

# COMMUNITY ADVISORY COMMITTEE (C.A.C.)

SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

8005 MORRO ROAD, ATASCADERO, CA 93422

PHONE: (805) 782-7304 □ FAX: (805) 466-1473

---

## AGENDA

Tuesday, January 17, 2017

4:30 – 6:00 p.m.

Morro Road Education Center

8005 Morro Road, Atascadero

- 1.0 ATTENDANCE CONFIRMATION
- 2.0 PUBLIC COMMENT
- 3.0 ACCEPTANCE OF MINUTES/AGENDA
- 4.0 DISCUSSION/ACTION
  - 4.1 WA1
  - 4.2 Facebook Posting (including Biographies & Photos)
  - 4.3 Leg Day Update
  - 4.4 Golden Apple Nominations
  - 4.5 Fun Run
  - 4.6 Scholarships
- 5.0 SELPA REPORT
- 6.0 DISTRICT REPORTS
- 7.0 HANDOUTS/INFORMATIONAL ITEMS
  - 7.1 The Special Educator
- 8.0 CLOSING/NEXT AGENDA

**COMMUNITY ADVISORY COMMITTEE (C.A.C.)**

Special Education Local Plan Area (SELPA)  
8005 Morro Road, Atascadero, CA 93422  
Phone: (805) 782-7301 □ Fax: (805) 466-1473

---

**MEETING NOTES**

**Tuesday, November 15, 2016**  
**Morro Road Education Center**  
**8005 Morro Road, Atascadero**

**Members Present:**

<i>Jill Heuer</i>	<i>SELPA Liaison</i>
<i>Julie London</i>	<i>Lucia Mar Unified School District</i>
<i>Michelle Rauenzahn</i>	<i>San Luis Coastal Unified School District</i>
<i>Rayne Rice</i>	<i>Member-at-Large</i>
<i>Lisa Graystone</i>	<i>Coast Unified School District</i>
<i>Loretta Butterfield</i>	<i>SELPA Program Specialist</i>
<i>Alex Alvarez</i>	<i>San Miguel Joint Union School District</i>
<i>Christine Scholl</i>	<i>Paso Robles Joint Unified School District</i>
<i>Dakota Zandt</i>	<i>Templeton Unified School District</i>

**Members Absent:**

<i>May Nunes</i>	<i>Atascadero Unified School District</i>
<i>Joy Rose</i>	<i>Almond Acres Charter Academy</i>
<i>Andrea Vergne</i>	<i>Lucia Mar Unified School District</i>
<i>Julie Kirby</i>	<i>Pleasant Valley Joint Union Elementary School District</i>
<i>Erin Brzykcy</i>	<i>San Luis Coastal Unified School District</i>
<i>Jaime Riley-Akers</i>	<i>San Luis Obispo County Office of Education</i>
<i>Open (1)</i>	<i>Atascadero Unified School District</i>
<i>Open (1)</i>	<i>Cayucos Elementary School District</i>
<i>Open (1)</i>	<i>San Luis Obispo County Office of Education</i>
<i>Open (1)</i>	<i>Shandon Joint Unified School District</i>
<i>Open (1)</i>	<i>Paso Robles Joint Unified School District</i>
<i>Open (1)</i>	<i>Bellevue-Santa Fe Charter School</i>
<i>Open (1)</i>	<i>Member-at-Large</i>

**Guests:**

<i>Sue Cherry</i>	<i>Shandon Joint Unified School District</i> <i>Special Education Director</i>
-------------------	---

**1.0 ATTENDANCE CONFIRMATION**

The meeting was called to order at 4:38 p.m. and introductions were made.

**2.0 PUBLIC COMMENT**

None.

### 3.0 ACCEPTANCE OF NOTES/AGENDA

The *October 18, 2016 meeting notes* were included as a handout and reviewed.

*MOTION: BUTTERFIELD/GRAYSTONE. A motion passed approving the meeting notes as presented.*

### 4.0 DISCUSSION/ACTION

#### 4.1 WA1

Loretta Butterfield updated the group on student job placements. A discussion was held on funding for clothes for interviewing.

*MOTION: LONDON/GRAYSTONE. A motion passed to earmark \$250 of funds raised for interview/job clothing for students.*

#### 4.2 Facebook Posting

The Facebook page is titled “*CAC of San Luis Obispo County.*” A discussion was held on the following:

- Current posts
- Changing the page to not allow comments
- December post will be tips for holiday gatherings and Day of the Special Educator
- The group will encourage other SELPAs, PHP and agencies to “like” the page.

