for personal injury, illness, medical expenses, death, property damage, or any other expenses whatsoever caused by my (or my child's dog) while on school property or at school-sponsored programs or activities, I hereby agree to assume any and all liability resulting from such claims and/or demands and to pay any and all legal fees and costs which the District and/or its trustees, officers, employees, agents, insurers, contractors, servants, or volunteers may incur to respond to or defend such claims and/or demands.

The release and discharge of liability herein includes, but is not necessarily limited to, all claims, demands, losses, causes of action, suits and/or judgments of any and every kind that may occur as a result of my (or my child's) dog's actions while on school property or at school-sponsored programs or activities.

If I am a parent or legal guardian of a student under eighteen (18) years of age, I have read and voluntarily agree that said minor has my permission to bring his/her guide dog, signal dog, or service dog on school property and/or to school-sponsored programs and activities, and I sign this release on his/her behalf.

I HAVE READ THIS DOCUMENT IN ITS ENTIRETY AND FULLY UNDERSTAND ITS CONTENT. I UNDERSTAND THAT THIS IS A WAIVER AND RELEASE OF LIABILITY BETWEEN MYSELF AND THE DISTRICT. I VOLUNTARILY SIGN MY NAME AS EVIDENCE OF MY ACCEPTANCE OF ALL THE PROVISIONS IN THIS WAIVER AND RELEASE AND MY AGREEMENT TO BE BOUND BY THEM.

\_\_\_\_\_  
User of Guide Dog, Signal Dog, or  
Service Dog Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent/Legal Guardian Signature, if  
individual is a minor under the age of 18

\_\_\_\_\_  
Date

\_\_\_\_\_  
School District Approval

\_\_\_\_\_  
Date

00154.00003/144188.3

# **APPENDIX G: Extended School Year (ESY) Guidelines**

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Section A: Understanding the Legal and Practical Aspects of ESY

Section B: Guidance for IEP Teams

Section C: Planning for ESY

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Exhibit B: Possible Predictive Factors in Determining if ESY Service(s) is/are Necessary

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## **Introduction**

Extended School Year (ESY) services are special education and related services that are provided to children with disabilities beyond the state mandated 180-day school year. ESY services must be provided only if a child's Individualized Education Program (IEP) team determines, on an individual basis, in accordance with Title 34 of the Code of Federal Regulations §§ 300.320 through 300.324, that the services are necessary for the provision of a Free Appropriate Public Education (FAPE) to the child. The purpose of ESY is to provide special education and related services when an interruption of the child's educational programming may cause regression when coupled with limited recoupment capacity, rendering it impossible or unlikely that the child will attain the level of self-sufficiency and independence that would otherwise be expected in view of his or her disabling condition.

## **Section A – Understanding the Legal and Practical Aspects of ESY**

The legal and practical aspects of understanding ESY include the relevant federal regulations, California Code of Regulations, case law clarifications, and practical implications of what ESY is and is not.

### **I. Federal Regulations**

The Individuals with Disabilities Education Act (IDEA) and the corresponding Title 34 of the Code of Federal Regulations, Part 300 § 300, contain a number of citations relevant to the legal aspects of ESY.

- The term “extended school year services” means special education and related services that:
  - Are provided to a child with a disability:
    - Beyond the normal school year of the public agency;
    - In accordance with the child's IEP; and
    - At no cost to the parents of the child.
  - Meet the standards of the State Educational Agency. (*Title 34 of the Code of Federal Regulations § 300.106(b)*)
- A child who meets eligibility requirements for special education is entitled to FAPE.
  - FAPE is defined, in pertinent part, as special education and related services that are provided at public expense and under public supervision and direction, that meet the state’s educational standards, and that conform to the child’s IEP.
  - Special education is defined, in pertinent part, as specially designed instruction, at no cost to parents, to meet the unique needs of a child with a disability.
- The IEP is the centerpiece of the IDEA’s education delivery system for children with disabilities and consists of a detailed written statement that must be developed, reviewed, and revised for each child with a disability. In developing the IEP, the IEP team shall consider the strengths of the child, the concerns of the parents for enhancing the education of their child, the results of the initial evaluation or most recent evaluation of the child, and the academic, functional and developmental needs of the child.
- ESY services are special education and related services provided to a child with a disability beyond the normal school year.
- ESY services are necessary only if the IEP team finds, on an individual basis, and based on regression and recoupment, that these services are necessary to provide FAPE.
- An extended year program as determined by the IEP team, shall be included in the child’s IEP.
- ESY services must be in accordance with a child’s IEP.
  - The Code of Federal Regulations (CFR) does not prescribe the time in which the LEA must present an ESY proposal.

- LEAs are entitled to have a reasonable time to implement ESY services. (see *Faulders v. Henrico County School Board* [E.D. Va. 2002], *Reinholdson v. School Board of Independent School District No. 11* (8th Cir. 2006), *Reusch v. Fountain* (D. Md. 1994)).
- Federal law requires that children with disabilities be educated in the Least Restrictive Environment (LRE) to the maximum extent appropriate, and authorizes removal of children with disabilities from the regular educational environment only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.
  - However, *Title 34 of the Code of Federal Regulations § 300.115*, is general and is not directed specifically to ESY services. The Department has long interpreted its requirement of a continuum of alternative placements not to apply to summer programs.
  - Because ESY services are provided during a period of time when the full continuum of alternative placements is not normally available for any child, the Department does not require states to ensure that a full continuum of placements is available solely for the purpose of providing ESY services (Letter to Myers, supra, 16 IDELR 290).
- Furthermore, the section which prohibits the unilateral limitation of the type, amount, and duration of summer services, has never been interpreted as requiring a LEA that does not offer a program in summer to create one simply to provide an LRE.
- In commenting on the 1999 revisions to the IDEA regulations governing the ESY, the Department stated: While ESY services must be provided in the LRE, public agencies are not required to create new programs as a means of providing ESY services to children with disabilities in integrated settings if the public agency does not provide services at that time for its nondisabled children.
- If a parent disagrees with the IEP and proposed placement, he or she may file a request or notice for a due process hearing.

## **II. California Code of Regulations (CCR)**

ESY services shall be provided for each child with a disability who has unique needs and requires special education and related services in excess of the regular academic year. These children will have disabilities which are likely to continue indefinitely or for a prolonged period, *and interruption of the child's educational programming may cause regression when coupled with limited recoupment capacity, rendering it impossible or unlikely that the child will attain the level of self-sufficiency and independence that would otherwise be expected in view of his or her disabling condition.* The lack of clear evidence of such factors may not be used to deny a child an ESY program if the IEP team determines the need for such a program, and includes ESY in the IEP pursuant to *Title 5 of the California Code of Regulations § 3043(e)*.

**Title 5 of the California Code of Regulations § 3043.** ...*(a) Extended year special education and related services shall be provided by a school district, SELPA, or county office offering programs during the regular academic year.*

- (b) Individuals with exceptional needs who may require an extended school year are those who:*
- (c) The term “extended year” as used in this section means the period of time between the close of one academic year, and the beginning of the succeeding academic year. The term “academic year” as used in this section means that portion of the school year during which the regular day school is maintained, which period must include not less than the number of days required to entitle the district, special education services region, or county office to apportionments of state funds.*
- (d) An extended year program shall be provided for a minimum of 20 instructional days, including holidays.*
- (e) An extended year program, when needed, as determined by the IEP team, shall be included in the pupil’s IEP.*
- (f) In order to qualify for average daily attendance revenue for extended year pupils, all of the following conditions must be met:*
- (1) Extended year special education shall be the same length of time as the school day for pupils of the same age level attending summer school in the district in which the extended year program is provided, but not less than the minimum school day for that age unless otherwise specified in the IEP to meet a pupil’s unique needs.*
  - (2) The special education and related services offered during the extended year period are comparable in standards, scope and quality to the special education program offered during the regular academic year.*
- (g) If during the regular academic year an individual’s IEP specifies integration in the regular classroom, a public education agency is not required to meet that component of the IEP if no regular summer school programs are being offered by that agency.*

**NOTE:** *The regulation governing extended school year (“ESY”) services has been amended to be consistent with federal law, which allows SEAs to set ESY standards for their states. The new regulation deletes obsolete language which set forth the maximum number of school days for reimbursement, but keeps intact California’s ESY standard of a minimum of 20 instructional days.*

### **III. Case Law**

Due process cases and court decisions have provided guidance in determining what constitutes FAPE and/or a child’s need for ESY services. In 1982, a landmark United States



Supreme Court decision established a substantive standard for the provision of FAPE. Board of Education of the Hendrick-Hudson Central School District v. Rowley, 458 U.S. 176 (1982). The Rowley decision required an LEA to provide a “‘basic floor of opportunity’ . . . [consisting] of access to specialized instruction and related services which are individually designed to provide educational benefit to the [child with a disability].”

In a unanimous 2017 decision, the United States Supreme Court went beyond the Court in Rowley to interpret the scope of FAPE requirements under the Individuals with Disabilities Education Act, and overturned the Tenth Circuit’s decision regarding a child with autism being entitled only to an educational program that was calculated to provide “merely more than *de minimis*” educational benefit. Endrew F. v. Douglas County School District Re-1, 137 S. Ct. 988 (2017). Endrew F. did not overturn Rowley; rather, the decision provided clarification in the form of a standard for determining whether a child’s IEP provides FAPE under the IDEA – a single test which the Rowley Court declined to establish 35 years earlier. Under Endrew F., the Court held:

- **“To meet its substantive obligation under the IDEA, a school must offer an IEP reasonably calculated to enable a child to make progress appropriate in light of the child’s circumstances.”**
- The “merely more than *de minimis*” standard was rejected.
- In determining the scope of FAPE, the Court reinforced the requirement that “every child should have the chance to meet challenging objectives” and that the “instruction offered must be “specially designed” to meet a child’s “*unique needs*.”
  - The IDEA requires neither that a LEA provide the best education to a child with a disability, nor that it provide an education that maximizes the child’s potential (Bd. of Educ. v. Rowley, 1982; Gregory K. v. Longview School District, 9th Cir. 1987).
  - An IEP should confer a meaningful educational benefit (T.R. ex rel. N.R. v. Kingwood Twp. Bd. of Educ., 3rd Cir. 2000).
- LEAs are required to consider more than just the regression and recoupment analysis and consider other factors relevant in determining a child’s need for special education services during ESY.
  - No single criterion can be used as a sole qualifying factor (Johnson v. Independent School District No. 4, 1990).
  - One factor to be considered is the critical stage of developing a skill which has great potential for increasing self-sufficiency. For such skill, if not completely acquired and mastered, it is likely that the current level of acquisition will be lost due to the interruption of summer vacation (Reusch v. Fountain, 1994).
  - There is a reference in Fullerton USD vs. Parent (OAH Case # 2011080355) that ESY services are recommended only if a child is at risk of a severe regression in

skills that would require six to eight weeks at the start of the regular school year to recoup.

- LEAs are not required to create programs in order to provide ESY services.
  - In *Cordrey v. Euckert (6th Cir 1990)*, the court noted that “the school district has no purely custodial duty to provide for handicapped children while similar provision is not made for others. Therefore, begin with the proposition that providing an extended school year is the exception and not the rule...”
  - An example would be a student who requires an integrated setting. If the LEA does not provide summer services for non-disabled students, the LEA is not required to create a new program (*Tuscaloosa County Board of Education, SEA AL 2001; Parent on Behalf of Student v. San Francisco Unfired School District, OAH case # 2001040611.*).
  - In the *Alameda USD v. Student* (OAH Case # 2007100793), the LEA offered a specialized academic classroom placement for students with moderate to severe disabilities located at an Elementary School for four hours a day, five days a week. The ESY offer was at a different campus than the student’s regular school year. The LEA did not operate an autism-specific special day class (SDC) during the summer ESY after the end of the regular school year. The special day class was taught by a teacher who conducted the student’s academic assessment, had many years’ experience teaching children with disabilities including autism, and was assisted by highly trained paraprofessionals. The class was small, highly structured, and facilitated language and social skills training throughout the day in a multi-sensory environment. Based on the above findings, the district’s offer of a moderate to severe SDC class for the 2007 summer ESY, including children with autism, was appropriate.
- The content of ESY services are governed by the necessity to prevent skills or benefits already accrued from the prior year from facing significant jeopardy due to regression or lack of retention (*McQueen v. Colorado Springs School District No. 11, D. Colo. 2006*). Additional skills training may be included in ESY when the IEP team determines that this is necessary to meet ESY skills maintenance goals.
- FAPE includes not only special education, but also related services.
  - A change in placement can occur when related services are modified in a way that is likely to affect in some significant way the child’s learning experience. A LEA is not required to provide prior written notice when a LEA makes minor discretionary decisions with regard to a child’s curriculum or assignment of teachers or entertaining suggestions for alternatives to a proposed placement. Requiring prior written notice for every suggestion of an alternative placement or service considered at an IEP meeting would render the process unworkable (*Student v. Tustin USD, OAH case #2006070017*).

- An offer for ESY must address all areas of student need. In the Garden Grove USD OAH Case # 2007080547, the judge ruled that
  - The offer was not appropriate because it did not address occupational therapy services, which were necessary to prevent regression; however,
  - Even though intensive behavior interventions (IBI) were not included in the ESY offer, it was established that the nature of the services provided to the child would prevent undue regression over the summer, particularly because the child was going to have a 1-1 aide.
- In determining whether the content of ESY failed to provide a child with FAPE, it is important to consider the following legal interpretations.
  - The standards for determining whether a child is entitled to an ESY placement in order to receive FAPE are different from the standards pertaining to FAPE in the regular school year. The purpose of special education during the ESY is to prevent serious regression over the summer months (*Hoeft v. Tucson Unified School District, 9th Cir. 1992*; *Letter to Myers*; OSEP 1989).
  - In *SS, JD, SS v. Henricoe County School Board (4th Cir. 2003)*, the Hearing Officer found that ESY services “were not for the purpose of achieving goals not met during the school year.”
  - The mere fact of likely regression is not enough to require an ESY placement, because all students “may regress to some extent during lengthy breaks from school.” The court ruled “ESY services are only necessary to FAPE when the benefits accrued a disabled child during a regular school year will be significantly jeopardized if he is not provided with an educational program during the summer months” (*MM v. School Dist. of Greenville County, 4th Cir 2002*).
  - It must be established that the significant skill losses were of such degree and duration so as seriously to impede progress toward his/her educational goals (*Kenton County School District v. Hunt (6th Cir. 2004)*).
  - The analysis must focus primarily on the adequacy of the proposed program. If the school district’s program was reasonably calculated to provide the student some educational benefit, the school district’s offer will constitute a FAPE even if the student’s parents preferred another program and even if the parents’ preferred program would have resulted in greater educational benefits to the student. The focus is on the appropriateness of the placement offered by the school district, and not on the alternative preferred by the parents (Gregory K.).
  - An IEP is evaluated in light of information available at the time it was developed, and is not to be evaluated in hindsight.

- An IEP is “a snapshot, not a retrospective” and it must be evaluated in terms of what was objectively reasonable when the IEP was drafted (Adams by & Through Adams v. Oregon, 9th Cir. 1999).
- The issue is what the record demonstrated that the IEP team knew when it indicated that ESY was unnecessary as the student was progressing appropriately and would not need ESY (Santa Ana USD vs. Student and vice versa, OAH Case #s 2005090037; 2005100257).
- Evidence must support recommendations to offer or not offer ESY, even when an expert in autism opines in an Independent Educational Evaluation (IEE) that the student required ESY (Parent vs. Torrance USD, OAH Case # 2010080289).
- Even when the student’s condition meets the first criteria for ESY (that her disabilities were likely to continue for a long time), the student did not establish that she had limited recoupment capacity that would render it impossible or unlikely to attain a level of self-sufficiency and independence that would otherwise be expected (Parent v Roseville Joint Union High School District and Placer County Children’s System of Care, OAH CASE # 2011061341).

#### **IV. Practical Implications: What ESY is and is not**

##### **ESY is:**

- Based only on the individual child’s specific critical skills that are critical to his/her overall education progress as determined by the IEP team.
- Designed to maintain student mastery of critical skills and objectives represented on the IEP and achieved during the regular school year.
- Designed to maintain a reasonable readiness to begin the next year.
- Focused on specific critical skills where regression, due to extended time off, may occur.
- Based on multi-criteria and not on a single factor.
- Considered as a strategy for minimizing the regression of skill, in order to shorten the time required to gain the same level of skill proficiency that the child exited with at the end of the school year.

##### **ESY is not:**

- A mandated 12-month service for all children with disabilities.
- Required to function as a respite care service.

- Funded by General Fund.
- Required or intended to maximize educational opportunities for any child with disabilities.
- Necessary to continue instruction on all the previous year's IEP goals during the ESY period.
- Compulsory. Participation in the program is discretionary with the parents, who may choose to refuse ESY service. There may be personal and family concerns that take precedence over ESY.
- Required solely when a child fails to achieve IEP goals and objectives during the school year.
- To be considered in order to help children with disabilities advance in relation to their peers.
- For those children who exhibit random regression solely related to transitional life situation or medical problems which result in degeneration.
- Subject to the same LRE considerations as during the regular school year as the same LRE options are not available. Additionally, LRE for some children may be home with family members.
- A summer recreation program for children with disabilities.
- To provide a child with education beyond that which is prescribed in his/her IEP goals and objectives.
- For making up for poor attendance during regular school year.
- The primary means for credit recovery for classes failed during the regular school year.

## **Section B – Guidance for IEP Teams**

It is important that IEP team members understand who recommends ESY services, the difference between ESY and summer school, when ESY should be recommended, why ESY services should be documented in an individual child's IEP, and how eligibility for ESY services should be determined.

### **I. Who recommends ESY services?**

Both federal and state regulations make it clear that it is the responsibility of the IEP team to determine a child's need for ESY services. The IEP team membership must include a person knowledgeable about the range of services available, a general education teacher, a special education teacher, and the parent. The IEP team membership may also include related services providers, assessment personnel, and/or the child.

## **II. What is the difference between ESY and summer school?**

ESY services are special education and related services that are required by a child with disabilities beyond the regular school year. These children shall have disabilities which are likely to continue indefinitely or for prolonged periods, and interruption of the child's educational programming may cause regression when coupled with limited recoupment capacity, rendering it impossible or unlikely that the child will attain the level of self-sufficiency and independence that would otherwise be expected in view of his or her disability. It is the issues of regression and recoupment that provide a framework upon which to base discussion about the need for the child to receive special education support beyond the regular school year.

If the child does not require ESY, the child could be considered for regular summer school or regular summer intervention program services offered within the LEA. Summer school classes are not special education, are not required, are not based upon a child's individual needs, do not require an IEP, and are not required in order for a child to receive FAPE. While summer school usually focuses on opportunities for secondary students to recover credits, summer intervention programs generally focus on the development of skills that children at risk of retention need in order to progress. Given that, summer intervention classes may very well be appropriate for children with disabilities who are working toward grade level standards.

Several court cases have referred to the "availability of alternative resources" when considering ESY services. The LEA could consider community programs that are available to children. The LEA must be cautious when identifying services provided by community agencies such as a Parks and Recreation program. These outside agencies have no requirement to maintain the child in their program.

## **III. When should ESY be recommended?**

Since the need for ESY is primarily based on unacceptable regression or recoupment time as demonstrated by the child with a disability, it is important to understand what might be acceptable for most children. Tilley, Cox, and Staybrook (1986) found that most students experience some regression during summer break. Using standardized tests, they found the rate of regression for regular education students was four percent. Students with mild handicaps, hearing impairments, and serious behavior disorders regressed at approximately the same rate as their regular education peers. For students with moderate to severe handicaps, there was an increased rate of regression and a slower rate of recoupment. According to the study, the areas that were most impacted for those students were language, gross motor, fine motor, and self-help skills. Therefore, it is reasonable for students with moderate to severe disabilities to be considered for an ESY program that would concentrate on minimizing regression and recovery time.

When considering ESY for any child, the IEP must consider data collected during the previous year(s) to determine the child's need based on regression and recoupment. This decision should be based on a multi-faceted measurement, although there may be rare instances where the IEP team might consider ESY services based on a single criterion. In

either case, the IEP team must decide a child's eligibility for ESY services based on data collected that reflects his/her regression/recoupment capacity. To help understand this process, a Data Collection Guide is provided in Exhibit A.

Several LEAs have year-round calendars which may require a timeline for provision of ESY slightly different than traditional school year calendars. However, consideration of need for ESY services would follow a similar pattern as that outlined above. In both cases the number of days recommended for ESY is based on student data collected to support student need. Typically, ESY services are aligned with the summer school and/or summer intervention programs provided for general education students in the LEA or school of attendance. However, the IEP team may determine that more days are needed given the program options available and the child's identified needs.

#### **IV. Why should ESY be documented in a child's IEP?**

ESY services are to be considered for children between the ages of three to twenty-one or children who have not graduated from high school with a diploma. To ensure that the child receives FAPE, ESY services should concentrate on the areas most impacted by regression and inadequate recoupment. These services may look markedly different in ESY than services provided during the regular school year. The IEP team decision is not driven by the setting in which the child is educated during the comprehensive school year. This may also be true for the frequency and/or the duration of services as based on the individual child's needs. The child's need for related services must also be considered as they relate to the child's benefiting from special education. Since it may be different, it is very important that the offer of FAPE for the ESY period be clearly documented within the IEP.

#### **V. How should ESY eligibility be determined?**

The child's IEP should be the foundation for determining the need for ESY services. This can be achieved through ongoing assessment and/or review of progress toward goals/objectives. The IEP team meets to review the child's progress, considering a variety of measurements to provide a baseline that documents the child's regression and recoupment rate. The IEP team for an initial IEP will not be able to make this determination until after the child has been receiving the special education services and data has been collected. It is recommended that the IEP team reconvene after implementing the IEP for three to six months to review progress data and compare work from before and after break.

Since many LEAs have already implemented multiple measures to assess progress toward standards, the LEA's assessments and observational or informal data may be applicable to the IEP team determination of need for ESY. The assessment must be based on the IEP goals and/or objectives so that progress can be matched directly to each benchmark outlined and the data can be compared to support evaluation of service effectiveness. The team also needs to determine and document if the child will take the local multiple academic achievement measures with or without accommodations, with or without modifications, or take alternative measures.

The severity of a child's disability is a primary consideration in determining eligibility for ESY. Based on the *Reusch v. Fountain* case, the IEP team should consider the child's age, severity of the disability, presence of medically diagnosed health impairments, attainment of self-sufficiency, and development of an emerging, critical skill that will be lost due to interruption. Other factors to consider are regression rate and recoupment time in relation to normal rates, behavioral and physical problems, curricular areas which would be adversely impacted, and vocational needs. Younger children with medically diagnosed health impairments are more likely to be referred for ESY due to degenerative diseases and/or high absenteeism as a result of the health impairment. Mental health problems may also have an impact on a child's ability to maintain appropriate social, emotional and/or behavioral expectations when school is not in session and lead to regression in skills. The ability of the more mentally and physically challenged children to maintain self-sufficiency skills will continue to be a key issue in determining ESY eligibility. The IEP team should utilize the questions on SELPA form D/M 68I as a guideline in determining the need for ESY (Exhibit D).

Once ESY services are determined as necessary based on data collected and regression-recoupment rate, the IEP team must include a description of the services required by the child in his/her IEP in order to receive FAPE during the provision of ESY.

The Desert/Mountain Special Education Local Plan Area (SELPA) developed an "Extended School Year (ESY) Worksheet" (Exhibit D/M SELPA form D/M 68I) to assist IEP team members in this decision-making process. The Case Carrier begins the form by identifying the child's name, date of birth, grade, school, LEA, and Regular School Year Special Education Services. Various people (e.g., special education teacher, general education teacher, related services personnel, parent, and/or administrator) may provide information to complete the multiple criteria considerations in all areas of need. These should include:

- Teacher observations, running records, and benchmark measures;
- Progress toward goals/objectives;
- Evidence of regression following break;
- Evidence of difficulty recouping information and/or skills following break;
- Consideration of other options available; and
- Other factors.

With the above information in hand, the IEP team proceeds to answering the series of questions on SELPA form D/M 68I (Exhibit D). The form is included in the child's IEP. This determination of need for ESY services needs to be completed annually.



## Section C – Planning for ESY

Effective planning for a successful ESY program involves working with other departments, communicating with site personnel, projecting ESY enrollment, meeting staffing needs, having a smooth registration process that includes communicating with parents, and arranging for transportation needs.

### **I. Working with other Departments**

In beginning to plan for ESY it is critical to work closely with personnel from educational services division to determine what plans are being made for summer intervention and summer school so that ESY services are aligned. Scheduling a general planning meeting with the following personnel to discuss their roles/responsibilities is critical.

- Educational Services: To determine dates, times, locations of summer programs; to provide leadership/direction to plans of all other department activities.
- Business Services: To discuss fiscal resources and/or limitations.
- Human Resources: To discuss projected and/or identified needs (e.g., administrative, certificated teachers, classified [secretaries, health technicians, attendance technicians, instructional aides, custodial], negotiated contract constraints, timelines, posting of openings, interview or appointment process, notifications to personnel, master schedule of assignments, board approval.
- Maintenance and Operations: To discuss facility's needs, custodial support, etc.
- Curriculum and Instruction: To determine course offerings in summer school, targeted population for summer intervention, instructional content of summer intervention, needed instructional materials, teacher preparation time, staff training or meeting needs, assessment strategies, progress reporting, etc.
- Selected Principals/Lead Teachers: To be involved in discussions and kept apprised of plans, to communicate to other principals, to facilitate registration procedures and data collection, to take necessary follow-up actions.
- Special Education: Identify the lead person to discuss projected ESY numbers, staffing needs, facilities, instructional materials, registration procedures, timelines, communicating with parents, nutrition, transportation, etc.
- Instructional Technology: To discuss how children enrolled in ESY, summer intervention, and summer school will be captured, transmittal and/or collection of achievement data, attendance reporting procedures, progress reports, etc.
- Food Services: To discuss nutrition program offerings, time schedules, and staffing needs

- **Transportation:** To be aware of sites, times, schedules, population or subgroup of children who will need to be bussed, information needed from sites, arranging routes and staff needed, determining strategies and responsibilities for communicating with departments and parents regarding transportation plans.
- **Health Services:** To determine need for health technicians, nurses, and/or related services instructional aides; to arrange for specialized equipment and/or materials to be available for children at assigned sites; to provide any necessary health or medical training to selected personnel.
- **County Office:** If the county operates programs within the LEA, it is important to include appropriate county personnel in these discussions to facilitate good communication and smooth program operations.

## **II. Communicating Calendar Activities**

Once decisions have been made at the LEA level, it is important to communicate plans to site personnel. Although Educational Services Division will be sending out information regarding summer programs, it is important for the Special Education Office to communicate the specifics about ESY.

## **III. Projecting ESY Enrollment**

The Director of Special Education or data entry clerk create a report of all children with ESY services on their IEP through web-based IEP reporting system. The data query needs to include the child's last name, first name, birth date, grade, disability, ESY services, location, case carrier, and transportation status. This information can then be saved as an excel file and sorted by any of these features. This data will provide a maximum number of potential children for ESY. By sorting the data into categories, LEAs can project possible number of children by services to project staffing needs. It is important to analyze ESY services to be sure to identify not only specialized academic instructional needs but also related services and transportation needs.

To get a more accurate projection, timelines will need to be established for registration processes and for communicating with staff members, parents, and other departments listed above. As much as possible, these timelines should align with what is happening for general education student enrollment in summer programs. However, because ESY is listed as a service in an IEP, even when parents miss the registration timeline, enrollment must be taken due to the legal obligation of providing for FAPE.

## **IV. Meeting Staffing Needs**

These notes on meeting staffing needs incorporate ideas about pre-planning, selecting staff, notifying personnel, and informing other LEA/site personnel.

- **Pre-Planning**

Utilizing data on projected enrollment by grade level, programs, and sites, makes it possible to project staffing needs for summer programs, including ESY. Since the goal is to serve special education alongside general education summer programs, it is important to first identify what staff members are going to be provided for the site as a whole (e.g., principal, assistant principal, lead teacher, counselor, secretary, attendance clerks, security personnel [School Resource Officer, Supervision Aides], nurse and/or health technician, food services personnel, custodians, bus drivers). The supports needed from the special education program planning should be supplemental to these supports provided for all summer program attendees.

Special education ESY personnel considerations need to include teachers (mild-moderate, moderate-severe), related services personnel (e.g., speech language pathologist, occupational therapist, adapted PE, psychologists), instructional aides (e.g., nonsevere, severe, special circumstance or related services), and program support (e.g., special education administrator, program specialist, and/or teacher on special assignment). In the analysis of student needs, which drives staffing needs, the number of days and/or hours per day of the various types of positions identified may need to be adjusted. For example, high school double sessions or longer days may be different than what is needed at elementary or middle school. If related services must be provided per IEPs, the days or hours of these personnel may vary as well.

Class sizes need to be determined so that staff can be added or deleted based upon actual attendance patterns (e.g., nonsevere 14 students to one teacher and one aide; severe nine students to one teacher and two aides). It is important to communicate the projected staffing needs not only with Human Resources staff but also with those who are assigning facilities/classrooms at each location to ensure that each person employed has the appropriate space assignment.

- **Selecting Staff**

Based upon procedures established in the LEA, Human Resources will fly the positions available for certificated and classified personnel. It is important to indicate on the flyer that stability of positions will be based upon actual enrollment. Depending on LEA procedures, the application process may include an essay and/or interview. Based upon the LEA's negotiated contracts, consideration may need to be given to if the candidates applied for and/or were given a position the prior year. It is also important to consider staff members' preferences for grade level and program. Sample interview questions:

**Sample Interview Questions**

1. Tell us why you are qualified for an ESY teaching position?
2. What strategies/methods will you use to ensure academic progress for students?

3. Describe your classroom management.
4. If the defined core program is not working, what would you utilize or implement?
5. If you are not selected, would you sub?  Yes  No
6. Questions?

It is important that a Special Education Administrator be involved in the ESY personnel decision-making process to ensure that the right people are assigned to the appropriate programs/students. If personnel are given ESY assignments other than what they normally work during the regular school year, it is important to assess their needs for any specialized training and provide this prior to the first day of school. In addition, it is critical to have established means of communicating information regarding the needs of children.

- **Notifying Personnel**

In working closely with Human Resources, it is important to determine who will be sending notification letters to the special education personnel selected to work during ESY.

Once a staffing plan has been finalized, it is important to communicate this to all people involved. Again, it needs to be determined if the Human Resources or Special Education Department has this responsibility. Either in the same or a separate spreadsheet or letter, include the dates and hours selected personnel are scheduled to work. It is important to address both credentialed and classified support (e.g., ESY Instructional Aide assignments).

## V. **Registration Process**

The registration processes described herein include creating and distributing parent notification forms, creating class lists, and arranging for specialized transportation.

- **Creating and Distributing Parent Notification Forms**

As the LEA establishes criteria for summer intervention (e.g., at risk of retention) and summer school (e.g., credit recovery) programs, it may be possible to serve a large number of children with disabilities in these programs. In these cases, the parents would be provided the same registration information and follow the same processes as established for general education students.

In planning the ESY program, the Special Education Administrator can determine if the standard letters to parents and registration forms utilized for general education summer programs will meet the needs of ESY enrollment. While it is important to follow the same timelines to the extent possible, it may be that ESY forms will look different than those utilized in general education. Because of variation in dates,

times, and/or locations across grade levels, it may be necessary to establish different parent information letters and registration forms for the various groupings. To facilitate ease in sorting through the paperwork that is submitted, it is also advisable to establish a color paper code system (e.g., elementary = yellow, middle school = green, high school = purple, SH = pink). It is also important to have the parent information letters and registration forms available in English, Spanish, and any other high frequency language. While a designated administrator takes the lead, other personnel in the special education office (e.g., coordinator, program specialist, secretary, and clerks) need to be familiar with the registration processes.

Once the ESY registration forms have been created, it is important to establish a method for distribution and collection. Typically, the Special Education Department utilizes the site principals and/or Case Carriers to distribute this information to parents.

- **Creating Class Lists**

As registration forms are received, a staff member can revamp the original or begin to create and fill in an excel spreadsheet indicating each child's last name, first name, birth date, grade, disability, ESY services, location, Case Carrier, and transportation status. Additional information obtained from the registration forms themselves (e.g., specific transportation needs, emergency information, health/medical problems, medications) can be added.

The Special Education Administrator can begin to sort this data into ESY class lists by program and sites and begin to put in names of staff members assigned. An effective strategy is to create one excel spreadsheet with tabs at the bottom for each site. In this way, the entire worksheet can be disseminated to people who need to see the entire program and/or sorted out by site only for distribution to selected personnel. Putting page breaks between teacher assignments also enables one to provide a class list for a single staff member. It is also important to insert in the header or footer the date the report was generated to track changes.

Following the recommended timelines with follow up communication with site personnel on requests for completed registration forms can help finalize the class lists and staffing plan. Although registration forms are distributed well in advance of the start of ESY, there may be new students enrolling and/or change in services for children after the original deadline. Given the legal requirement to offer FAPE, it is important to continue the registration process as long as possible. The class list information can also be utilized to begin communication with the transportation department.

- **Arranging for Transportation Needs**

Typically, the special education office maintains a list of students receiving specialized transportation during the regular school year that can be used as a reference for planning ESY transportation needs. As completed registration forms

are received and class lists generated for each site, a list of children in need of bus transportation can be generated. Based upon information collected, the list can indicate if transportation is needed to school, home from school, or both; the pick-up and drop-off addresses; emergency contact information; and any significant health/medical needs.

Based upon the individual needs of children, it may also be necessary to arrange for specialized transportation (e.g., wheelchair bus) for children who are attending summer intervention and/or summer school programs. As registration forms for these programs may be going through a different department, it is important to establish how this information will be gathered and who will be responsible for arranging for the bus. If this falls within the special education office, it is recommended that the same procedures utilized for ESY be followed.

It is important to communicate student and schedule information to the agency responsible for providing the transportation. They may need to receive the information way in advance in order to determine the number of drivers needed and routes. They may also require individual information sheets for each child in addition to the excel spreadsheets. The person and/or department responsible for informing parents of the expected pick-up and drop-off times should be identified in the pre-planning stages. In addition, decisions should be made in advance on how to handle situations where no one is home to receive the child after school. Given all this, it critical to include a representative from the transportation department in the preplanning stages, establish information needed, and facilitate ongoing communication throughout the planning and implementation phases.

Once routes are established, it is important to add the bus/route number into the spreadsheet. Prior to the start of classes, the master list of who is being transported should be provided to the summer program site administrators, health office, and Case Carriers. Once school has started, it is important to continue communication to resolve any parent complaints, add or drop students, etc.

## **VI. Meeting Participating Student's Needs**

Gathering information about the needs of the children attending ESY can be done at the same time as registration if a copy of each child's most recent complete IEP, any subsequent IEP addendums, most recent multiple measures results, latest report card, and progress toward goals report are collected. Another alternative is to have the case carriers complete an "ESY Cover Sheet" such as the one in Exhibit C.

Although the focus is on providing ESY services, many children with disabilities may be enrolled in summer intervention and/or summer school classes. Providing basic information such as that noted in Exhibit B may be useful to the general education teachers and/or site administrators working with these children.

In addition to academic instruction, children with disabilities may need related services supports during the ESY program. If so, the targeted goal areas, frequency, and intensity

need to be considered in developing the staffing plan and built into the daily or weekly schedule. If a staff member hired is not familiar with the child with disabilities, he/she needs to be provided the same information as the ESY teacher (copy of each child's most recent complete IEP, any subsequent IEP addendums, most recent multiple measures results, latest report card, and progress toward goals report) to help guide development of lesson plans/activities.

Similarly, it is likely that teachers will be assigned children that they are not familiar with and they will need time to review the records and develop lesson plans. It is critical that the teachers are provided the appropriate instructional materials to meet the needs of their students during ESY. If possible, try to keep children who need functional life skills curriculum in the same classroom environment to which they are accustomed and in which the instructional materials are readily available. If this is not possible, plans must be made to transport the needed materials to the new classroom. Likewise, teachers of core curricular content areas will need to have the materials provided to them. In general, basic materials and supplies provided to general education teachers for summer intervention and/or summer school should be provided to the special education teachers as well. Any additional budgetary considerations for purchase of additional materials or supplies and/or community outings need to be built into planning. If the teachers are not familiar with the grade level and/or content to which they have been assigned for ESY instruction, some staff development time may need to be built into the schedule prior to the child's arrival.

- **Just Prior Communications**

To facilitate understanding of everyone involved, there are often "just prior" communications to administrators, teachers, related services staff, and parents.

## **VII. To Administrators**

As noted previously, knowing who is going to be attending each site, their assignment, and their needs is critical. Aligning special education's plans to the other summer program plans and participating in collaborative planning meetings helps to keep everyone aware. The pre-planning work has generated excel spreadsheets for staffing, student lists by teacher, and a transportation list. A copy of this information needs to be provided to the site and LEA administrators overseeing the summer programs. Copies may also need to be provided to the health offices, attendance clerks, counselors, and/or instructional technology department based upon what was established in the pre-planning meetings. The extent of what individual student information (e.g., copy of IEP or ESY Cover Sheet [Exhibit C) needs to be distributed and to who should also be pre-established and provided just prior to the start of the session.

## **VIII. To Teachers and Related Services Staff**

As noted previously, it is critical that the teachers and related services staff members who will be providing the direct instruction to the students are familiar with their needs. One LEA provided a copy of the excel spreadsheet class list, transportation list, and individual student information (stapled together copy of each child's most recent complete IEP, any

subsequent IEP addendums, most recent multiple measures results, latest report card, and progress toward goals report) to each teacher in a rubber banded package. Another LEA provided a notebook for each teacher that included copies of complete IEPs for children assigned to their caseload during ESY.

- **Progress Monitoring**

Pre-post assessment measures and/or progress reports may be employed to evaluate children's progress during the ESY instructional program. By working closely with the Educational Services personnel, it may be possible for children with disabilities to take the same evaluation measure as other children, with or without accommodations or modifications, or alternative measure(s) may need to be identified. Selecting the measure(s) and clearly communicating with staff members how and when to administer these are also important considerations in planning for successful programs. Similarly, the same progress report form and/or a special education progress toward goals report form may be used.

Close communication between the LEA office ESY administrative and support staff members, site administrators, and teachers can alleviate many potential problems in this area. Keeping everyone aware of the plans also makes it possible for anyone to answer questions that arise from parents. Providing clear direction to teachers on expectations for completing pre-post assessments and/or progress reporting is also critical. If formal report cards and/or grades will be reported for credits, this information needs to go to the site administrator, counselor, and/or Registrar. Staff members should also be advised on what to do with the student information once the session is over.

## **IX. To Parents**

Since parents typically complete the ESY Registration Form many weeks before the start of the summer program, it is important to send a "just prior" letter out to them, including the dates of ESY, location of services, hours of operation, name of teacher, classroom room number, information about transportation (if applicable), and contact telephone number.

## **Section D – Final Notes**

In the LEA level planning meetings, it is important to schedule time to debrief the successes and struggles of the summer programs. Providing time for teachers to discuss what went well and/or where more support was needed prior to leaving for the summer can provide valuable input into planning for the future. Similarly, pulling together the administrative team members at the end of the session or near the opening of the next school year provides the opportunity to review information from the Educational Services, Business Services, Human Resources, Maintenance and Operations, Curriculum and Instruction, Special Education, Instructional Technology, Food Services, Transportation, Health Services, County Office, principals, and lead teacher perspectives. Doing so sets the stage to begin the planning again the next year.



As information is gathered back together at the end of the ESY session(s), it is important to have a plan for distribution of progress reporting back to the Case Carriers and the parents. It will be important for the IEP team members to consider response to ESY services and impact on regression and recoupment time as they begin the new school year. Analyzing results helps the team start back through the processes of determining need for ESY services in the next year.