Jill Heuer will talk to directors to “like” the page. The SELPA office will provide last years’ “Day of the Special Educator” flyer to Lisa Graystone for posting. Jill Heuer will talk to the directors about their plans for “Day of the Special Educator” to post on the page as well.

#### 4.3 Golden Apple Nomination Form

The group discussed coordinating the “*Golden Apple Awards*” with an event including Dr. Brescia in February or March.

#### 4.4 Fun Run

A discussion was held and the following noted:

- Web registration works well
- Categories will include stroller category, age category, etc.
- June 4<sup>th</sup>, 4 mile run, with a possible shorter walk loop
- Goal is to raise \$4,000
- Early bird participants cost as follows; 14 and under \$10, 15 and over \$15, T-shirts \$15. Day-of-event cost as follows; \$20 all ages and T-shirts \$25

#### 4.5 Scholarships

Follow past practice.

#### 4.6 Surrogate Parent Training (11/15/16, 1pm)

Jill Heuer reported seven attendees at the training. She offered training to any CAC member interested in becoming a surrogate parent.

### 5.0 SELPA REPORT

Jill Heuer’s report included the following:

- The governor asked PPIC (Public Policy Institute of CA) to convene a study on special education finance, including early childhood education and preschool funding, and funding models that might align with the LCFF/LCAP process; to be released November 29.
- The new State Director is Kristin Wright; her focus is inclusion.
- A list of upcoming SELPA workshops was distributed and group informed there is no cost for CAC members.
- Medical Therapy Unit on Grand Ave in San Luis Obispo is in need of repair.
- Justin Sutton, a service coordinate at TCRC is interested in joining the CAC.

## **6.0 DISTRICT REPORTS**

SJUSD: Sue Cherry reported on student counts at the district.

## **7.0 HANDOUTS/INFORMATIONAL ITEMS**

The following handouts/information items were included in the packet:

7.1 The Special Educator

7.2 The Special EDge

## **8.0 CLOSING/NEXT AGENDA**

The meeting was adjourned at 6:00 p.m. January agenda will include Facebook Biographies & Photos.

Golden Apple Nominations  
2016-17

District	Nominator	Nominee	Category
AUSD	Lori Thomas-Hicks	Libby Madding	Administrator
AUSD	Lori Thomas-Hicks	Melissa Spivey	SE Teacher
AUSD	Lori Thomas-Hicks	Michele Reyes	GE Teacher
AUSD	Lori Thomas-Hicks	Corla Wade	Para
AUSD	Lori Thomas-Hicks	Dawn Brownell	Related Svc Provider
BSFCS	Jaime Waistell	Ineui (Ee-nee) Yang	Para
CUSD	Adam Helfand	Kim Gray	GE Teacher
CUSD	Adam Helfand	Susan Herrera	Para
LMUSD	Paul Fawcett	Kaileigh Gaffney	SE Teacher
LMUSD	Paul Fawcett	John Denno	Administrator
SJUSD	Sue Cherry	Andy Needles	Related Svc Provider
SJUSD	Sue Cherry	Carolina Gutierrez	Para
SJUSD	Sue Cherry	Shannon Kepins	Administrator
SJUSD	Teresa Taylor	Sue Cherry	SE Teacher
SJUSD	Sue Cherry	Lori Esser	GE Teacher
TUSD	DeeDee Mello-Wisch	Jill Southern	Administrator
TUSD	DeeDee Mello-Wisch	Kim King	Related Svc Provider
TUSD	DeeDee Mello-Wisch	Jennifer Alldredge	Related Svc Provider

## Special ed directors file brief in IDEA case

As the Supreme Court moves closer to setting a date for oral arguments in a case about the meaning of FAPE, amicus briefs are starting to come in.

The case is *Endrew F. v. Douglas County School District RE-1*, 66 IDELR 31 (10th Cir. 2015), cert. granted, 116 LRP 41846 (09/29/16) (15-827).

So far, most of the amicus briefs are in support of the petitioner (i.e., the family) because the main brief for that side was filed Nov. 14; a response by Douglas County (Colo.) School District RE-1 is not due until Dec. 14.

However, a brief from the National Association of State Directors of Special Education is not aligned with either party. Rather, it testifies to the way in which special educators have already raised their sights since the Court tried to define FAPE in *Board of Education of the Hendrick Hudson Central School District v. Rowley*, 553 IDELR 656 (1982).