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*Adapted from Guidelines for Determining Need for Extended School Year (ESY) Services, Riverside County Special Education Local Plan Area, 2014. Reprinted in this handbook with permission.*



## Data Collection Guide (Exhibit A)

### First 8 weeks of school

- ✍ Collect data and re-teach
- ✍ Compare to Spring data to determine if the student recouped his/her skills from previous year (*This data should be the basis of the ESY eligibility discussion at the annual IEP.*)
- ✍ Instruction and ongoing data collection
- ✍ As soon as a student is found eligible for ESY, document the reasons why ESY is recommended on the IEP notes page or on an addendum IEP
- ✍ Include data supporting the recommendation for ESY
- ✍ Continue instruction and document progress on progress reports

### Following the first and second grading period

\*For new students or any student for whom you were unable to gather regression/recoupment data during the first 8 weeks of school, review data before and after any break from school (e.g., Thanksgiving, Winter or Spring break) to determine if student may have a significant regression/recoupment problem.

- ✍ Use data collected as the basis for ESY eligibility discussion at the annual review IEP or addendum meeting
- ✍ Re-teaching time should equal the length of the break (1 week break = 1 week re-teaching; retest)
- ✍ As soon as students are found eligible for ESY, the reasons for eligibility are documented on the IEP notes page or addendum
- ✍ Continue instruction and document progress on progress report

### Two to three months prior to the end of the school year

- ✍ Notify district special education director for students eligible for ESY
  - Be sure to include documentation to support decision
- ✍ Continue to teach and gather data for last quarter/trimester of the school year
- ✍ If the data indicates the student has a need for ESY and this has not yet been addressed, convene an IEP team meeting:
  - If the team determines ESY services are warranted, notify the district special education director as explained above

### When should ESY Data Collection occur?

- ✍ Recommended times for data collection:
  - At the end of regular school year
  - At the end of summer program
  - At the beginning of subsequent school year
  - Before and after school vacations; if student has been out of school for other reasons
  - Ongoing collection of information throughout the school year



## Possible Predictive Factors in Determining if ESY Services are Necessary

*(Johnson v. Indep. Sch. Dist. No. 4, 17 IDELR 170 (10<sup>th</sup> Cir. 1990), cert. denied, 110 LRP 38025, 500 U.S. 905 (1991).)*

### (Exhibit B)

**Type and Severity:** *In what ways does the student's disability and/or intensity of needs impact the maintenance of learned skills?*

**Behavioral/Physical:**

- Are there behavioral or physical factors that negatively impact the student's ability to maintain learned skills?
- Have there been extended absences that impact ability to maintain learned skills?
- Have there been major life events that impact ability to maintain learned skills?
- Have there been significant behavioral challenges that interfere with the maintenance of learned skills?

**Alternative Resources:**

- What community/home resources are already planned or could be available in order for the student to maintain learned skills?
- How does the parents' ability to provide educational structure at home impact the student's ability to maintain learned skills?

**Ability to Interact with Nondisabled Peers:**

- Does the lack of opportunities for the student to interact with nondisabled peers significantly interfere with maintenance of learned skills?
- What community/home support is needed to provide necessary opportunities for the student?

**Curriculum that Needs Continuous Attention:**

- Are there any objectives on the IEP that require ongoing support in order to maintain learned skills?
- Are there other elements of the IEP (such as a behavior plan or health care plan) that require ongoing support in order to maintain learned skills?

**Vocational Needs:**

- Does the student require ongoing support in order to maintain learned vocational skills?

**Extraordinary vs. Integral:**

- What support/services are essential, as well as reasonable, to meet this student's individual needs in order to maintain learned skills?

**Child's Rate of Progress:**

- How does the length of time that the student takes to learn a skill negatively impact the maintenance of learned skills?
- Would the interruption of services be detrimental to the student's continued progress?

**Other Relevant Factors:**

- Has anything occurred additionally throughout the year that should be considered?



### Extended School Year (ESY) Cover Sheet (Exhibit C)

#### STUDENT INFORMATION

Student Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_ Age: \_\_\_\_\_  
Disability: \_\_\_\_\_ Grade: \_\_\_\_\_ Gender:  Male  Female  
School Site: \_\_\_\_\_  
Service(s): \_\_\_\_\_

Explain how disability shows up in class.

Is/are there special behavioral or discipline considerations?  Yes  No

Does the student have a behavioral intervention plan (BIP)?  Yes  No

Target Area(s): \_\_\_\_\_

Reading Level: \_\_\_\_\_ Reading Comprehension Level: \_\_\_\_\_

Target Goal: \_\_\_\_\_

Target Goal: \_\_\_\_\_

Functional writing:

Target Goal: \_\_\_\_\_

Functional math:

Target Goal: \_\_\_\_\_

Social/Emotional:

Target Goal: \_\_\_\_\_

Health/Medical Concerns:

Parent Involvement?  High  Medium  Low

Other:

Student Name: \_\_\_\_\_ DOB: \_\_\_\_\_ Date: \_\_\_\_\_

**EXTENDED SCHOOL YEAR (ESY) WORKSHEET**

School Site: \_\_\_\_\_ Grade: \_\_\_\_\_

**DIRECTIONS: THE IEP TEAM SHALL DETERMINE THE FOLLOWING IN ORDER TO DESIGNATE A STUDENT AS REQUIRING ESY AS PART OF A FREE APPROPRIATE PUBLIC EDUCATION (FAPE).**

- At the start of the school year, with a review period equal to that of general education students, was the student able to regain skills lost over the break that would otherwise be expected in view of the student's disabling condition?  Yes  No If YES, specify what area(s). \_\_\_\_\_
- Does the student display a loss of previously taught skills and an inability to regain those skills following interruptions in instruction during the regular school year, i.e., Thanksgiving break, Winter break, and Spring break?  Yes  No If YES, specify what area(s). \_\_\_\_\_
- Is the current student at a crucial stage in learning skill(s), such that an interruption in school program might cause loss of a skill(s) that the student would not be able to re-learn in a reasonable period of time in view of the student's disabling condition?  Yes  No If YES, specify what area(s). \_\_\_\_\_
- Is the student able to maintain the skills identified without extended school year?  Yes  No If NO, specify what skill(s). \_\_\_\_\_
- Does the student demonstrate a pattern of past regression in skills as evidenced by breaks of more than four weeks?  Yes  No (Describe the degree (minimal or serious) of actual or likely regression following a school break) \_\_\_\_\_
- What is the estimated amount of time it takes or it may take the student to regain the prior level of knowledge, skills, benefits or functioning following a school break?  One month or less  Up to three months  Four to six months  Other: \_\_\_\_\_
- Describe the student's rate of learning (as compared with the student's ability to recoup after a break) \_\_\_\_\_
- Does the IEP team feel the student's disability will continue indefinitely or for a prolonged period of time?  Yes  No (Describe the degree (minimal or serious) of actual or likely regression following a school break) \_\_\_\_\_

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Student Name: \_\_\_\_\_ DOB: \_\_\_\_\_ Date: \_\_\_\_\_

**EXTENDED SCHOOL YEAR (ESY) WORKSHEET**

- Does the IEP team feel it will be impossible or unlikely the student will attain self-sufficiency and independence expected in view of the student's disability following a break?  Yes  No (Describe the degree (minimal or serious) of actual or likely regression following a school break) \_\_\_\_\_
- Are there any other issues concerning the student's physical, medical condition, emotional, social, behavioral, mental health, academic and/or vocational issues, and his/her ability to be with typically developing peers that may be adversely impacted if the student does not receive ESY services?  Yes  No If YES, describe. \_\_\_\_\_
- Does the student require ESY to continue to achieve at the level of independence that is expected in view of the student's disabling condition?  Yes  No

**IEP TEAM DETERMINATION:**  
 THE IEP TEAM HAS DETERMINED THAT ESY SERVICE(S) IS/ARE NOT REQUIRED IN ORDER FOR THE STUDENT TO RECEIVE FAPE.  
 BASED ON A REVIEW OF THE STUDENT'S UNIQUE NEEDS, THE IEP TEAM HAS DETERMINED THAT THE ESY SERVICE(S) IS/ARE REQUIRED TO PROVIDE THE STUDENT WITH FAPE. (COMPLETE THE SERVICES SECTION BELOW)

SPECIAL EDUCATION AND RELATED SERVICES									
STATUS	SERVICE (CODE NO.)	CLASS NO.	PROVIDER	LOCATION OF SERVICE (CODE NO.)	PROJECTED START DATE	PROJECTED END DATE	FREQUENCY (CODE NO.)	DURATION	
	<input type="checkbox"/> Indv. <input type="checkbox"/> Group								
	<input type="checkbox"/> Indv. <input type="checkbox"/> Group								
	<input type="checkbox"/> Indv. <input type="checkbox"/> Group								
	<input type="checkbox"/> Indv. <input type="checkbox"/> Group								
	<input type="checkbox"/> Indv. <input type="checkbox"/> Group								
	<input type="checkbox"/> Indv. <input type="checkbox"/> Group								
	<input type="checkbox"/> Indv. <input type="checkbox"/> Group								

NOTE: Programs and services will be provided according to where the student is in attendance and consistent with the district of service calendar and scheduled services, excluding holidays, vacations, and non-instructional days unless otherwise specified.

**DEFINITIONS**

**Extended School Year (ESY):** Extended School Year services (ESY) are programs and services that assist the student in working toward the same goals and objectives that the student works on during the school year. ESY services are only provided for those areas on the current IEP where the student has demonstrated (a) regression of skills during an extended school break and (b) limited ability to benefit from re-teaching of skills after an extended school break. Regression loss of previously attained skills documented by a review of the IEP goals, due to an extended school break.

**Rate of Recoupment:** Length of time required to re-learn skills following an extended school break.

**Regression and Recoupment:** Some students have disabilities that are likely to continue indefinitely or for a prolonged period. In this situation, interruption of the student's educational programming may cause regression, when coupled with limited recoupment capacity, rendering it impossible or unlikely that the student will attain the level of self-sufficiency and independence that would otherwise be expected in view of his or her disabling condition.

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# APPENDIX H: SELPA Referral Procedures

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## SELPA Referral Procedures

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This referral handbook was developed by the California Association of Health & Education Linked Professions (CAHELP), a Joint Powers Authority (JPA), to assist participating local education agencies (LEAs) in the Desert/Mountain Special Education Local Plan Area and the Desert/Mountain Charter Special Education Local Plan Area (hereinafter referred to as the SELPA) in the referral processes for special education and related services and behavioral health programs.

**Note: All services may not be available in all areas. Please check with the Program Specialist assigned to your LEA with any questions regarding the referral process.**

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## **Section 1: Audiological Assessment**

### **Initial**

The SELPA Audiological Program provides students with audiological assessment and services that will assist the student to participate and progress in the general education curriculum.

#### **Pre-Referral**

##### *Local Education Agency (LEA) Responsibility*

1. Convene an Individualized Education Program (IEP) meeting to document the team's decision to refer the student for an Audiological Assessment.
2. Complete the Initial Request for Audiological Evaluations/Services form (D/M 108) and obtain the signatures of the person making the referral and the director of special education.
3. Complete the Assessment Plan form (D/M 66) and obtain the parent/guardian signature.
4. The person making the referral should check the box that corresponds to the type of assessment(s) requested.



5. The parent/guardian should initial each applicable statement listed under the Parental Authorization section of form D/M 66.
6. LEAs are encouraged to have assessment plans signed close to the date of their LEA audiology evaluation date and within the required 60-day assessment time frame.
7. Complete the Authorization for Use and/or Disclosure of Information form (D/M 63) and obtain the parent/guardian signature. Specify the receiving agency's name as the SELPA/Pacific Hearing Services. The disclosing agency will vary depending on whether it is a physician, medical center, or audiologist.

### **Referral Procedures**

Forward the following completed documents to the attention of the Area Director for Desert/Mountain Operations (DMOPS).

D/M 108 Initial Request for Audiological Evaluations/Services form

D/M 66 Assessment Plan form

D/M 63 Authorization for Use and/or Disclosure of Information form

IEP or IEP Addendum dated within one year of the referral for an audiological assessment

LEA's hearing screening form that documents a minimum of two repeated failures on threshold tests or previous audiological assessment reports and/or audiograms for students who have an identified hearing loss. (This does not apply to Desert/Mountain Operations)

### **Timeline for Assessment**

The audiological assessment must occur within 60 calendar days from the date the Assessment Plan was received by the LEA. When the signed Assessment Plan is received by the LEA, it should be date stamped or the date entered in the field at the bottom of the Assessment Plan (D/M 66).

An Audiology Assessment Calendar is published on an annual basis at the beginning of each school year. The calendar lists the scheduled assessment dates and referral due dates for each LEA within the SELPA that participates in the SELPA Audiological Program. The calendar can be found on the SELPA website at [www.dmselpa.org](http://www.dmselpa.org).

For students who require services outside of the regularly scheduled LEA visit, services may be coordinated between the SELPA and the LEA. Arrangements may be made for students to be served at the school site, at a nearby LEA, the Desert/Mountain Children's Center (DMCC), or at the service provider's office, whichever is available and appropriate. Please contact the CAHELP Chief Executive Officer at the SELPA for assistance.

### **Timeline for Services**

Upon completion of the audiological assessment, a written report will be sent to the Area Director for Desert/Mountain Operations (DMOPS). DMOPS will electronically send a copy of the cover

letter and the report to the LEA director of special education and a copy to the director's secretary and LEA Coordinator for Audiology Services. DMOPS will upload a copy of the cover letter to the student's electronic file. A monthly meeting coordinated with the DHH Itinerant teachers, DMOPS, and the Audiologist will be held to review all the reports to assist LEAs in determining who may need further assessment and DHH services.

The LEA director of special education should reconvene the IEP team to review the findings and recommendations of the assessment, consider the educational impact, and determine whether audiological services are needed.

If ongoing audiological follow-up is recommended, code 720 should be listed under the Special Education and Related Services section of the IEP form.

If it is decided that classroom amplification equipment is needed, a request for a proposal of the specific equipment should be made to DMOPS or the LEA Coordinator for Audiology Services requests a quote from Pacific Hearing Services.

If a profound hearing loss has been found, the deaf disability code (020) should be listed under the Eligibility section of the IEP form.

If a mild to severe hearing loss has been found, the hard of hearing disability code (030) should be listed under the Eligibility section of the IEP form.

If the disability is due to a hearing loss, the Low Incidence Disability box on the IEP form should be checked.

If the hearing loss is not the primary disability, it may be listed as the secondary disability.

If recommended and agreed upon, classroom amplification equipment should also be noted under Assistive Technology on the IEP form (D/M 68E).

If the student is to receive amplification equipment for the first time, goals should be included for mastering equipment utilization, care, and operation.

## **Annual**

Students who have previously been referred and evaluated for audiological services as part of the SELPA Audiological Program are eligible for annual audiological assessments.

### **Pre-Referral**

#### *Local Education Agency (LEA) Responsibility*

LEAs participating in the SELPA Audiological Program may request an annual audiological assessment by following the procedure listed below. It is not necessary that the Individualized Education Program (IEP) team convene for this type of referral.

1. Complete the Annual Request for Audiological Evaluations/Services form (D/M 108A). Please **DO NOT** complete the Initial Request for Audiological Evaluation/Services form (D/M 108) for annual referrals.

- A. Include information that is related to the school of attendance, program placement, and services the student is currently receiving.
  - B. Include behavior and/or academic successes or challenges.
  - C. Include information regarding the use and functioning of equipment such as hearing aids and/or FM systems.
  - D. Include medical information related to the student’s hearing.
2. Complete the Assessment Plan form (D/M 66) and obtain the parent/guardian signature.
- A. The person making the referral should check the box that corresponds to the type of assessment(s) requested. Most often the “other” box is checked followed by the statement, “Audiological assessment to be completed by SELPA contracted audiologist.”
  - B. The parent/guardian should initial each applicable statement listed under the Parental Authorization section of form D/M 66.
  - C. LEAs are encouraged to have the assessment plans signed close to the date of their LEA audiology evaluation date and within the required 60-day assessment time frame.
3. Complete the Authorization for Use and/or Disclosure of Information form (D/M 63) and obtain the parent/guardian signature. Specify the receiving agency’s name as the SELPA/DMOPS/Pacific Hearing Services. The disclosing agency will vary depending on whether it is a physician, medical center, or audiologist.

**Referral Procedures**

Forward the following completed documents to the attention of the Area Director for Desert/Mountain Operations (DMOPS).

D/M 108A Annual Request for Audiological Evaluations/Services form

D/M 66 Assessment Plan form

D/M 63 Authorization for Use and/or Disclosure of Information form (for the current school year)

**Timeline for Assessment**

The audiological assessment must occur within 60 calendar days from the date the Assessment Plan was received by the LEA. When the signed Assessment Plan is received by the LEA, it should be date stamped or the date entered in the field at the bottom of the Assessment Plan (D/M 66).

An Audiology Assessment Calendar is published on an annual basis at the beginning of each school year. The calendar lists the scheduled assessment dates and referral due dates for each LEA

within the SELPA that participates in the Audiological Program. The calendar can be found on the SELPA website at [www.dmselpa.org](http://www.dmselpa.org).

For students who require services outside of the regularly scheduled LEA visit, services may be coordinated between the SELPA and the LEA. Arrangements may be made for students to be served at the school site, at a nearby LEA, the Desert/Mountain Children's Center (DMCC) or at the service provider's office, whichever is available and appropriate. Please contact the CAHELP Chief Executive Officer at the SELPA for assistance.

### **Timeline for Services**

Upon completion of the audiological assessment, a written report will be sent to the Area Director for Desert/Mountain Operations (DMOPS). DMOPS will electronically send a copy of the cover letter and the report to the LEA director of special education and a copy to the director's secretary and LEA Coordinator for Audiology Services. DMOPS will upload a copy of the cover letter to the student's electronic file. A monthly meeting coordinated with the DHH Itinerant teachers, DMOPS, and the Audiologist will be held to review all the reports to assist LEAs in determining who may need further assessment and DHH services.

The LEA director of special education should reconvene the IEP team to review the findings and recommendations of the assessment, consider the educational impact, and determine whether audiological services are needed.

- If ongoing audiological follow-up is recommended, code 720 should be listed under the Special Education and Related Services section of the IEP form.
- If it is decided that classroom amplification equipment is needed a request for a proposal of the specific equipment should be made to the SELPA Coordinator for Audiology Services who requests a quote from Pacific Hearing Services.
- If a profound hearing loss has been found, the deaf disability code (020) should be listed under the Eligibility section of the IEP form.
- If a mild to severe hearing loss has been found, the hard of hearing disability code (030) should be listed under the Eligibility section of the IEP form.
- If the disability is due to a hearing loss, the Low Incidence Disability box on the IEP form should be checked.
- If the hearing loss is not the primary disability, it may be listed as the secondary disability.
- If recommended and agreed upon, classroom amplification equipment should also be noted under Assistive Technology on the IEP form (D/M 68E).
- If the student is to receive amplification equipment for the first time, goals should be included for mastering equipment utilization, care, and operation.

## Section 2: Assistive Technology/Low Incidence

### Assessment for Low Incidence Equipment (LIE)

Assistive Technology refers to a device or service that can be used as a tool by students with disabilities to achieve or maintain function.

The IDEA and California law require that Individualized Education Program (IEP) teams consider whether students need assistive technology devices or services when developing IEPs. Assistive Technology (AT) relates to the tools required to maintain, improve, or increase functional capabilities to bridge the gap between student's performance and the demands of the curriculum. AT devices and services are defined in the IDEA as:

- Any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized that is used to increase, maintain, or improve functional capabilities of a child with a disability.
- Any service that directly assists a child with a disability in the selection, acquisition, or use of an AT device. This includes evaluation; providing for the acquisition of AT equipment; selecting, designing, interventions or services with AT devices; and training or technical assistance for the child, family, and other professionals who work with the child.

*Low incidence disability is defined in California Education Code § 56026.5 as 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. For purposes of this definition, vision impairments do not include disabilities within the function of vision specified in Section 56338.*

#### **Pre-Referral**

##### *Local Education Agency (LEA) Responsibility*

- A. Convene an Individualized Education Program (IEP) meeting to document the team's decision to refer the student for an Assistive Technology (AT) Assessment.
- B. Complete the Assistive Technology Assessment Referral form (D/M 127) and obtain the signatures of the person making the referral and the director of special education.
- C. Complete the Assessment Plan form (D/M 66) and obtain the parent/guardian signature.
  - The person making the referral should check the box that corresponds to the type of assessment(s) requested.
  - The parent/guardian should initial each applicable statement listed under the Parental Authorization section of form D/M 66.

- D. Complete the Authorization for Use and/or Disclosure of Information form (D/M 63) and obtain the parent/guardian signature. Specify the receiving agency's name, if known. If not, leave the field blank.