"Without addressing the specific facts of this case, *Amicus* offers arguments and information from its experience 'in the field' that we hope will assist this Court in reaching a decision," it said. "Our experience confirms that educators of students with disabilities are already providing — on a daily basis and all across the country — those students an education that is more than 'just-above-trivial' and that is specifically tailored to individual student needs."

In short, NASDSE said, the Court may wish to re-define the standard for FAPE, but if so, it will simply be catching up with best practice in the field.

At its heart, *Endrew F.* is about whether districts must provide significantly more than a minimal level of educational benefit, a level sometimes characterized as "just-above-trivial."

No one these days tries to adhere to such a standard, however, according to NASDSE Deputy Executive Director Nancy Reder.

"Our members have moved beyond that, and the law has moved beyond that with the '97 amendments and NCLB and the 2004 amendments and even with ESSA," she said.

Therefore, she argues, it is not that special educators need to be asked to aim higher — they already do and have been doing so for some time. ■

## Observers see two possibilities for IDEA in 115th Congress

When people talk about the history of the IDEA, they usually point to the Education for All Handicapped Children Act of 1975, Pub. L. No. 94-142.

Actually, however, the IDEA began as Title VI of the Elementary and Secondary Education Amendments of 1966, Pub. L. No. 89-170, and it remained part of ESEA when that law was amended in 1968, 1970, 1972, and 1974.

Thus, the 1975 law is celebrated because it was the first time Congress created a separate, stand-alone statute.

As Congress begins to think about IDEA reauthorization, however, the question is whether that system of dual laws should be reexamined, according to Luann Purcell, executive director of the Council of Administrators of Special Education.

"Several of our CASE units have pulled out the term 'reinvent special ed,' and the premise in most of them is that we basically spend a lot of energy on two different systems, and if we spent that same amount of energy on one system, that would benefit everyone," she said.

Purcell made clear that she was not suggesting eliminating the IDEA as a separate law.

"I personally don't think we should do away with the IDEA," she said. "If you did away with it, some of the real requirements wouldn't make it into the other law."

Nonetheless, she said, there should be "one system" for general and special ed. Thus, if lawmakers have to choose between sticking with the IDEA largely as it is or going back to the drawing board, "our recommendations ... are going to be a lot more of going back to the drawing board."

In some ways, this is the least propitious time to reauthorize IDEA, and not just because other laws need reauthorizing first.

For example, Congress is due to start work next year on amending the Higher Education Opportunity Act, Pub. L. No. 110-315, which was passed in 2008.

The other consideration is whether some groups would oppose any attempt to reauthorize the IDEA given the balance of power between the parties now that Donald Trump has been elected and the GOP has maintained its control of the House and the Senate, according to Nancy Reder, deputy executive director of the National Association of State Directors of Special Education.

"I actually heard before the election a number of folks say they did not want IDEA to come up in this environment," she said. "I think some people will feel even stronger about that because of concerns about vouchers, concerns about gutting the due process requirements, so I think a lot of people want to hold off on IDEA." ■

## Prevent power imbalance in IEP meetings to reduce conflict

Focusing an IEP meeting on the academic goals of a student with severe disabilities when his parents just want to talk about how to teach him how to pick out his own clothes may elicit anxiety from both sides as everyone feels misunderstood.

### Key points

- Create space for collaboration with parents
- Take time to demystify IEP meeting process
- Recognize when to pause to 'take temperature' of room

Encourage your teams to take steps to prevent meetings from becoming anxiety-ridden and adversarial. Emphasize that the focus is on the child and ensure that everyone is clear on each other's expectations.

"You have to take time to set the stage for the meeting," said Lesley Cook, a clinical psychologist at Mindful Health in Fredericksburg, Va.

Take these steps:

- **Greet parents outside conference room:** Discourage team members from entering the conference room, sitting around one side of the table, and chatting while waiting for the student's parents, Cook said.

"The first message that sends to parents is, 'You're entering our territory,'" she said.

Instead, ask everyone to meet in the lobby or hallway and engage in small talk for a few minutes, then enter the conference room together, Cook said. School personnel can say, "We're so excited to get to know your child more." Doing this can also ease teachers' nerves, Cook said.

"Teachers have anxiety because they really hope they can get the IEP done in a way that meets the child's needs and satisfies the parents' concerns," she said.

- **Emphasize focus on child:** Encourage parents to bring in a video slide show of their child to play without sound throughout the IEP meeting, Cook said. Or ask them to bring in a photograph of their child you can place at the center of the table.

"This helps everybody stay focused on the child," she said. "Anxiety and aggression happen when we become disconnected."

- **Remove power differential:** Have teams meet at a round table whenever possible, Cook said. Or

at least have the principal or other authority figure in the meeting sit somewhere other than at the head of the table.

"Having the principal at one end of a rectangular table and a parent at the other end communicates something [negative] to the parent," she said. "You really want to communicate the idea that each participating team member comes with a unique perspective."

Consider removing the chair from each end of the table so no one is at either head, Cook said. Also consider having the principal take notes rather than facilitating the meeting.

- **Align expectations:** Ensure parents understand the pressure your teams have to meet deadlines under the IDEA and the order in which you plan to tackle issues in the IEP, Cook said. They may not necessarily read the prior written notice you provide.

"If the parent is speaking and the administrator has to step in and say, 'We can't talk about that right now because we have to talk about Goal One,' it can seem off-putting and frustrating," she said.

But letting parents know the agenda ahead of time and how the process works would help them be less anxious and feel that their concerns are going to be addressed later in the meeting, Cook said. For example, parents who are anxious about their teenager's functional life skills because of his impending transition would be more likely to understand why you need to focus on his academic goals first if you inform them beforehand.

- **Know when to pause:** If you sense tension building in the room, pause the meeting and mention you notice a change, Cook said. Say, for example, "I notice the energy in the room is really changing." This allows you to diffuse the tension for a moment without blaming anyone. You may want to "take the temperature" of the room, Cook said. If you feel like the room is at a 7 out of 10 with anxiety and tension, you may want to say something like, "This is a really excited team and we are fired up about this child, but I think the level is a little too high for us to meet our goals, so why don't we take a breather." Ask everyone to take a minute to write down the most important thing they want to say. If you feel anxious about having enough time to get to everything, say, "I think we're doing great, but I'm a little worried about time," so you don't sound like you're rushing anyone. ■

## Address 7 key social skills to prepare students with disabilities for the workplace

A student with autism may meet the technical requirements to obtain a job, but his social skills in the workplace are essential to maintaining that job, sources say.

Does he understand what topics are appropriate to discuss with coworkers? Can he identify when customers are irritated or stressed out? Does he know how to react when a supervisor corrects his work?

"The workplace is just as much a social environment as it is a professional environment," said Jennifer Bumble, an educational consultant with the Vanderbilt Kennedy Center in Nashville, Tenn. "Students with disabilities need to be familiar with the diverse social skills needed to interact with a range of individuals, including customers, supervisors, and coworkers."

A 2012 study published in the journal *Career Development and Transition for Exceptional Individuals* found that "showing respect to others," "demonstrating personal integrity," and "being on time" are critical skills that employers seek in entry-level employees with disabilities, Bumble said.

"Employers can train employees to work faster or to learn a new skill, but they struggle when they are faced with the daunting task of social skills training," she said.

To improve employment outcomes for students with disabilities, focus on teaching social skills through community-based outings and classroom instruction, Bumble said. Encourage students to practice social skills with friends and family members, as well, she said. Advise parents on the importance of nurturing social skills in their child and suggest role-playing activities they can practice at home.

"Friends are central to teaching 'unspoken' social roles and how to deal with conflict appropriately," Bumble said.

Pinpoint these specific skills during postsecondary transition planning:

**1. Participating in conversations:** Use social stories to help students practice appropriate conversation starters and responses, said Bernie Miller, director for education services for the Pennsylvania State Education Association. For example, he said, if a student tends to only talk about himself during lunch conversation, teach him to ask coworkers questions like "How are you doing?"

**2. Reading emotions:** Have students role-play various emotions, or use examples from TV shows or movies, Bumble said. Ask students to explain what emotion was presented, what prompted that emotion, and how they should respond to the emotion, she said.

Student-created videos can also be helpful for stu-

dents to practice responding to emotions, Bumble said.

"Have students create funny informational videos based on social scenarios at diverse workplaces," she said. "Have them act out what to do and [what] not to do."

**3. Controlling voice tone, volume:** Have students record themselves speaking in a whisper, a normal speaking voice, and a loud voice, Bumble said. Discuss which volume level is appropriate for different settings, such as the workplace. Help students determine the appropriate tone and volume to use when speaking with an employer, teacher, peer, or parent.