### **Referral Procedures**

Forward the following completed documents to the attention of the Program Manager for Resolution Support Services at the SELPA.

- D/M 127 Assistive Technology Assessment Referral form
- D/M 66 Assessment Plan form
- D/M 63 Authorization for Use and/or Disclosure of Information form
- IEP or IEP Addendum dated within one year of the referral for an Assistive Technology Assessment
- Psycho-educational evaluation dated within three years of the referral for an Assistive Technology Assessment
- Any additional supporting information

### **Timeline for Assessment**

Within five business days of receipt of the completed referral packet, the Program Manager for Resolution Support Services at the SELPA will assign the assessment to an independent assessor who will coordinate the assessment through the contact person named on the referral form (D/M 127).

### **Timeline for Services**

Upon completion of the assessment, a report will be sent to the Director of Special Education by either the agency that conducted the assessment or the Program Manager for Resolution Support Services at the SELPA with a request to schedule an IEP meeting.

The Director of Special Education will reconvene the IEP team to review the report findings and recommendations of the assessment and determine whether or not AT services are warranted.

If the IEP team agrees that services are not needed, it will be documented in the IEP notes.

## **How to request Low Incidence Funding for Assistive Technology Recommended by Assessment**

- (1) For students with a documented low incidence disability for whom assistive technology, equipment is recommended after an assessment, use the following procedure for equipment requests other than mobile devices/applications:

- IEP team must note the need for the low incidence equipment on the student’s IEP, and link one or more of the student’s annual goals to the use of that specialized equipment.
  - Complete SELPA Low Incidence Pre-Approval/Reimbursement Request form (D/M 86A). [*NOTE: For Low Incidence Pre-Approval for Mobile Computing Device(s) and/or device applications, use form D/M 86B and follow instructions below.*] Director of Special Education must sign form D/M 86A before the packet is submitted to the SELPA.
  - Submit the completed form D/M 86A signed by the Director of Special Education with a copy of the current IEP documenting the student’s disability and goal for use of low incidence equipment to the Accounting Technician, SELPA Business Office.
- (2) **For students with a documented low incidence disability for whom assistive technology equipment is recommended after an assessment, use the following procedure for requesting a mobile computing device and/or applications for the mobile computing device.**

*NOTE: Mobile computing device refers to an iPad, Chromebook, Samsung Galaxy Tab, or other computing tablet, with or without an attached/detachable keyboard, that operates with mobile applications and features that are linked to/purchased through an account to which the device is registered, and that are updated through the account (i.e. Apple Store, Google Play Store, Galaxy Store, etc.), rather than traditional hardware operating system built into a desktop or laptop computing system.*

- Complete SELPA Low Incidence Pre-Approval Request for Mobile Computing Device (Form D/M 86B). Director of Special Education must sign form D/M 86B before the packet is submitted. The SELPA or the LEA will be responsible for purchasing the mobile computing device and educational device applications that meet criteria as educationally appropriate to the child’s functional level. The SELPA will assign the low incidence equipment/ID number, download approved device applications, and coordinate delivery and release of the equipment to the LEA/Student. When the LEA purchases the equipment, this will be indicated on the LIE pre-approval referral form. *NOTE: Entertainment/game applications will not be permitted.*

*For protective covers or screen protectors (i.e. Otter Box, Survivor Case, LifeProof, etc.), removable or wireless keyboards/mice, tablet stands, carry cases or other physical accessories for the Mobile Computing Device, use form D/M 86A and submit both forms together. The LEA will purchase and seek reimbursement for accessory items listed on the D/M 86A after approval by SELPA.*

## **Assessment for Non-Low Incidence Equipment**

### **Pre-Referral**

*Local Education Agency (LEA) Responsibility*

1. Convene an Individualized Education Program (IEP) meeting to document the team's decision to refer the student for an Assistive Technology (AT) Assessment.
2. Complete the Assistive Technology Assessment Referral form (D/M 127) and obtain the signatures of the person making the referral and the director of special education.
3. Complete the Assessment Plan form (D/M 66) and obtain the parent/guardian signature.
4. The person making the referral should check the box that corresponds to the type of assessment(s) requested. Write Assistive Technology Assessment on the line for "other."
5. The parent/guardian should initial each applicable statement listed under the Parental Authorization section of form D/M 66.
6. Complete the Authorization for Use and/or Disclosure of Information form (D/M 63) and obtain the parent/guardian signature. Specify the receiving agency's name, if known. If not, leave the field blank.

### **Referral Procedures**

Forward the following completed documents to the attention of the Program Manager for Resolution Support Services at the SELPA.

- D/M 127 Assistive Technology Assessment Referral form
- D/M 66 Assessment Plan form
- D/M 63 Authorization for Use and/or Disclosure of Information form
- IEP or IEP Addendum dated within one year of the referral for an Assistive Technology Assessment
- Psycho-educational evaluation dated within three years of the referral for an Assistive Technology Assessment
- Any additional supporting information

### **Timeline for Assessment**

Within five business days of receipt of the completed referral packet, the Program Manager for Resolution Support Services at the SELPA will determine whether to conduct the assessment using a multi-disciplinary team approach or assign the assessment to an independent assessor who will coordinate the assessment through the contact person named on the referral form (D/M 127). All assessments must be completed within 60) days.



### **Timeline for Services**

Upon completion of the assessment, a report will be sent to the director of special education by either the consultant or agency that conducted the assessment or the Assistive Technology Program Specialist at the SELPA with a request to schedule an IEP meeting.

The director of special education will reconvene the IEP team to review the report findings and recommendations of the assessment and determine whether or not AT services or devices/equipment are warranted.

If the IEP team agrees that services are not needed, it will be documented in the IEP notes or under the IEP Consideration of Special Factors form (D/M 68E page 2) and/or in the Supplementary Aids and Supports form (D/M 68E page 1).

## **Section 3: Behavioral Health Counseling**

### **SATS**

#### **School-Aged Treatment Services (Ages 7 – 21 or Grades 1-12)**

The Desert/Mountain Children’s Center (DMCC) provides individual, group, and family counseling services for children and youth ages seven to 22. The DMCC accepts Medi-Cal, IEHP, TriCare, Pacific Care, Molina, and cash on a sliding scale for services provided. The goal of the DMCC is to assist clients in developing skills to reach their full potential. Referrals may be made through the child’s school, parents, physicians, and/or guardians. The DMCC provides School-Aged Treatment Services (SATS) medication support and management upon referral from the treating therapist to the DMCC medical doctor. SATS are primarily provided at each child’s school, but are also offered in the home, clinic, and community as needed. The DMCC also provides Screening, Assessment, Referral, and Treatment (SART) for children birth to six years old as well as Therapeutic Behavioral Services (TBS), and/or Children’s Intensive Services (CIS). For more information, please contact the DMCC.

#### **Pre-Referral**

##### *Local Education Agency (LEA) Responsibility*

Complete the Referral for Behavioral Health Services form (DMCC 100A) with as much detail as possible and obtain the signatures of the parent/guardian and the school administrator.

#### **Referral Procedures**

Forward the completed Referral for Behavioral Health Services form (DMCC 100A) to the attention of the Director of the DMCC.

### **Timeline for Assessment**

Upon receipt of the completed Referral for Behavioral Health Services form (DMCC 100A), the DMCC will contact the parent/guardian by letter (up to three times) to schedule the assessment intake meeting. An intervention specialist or behavioral health counselor will be assigned to conduct the assessment. If no response from the parent/guardian is received by the third letter, the referral will be closed.

### **Timeline for Services**

- If services are not deemed appropriate, the referral will be closed.
- If services are deemed appropriate, a clinician will be assigned and services will begin.

The DMCC provides a monthly report to the directors of special education. The report includes a list of students who are currently served by the DMCC as well as an update for each referral that is in process.

## **SART**

### **Screening Assessment Referral and Treatment (Ages 0 - 6)**

The Screening Assessment Referral and Treatment (SART) program utilizes a team of highly qualified professionals to screen, assess, refer, and treat a child. San Bernardino County has collaboratively developed a program designed for children birth to six years of age who may have been prenatally exposed to drugs, alcohol, and/or violence. The SART program also addresses concerns with children experiencing behavior problems and difficulties maintaining appropriate behaviors in pre-school settings and the child's home. The SART program offers a comprehensive screening process, assessment, and appropriate referrals to excellent treatment to improve overall functioning of the child. The Desert/Mountain Children's Center (DMCC) provides medication support and management upon referral from the treating therapist to the DMCC medical doctor.

### **Pre-Referral**

#### *Local Education Agency (LEA) Responsibility*

Complete the SART Referral for Behavioral Health Services form (DMCC 100B) with as much information as possible and obtain the signatures of the parent/guardian and the school administrator.

### **Referral Procedures**

Forward the completed SART Referral for Behavioral Health Services form (DMCC 100B) to the attention of the Director of the DMCC.

### **Timeline for Assessment**

Upon receipt of the completed SART Referral for Behavioral Health Services form (DMCC 100B), the DMCC will contact the parent/guardian by letter and send the Ages and Stages Questionnaire: Social Emotional in order to gather more information regarding the parent/guardian's concerns. A DMCC Clinical Nurse will be assigned to contact the parent/guardian and provide case management throughout the assessment process.

### **Timeline for Services**

- If services are not deemed appropriate, the referral will be closed.
- If services are deemed appropriate, a clinician will be assigned and services will begin.
- The DMCC provides a monthly report to the directors of special education. The report includes a list of students who are currently served by the DMCC as well as an update for each referral that is in process.

## **SAP**

### **Student Assistance Program**

The Desert/Mountain Children's Center (DMCC) Student Assistance Program (SAP) serves students, their families, and the school community. Students who are dealing with non-academic barriers to learning are the primary target for SAP services. Students are referred by staff, parents, or concerned others to the program. Students may also self-refer.

The purpose of SAP is to:

- To reduce the risk factors, barriers, and stressors of kids, youth, and their families.
- To provide appropriate strategies, interventions, and activities to school staff and families that increase their knowledge of social, emotional, and behavioral issues.
- To increase student awareness of the issues they face daily, including the social emotional choices that impact their lives.
- To build protective supports for students and their families that include significant connections to others, training, and education.

### **Pre-Referral**

#### *Local Education Agency (LEA) Responsibility*

Complete the Referral for Behavioral Health Services form (DMCC 100A) with as much detail as possible and obtain the signatures of the parent/guardian and the school administrator.

## **Referral Procedures**

Forward the completed Referral for Behavioral Health Services form (DMCC 100A) to the attention of the Director of the DMCC.

## **Timeline for Assessment**

Upon receipt of the completed Referral for Behavioral Health Services form (DMCC 100A), the DMCC will contact the parent/guardian by letter (up to three times) to schedule the assessment intake meeting. An intervention specialist or behavioral health counselor will be assigned to conduct the assessment. If no response from the parent/guardian is received by the third letter, the referral will be closed.

## **Timeline for Services**

- If services are not deemed appropriate, the referral will be closed.
- If services are deemed appropriate, a clinician will be assigned and services will begin.
- The DMCC provides a monthly report to the directors of special education. The report includes a list of students who are currently served by the DMCC as well as an update for each referral that is in process.

# **Section 4: Nonpublic Agency Behavioral Intervention**

## **Behavioral Intervention Assessment Only**

### **Pre-Referral**

#### *Local Education Agency (LEA) Responsibility*

1. Convene an Individualized Education Program (IEP) meeting to document the team's decision to refer the student for a behavioral intervention assessment.
2. Complete the Assessment Plan form (D/M 66) and mark the appropriate boxes that correspond to observations/interviews, review of any recent assessment and "other" indicating "Functional Behavioral Assessment."
3. Complete the Authorization for Use and/or Disclosure of Information form (D/M 63) upon receipt of the signed Assessment Plan form (D/M 66), and obtain the parent/guardian signature. Specify the agency's name, if known. If not, leave the field blank.
4. The parent/guardian should initial each applicable statement listed under the Parental Authorization section of form D/M 66.

5. It is important to remind the parent/guardian to return forms D/M 66 and D/M 63 to the LEA on the date that it is signed or as soon as possible thereafter.
6. When the signed Assessment Plan is received by the LEA, it should be date stamped or return date written at the bottom of form D/M 66.
7. The LEA identifies the Nonpublic Agency (NPA) assessor to complete the assessment within the 60-day timeline.

### **Referral Procedures**

Forward the following completed and signed documents to the attention of the Program Manager for Resolution Support Services at the SELPA.

Cover letter requesting a Functional Behavioral Assessment (FBA) (Note: the director and the NPA determine the maximum number of hours needed to conduct assessment). Please indicate which NPA the LEA is selecting to complete the FBA.

- D/M 66 Assessment Plan form
- D/M 63 Authorization for Use and/or Disclosure of Information form
- IEP or IEP Addendum dated within one year referring the student for a behavioral intervention assessment
- Psycho-educational evaluation dated within three years of the referral for a behavioral intervention assessment
- Other assessments (private evaluations, Occupational Therapy (OT), Physical Therapy (PT), etc.)
- Behavior plans (original and revised versions)
- Incident reports
- Discipline reports/log

### **Timeline for Assessment**

Within five business days of receipt of the completed referral packet, the Program Manager for Resolution Support Services at the SELPA will develop an Individual Service Agreement (ISA) for the NPA to conduct the assessment. The ISA will be circulated for required signatures by the SELPA and the NPA provider.

Upon receipt of the signed ISA, the SELPA will forward the referral packet to the appropriate NPA to conduct the assessment. The assessment must occur within 60 calendar days from the date the Assessment Plan was received by the LEA.

Upon completion of the assessment, the NPA will send the written report to the director of special education for the LEA and the Program Manager for Resolution Support Services at the SELPA.

The director of special education will reconvene the IEP team to review the report findings and recommendations of the assessment and determine whether or not behavioral intervention supports/services are warranted. The IEP meeting will be scheduled within the 60-day timeline.

If the IEP team agrees that services are not needed, it will be documented in the IEP notes.

### **Timeline for Services**

If the IEP team agrees that services are appropriate, the goals and services will be listed on an Addendum to the IEP including the service code number 535 for behavioral intervention services and/or supervision, the class number for each service, provider code for the NPA (400), projected start date, duration, and frequency. The Addendum should be forwarded to the Program Manager for Resolution Support Services at the SELPA.

Within five business days of receipt of the Addendum to the IEP, the Program Manager for Resolution Support Services at the SELPA will develop an ISA and forward it to the appropriate NPA for signature who will then initiate services.

## **Behavioral Intervention Supports Only**

### **Pre-Referral**

#### *Local Education Agency (LEA) Responsibility*

1. Convene an Individualized Education Program (IEP) meeting to document the team's decision to refer the student for behavioral intervention supports.
2. Complete the Authorization for Use and/or Disclosure of Information form (D/M 63) and obtain the parent/guardian signature. Specify the receiving agency's name, if known. If not, leave the field blank.

### **Referral Procedures**

Forward the following completed documents to the attention of the Program Manager for Resolution Support Services at the SELPA.

- Cover letter requesting the addition of Nonpublic Agency (NPA) behavioral intervention supports and the name of the selected NPA
- D/M 63 Authorization for Use and/or Disclosure of Information form
- IEP or IEP Addendum dated within one year referring the student for behavioral intervention supports that includes the NPA on the service line with a start date
- Psycho-educational evaluation dated within three years of the referral for behavioral intervention supports
- Other assessments (private evaluations)

- Behavior plans (original and revised versions)
- Incident reports
- Discipline reports/log

### **Timeline for Assessment**

An assessment is not required.

### **Timeline for Services**

Within five business days of receipt of the completed referral packet, the Program Manager for Resolution Support Services at the SELPA will develop an Individual Service Agreement (ISA) for the NPA to begin services. The ISA will be forwarded to the appropriate NPA for signature.

Upon receipt of the signed ISA, the SELPA will forward the referral packet to the appropriate NPA to initiate services. The NPA will not begin services until the agency has a signed ISA for the student.

## **Behavioral Intervention Assessment & Supports**

### **Pre-Referral**

#### *Local Education Agency (LEA) Responsibility*

1. Convene an Individualized Education Program (IEP) meeting to document the team's decision to refer the student for a behavioral intervention assessment.
2. Complete the Assessment Plan form (D/M 66) and mark the appropriate boxes that correspond to observations/interviews, review of any recent assessment and "other" indicating "Functional Behavioral Assessment."
3. Complete the Authorization for Use and/or Disclosure of Information form (D/M 63) upon receipt of the signed Assessment Plan form (D/M 66), and obtain the parent/guardian signature. Specify the agency's name, if known. If not, leave the field blank.
4. The parent/guardian should initial each applicable statement listed under the Parental Authorization section of form D/M 63.
5. It is important to remind the parent/guardian to return forms D/M 66 and D/M 63 to the LEA on the date that it is signed or as soon as possible thereafter.
6. When the signed Assessment Plan is received by the LEA, it should be date stamped or return date written at the bottom of form D/M 66.

7. The LEA identifies the Nonpublic Agency (NPA) assessor to complete the assessment within the 60-day timeline.

### **Referral Procedures**

Forward the following completed and signed documents to the attention of the Program Manager for Resolution Support Services at the SELPA.

- Cover letter requesting a Functional Behavioral Assessment (FBA) (Note: the director and the NPA determine the maximum number of hours needed to conduct assessment). Please indicate which NPA the LEA is selecting to complete the FBA.
- D/M 66 Assessment Plan form
- D/M 63 Authorization for Use and/or Disclosure of Information form
- IEP or IEP Addendum dated within one year referring the student for a behavioral intervention assessment and behavioral intervention supports
- Psycho-educational evaluation dated within three years of the referral for a behavioral intervention assessment and behavioral intervention supports
- Other assessments (private evaluations, Occupational Therapy (OT), Physical Therapy (PT), etc.)
- Incident reports
- Discipline reports

### **Timeline for Assessment**

Within five business days of receipt of the completed referral packet, the Program Manager for Resolution Support Services at the SELPA will develop an Individual Service Agreement (ISA) for the NPA to conduct the assessment. The SELPA will forward the ISA to the appropriate NPA for signature.

Upon receipt of the signed ISA, the SELPA will forward the referral packet to the appropriate NPA to conduct the assessment. The assessment must occur within 60 calendar days from the date the Assessment Plan was received by the LEA.

### **Timeline for Services**

Upon completion of the assessment, a report will be sent to the director of special education by either the NPA that conducted the assessment or the Program Manager for Resolution Support Services at the SELPA with a request to schedule an IEP meeting.

The director of special education will reconvene the IEP team to review the report findings and recommendations of the assessment and determine whether or not behavioral intervention supports services are warranted.



If the IEP team agrees that services are not needed, it will be documented in the IEP notes.

If the IEP team agrees that services are appropriate, the services should be listed on an Addendum to the IEP including the NPA, projected start date, duration, and frequency. The Addendum should be forwarded to the Program Manager for Resolution Support Services at the SELPA.

Within five business days of receipt of the Addendum to the IEP, the Program Manager for Resolution Support Services at the SELPA will develop an ISA and forward it to the appropriate NPA for signature who will then determine initiation of services.

## **Section 5: Nonpublic School**

### **Initial Referral**

Nonpublic schools (NPS) provide educational settings and services to students who meet the eligibility criteria for special education and are experiencing behavior difficulties that are too significant to be accommodated within a public-school environment.

#### **Pre-Referral**

##### *Local Education Agency (LEA) Responsibility*

1. Convene an Individualized Education Program (IEP) meeting to document the team's decision to refer the student for a change of placement to an NPS setting.
2. Complete the Nonpublic School Placement Referral form (D/M 134) and obtain the signatures of the person making the referral and the director of special education. Specify the team's preference for a specific NPS, if applicable.

#### **Referral Procedures**

Forward the following completed documents to the attention of the Nonpublic School Coordinator at the SELPA.

- D/M 134 Nonpublic School Placement Referral form
- IEP or IEP Addendum dated within one year of the referral for NPS placement (Annual and Triennial IEP needs to be current)
- Psycho-educational evaluation dated within three years of the referral for NPS placement
- If the last triennial was completed with a Triennial Assessment Determination form (D/M 119), include the last full psycho-educational report
- Any additional information

## **Timeline for Services**

Within ten (10) business days of receipt of the completed referral packet, the Nonpublic School Coordinator at the SELPA will review the packet for completion and forward it to the LEA's NPS of choice.

The NPS will contact the parent and placement will be made within 10 business days.

The NPS will work directly with the LEA to schedule an IEP within 30 days of the student's placement at the school. The placement should be listed on an IEP or IEP Addendum including the NPS, start date, duration, and frequency. The IEP or IEP Addendum should be forwarded to the Nonpublic School Coordinator at the SELPA.

Within five business days of receipt of the Addendum to the IEP, the Nonpublic School Coordinator at the SELPA will develop a Master Contract with the NPS if one does not currently exist and an Individual Service Agreement (ISA). The ISA will be forwarded to the appropriate NPS for signature. The SELPA will enter the NPS placement into the SELPA Management Information System (MIS) database.

# **Transfer Referral**

## **Pre-Referral**

### *Local Education Agency (LEA) Responsibility*

1. Complete the Transfer into LEA form (D/M 52) and obtain the parent/guardian signature.
2. Complete the Nonpublic School Placement Referral form (D/M 134) and obtain the signatures of the person making the referral and the director of special education. Specify the team's preference for a specific Nonpublic School (NPS), if applicable.
3. Juvenile Hall/Nonpublic School Students - If the student's last placement was a local NPS prior to being moved to a juvenile detention center, only complete form D/M 134 upon the student's return to the LEA in lieu of preparing a new transfer packet.

## **Referral Procedures**

Forward the following completed documents to the attention of the Nonpublic School Coordinator at the SELPA.

- D/M 52 Transfer into LEA form
- D/M 134 Nonpublic School Placement Referral form
- IEP or IEP Addendum dated within one year of the transfer referral for NPS placement that documents the previous NPS placement

- Psycho-educational evaluation dated within three years of the transfer referral for NPS placement
- If the last triennial was completed with a Triennial Assessment Determination form (D/M 119), include the last full psycho-educational report
- Any additional information

### **Timeline for Services**

Within 10 business days of receipt of the completed referral packet, the Nonpublic School Coordinator at the SELPA will review the packet for completion and forward it to the LEA's NPS of choice. The NPS will contact the parent and placement will be made within 10 business days.

The NPS will work directly with the LEA to schedule an IEP within 30 days of the student's placement at the school. The placement should be listed on an IEP or IEP Addendum including the NPS, start date, duration, and frequency. The IEP or IEP Addendum should be forwarded to the Nonpublic School Coordinator at the SELPA.

Within five business days of receipt of the Addendum to the IEP, the Nonpublic School Coordinator at the SELPA will develop a Master Contract with the NPS if one does not currently exist and an Individual Service Agreement (ISA). The ISA will be forwarded to the appropriate NPS for signature. The SELPA will enter the NPS placement into the SELPA Management Information System (MIS) database.

## **Section 6: Occupational Therapy (OT)**

### **Initial Referral**

School-based occupational therapy (OT) supports the student's ability to gain access to and make progress in the school curriculum. OT supports a child's engagement and participation in daily occupations, which includes activities in daily living, education, prevocational work, work, play, rest, leisure, and social participation. OT works on mediation (improving sensory and motor foundations of learning and behavior) to help the child succeed in school.

#### **Pre-Referral**

##### *Local Education Agency (LEA) Responsibility*

1. Convene an Individualized Education Program (IEP) meeting to document the team's decision to refer the student for an OT assessment.
2. Complete the Occupational Therapy Referral form (D/M 120) and obtain the signatures of the person making the referral and the director of special education.
3. Complete the Assessment Plan form (D/M 66) and obtain the parent/guardian signature.

- a. The person making the referral should check the box that corresponds to the type of assessment(s) requested.
  - b. The parent/guardian should initial each applicable statement listed under the Parental Authorization section of form D/M 66.
  - c. It is important that the parent/guardian return the form to the LEA on the date that it is signed or as soon as possible thereafter. When the signed Assessment Plan is received by the LEA, it should be date stamped.
4. Complete the Authorization for Use and/or Disclosure of Information form (D/M 63) and obtain the parent/guardian signature. Specify the receiving agency's name if known. If not, leave the field blank.

### **Referral Procedures**

Forward the following completed documents to the attention of the Program Manager for Resolution Support Services at the SELPA.

- D/M 120A Occupational Therapy Referral form
- D/M 66 Assessment Plan form
- D/M 63 Authorization for Use and/or Disclosure of Information form
- IEP or IEP Addendum dated within one year of the referral for occupational therapy
- Psycho-educational evaluation dated within three years of the referral for occupational therapy
- Any additional supporting information

### **Timeline for Assessment**

Within five business days of receipt of the completed referral packet, the Program Manager for Resolution Support Services at the SELPA, will forward it to a SELPA occupational therapist.

The assessment must occur within 60 calendar days from the date the Assessment Plan was received by the LEA.

### **Timeline for Services**

Upon completion of the OT assessment, a report will be sent to the Director of Special Education by either the occupational therapist that conducted the assessment or the Program Manager for Resolution Support Services at the SELPA with a request to schedule an IEP meeting.

The director of special education will reconvene the IEP team to determine whether or not services are warranted.

If the IEP team agrees that services are not needed, it will be documented in the IEP notes.

If the IEP team agrees that services are appropriate, the services should be listed on an Addendum to the IEP including the projected start date, duration, and frequency. The Addendum should be forwarded to the Program Manager for Resolution Support Services at the SELPA.

Within five business days of receipt of the Addendum to the IEP, the Program Manager for Resolution Support Services at the SELPA will develop an Individual Service Agreement (ISA) for signature and forward it to the occupational therapist or the appropriate Nonpublic Agency (NPA) for signature who will then assign a therapist and determine initiation of services. The SELPA will enter the OT services into the SELPA Management Information System (MIS) database.

## **Transfer Referral**

### **Pre-Referral**

#### *Local Education Agency (LEA) Responsibility*

1. Complete the Transfer into LEA form (D/M 52) and obtain the parent/guardian signature.
2. Complete the Authorization for Use and/or Disclosure of Information form (D/M 63) and obtain the parent/guardian signature. Specify the receiving agency's name if known. If not, leave the field blank.
3. Complete the Occupational Therapy Referral form (D/M 120A) and obtain the signatures of the person making the referral and the director of special education.

### **Referral Procedures**

Forward the following completed documents to the attention of the Program Manager for Resolution Support Services at the SELPA.

- D/M 52 Transfer into LEA form
- D/M 63 Authorization for Use and/or Disclosure of Information form
- D/M 120A Occupational Therapy Referral form
- Current occupational therapy report, if available, that specifies the occupational therapy services the student was receiving and the occupational therapy goals
- IEP or IEP Addendum dated within one year of the transfer referral for occupational therapy that lists occupational therapy services and goals
- Psycho-educational evaluation dated within three years of the transfer referral for occupational therapy

### **Timeline for Assessment**

An assessment is not required for transfer referrals. Assessments are completed at three-year intervals (from the date that the services originally began) unless there are extenuating circumstances that dictate otherwise.

### **Timeline for Services**

Within five business days of receipt of the transfer referral packet, the Program Manager for Resolution Support Services at the SELPA will develop an Individual Service Agreement (ISA) for signature and forward it to the occupational therapist or the appropriate Nonpublic Agency (NPA) for signature who will then assign a therapist and determine initiation of services. The SELPA will enter the OT services into the SELPA Management Information System (MIS) database.

## **Section 7: Physical Therapy (PT)**

### **Initial Referral**

School-based physical therapy (PT) supports the student's ability to gain access to and make progress in the school curriculum. It corrects, facilitates, or adapts to the student's functional performance in motor control and coordination, posture and balance, functional mobility, accessibility, and the use of assistive devices. PT works on compensation (i.e. modifying the environment, tools, or task) to help the child succeed in school.

#### **Pre-Referral**

##### Local Education Agency (LEA) Responsibility

1. Convene an Individualized Education Program (IEP) meeting to document the team's decision to refer the student for a PT assessment.
2. Complete the Physical Therapy Referral form (D/M 120B) and obtain the signatures of the person making the referral and the Director of Special Education.
3. Complete the Authorization for Use and/or Disclosure of Information form (D/M 63) and obtain the parent/guardian signature. Specify the receiving agency as the SELPA.
4. Complete the Assessment Plan form (D/M 66) and obtain the parent/guardian signature.
  - a. The person making the referral should check the box that corresponds to the type of assessment(s) requested.
  - b. The parent/guardian should initial each applicable statement listed under the Parental Authorization section form D/M 66.

- c. It is important that the parent/guardian return the form to the LEA on the date that it is signed or as soon as possible thereafter. When the signed Assessment Plan is received by the LEA, it should be date stamped.

### **Referral Procedures**

Forward the following documents to the attention of the Program Manager for Resolution Support Services at the SELPA.

- D/M 120B Physical Therapy Referral form
- D/M 63 Authorization for Use and/or Disclosure of Information form
- D/M 66 Assessment Plan form
- IEP or IEP Addendum dated within one year of the referral for physical therapy
- Psycho-educational evaluation dated within three years of the referral for physical therapy

### **Timeline for Assessment**

Within five business days of receipt of the completed referral packet, the Program Manager for Resolution Support Services at the SELPA, will review the packet for completion and forward it to the appropriate physical therapist.

The assessment must occur within 60 calendar days from the date the Assessment Plan was received by the LEA.

### **Timeline for Services**

Upon completion of the PT assessment, a report will be sent to the director of special education by the physical therapist or the Program Manager for Resolution Support Services at the SELPA with a request to schedule an IEP meeting.

The Director of Special education will reconvene the IEP team to determine whether or not PT services are warranted.

If the IEP team agrees that services are not needed, it will be documented in the IEP notes.

If the IEP team agrees that services are appropriate, the service should be listed on an Addendum to the IEP including the projected start date, duration, and frequency. The Addendum should be forwarded to the Program Manager for Resolution Support Services at the SELPA.

Within five (5) business days of receipt of the Addendum to the IEP, the Program Manager for Resolution Support Services at the SELPA will assign a physical therapist and determine initiation of services. The SELPA will enter the PT services into the SELPA Management Information System (MIS) database.

# Transfer Referral

## **Pre-Referral**

### *Local Education Agency (LEA) Responsibility*

1. Complete the Transfer into LEA form (D/M 52) and obtain the parent/guardian signature.
2. Complete the Authorization for Use and/or Disclosure of Information form (D/M 63) and obtain the parent/guardian signature. Specify the receiving agency as the SELPA.
3. Complete the Physical Therapy Referral form (D/M 120B) and obtain the signatures of the person making the referral and the director of special education.

## **Referral Procedures**

Forward the following documents to the attention of the Program Manager for Resolution Support Services at the SELPA.

- D/M 52 Transfer into LEA form
- D/M 63 Authorization for Use and/or Disclosure of Information form
- D/M 120B Physical Therapy Referral form
- Current physical therapy report, if available, that specifies the physical therapy services the student was receiving and the physical therapy goals
- IEP or IEP Addendum dated within one year of the transfer referral for physical therapy that lists physical therapy services and goals
- Psycho-educational evaluation dated within three years of the transfer referral for physical therapy

## **Timeline for Assessment**

An assessment is not required for transfer referrals. Assessments are completed at three-year intervals (from the date that the services originally began) unless there are extenuating circumstances that dictate otherwise.

## **Timeline for Services**

PT services for the student will begin immediately upon receipt of the physical therapy transfer referral packet by the SELPA physical therapist. The SELPA will enter the PT services into the SELPA Management Information System (MIS) database.



## **Section 8: Residential Placement**

### **Initial Referral**

#### **Pre-Referral**

##### *Local Education Agency (LEA) Responsibility*

1. Convene an Individualized Education Program (IEP) meeting to confirm the student is eligible for special education services and determine a need for a referral for mental health evaluation.
2. Refer the student to the Desert/Mountain Children's Center (DMCC) for a mental health evaluation to determine eligibility for residential placement. IEP attendees must include the SELPA Nonpublic School Coordinator and a DMCC representative.
3. If the student does not meet the baseline criteria for residential placement, the referral process ends.
4. If the IEP team determines that the referral is appropriate, the referral process continues.
5. Complete the Residential Placement Assessment Referral form (D/M 151).
6. Complete the Authorization for Use and/or Disclosure of Information form (D/M 63) and obtain the parent/guardian signature. Specify the receiving agency as the Desert/Mountain Children's Center (DMCC).

#### **Referral Procedures**

Forward the following completed documents to the attention of the Nonpublic School Coordinator at the SELPA.

- D/M 63 Authorization for Use and/or Disclosure of Information form
- D/M 151 Residential Placement Assessment Referral form
- IEP or IEP Addendum dated within one year referring the student for an assessment for residential eligibility
- Most current complete annual or triennial IEP
- Psycho-educational evaluation dated within three years from the time the student was identified as eligible for special education and related services
- Any additional information in support of the referral

## **Timeline for Assessment**

Upon receipt of the completed referral:

- The Nonpublic School Coordinator at the SELPA will forward the referral to the DMCC for processing.
- The DMCC will send out an Assessment Plan (D/M 66) to the parent/guardian for consent for assessment.
- Upon receipt of the signed Assessment Plan (D/M 66), the 60-day assessment timeline begins.
- The DMCC will conduct the assessment.
- The DMCC will contact the Nonpublic School Coordinator at the SELPA when the assessment is complete to schedule an IEP.

## **Timeline for Services**

Upon completion of the residential assessment, the Nonpublic School Coordinator at the SELPA will coordinate an IEP team meeting to determine eligibility for residential placement services.

If the IEP team agrees that the student is eligible for and requires residential placement as the least restrictive environment, the DMCC will forward residential placement packets to potential residential treatment centers (RTCs). Upon receipt of responses from the residential facilities, the results will be shared with the student's parent/guardian and a facility will be selected. The student will be enrolled at the selected RTC as soon as possible. Transportation of the student to the RTC is based on the LEA of residence's reimbursement policy.

After the student is placed at the RTC, the LEA of residence will schedule a transfer IEP meeting within 30 days to document the new placement. The placement should be listed on an IEP document, including the NPS, residential placement, start date, duration, and frequency of each service to be provided.

Within five business days of receipt of the Addendum to the IEP, the Nonpublic School Coordinator at the SELPA will develop an Individual Service Agreement (ISA) with the NPS and RTC. If a Master Contract does not exist, one will be developed and an ISA. The SELPA will enter the NPS and RTC placement into the SELPA Management Information System (MIS) database.

## **Transfer Referral**

The local education agency that placed the student at the beginning of the fiscal year is responsible for funding the residential placement for the remainder of the school year, including extended school year (ESY). *EC 56325(c)*

## **Pre-Referral**

### *Local Education Agency (LEA) Responsibility*

1. Complete the Transfer into LEA form (D/M 52) and obtain the parent/guardian signature.
2. Confirm the student's current residential placement and educational services through a review of current Individualized Education Program (IEP).
3. Complete the Authorization for Use and/or Disclosure of Information form (D/M 63) and obtain the parent/guardian signature. Specify the receiving agency as the Desert/Mountain Children's Center (DMCC).

## **Referral Procedures**

Upon confirmation of prior placement, forward the following completed documents to the attention of the Nonpublic School Coordinator at the SELPA.

D/M 52 Transfer into LEA form

D/M 63 Authorization for Use and/or Disclosure of Information form

IEP or IEP Addendum dated within one year that documents the previous residential placement

Psycho-educational evaluation dated within three years of the referral for residential placement

Any additional information in support of the referral

## **Timeline for Services**

The new LEA of residence will schedule an IEP team meeting within 30 days of the transfer to document the new placement. The placement should be listed on an IEP or IEP Addendum including the NPS, residential placement, start date, duration, and frequency. The IEP or IEP Addendum should be forwarded to the Nonpublic School Coordinator at the SELPA.

# **Section 9: Special Health Care Services**

## **Initial Referral**

Special health care services are available for students who have special health care needs.

## **Pre-Referral**

### *Local Education Agency (LEA) Responsibility*

1. Convene an Individualized Education Program (IEP) meeting to document the team's decision to refer the student for special health care services.
2. Complete the Special Health Care Services Referral form (D/M 148) and obtain the signatures of the person making the referral and the director of special education.
3. Complete the Authorization for Use and/or Disclosure of Information form (D/M 63) and obtain the parent/guardian signature. Specify the receiving agency's name, if known. If not, leave the field blank.

### **Referral Procedures**

Forward the following documents to the attention of the Program Manager for Resolution Support Services at the SELPA.

D/M 148 Special Health Care Services Referral form

D/M 63 Authorization for Use and/or Disclosure of Information form

IEP or IEP Addendum dated within one year of the referral for special health care services

Psycho-educational evaluation dated within three years of the referral for special health care services

#### **Current Summary of Treatment Plan**

- Must be signed by physician and parent/guardian
- Must include diagnosis
- Must specify special health care need required
- Must specify medication type and dosage
- Must specify administration instructions

Any additional supporting information

### **Timeline for Services**

Within five business days of receipt of the completed referral packet, the Program Manager for Resolution Support Services at the SELPA will develop an Individual Service Agreement (ISA) and forward it to the appropriate Nonpublic Agency (NPA) for signature.

Upon receipt of the signed ISA, the SELPA will forward the referral packet to the appropriate NPA. The agency will contact the person who signed the referral to coordinate and begin services. The SELPA will enter the services into the SELPA Management Information System (MIS) database.

# Transfer Referral

## Pre-Referral

### *Local Education Agency (LEA) Responsibility*

1. Complete the Transfer into LEA form (D/M 52) and obtain the parent/guardian signature.
2. Complete the Authorization for Use and/or Disclosure of Information form (D/M 63) and obtain the parent/guardian signature. Specify the receiving agency's name, if known. If not, leave the field blank.
3. Complete the Special Health Care Services Referral form (D/M 148) and obtain the signatures of the person making the referral and the director of special education.

## Referral Procedures

Forward the following documents to the attention of the Program Manager for Resolution Support Services at the SELPA.

D/M 52 Transfer into LEA form

D/M 63 Authorization for Use and/or Disclosure of Information form

D/M 148 Special Health Care Services Referral form

Current Summary of Treatment Plan if available, that specifies the special health care services the student was receiving

IEP or IEP Addendum dated within one year of the referral for special health care services that lists the special health care services the student was receiving

Psycho-educational evaluation dated within three years of the referral for special health care services

## Timeline for Services

Within five business days of receipt of the completed referral packet, the Program Manager for Resolution Support Services at the SELPA will develop an Individual Service Agreement (ISA) and forward it to the appropriate Nonpublic Agency (NPA) for signature.

Upon receipt of the signed ISA, the SELPA will forward the transfer referral packet to the appropriate NPA. The agency will contact the person who signed the referral to coordinate and begin services. The SELPA will enter the services into the SELPA Management Information System (MIS) database.

***Terms and acronyms used in this handbook:***

<b><u>Terminology</u></b>	<b><u>Acronym</u></b>
Assistive Technology	AT
Behavioral Health Counseling	BHC
Desert/Mountain Children’s Center	DMCC
Individual Services Agreement	ISA
Local Education Agency	LEA
Low Incidence Equipment	LIE
Management Information System	MIS
Nonpublic Agency	NPA
Nonpublic School	NPS
Occupational Therapy	OT
Physical Therapy	PT
Residential Treatment Center	RTC
Student Assistance Program	SAP
School-Aged Treatment Services	SATS
Screening Assessment Referral and Treatment	SART
Special Education Local Plan Area	SELPA

***SELPA forms referenced in this handbook:***

<b><u>Form Number</u></b>	<b><u>Form Name</u></b>
D/M 52	Transfer into District
D/M 63	Authorization for Use and/or Disclosure of Information
D/M 66	Assessment Plan
D/M 68A-68P	IEP Forms
D/M 86A	Low Incidence Pre-Approval/Reimbursement
D/M 108	Initial Request for Audiological Evaluations/Services
D/M 108A	Annual Request for Audiological Evaluations/Services
D/M 119	Triennial Assessment Determination Form
D/M 120A	Occupational Therapy Referral
D/M 120B	Physical Therapy Referral
D/M 127	Assistive Technology Assessment Referral
D/M 134	Nonpublic School Placement Referral
D/M 148	Special Health Care Services Referral
D/M 151	Residential Placement Assessment Referral
DMCC 100A	Referral for Behavioral Health Services
DMCC 100B	SART Referral for Behavioral Health Services

# APPENDIX I: Documenting Assistive Technology (AT) in the IEP

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Section A: Assessment, Review, and Implementation

Section B: Present Levels of Performance

Section C: Special Education

Section D: Related Services

Section E: Supplementary Aids and Services

Section F: Consideration of Special Factors

The Desert/Mountain Special Education Local Plan Area (SELPA) Assistive Technology Guidelines are developed to assist participating local education agencies (LEAs) in the SELPA. These guidelines are designed to assist individualized education program (IEP) teams in the consideration, evaluation, team planning, and implementation phases of determining an individual's need for assistive technology devices and/or services in order to benefit from special education instruction and/or related services.