Consider using technology-based resources, such as "Voice-O-Meter," a voice-moderating app available on smartphones, to help students monitor the volume of their speech, Bumble suggested.

**4. Taking breaks, lunch:** Some students may forget to take breaks or eat lunch, Miller said. Others may be uncertain of what to do during breaks.

Discuss with students appropriate break behaviors, such as saying hello to coworkers, playing games silently on a phone, or making a snack, Bumble said. Also address inappropriate break behaviors, such as lying down in the break room, singing loudly, or asking excessive questions to unfamiliar coworkers, she said.

**5. Maintaining boundaries:** Teach students to maintain an appropriate distance during conversations, Bumble said. Try the "personal bubble" activity, she suggested. Have students use an object that creates a radial boundary or "bubble" around themselves, like a hula hoop or a pool noodle, to demonstrate how far away to stand when talking to someone, she said.

**6. Accepting criticism, feedback:** Role-play a mock performance review with a student to help them practice receiving positive and negative feedback, Bumble said. Teach students phrases to use when accepting feedback, such as "Can you tell me more about how I can do that better?" or "Thanks, I'll work on that in the future," she said.

**7. Following instructions:** Nurture students' self-advocacy skills by encouraging them to ask their supervisors when they need help or want to know what's expected of them, Bumble said.

Show students how to break down multistep instructions and create visual representations or symbols for each step, she said. Consider using a similar system with classroom tasks to help students practice.

In addition, help students identify appropriate behaviors for different work environments, Bumble said.

"For example, while it may be permissible to listen to music while stocking shelves, it would not be permissible to listen to music while bagging groceries," she said. ■



## Truancy and chronic absenteeism

Learn how courts have ruled on cases involving student truancy and chronic absenteeism. Then share these decisions with your staff to bolster compliance in your district.

### From the courts

**Student's truancy won't excuse failure to provide transition services.** Although the District Court acknowledged that a teenager's sporadic attendance impeded a D.C. charter school's ability to implement his IEP, it held the school responsible for the student's failure to receive postsecondary transition services. The court ruled that the lack of transition services on the days the student was available for instruction amounted to a material implementation failure and denied the student FAPE under the IDEA. *Joaquin v. Friendship Pub. Charter Sch.*, 66 IDELR 64 (D.D.C. 2015).

**Depression, truancy qualifies teen for services despite social maladjustment.** An ALJ's finding that a frequently truant high schooler was "socially maladjusted" did not let a Tennessee district off the hook for its failure to provide IDEA services. The District Court held that the student's lengthy history of severe major depression, which coexisted with her "bad conduct" and tendency to skip school, qualified her as a child with ED. *H.M. v. Weakley County Bd. of Educ.*, 65 IDELR 68 (W.D. Tenn. 2015).

### From OCR

**Attempts to return student to school don't add up to disability harassment.** A California district's numerous attempts to schedule an IEP meeting to address the absenteeism of a 20-year-old middle schooler with a seizure disorder and adrenal insufficiency convinced OCR that the district had not engaged in disability-based harassment in violation of Section 504. It closed the complaint, finding no evidence that the district initiated truancy proceedings against the student. *San Diego (CA) Unified Sch. Dist.*, 114 LRP 48979 (OCR 06/19/14).

**Notice of bipolar treatment, absences spark district's duty to evaluate.** Because it failed to evaluate two oft-absent kindergartners within a reasonable period of learning that they were being treated for bipolar disorder, a Florida district violated its child find duty. OCR pointed out that although the district learned of the treatments in April 2011 and April 2012, it delayed the students' evaluations for more than six months. *Broward County (FL) Sch. Dist.*, 61 IDELR 265 (OCR 2013).

### From state due process

**Pupil's truancy delays IEP implementation until district locates new placement.** An Oregon district's efforts to implement a high schooler's 2014-15 IEP and

find an appropriate placement despite the student's truancy issues and uncooperative conduct showed that it went the extra mile to provide the student FAPE. Concluding that the student's absenteeism and lack of cooperation excused the implementation delay, the Oregon ED closed the student's complaint. *Forest Grove Sch. Dist.*, #15, 65 IDELR 278 (SEA OR 2015).