It is the philosophy of the SELPA to provide special education services to meet individual student needs in the least restrictive environment (LRE). This includes providing accommodations and assistive technology. As a basis of determination of student needs, the first consideration is the technology plan of the LEA as it details the availability of technology resources available for all students within the LEA. Typically, the LEA technology plan includes the goals it supports for all students, hardware, software, teacher training and student technology skills.

## Section A – Assessment, Review, and Implementation

The amendments to the Individuals with Disabilities Education Act (IDEA) require that the IEP team consider whether a child with a disability requires assistive technology and services (*Title 20 of the United States Code § 1414[d][3][B][v]*). Furthermore, *Education Code § 56341.1(a)(5)* states, “When developing each pupil’s individualized education program, the individualized education program team shall consider...whether the pupil requires assistive technology devices and services as defined in paragraphs (1) and (2) of section 1401 of Title 20 of the United States Code.” IDEA (*Title 20 of the United States Code § 1401*) includes the following definitions:

***Assistive Technology Device:*** *The term “assistive technology device” means any item, piece of equipment or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve functional capabilities of a child with a disability.*

*Assistive Technology Service: The term “assistive technology service” means any service that directly assists a child with a disability in the selection, acquisition, or use of an assistive technology device. Such terms include:*

- A. The evaluation of the needs of such child, including a functional evaluation of the child in the his/her customary environment;
- B. Purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices by such child;
- C. Selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing of assistive technology devices;
- D. Coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing education and rehabilitation plans and programs;
- E. Training or technical assistance for such child, or, when appropriate, the family of such child; and
- F. Training or technical assistance for professionals (including individuals providing education and rehabilitation services) to employ, or otherwise substantially involved in the major life functions of such child.

According to Title 34 of the Code of Federal Regulations § 300.105, each public agency must ensure that assistive technology devices or assistive technology services, or both, as those terms are defined in §§ 300.5 and 300.6, respectively, are made available to a child with a disability if required as a part of the child’s –

- 1. Special education under § 300.36;
- 2. Related services under § 300.34; or
- 3. Supplementary aids and services under §§ 300.38 and 300.114(a)(2)(ii).

On a case-by-case basis, the use of school-purchased assistive technology devices in a child’s home or in other settings is required if the child’s IEP team determines that the child needs access to those devices in order to receive a free appropriate public education (FAPE).

As mandated by IDEA, IEP teams must document a child’s need for technology devices and services within the IEP. Assistive technology may be addressed in one or more components of the IEP. The need for assistive technology may be addressed in the present levels of performance, in the listing of special education and related services, and in the annual goals, benchmarks, and objectives. Assistive technology may also be addressed in the supplementary aids and services section, in the modifications required for participation in statewide and districtwide assessments, and in the modifications and supports required for school personnel. Assistive technology must always be addressed in the consideration of special factors component of the IEP.



The IDEA requires that the IEP team consider what, if any, assistive technology may be needed by every child with a disability. Once the IEP team has reviewed assessment results and determined that assistive technology is needed for the provision of FAPE, it is then necessary to describe the assistive technology in the child's IEP. This may be done in a variety of ways.

When it comes to determining if a child needs assistive technology devices or services, the assistive technology consideration process or review of an assistive technology screening or evaluation should guide the IEP toward clear and specific decisions and documentation about:

- Whether the child needs such devices or services to accomplish his/her IEP goals and be involved and progress in the general curriculum;
- Why the child does or does not need such devices or services;
- What tasks within the child's customary environment a device or service is needed for, if there is a need; and
- If there is a need, what technology with what features is or may be a match for the child's academic, developmental, and functional needs and abilities.

Federal law states,

***Title 34 of the Code of Federal Regulations § 300.105 Assistive Technology.***

*(a) Each public agency must ensure that assistive technology devices or assistive technology services, or both, as those terms are defined in §§ 300.5 and 300.6, respectively, are made available to a child with a disability if required as part of the child's --*

- 1. Special education under § 300.36;*
- 2. Related services under § 300.34;*
- 3. Supplementary aids and services under §§ 300.38 and 300.114(a)(2)(ii).*

*(b) On a case-by-case basis, the use of school-purchased assistive technology devices in a child's home or in other settings is required if the child's IEP Team determines that the child needs access to those devices in order to receive FAPE.*

The development of a child's IEP has always been guided by the consideration of several important factors. These are:

- The strengths of the child;
- The concerns of the parents for enhancing the education of their child; and
- The results of the initial evaluation or most recent evaluation of the child.

IDEA 2004 includes the above in addition to the:

- Academic, developmental, and functional needs of the child.

The IEP must contain several statements that describe the child's performance and outline the special education and related services the local educational agency (LEA) will provide.

## **Section B – Present Levels of Performance**

Assistive technology is frequently addressed in the present levels of performance in the IEP. When documenting assistive technology in the present levels of performance, the type of technology needed as well as the manner that it will be used should be described.

For example:

*Mary exhibits a severe deficit with expressive communication. She communicates with peers and adults within her environment utilizing a voice output augmentative communication device. She uses the AAC device in all educational settings programmed with appropriate vocabulary for each setting.*

*Due to John's vision impairment, all instructional materials such as textbooks, worksheets, and written tests requires enlargement through the use of a photocopier or closed-circuit television system.*

## **Section C – Special Education**

When assistive technology devices and/or services are provided as part of a child's special education, documentation is found in the annual goals. When developing annual goals, the IEP team determines whether or not the child needs assistive technology in order to accomplish them. First, the goals are developed and then the need for assistive technology is addressed. In most cases, assistive technology is not the goal; rather, it is the means to achieving the goal. If IEP teams always relate the use of the technology to a functional outcome, teams will avoid the mistake of focusing on the equipment as an end in itself rather than a means to an end.

### **Options to Consider:**

The general goal format is: Using (AT solution), child will (curriculum standard) with \_\_\_% accuracy \_\_\_ / \_\_\_ times.

Using an electronic dictionary/thesaurus, child will explain frequently used synonyms, antonyms, and homographs with \_\_\_% accuracy \_\_\_ / \_\_\_ times.

Using electronic text, word (or talking word) processing/word prediction programs, child will read selected text and write a summary of selected readings containing the main idea and essential details with \_\_\_% accuracy \_\_\_ / \_\_\_ times.

## **Section D – Related Services**

When assistive technology is provided as a part of a related service, it is documented in the IEP form under related services. Documentation must include the anticipated amount of time and frequency of the service. If assistive technology is listed in the IEP related services section, it is

important to remember that additional information may need to be added in other sections of the IEP to clarify the types of technology that will be used, the environments and tasks in which the technology will be used, and the staff responsible for supporting the use of the technology.

The following are examples of how IEP teams might address assistive technology in the SELPA form D/M 68H:

SPECIAL EDUCATION AND RELATED SERVICES / OFFER OF FAPE							
SPECIAL EDUCATION AND RELATED SERVICES							
	SERVICE (CODE NO.)**	CLASS NO.	PROVIDER	LOCATION OF SERVICE (CODE NO.)	PROJECTED START DATE	FREQUENCY (CODE NO.)	DURATION (MINUTES PER FREQUENCY)
Primary	415	<input checked="" type="checkbox"/> Indiv. <input type="checkbox"/> Group	LSH	Code 120 SELPA	Code 360 Residential Facility	6/30/2014	Code 20 Weekly 45 minutes
2		<input type="checkbox"/> Indiv. <input type="checkbox"/> Group					
3		<input type="checkbox"/> Indiv. <input type="checkbox"/> Group					
4		<input type="checkbox"/> Indiv. <input type="checkbox"/> Group					
5		<input type="checkbox"/> Indiv. <input type="checkbox"/> Group					
6		<input type="checkbox"/> Indiv. <input type="checkbox"/> Group					
7		<input type="checkbox"/> Indiv. <input type="checkbox"/> Group					

## Section E – Supplementary Aids and Services

Assistive technology may also be addressed in the supplementary aids and services component of the IEP. Assistive technology is often provided as a supplementary aid and service when required for a student to participate in general education classes or other education-related activities among children without disabilities. While federal law does not require that the provider of supplementary aids and services be identified specifically in the IEP, some state and local educational agency (LEA) IEP forms do request for this information. It is recommended that IEP teams identify the provider(s) during their discussions even if it's not on the form.

The following are examples of how assistive technology may be addressed in the Supplementary Aids and Supports section SELPA form D/M 68E:

Supplementary aids and supports to the student and/or program modification(s)/support(s) for school personnel (to be provided during the effective date of this IEP) that are necessary to enable the student to: (A) advance appropriately toward the IEP goal statement; (B) be involved and progress in the general curriculum; (C) participate in extracurricular activities; (D) be educated and participate with other children with disabilities and with nondisabled peers. 34 CFR § 300.320(a)(4)-(7)					
	SUPPLEMENTARY AIDS/SUPPORTS, PROGRAM ACCOMMODATION(S)/MODIFICATION(S)	LOCATION	START DATE	FREQUENCY	DURATION
<input checked="" type="checkbox"/> Student <input type="checkbox"/> Personnel	The student will use portable word processor with built-in spell check output	General Education Classes	6-30-14	2x Weekly	30 minutes
<input type="checkbox"/> Student <input checked="" type="checkbox"/> Personnel	Case manager will acquire instructional materials in specialized formats	All core curriculum classes	6-30-14	1x Daily	60 minutes
<input checked="" type="checkbox"/> Student <input type="checkbox"/> Personnel	Staff and student will be instructed on the use of the FM system	Classroom	6-30-14	4x Monthly	45 minutes
<input type="checkbox"/> Student <input checked="" type="checkbox"/> Personnel	SLP will collaborate with the student's teacher and OT/PT regarding progress and goals	School Site	6-30-14	1x Quarterly	Minimum of 10 minutes
<input type="checkbox"/> Student <input type="checkbox"/> Personnel					

### Accommodations/Supports Needed for Participation in Statewide/Districtwide Assessments:

The IEP team must determine the accommodations and supports that the child requires in order to participate in statewide and districtwide assessments. For some children with disabilities, assistive technology may be required accommodation.

The IEP team should never indicate that a child will use assistive technology to complete a state assessment if the child does not use the same assistive technology regularly for participation in educational activities.

**Supports for School Personnel:** The IEP team should address the supports that the school staff needs in order for them to effectively provide AT devices and services to the child.

*The Alternative Augmentative Communication representative will work with Grant’s teachers in the special education classroom for one hour weekly for six weeks. Training will include programming, operation, and use of his augmentative communication device. All team members will participate in identification of needed vocabulary.*

## Section F - Consideration of Special Factors

AT is one of the special factors that must be addressed in the development, review, and revision of each child’s IEP. Minimal compliance with the requirement to consider AT is responding to the statement in the IEP which states, “Does the student require assistive technology devices and services?  Yes  No. If yes, describe.” If the IEP team determines that the child requires AT then the IEP must include a description of the AT that is required.

Although minimal compliance for considering AT may be simply checking “yes” or “no” to the consideration questions, best practice is for IEP teams to use a systematic process for considering a child’s AT needs and to document the outcomes of the consideration in the IEP. In most instances, it is just as important to document when a child does not require AT as when a child does require it. Documentation of the issues that were addressed during AT consideration can be especially helpful to future IEP teams.

There are many places in the IEP where tools to support achievement of goals may be documented (i.e., consideration, accommodations, present levels of academic achievement, minutes).

The following are examples of how AT can be documented in the Consideration of Special Factors form D/M 68E:

CONSIDERATION OF SPECIAL FACTORS			
Is the student blind or visually impaired?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
If "YES" is the instruction provided in Braille and the use of Braille?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
If "NO" state rationale based on evaluation of the student's reading and writing skills, appropriate reading and writing media, and the student's future needs for instruction in Braille and the use of Braille:			
Is the student deaf or hard of hearing?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
If "YES"	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
• Have the communication needs of the student been considered?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
• Has the opportunity for direct communication with peers and professional personnel in the student's communication mode and at the student's academic level been considered?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
• Has the student's full range of communication needs been considered, including opportunities for direct instruction in the student's language communication mode?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Has the IEP team considered the student's functional performance and does the student have needs in this area?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
If "YES"	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
• Have functional goals been developed and included in this IEP?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Is the student an English Language Learner (ELL)? If "YES"	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
• Have the language needs of the student been considered?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
• Does the student have linguistically appropriate goals, objectives, programs and services?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Does the student's behavior impede his or her learning or the learning of others?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
• Have positive behavioral interventions and supports been implemented?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
• Have annual behavioral goals been implemented and revised as needed?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
• Has a Behavior Intervention Plan (BIP) Level 1 been implemented and revised as needed?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
• Has a Functional Behavioral Assessment (FBA) been completed?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
• Has a Behavior Intervention Plan (BIP) Level 2 been implemented and revised as needed?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Has the IEP team considered the student's need for assistive technology (AT) devices and services?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
<input type="checkbox"/> Needs are currently being met without AT. AT is not required at this time.			
<input type="checkbox"/> AT devices/services are required and will be used in designated task(s) in educational environments.			
<input type="checkbox"/> Further information/assessment is necessary to determine if or what AT devices and services may be required.			
Please explain:			

### Examples:

**Does the student require AT devices and services?**  Yes  No

Describe: *John requires the use of a talking calculator for all math activities that require calculation.*

**Does the student require AT devices and services?**  Yes  No

Describe: *Paula needs to use adaptive seating and positioning equipment (prone stander, wedge) in her classes in order to participate in her education program.*

**Does the student require AT devices and services?**  Yes  No

Describe: *Karen uses an eight location augmentative communication device with speech output to supplement her current communication skills. See present levels of academic achievement and functional performance and annual goals and objectives for additional information.*

**Does the student require AT devices and services?**  Yes  No

Describe: *Eduardo is struggling with completing writing assignments. We discussed the need for AT but decided his problem relates more to attention. Positive behavioral supports are being used to address the issues at this time.*

# **APPENDIX J: Audiology**

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Section A: Eligibility for Audiological Services and Federal/State Requirements

Section B: Location and Types of Services

Section C: Source for Referrals for SELPA/DMOPS Audiological Services

Section D: Assessment

Section E: Classroom Amplification System

Section F: Low Incidence Disabilities Considerations

Section G: Individualized Education Program (IEP) Determination: Documenting Audiological Services in the IEP

Appendix A: Initial Request for Audiological Evaluation (D/M 108)

Appendix B: Annual Request for Audiological Evaluation (D/M 108A)

Appendix C: Classroom Amplification Equipment (D/M 108B)

Appendix D: Audiology Processes

## **Introduction**

Hearing is important for all children. Unidentified or unmanaged hearing loss affects a child's ability to learn language and to achieve academically. Audiological services should be designed to assess the specific needs of a child as early as possible. It is the goal of the Desert/Mountain Special Education Local Plan Area (SELPA) and Desert/Mountain Operations (DMOPS) to provide children with audiological assessments and services to allow a child to work in the least restrictive environment (LRE). The audiological program is currently a collaboration between the SELPA, DMOPS Deaf and Hard of Hearing (DHH) staff and Pacific Hearing Services, a SELPA contractor.

This guide is intended to provide participating Local Education Agencies (LEAs) in the SELPA with information regarding audiological assessments, services and equipment, and the federal and state requirements to provide audiological services.

## **Section A – Eligibility for Audiological Services and Federal/State Requirements**

Under the Individuals with Disabilities Education Act (IDEA) and state law, children with disabilities are entitled to a free appropriate public education (FAPE). FAPE is defined as special

education and related services that are designed to meet the unique needs of a child with a disability in a program that provides educational benefit to him/her. Such services must be available to the child at no charge, must meet state educational standards, and must conform to the child's Individualized Education Program (IEP). Audiological services are a related service that must be provided when such services and supports are necessary for a child to benefit from his/her education.

Audiological services are provided to all children birth to 21 years of age with hearing levels from the normal range to profound hearing loss. These services are provided by a person holding a valid credential to provide clinical or rehabilitative services in audiology pursuant to ***Title 5 of the California Code of Regulations § 3051.2.***

***California Education Code § 56363(a).*** As used in this part, the term “designated instruction and services” means “related services” as that term is defined in Section 1401(26) of Title 20 of the United States Code and Section 300.34 of Title 34 of the Code of Federal Regulations. The term “related services” means transportation, and such developmental, corrective, and other supportive services (including speech-language pathology and audiology services, interpreting services, psychological services, physical and occupational therapy, recreation, including therapeutic recreation, social work services, school nurse services designed to enable an individual with exceptional needs to receive a free appropriate public education as described in the individualized education program of the child, counseling services, including rehabilitation counseling, orientation, and mobility services, and medical services, except that such medical services shall be for diagnostic and evaluation purposes only) as may be required to assist an individual with exceptional needs to benefit from special education, and includes the early identification and assessment of disabling conditions in children.

***Title 34 of the Code of Federal Regulations § 300.34(a).*** Related services means transportation and such developmental, corrective, and other supportive services as are required to assist a child with a disability to benefit from special education, and includes speech-language pathology and audiology services, interpreting services, psychological services, physical and occupational therapy, recreation, therapeutic recreation, early identification and assessment of disabilities in children, counseling services, including rehabilitation counseling, orientation and mobility services, and medical services for diagnostic or evaluation purposes. Related services also include school health services and school nurse services, social work services in schools, and parent counseling and training.

*The same regulations define some of these services as follows:*

***Audiology*** includes:

- (a) Identification of children with hearing loss;
- (b) Determination of the range, nature, and degree of hearing loss, including referral for medical or other professional attention for the habilitation of hearing;

- (c) Provision of habilitative activities, such as language habilitation, auditory training, speech reading (lip-reading), hearing evaluation, and speech conservation;
- (d) Creation and administration of programs for prevention of hearing loss;
- (e) Counseling and guidance of children, parents, and teachers regarding hearing loss; and,
- (f) Determination of children's needs for group and individual amplification, selecting and fitting an appropriate aid, and evaluating the effectiveness of amplification.

**Services** include:

- Hearing screening program for pre-school and school-aged children
- Hearing evaluations (including tympanometry)
- Otoacoustic Emissions assessments
- Hearing aid evaluations (no dispensing)
- Auditory processing evaluations
  - Children referred for an auditory processing evaluation should have normal hearing levels
  - Children should have normal intelligence
  - Children should be at least 6.0 years of age
- Fitting and assessment of FM listening devices
- Ear mold impressions (for FM use only)
- Medical, educational and community referrals
- Management and calibration of audiometric equipment

***California Education Code § 56361.2.*** All special education and related services for any individual with exceptional needs who is younger than three years of age shall be provided pursuant to Chapter 4.4 (commencing with Section 56425).

***Title 22 of the California Code of Regulations § 72425. Speech Pathology and/or Audiology Service Unit-Policies and Procedures.***

- (a) Each speech pathology and/or audiology service unit shall have written policies and procedures for the management of the speech pathology and/or audiology service.

Children who have failed two or more LEA hearing threshold screenings, have a suspected hearing loss, or are experiencing academic or behavioral difficulties due to suspected hearing loss are eligible for an audiological assessment.



Children who have an identified hearing loss are also eligible for audiological services and routine assessment.

## **Section B – Location and Types of Services**

Audiological services are provided at school sites located regionally throughout the SELPA and DMOPS region.

A mobile audiology van is available on a twice-yearly basis at a school site in each of the regional areas. Dates for these visits are scheduled early each school year. The LEA of residence is responsible for the transportation of children and any auditory equipment to these regional sites. Additionally, LEAs are responsible for completing the appropriate paperwork needed to make referrals for services.

In the case of children who need services at a time other than the regularly scheduled visit to that regional area, services will be coordinated at the SELPA/DMOPS and arrangements made for that child to be served at his/her school site or at a nearby LEA.

Arrangements for services to children who require wheelchair access to the mobile audiology van or for children who have severely limited cognitive abilities will be made on an individual basis between the LEA and DMOPS.

Types of services available through the current Audiological Program consist of the following:

### **A. Students:**

- Assessment of hearing levels including pure tone air and bone conduction testing, speech reception thresholds, impedance testing, and otoscopic inspection;
- Twice-yearly visitations by the audiologist to check hearing classroom amplification systems and hearing aids;
- Annual written reports and audiograms following one of the twice-yearly visitations;
- Annual maintenance service of classroom amplification equipment; and,
- Routine repair/troubleshooting of classroom amplification equipment.

### **B. Parents:**

- Attend the assessment appointment;
- Receive a copy of the audiological report;
- Opportunity to attend parent education groups where programs offered focus on audiological topics; and

- Assistance in understanding the special needs of the hearing-impaired child.

**C. Staff:**

- Training in following appropriate procedures to access audiological services;
- Training regarding hearing loss and educational implications;
- Training regarding the usage of hearing aids/auditory trainer monitoring kits;
- Consultation and recommendation regarding appropriate classroom amplification systems;
- Vending of classroom amplification equipment;
- Training regarding the use of classroom amplification equipment; and,
- Consultation regarding accommodations.

**Hearing Support Services**

The regulations implementing the IDEA 2004 include a provision regarding the proper functioning of hearing aids. This requirement states that “Each public agency shall ensure that the hearing aids worn in school by children with hearing impairments, including deafness, are functioning properly.” (*Title 34 of the Code of Federal Regulations § 300.10.5(b)*)

Hearing support services providers are certified DMOPS teachers of the Deaf and Hard of hearing (DHH). They provide instruction and support for children with hearing loss in developing speech, reading, developing auditory language and self-advocacy skills, as well as academic support in an inclusive educational program.

**Section C – Source of Referrals for SELPA  
Audiological Services**

LEAs are responsible for implementing a hearing-screening program in their respective LEA. If a child fails two or more screenings, the LEA nurse, speech-language pathologist, psychologist, classroom teacher, parent, or administrator may initiate a request for audiological services. A discussion must first be held to inform the parent of the concern and proposal to refer for audiological assessment.

*California Education Code § 49452. Sights and hearing test. The governing board of any school district shall, subject to Section 49451, provide for the testing of the sight and hearing of each pupil enrolled in the schools of the district. The test shall be adequate in nature and shall be given only by duly qualified supervisors of health employed by the district; or by certificated employees of the district or of the county superintendent of schools who possess the qualifications prescribed by the*

*Commission for Teacher Preparation and Licensing; or by contract with an agency duly authorized to perform those services by the county superintendent of schools of the county in which the district is located, under guidelines established by the State Board of Education; or accredited schools or colleges of optometry, osteopathic medicine, or medicine. The records of the tests shall serve as evidence of the need of the pupils for the educational facilities provided physically handicapped individuals. The equipment necessary to conduct the tests may be purchased or rented by governing boards of school districts. The state, any agency, or political subdivision thereof may sell or rent any such equipment owned by it to the governing board of any school district upon terms as may be mutually agreeable.*

***Title 5 of the California Code of Regulations § 3027. Hearing and Vision Screening. All pupils being assessed for initial and three-year review for special education services shall have had a hearing and vision screening, unless parental permission was denied.***

For children who have never accessed the SELPA/DMOPS audiological services previously, SELPA form D/M 108, is to be utilized for the initial request. For subsequent requests, SELPA form D/M 108A should be completed. The LEA special education administrator should sign both forms and send directly to DMOPS.

For initial referrals, an Assessment Plan (D/M 66), Release of Information (D/M 63), IEP (if there is one), and previous audiogram and report or nurse's screening form should be attached to SELPA form D/M 108 and sent directly to DMOPS.

For annual referrals, an Assessment Plan (D/M 66) should be attached to SELPA form D/M 108A with any physician or audiological reports that have been completed privately, and sent directly to DMOPS.

Referrals and all attachments should be sent to the DMOPS office to the attention of the DMOPS Area Director for Audiological Services.

## **Section D – Assessment**

An audiological evaluation is a series of diagnostic procedures used to determine the type, degree, and configuration of hearing loss. The evaluation consists of a thorough audiological work up. The audiologist uses an otoscope to look in the child's ears to check for excessive wax, infection, tubes, and the occasional "odd thing" a child has put in his/her ear. A pure tone-hearing test using both air and bone conduction is done in conjunction with a specific test to determine how well the child can differentiate speech sounds in a quiet environment. To test for middle ear functioning, impedance audiometry is also used. The goal of the evaluation is to develop a treatment plan that is unique to the child's needs to improve his/her communication skills and enable the child to access his/her educational program.

State law requires that the evaluation of a child, including the evaluation of a child with a suspected low incidence disability, 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 pursuant to *Education Code § 56136*.

The evaluation process is initiated by completing all required forms for the referral for audiological services, whether initial or annual. If the forms are complete and the referral appears to be appropriate, DMOPS will add that child to the LEA's list of students to be evaluated on a predetermined date. These dates are included on the Audiological Services Calendar, which is distributed annually in the Fall.

LEA coordinator is responsible for providing transportation or arranging for parents to transport children to the testing location. If children are brought to the test site as a group, the LEA coordinator should provide a waiting room and be present to supervise the children while they are waiting for their turn to be evaluated. If a child utilizes classroom amplification, that equipment should be taken to the test site for servicing.

Once the evaluation is completed, an evaluation report is sent to DMOPS and then copies are sent to the LEA director of special education. Copies of the report are then distributed from the LEA special education office to LEA personnel and parents. Reports may contain recommendations for future assessments, classroom amplification equipment, and possible medical intervention. An IEP meeting should be held to discuss the results of the audiological evaluation and the recommendations in the report.

*California Education Code § 56327(h). The personnel who assesses 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 of the following:*

*The need for specialized services, materials and equipment for pupils with low incidence disabilities consistent with guidelines established pursuant to Education Code § 56136.*

If ongoing audiological follow-up is recommended, CALPADS Code 720 should be included on an IEP service line on SELPA form D/M 68H. If it is decided that classroom amplification is needed, a request for a proposal of specific equipment should be made to DMOPS. If a hearing loss has been found, the child should have the disability code of Deaf (030) or Hard of Hearing (020) checked on the IEP front page (D/M 68A) under the title of disability as well as a check next to Low Incidence Disability. If the hearing loss is NOT the primary disability, it may be listed as the secondary disability. If recommended and agreed upon by the IEP team, classroom amplification should also be listed under Assistive Technology on the IEP on SELPA form D/M 68E and Supplementary Aids and Supports (also D/M 68E).

If a child will be getting amplification equipment for the first time, a goal(s) should be included in the IEP for using the equipment as well as any care and operation training that is needed as a support.

If a child has his/her own hearing aids, the audiologist will check to see if those hearing aids are working properly. If the child is using a classroom amplification system, the system will be checked for its effectiveness.

## **Section E – Classroom Amplification Equipment**

After the IEP team has determined that equipment is needed, and if parents are supportive and the child agrees to wear the equipment, the LEA coordinator should be contacted and a proposal requested. A proposal for the equipment with the specific make and model numbers, pricing and ordering information will be provided.

Once a proposal is received, the LEA may complete form D/M 86 – Low Incidence Pre-Approval/Reimbursement Request Form and forward it to DMOPS for approval by the DMOPS Area Director.

When approved by the DMOPS Area Director, the equipment will be ordered by the SELPA Business Department. When the equipment arrives, the LEA staff and the student will be taught how to use it and advised to contact the LEA coordinator, the audiologist, or the DHH teacher for additional batteries or equipment concerns.

The audiologist or DHH teacher fits the child with an FM system and sponsors troubleshooting training so that site personnel can learn how to take care of minor equipment problems. A Systems Fitting Report will be sent to the LEA by DMOPS. LEA speech-language pathologists, teachers, and nurses are frequently the personnel who attend the troubleshooting training, but any staff member or parent who wants to learn how to troubleshoot may attend.

- Designated LEA personnel and the child need to perform daily equipment charging and listening checks;
- For equipment purchased with low incidence funds or loaner equipment, report FM system problems to DMOPS as soon as possible, so that arrangements can be made for repair or replacement;
- Repairs for equipment purchased with LIE funds should be arranged by the LEA;
- Hearing aid problems should be reported to parents who will need to consult with their private audiologist for repairs. The private audiologist should also be seen for regular hearing tests and device checks (hearing aids/cochlear implants); and,
- Any changes in the hearing aid or cochlear implant need to be reported to the LEA coordinator so that appropriate adjustments can be made.

Equipment will be monitored/checked twice yearly during the LEA audiological assessment days. LEA personnel may also contact the LEA coordinator if there are equipment needs during the course of the school year.

The LEA coordinator, audiologist, or DHH teacher picks up low incidence equipment or loaner FM systems at the end of the child's school year and prepares the equipment for servicing. The

LEA coordinator, audiologist, or DHH teacher also delivers the low incidence equipment or loaner FM system at the beginning of the new school year and provides in-service training for the new IEP team if needed.

It is important to note that equipment purchased with low incidence funds remains the property of the SELPA. Please report any unused equipment to the LEA coordinator who will notify DMOPS so that it can be used for other eligible children within the SELPA/DMOPS region.

## **Section F – Low Incidence Disabilities Considerations**

Children with low incidence disabilities, such as deafness, require highly specialized services, equipment, and materials. Group special education services for severely disabled preschool children, including deaf children, must not exceed an instructional adult-to-adult ratio of one to five.

*California Education Code § 56026.5. “Low incidence disability” means 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. For purposes of this definition, vision impairments do not include disabilities within the function of vision specified in Section 56338.*

State law requires that the assessment of a child, including the assessment of a child with a suspected low incidence disability must 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 pursuant to *Education Code § 56136*.

*California Education Code § 56327(h). 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 of the following:*

*The need of specialized services, materials and equipment for pupils with low incidence disabilities consistent with guidelines established pursuant to California Education Code § 56136.*

*California Education Code § 56136 requires that the Superintendent of Public Instruction to “develop guidelines for each low incidence disability area, and provide technical assistance to parents, teachers, and administrators regarding the implementation of the guidelines. The guidelines shall clarify the identification, assessment, planning of, and the provision of specialized services to pupils with low incidence disabilities.*

*California Education Code § 44265.5 outlines credential requirements for specialized teachers serving students with low incidence disabilities:*

- (1) Pupils who are visually impaired, as defined in California Education Code § 56350, shall be taught by teachers whose professional preparation and credential authorization are specific to that disabling condition.*
- (2) Pupils who are deaf or hard of hearing shall be taught by teachers whose professional preparation and credential authorization are specific to that disabling condition.*
- (3) Pupils who are orthopedically disabled shall be taught by teachers whose professional preparation and credential authorization are specific to that disabling condition.*

*California Education Code § 56363(b)(16) states the Designated Instruction Services (DIS) “may include but not be limited to:*

*Specialized services for low incidence disabilities, such as readers, transcribers, and vision and hearing services.*

*These services are further defined in California Code of Regulations, Title 5, § 3051.16: Specialized Services for low incidence disabilities may include:*

*(b) Specialized services related to the unique needs of pupils with low incidence disabilities provided by qualified individuals such as interpreters, note takers, readers, transcribers, and other individuals who provide specialized materials and equipment.*

Through a special state low incidence fund, the SELPA is provided limited funds each year for specialized equipment for eligible low incidence children. The funds are provided based on the low incidence pupil count on December 1 each year. Children whose primary or secondary disability is Hard of Hearing, Deaf, Deaf/Blind, Visually Impaired, or Orthopedic Impaired may be eligible for low incidence equipment and services and utilize low incidence funding. Please see Chapter 13 - Low Incidence Funding for additional information.

Funds may be used for all children with the low incidence disabilities as defined in law, for both primary and secondary eligibilities. For example, a child is deaf and developmentally delayed would still be eligible to receive services funded by low incidence funds even if the child was reported as developmentally delayed or multi-handicapped.

A low incidence disability does not guarantee the access of low incidence funds. The IEP team reviews assessment data and determines the most appropriate items or services needed to address the child’s unique educational needs. These may, or may not, be “specialized” items, which if found in most classrooms, would not be “specialized” and eligible for payment through low incidence funds.

## **Student Transfer and Equipment**

- A. Student moves into the SELPA: When a child moves into the LEA with low incidence equipment already purchased for the child in their last placement, it is the responsibility of the LEA of residence to secure and document that the equipment will be transferred. If equipment is sent with the child, an inventory form should be completed and sent to the SELPA so it can be put into the low incidence equipment (LIE) database.
- B. Student moves out of SELPA: Per the California Department of Education (CDE) Frequently Asked Questions (FAQs) about LIE Funds: “if the books, materials, and equipment are still needed by other students with low incidence disabilities in a SELPA, there is no requirement to send it with the student who moved. Providing these resources is the responsibility of the SELPA where the student now resides. If, however, books, materials and equipment purchased with low incidence funds are unused, SELPAs are encouraged to make arrangements with other SELPAs to share the unused equipment, books and materials. The CDE may be contacted for assistance in locating another SELPA that has need of the unused equipment, books or materials.”
- C. Student graduates from high school: A high school student with an IEP who has a low incidence disability cannot use the specialized equipment purchased for him/her by his SELPA using low incidence funds in college. To do so would be a gift of public funds which is a violation of law. Pursuant to *Education Code § 56822*, “Books, materials and equipment purchased with low incidence funds remain the property of the state. When the student graduates from high school or ages out at age 22, he/she is no longer eligible to receive special education services from the LEA. If the student needs similar equipment upon graduating or aging out, he/she should contact the Department of Rehabilitation.”

*Please refer to Chapter 13 – Low Incidence Funding for additional information.*

## **Section G – IEP Determination; Documenting Audiological Services in the IEP**

Audiological evaluation and services are based on the child’s educational assessment. The IEP team determines eligibility and the child’s educational needs for low incidence services and any equipment through an educational assessment and written report. The individual who assesses the child is responsible for preparing a written report, or reports as appropriate, of the results of each assessment completed. The report shall include, but not be limited to the need for specialized services, materials, and equipment for children with low incidence disabilities.

If the IEP team determines that the child qualifies for low incidence equipment, the LEA must designate a low incidence disability, as either the primary or secondary disability in order to generate LIE funds for the purchase of materials, equipment, or resources for the child.

If the IEP team determines that the child does not qualify for audiological services and equipment and the team still wants to offer audiological equipment, the team must document that the LEA’s general funds are to be used to purchase any audiological equipment for the child. In some cases,



loaner FM amplification may be available and appropriate for longer-term use. If not, a recommendation for purchase can be made by the audiologist.

There may be situations where older children with an IEP, consistent use of hearing aid, or implant and FM amplification experience, are performing well and need accommodations only. In these cases, continuation of current FM equipment and limited audiology services may be appropriate.

The IEP team should document in the IEP the following:

- How the materials, equipment, or resources will assist the child's instruction in supporting the implementation of the IEP goals and services;
- How often the materials, equipment, or resources will be used or is needed;
- How the materials, equipment, or resources facilitates participation in the classroom;
- A justification statement that is related to the child's unique educational needs as identified in the assessment information;
- Areas of need, baselines and goals that are based on current data;
- A list of supplementary aids and supports needed to implement the goals and services;
- Identification of personnel who will provide support to child and will monitor and inventory adapted equipment and FM system; and,
- Identification of any training that may be needed to use any of the materials, equipment, or resources.

FM systems use should be discussed as part of the annual IEP review. Input from the audiologist or DHH teacher may be requested. Please make a request for the audiologist well in advance of meeting date. If the IEP team has concerns about student benefit or compliance with the use of the FM system, a DHH teacher should be consulted.

### **Recommended IEP Language for Deaf and Hard of Hearing for Audiological**

Indicate annual audiological assessment in both the services and assessment area. This requires an Assessment Plan/Prior Written Notice. If audiological equipment needs regular fitting or adjusting, write a goal and indicate this as a direct service on the service page (D/M 68H), with details in the IEP meeting notes (D/M 68J). If only consultation (with parent, teacher, related service provider, and/or physician) is to be provided, indicate this under supplemental aids and supports (D/M 68E), including frequency, duration, and location.

**DESSERT/MOUNTAIN SPECIAL EDUCATION LOCAL PLAN AREA**  
**DESSERT/MOUNTAIN CHARTER SPECIAL EDUCATION LOCAL PLAN AREA**  
 17800 HIGHWAY 18 • APPLE VALLEY, CA 92307  
 (760) 552-6700 • (760) 242-5363 FAX



### Initial Request for Audiological Services

**Request for:**  Evaluation  Equipment Recommendation and Fitting (must have an audiogram dated w/in one year)

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Student Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_ Age: \_\_\_\_\_ Grade: \_\_\_\_\_  
 LEA of Attendance: \_\_\_\_\_ School Site: \_\_\_\_\_ Teacher: \_\_\_\_\_  
 Special Education and Related Service(s): \_\_\_\_\_  
 Parent/Guardian: \_\_\_\_\_  
 Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_ Email Address: \_\_\_\_\_

#### I. REFERRAL DETAILS

The student has a known hearing loss.  
 The student transferred with an IEP that included audiological services (Please attach IEP from previous LEA).  
 The student transferred with an IEP that included an FM System (Please attach IEP from previous LEA).  
 The student has failed a LEA hearing screening and staff would like to confirm the hearing loss.

#### II. MEDICAL HISTORY

**DIRECTIONS:** The following information must be obtained via an interview with the parent (see Section A and B).  
 Interview Conducted By: \_\_\_\_\_  in person  by phone on (date): \_\_\_\_\_  
 Contact phone: \_\_\_\_\_ Email Address: \_\_\_\_\_

##### Section A: Prenatal and Birth History

**Course of Pregnancy (Check all areas that apply):**

<input type="checkbox"/> Accidents	<input type="checkbox"/> Drug Medication	<input type="checkbox"/> Infections	<input type="checkbox"/> Unusual Weight Gain or Loss
<input type="checkbox"/> Alcohol Use	<input type="checkbox"/> Edema (swelling)	<input type="checkbox"/> Nausea/Vomiting	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Bleeding	<input type="checkbox"/> Emotional Disturbance	<input type="checkbox"/> Tobacco Use	
<input type="checkbox"/> Diabetes	<input type="checkbox"/> High Blood Pressure	<input type="checkbox"/> Toxemia	

**Birth/Delivery (Check all areas that apply):**

Anesthesia/Medications During Labor/Delivery  C-Section Delivery  Breech Presentation  Vaginal Delivery

**Newborn Condition at Birth (Check all areas that apply):**

<input type="checkbox"/> Blue Baby	<input type="checkbox"/> Failed Newborn Hearing Screening (NBHS)	<input type="checkbox"/> Feeding Problem	<input type="checkbox"/> Sucking Problem
<input type="checkbox"/> Breathing Problem	<input type="checkbox"/> Discharged with Mother	<input type="checkbox"/> ICU Care After Delivery No. of Days: _____	
<input type="checkbox"/> Cord Around the Neck	<input type="checkbox"/> Did Not Follow-up After Failed NBHS	<input type="checkbox"/> Jaundice	

##### Section B: Additional Information Required (Parent Interview)

- Has your child ever had any ear infections?  Yes  No. If yes, how many? \_\_\_\_\_ When? \_\_\_\_\_  
 What was the treatment? \_\_\_\_\_
- Has your child ever had high fevers?  Yes  No. If yes, how high was the temperature? \_\_\_\_\_ How many? \_\_\_\_\_  
 At what age(s)? \_\_\_\_\_ What was the treatment? \_\_\_\_\_
- Was your child born with a cleft palate and/or lip?  Yes  No. If yes, was it repaired?  Yes  No  
 When? \_\_\_\_\_ Are additional surgeries planned?  Yes  No
- Has your child ever had ear surgery to have tube(s) inserted?  Yes  No  
 If yes, at what age(s)? \_\_\_\_\_ How many times? \_\_\_\_\_ Which ear?  Left  Right
- Has your child had any other ear surgeries?  Yes  No. If yes, please explain: \_\_\_\_\_
- Has your child ever put anything in his/her ear such as a bead, bean, small toy or pencil?  Yes  No  
 Did your child see a doctor for removal?  Yes  No

Audiology Manual – Appendix A: Form D/M 108, Page 2

Initial Request for Audiological Services	
Student Name:	Date of Birth:
7.	Has your child ever had a head injury or suffered loss of consciousness? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, at what age? <input type="text"/> What was the treatment? <input type="text"/>
8.	Has your child ever been in a car accident where he/she sustained injuries? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, when? <input type="text"/>
9.	Has your child ever put a Q-tip in his/her ear and complained of ear pain or bleeding? <input type="checkbox"/> Yes <input type="checkbox"/> No
10.	Has your child ever been diagnosed with encephalitis or meningitis? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, at what age? <input type="text"/> Did a hearing loss occur at the time? <input type="checkbox"/> Yes <input type="checkbox"/> No
11.	Does your child's outer ear look typical? <input type="checkbox"/> Yes <input type="checkbox"/> No If no, please describe below. <input type="text"/>
12.	Does your child have frequent colds, allergies, sinus problems, asthma, or other illnesses? <input type="checkbox"/> Yes <input type="checkbox"/> No When? <input type="text"/> Treatment: <input type="text"/>
13.	When watching TV or listening to music, does your child like the volume up louder than typical? <input type="checkbox"/> Yes <input type="checkbox"/> No
14.	When called from another room or outside, does your child realize he/she is being called? <input type="checkbox"/> Yes <input type="checkbox"/> No
15.	How difficult is it for your child to hear and understand telephone conversations? <input type="text"/>
16.	When riding in the back seat of the car with your child, how easy is it for him/her to hear and understand what you say? <input type="text"/>
17.	Are there family members who have been diagnosed with hearing loss? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, who and at what age did the hearing loss occur? <input type="text"/>
18.	Has your child ever been exposed to very loud noises such as a firecracker or gunshot at a close range? <input type="checkbox"/> Yes <input type="checkbox"/> No
19.	Has your child previously been diagnosed with a hearing loss? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, when? <input type="text"/>
20.	Have hearing aids been prescribed for your child? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, when were they received? <input type="text"/>
21.	How often does your child utilize his/her hearing aids? <input type="checkbox"/> Daily <input type="checkbox"/> Occasionally <input type="checkbox"/> Never Make/Model: <input type="text"/>
22.	Does your child have a cochlear implant? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, which ear? <input type="text"/> When were they implanted? <input type="text"/> How often does your child see their audiologist for mapping? <input type="text"/>
23.	Do you have a local doctor who provides treatment for ear issues? <input type="checkbox"/> Yes <input type="checkbox"/> No Physician: <input type="text"/> Address: <input type="text"/> Contact Phone: <input type="text"/> Do we have permission to contact this physician? <input type="checkbox"/> Yes <input type="checkbox"/> No
24.	Has your child ever utilized an FM System? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, what is the make/model? <input type="checkbox"/> Speaker <input type="checkbox"/> Worn on ear <input type="checkbox"/> Worn around neck <input type="checkbox"/> Connected to aids


Audiology Manual – Appendix A: Form D/M 108, Page 2

<b>Initial Request for Audiological Services</b>	
Student Name: _____	Date of Birth: _____
<b>III. HEARING/AMPLIFICATION EQUIPMENT</b>	
<b>HEARING AIDS</b> This student currently has personal hearing aids. <input type="checkbox"/> Yes <input type="checkbox"/> No. If yes, please describe below:	
Make: _____	Model: _____ <input type="checkbox"/> Unilateral <input type="checkbox"/> Bilateral <input type="checkbox"/> In the Ear <input type="checkbox"/> Behind the Ear
How often does the student wear his/her hearing aids? <input type="checkbox"/> Daily <input type="checkbox"/> Occasionally <input type="checkbox"/> Never	
The child has/had hearing aids but the equipment is <input type="checkbox"/> Lost <input type="checkbox"/> Broken <input type="checkbox"/> Per parent, in the process of getting hearing aids	
<b>FM SYSTEM</b> Did the student utilize an FM System at his/her previous school? <input type="checkbox"/> Yes <input type="checkbox"/> No. If yes, please describe.	
Make/Model: _____	
How often does the student use the FM system? <input type="checkbox"/> Daily <input type="checkbox"/> Occasionally <input type="checkbox"/> Never	
Does the student have a personal FM System that he/she and parent are willing to utilize at school? <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>COCHLEAR IMPLANT</b> Does the student have a cochlear implant? <input type="checkbox"/> Yes <input type="checkbox"/> No. If yes, please describe below.	
Make/Model: _____	Which ear? <input type="checkbox"/> Left <input type="checkbox"/> Right
<b>IV. ACADEMIC HISTORY</b>	
The student: <input type="checkbox"/> functions at or above grade level academically	
<input type="checkbox"/> struggles with the following subject areas: _____	
<input type="checkbox"/> has some social skills difficulties. Please explain: _____	
<input type="checkbox"/> has behavioral difficulties. Please explain: _____	
Please attach a copy of the student's most recent report card or progress report.	
<b>V. REFERRAL DOCUMENTS REQUIRED</b>	
<input type="checkbox"/> Signed Assessment Plan (D/M 66)	
<input type="checkbox"/> Signed Authorization for Use and/or Disclosure of Information (D/M 63)	
<input type="checkbox"/> Current Individualized Education Program (IEP)	
<input type="checkbox"/> Evidence of failed LEA screening (Actual screening form is preferred)	
<input type="checkbox"/> Previous Audiogram (If hearing loss previously identified)	
<input type="checkbox"/> Most Recent Audiological Evaluation Report (If hearing loss previously identified)	
<b>VI. ADDITIONAL INFORMATION</b>	
Please note any other information that will assist in making an accurate diagnosis and assist the IEP team in determining educational impact of a hearing loss.	
_____	
_____	
_____	
_____	
_____	
_____	
Referred By: _____	Title: _____ Contact Phone: _____
<b>DETERMINATION OF NEED</b>	
The need for an audiological evaluation or audiological services has been determined and services are requested as summarized above.	
Director of Special Education Signature: _____	Date: _____

DESERT/MOUNTAIN SPECIAL EDUCATION LOCAL PLAN AREA DESERT/MOUNTAIN CHARTER SPECIAL EDUCATION LOCAL PLAN AREA 17800 HIGHWAY 18 • APPLE VALLEY, CA 92307 (760) 552-6700 • (760) 242-5363 FAX														
<b>Annual Request for Audiological Evaluation/Services</b> (Use this form if the student has been previously evaluated by the SELPA audiologist)														
<b>STUDENT INFORMATION</b>														
The following student has been previously referred and evaluated by the Desert/Mountain SELPA contract audiologist.														
Student Name:	_____	Date of Birth: _____ Age: _____ Grade: _____												
LEA of Attendance:	_____	School Site: _____												
Special Education Service(s):	_____													
Parent/Guardian:	_____													
Home Phone:	_____	Work Phone: _____ Email Address: _____												
<b>ANNUAL REFERRAL INFORMATION</b>														
1.	The student has followed upon on the recommendation(s) from the most recent D/M SELPA audiological report (contact the parent to find out)													
	<table border="1"> <thead> <tr> <th>List Recommendation(s)</th> <th>Follow-up</th> </tr> </thead> <tbody> <tr><td>_____</td><td>_____</td></tr> <tr><td>_____</td><td>_____</td></tr> <tr><td>_____</td><td>_____</td></tr> <tr><td>_____</td><td>_____</td></tr> <tr><td>_____</td><td>_____</td></tr> </tbody> </table>	List Recommendation(s)	Follow-up	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	
List Recommendation(s)	Follow-up													
_____	_____													
_____	_____													
_____	_____													
_____	_____													
_____	_____													
2.	The student has had the following during the past school year.													
	Ear infection(s): _____													
	Colds, allergies, etc.: _____													
	Other illnesses (please describe): _____													
3.	Did the student consult a physician regarding the above mentioned illnesses? <input type="checkbox"/> Yes <input type="checkbox"/> No													
	Results: _____													
4.	The student uses his/her personal hearing aids <input type="checkbox"/> Daily <input type="checkbox"/> Occasionally <input type="checkbox"/> Never													
5.	Does the student have an FM System? <input type="checkbox"/> Yes <input type="checkbox"/> No How often utilized? <input type="checkbox"/> Daily <input type="checkbox"/> Occasionally <input type="checkbox"/> Never													
	The FM System is <input type="checkbox"/> working fine <input type="checkbox"/> broken. Please describe the problem.													
	_____													
	_____													
6.	Academically, the student is struggling in these subject areas: _____													
	The student is <input type="checkbox"/> meeting grade level expectations <input type="checkbox"/> working above grade level													
7.	Behaviorally, the student has <input type="checkbox"/> no behavioral issues <input type="checkbox"/> does not pay attention in class													
	<input type="checkbox"/> does not follow school rules <input type="checkbox"/> has the following behavioral challenges: _____													
	_____													
8.	The student is currently dealing with the following issues: _____													
	_____													
	_____													



Audiology Manual – Appendix C: Form D/M 108B

DESERT/MOUNTAIN SPECIAL EDUCATION LOCAL PLAN AREA DESERT/MOUNTAIN CHARTER SPECIAL EDUCATION LOCAL PLAN AREA 17800 HIGHWAY 18 • APPLE VALLEY, CA 92307 (760) 552-6700 • (760) 242-5363 FAX					
<b>Classroom Amplification Equipment</b>					
<b>STUDENT INFORMATION</b>					
Student Name:	<input type="text"/>	Date of Birth:	<input type="text"/>	Age:	<input type="text"/>
LEA of Attendance:	<input type="text"/>	School Site:	<input type="text"/>	Teacher:	<input type="text"/>
Special Education and Related Service(s):	<input type="text"/>				
Parent/Guardian:	<input type="text"/>				
Home Phone:	<input type="text"/>	Work Phone:	<input type="text"/>	Other Phone:	<input type="text"/>
<b>BACKGROUND: HEARING EQUIPMENT, SERVICES</b>					
Description of the hearing device/amplification equipment assigned to the student:					
<b>Make</b>	<b>Model</b>	<b>Description / Tag Number</b>	<b>Serial Number</b>	<b>Cost</b>	
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	\$	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	\$	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	\$	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	\$	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	\$	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	\$	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	\$	<input type="text"/>
<b>PARENT CONSENT/ACKNOWLEDGMENT</b>					
I understand this classroom amplification equipment belongs to the Desert/Mountain Special Education Local Plan Area (SELPA) and is to be used solely in the school setting. I acknowledge the delicate nature of the equipment and agree to utilize reasonable measures to properly store and safeguard the equipment when it is not in use by my child. I understand and acknowledge that I may be held financially responsible for replacement costs if the equipment is misused or removed from the school site by my child.					
Parent Signature:	<input type="text"/>	Date:	<input type="text"/>		
Student Signature:	<input type="text"/>	Date:	<input type="text"/>		
Teacher Signature:	<input type="text"/>	Date:	<input type="text"/>		

D/M 108B Rev. 8/16

## Annual Calendar

ACTIVITY	RESPONSIBLE
Coordinate with Pacific Hearing calendars for the annual service calendar.	<b>SELPA</b> <b>PHS</b>
Type the calendar in the SELPA format, adding due dates for paperwork to be turned in (Need to allow a minimum of one week for processing paperwork and to account for late comers).	<b>SELPA</b>
Distribute the calendar to the following: <ul style="list-style-type: none"> <li>• LEA Directors</li> <li>• LEA Support Staff for Directors</li> <li>• County Area Directors</li> <li>• Support Staff for County Area Director</li> <li>• LEA “Coordinators” (person who helps at the LEA level; that person holds a different position in each LEA – it could be a LEA level support person, an SLP, a nurse, even a director)</li> <li>• All Desert/Mountain SLPs</li> <li>• County DHH classroom teachers and itinerants</li> </ul>	<b>SELPA</b>

## Reminder to LEAs

ACTIVITY	RESPONSIBLE
Send an email reminder three weeks prior to the LEA coordinator stating their date is approaching and when the paperwork due date is.	<b>DMOPS</b>
Provide the LEA with a copy of the follow-up log from the previous Assessment Day and possibly the one before that with students to be seen highlighted.	<b>DMOPS</b>
Include the calendar in the August Steering Committee packet and mention it under the information items. Remind LEAs to be timely in their submission of paperwork.	<b>DMOPS</b>
Email the LEA coordinator if you don’t have all the paperwork by the due date.	<b>DMOPS</b>

## Referrals

ACTIVITY	RESPONSIBLE
Receive referral and enter data into the audiology database.	<b>DMOPS</b>



ACTIVITY	RESPONSIBLE
<p>DMOPS informs PHS of referrals that have been received indicating Review each referral and check to see if the paperwork is complete.</p> <ul style="list-style-type: none"> <li>• Initials require forms D/M 108, D/M 66, and D/M 63. <ul style="list-style-type: none"> <li>➤ Two failed hearing screenings or an audiogram, grades, and a current IEP (if the student is already identified as meeting the criteria as a student with disabilities.)</li> </ul> </li> <li>• Annuals require forms D/M 108A, D/M 66, and D/M 63 (for current school year).</li> <li>• If the paperwork is not complete, send back to the LEA electronically and request completion.</li> </ul>	<p><b>DMOPS</b> <b>DMOPS</b></p>
<p>Send paperwork electronically to Pacific Hearing Services and make a copy of the documents for the DMOPS student's electronic file.</p> <p>Based on the types of referrals the LEA provides (initials/annuals), will develop the start and end time for the assessment day.</p>	<p><b>DMOPS</b> <b>PHS</b></p>
<p>LEA coordinator handles the schedule of student assessment times and sends to DMOPS (initial referrals are scheduled for 30 minutes; annuals are scheduled for 20 minutes), and any transportation issues.</p>	<p><b>LEA</b> <b>DMOPS</b></p>
<p>A minimum of two days prior to the Assessment Day:</p> <ul style="list-style-type: none"> <li>• Provide Pacific Hearing Services with a follow-up log that includes the list of students to be seen, types of appointments, school of attendance, appointment times, and what will be done during the appointment. Ensure all paperwork is sent electronically to Pacific Hearing Services.</li> </ul>	<p><b>DMOPS</b></p>

## Assessment Day

ACTIVITY	RESPONSIBLE
<p>LEA coordinator to remind children to bring their equipment to the assessment. LEA coordinator or designee to be present the entire day to assist escorting students to the audiology van.</p>	<p><b>LEA</b></p>
<p>Complete the follow-up log, document any immediate needs, what will be done at the next appointment, and when the next appointment should take place. Send follow-up log to DMOPS.</p>	<p><b>PHS</b> <b>DMOPS</b></p>
<p>Send follow-up log electronically to DMOPS who will file log in the electronic record for Audiology Services. DMOPS will indicate what will be done next time for distribution.</p>	<p><b>PHS</b> <b>DMOPS</b></p>
<p>DMOPS will send the LEA a copy of highlighted follow-up log.</p>	<p><b>DMOPS</b></p>

# Reports

ACTIVITY	RESPONSIBLE
Completes reports and sends to DMOPS.	PHS
Electronically send cover letters with PHS reports to LEA directors, cc: LEA director secretaries and LEA coordinator.	DMOPS
Upload a copy of the cover letter in the student's electronic file.	DMOPS

# Assessment Follow-up / IEP Meeting

ACTIVITY	RESPONSIBLE
<p>LEA receives PHS reports and schedules IEP meetings to review reports and take any recommendations into consideration. The appointed SLP for the student will review the audiogram with the IEP team.</p> <ul style="list-style-type: none"> <li>When there is a LEA/charter without an SLP or an SLP with limited time or expertise, a request to the Area Director and support staff needs to be made for a DHH Itinerant teacher to participate in the IEP meeting to assist in the interpretation of the audiology report. DHH Itinerant teacher to email Area Director and support staff of requests that do not come from the Area Director.</li> </ul>	<p>LEA DHH Area Director</p>
<p>If the IEP team agrees the student benefits from an FM system, the LEA coordinator/SLP makes the request to DMOPS who requests an equipment quote from Pacific Hearing Services.</p>	<p>LEA DMOPS PHS</p>
<p>DMOPS or the LEA coordinator receives quote, completes Low Incidence Equipment (LIE) form, and submits for approval from DMOPS Area Director. When generated from the LEA, the LIE form will be sent back to DMOPS who will keep a copy and send to the SELPA business department to order and pay for the equipment.</p>	<p>PHS DMOPS SELPA</p>

# Training Opportunities

ACTIVITY	RESPONSIBLE
Proper Equipment Use and Troubleshooting	PHS DHH
Audiology Assessments and How to Interpret Parent Support/Training (as needed)	PHS DHH SELPA

# Inventory and Tracking of Equipment

ACTIVITY	RESPONSIBLE
<p><b>New Equipment</b></p> <ul style="list-style-type: none"> <li>• SELPA coordinator sends purchase order for equipment and provides tags to Pacific Hearing Services.</li> <li>• PHS delivers equipment to student.</li> <li>• PHS sends assigned delivery receipt to SELPA business department. Receipt includes student name, site, make, model, serial numbers, and tag numbers.</li> <li>• SELPA business department enters equipment in database with LIE numbers, serial numbers, and tag numbers.</li> </ul>	<p><b>SELPA</b> <b>PHS</b></p>
<p><b>Returned Equipment</b></p> <ul style="list-style-type: none"> <li>• Equipment returned to DMOPS with student name and site.</li> <li>• DMOPS reports returned items to PHS to confirm all components assigned are returned.</li> <li>• PHS informs DMOPS if all components are accounted for or what components are missing.</li> <li>• DMOPS notifies SELPA business department of returned and/or missing equipment.</li> <li>• SELPA business department updates database.</li> <li>• SELPA business department updates database with new student and site information.</li> </ul>	<p><b>PHS</b> <b>DMOPS</b> <b>SELPA</b></p>
<p><b>Lost and Repaired Equipment</b></p> <ul style="list-style-type: none"> <li>• PHS is notified of lost equipment.</li> <li>• PHS reassigns equipment in inventory or orders replacement equipment.</li> <li>• PHS sends assigned delivery receipt to SELPA business department. Receipt includes student name, site, make, model, replacement serial numbers, and tag numbers.</li> <li>• SELPA business department updates database with serial number as needed</li> <li>• For repaired equipment, PHS notifies SELPA business department of new serial number to update database.</li> </ul>	<p><b>PHS</b> <b>DMOPS</b> <b>SELPA</b></p>

ACTIVITY	RESPONSIBLE
<p><b>End of School Year</b></p> <ul style="list-style-type: none"> <li>• PHS generates and sends list of students assigned equipment by LEA and site to DMOPS.</li> <li>• DMOPS distributes list to LEA coordinator.</li> <li>• LEA coordinator distributes information to site contact.</li> <li>• Site contact inventories equipment. <ul style="list-style-type: none"> <li>➤ If the student stays at the school site, secure equipment and note location on inventory log.</li> <li>➤ If the student is remaining in the LEA but is changing sites, equipment is returned to the LEA coordinator to secure and location is noted on the inventory log.</li> <li>➤ If the student is changing LEAs or leaving the Desert/Mountain SELPA region, equipment is returned to LEA coordinator, noted on the equipment log, and returned to DMOPS.</li> <li>➤ LEA coordinator sends copy of completed inventory log to DMOPS.</li> <li>➤ DMOPS shares log with PHS for any needed follow-up</li> </ul> </li> </ul>	<p><b>PHS DMOPS LEA</b></p>
<p><b>Beginning of School Year</b></p> <ul style="list-style-type: none"> <li>• DMOPS updates inventory log and distributes to PHS and LEA coordinator. <ul style="list-style-type: none"> <li>➤ If student stays at the school site, LEA coordinator arranges transfer and in-service of equipment.</li> <li>➤ If student is remaining in the LEA but is changing sites, LEA coordinator arranges transfer and in-service of equipment.</li> <li>➤ If student is changing LEAs, DMOPS will contact LEA coordinator to arrange transfer and in-service of equipment.</li> </ul> </li> </ul>	<p><b>DMOPS LEA PHS</b></p>
<p><b>File Inventory</b></p> <p>All student files are maintained through an electronic student file system.</p> <ul style="list-style-type: none"> <li>• DMOPS emails LEA coordinators a list of students who were not seen in the past year, moved, etc.</li> <li>• DMOPS double checks CALPADS against audiology roster.</li> </ul>	<p><b>DMOPS</b></p>