**Teen's excessive absences no excuse for neglecting transition assessment.** A high school student's repeated absences and uncertainty about what kind of career he wanted did not excuse an Oregon district's minimal efforts to develop an appropriate transition plan for the student. The Oregon ED concluded that the district failed to provide the student transition services and a course of study that would help him achieve his post-secondary goals in violation of the IDEA. *Reynolds Sch. Dist.*, 115 LRP 3792 (SEA OR 12/15/14).

**Persistent truancy issues entitle teen to MDR prior to long-term transfer.** Although a California district made the wrong call when it disenrolled a high schooler with OHI who had attendance issues without conducting a proper manifestation determination review, an ALJ concluded that the procedural violation did not entitle the student to individual relief. He instructed the district to remedy the procedural violation by providing training to all staff members involved with the attendance review board regarding the IDEA's procedural safeguards. *Rialto Unified Sch. Dist.*, 114 LRP 38495 (SEA CA 08/13/14).

**70-day absence, not retaliation, prompts truancy, neglect claims.** The parents of an 8-year-old with autism, developmental delays, and ADHD were unsuccessful in establishing that a Massachusetts district retaliated against them by initiating truancy proceedings in court and a neglect complaint with a state child protective agency after they filed for due process under the IDEA. Noting that there was "ample independent support" for such complaints given the child's 70-day absence from school without an excuse and without any alternative educational services, the IHO concluded that the evidence did not "support a finding of pretext or of retaliation." *Fall River Pub. Schs.*, 114 LRP 36314 (SEA MA 07/30/14).

**Monitoring, emotional support adequately address child's truancy.** Evidence that a Pennsylvania district attempted to address a kindergartener's absenteeism "early and often" bolstered the district's claim that it did not deny the child FAPE. An IHO noted that the district's response to the child's truancy, including the assignment of a monitor, was neither tardy nor substantively inadequate. *Pocono Mountain Sch. Dist.*, 12 ECLPR 14 (SEA PA 2014). ■

## Know how to address transportation in student's IEP

Parents may request in an IEP meeting door-to-door transportation for their child with SLD because of their tight work schedules and reluctance to let him walk to the bus stop. That doesn't mean the service is necessarily warranted for their child to receive FAPE.

"These decisions are made based on the educational needs of the student, not necessarily the convenience of the parents," said Isabel Machado, a school attorney at Machado Law Group LLC.

Your teams need to know how to tell the difference.

Machado discussed these and other issues during the LRP audio conference *Buses, Vans and Automobiles: Transportation and Special Education*. She also answered listeners' questions.

Below are Machado's answers to some of those questions, edited for length and clarity:

**Q:** *Does revoking a student's bus privileges constitute a removal necessitating a manifestation determination review?*

**A:** Once the team determines that the student is entitled to transportation as part of his program, any time there is a removal from a bus for more than 10 days, it triggers all of those procedural safeguards we would apply to special ed and discipline, [including MDRs]. Keep in mind, though, that we would still need to provide appropriate transportation. Just because a student may be suspended from one bus or has an incident on one bus doesn't mean that we cannot provide some alternative appropriate means of transportation.

**Q:** *If our transportation provider is infrequently late in dropping off a student at his out-of-district placement, is the student being denied FAPE?*

**A:** That really depends. OCR has taken the position that infrequent [late arrivals] are going to be expected. However, I think the IEP team does need to reconvene to decide if the transportation is appropriate or possibly make an addendum to the IEP. At least have a conversation with the parents about changing some of the pick-up times to make sure that the student is not late. If it happens infrequently, here and there, it's not an issue, and the district is not violating the IEP; however, if it's continuous and an ongoing issue throughout the year, then that is something that needs to be looked at.

**Q:** *What if the bus can't get sufficient access at a student's residence to offer door-to-door transportation and it's needed for FAPE?*

**A:** If ... you're talking about ... a case where a student has difficulty with mobility and is unable to walk from his front door to a bus stop right outside ... we may need to make certain accommodations. [This may need to be] supported by some medical documentation, depending on what the need is. We may have an obligation in those scenarios to assign a staff member or paraprofessional to go to the door of the [residence] and, either through a wheelchair or some assistance, get the student to where the bus is.

**Q:** *What if divorced parents request pick-up and drop-off at different locations because of their custody agreement?*

**A:** You need to check case law on that. In New Jersey, we have case law that says if we're able to accommodate it, then we will and we're not required to go outside of that particular district's border. It's going to come down to whether the request is reasonable or not. A court would not require you to have added expense as a result of [an unreasonable request].

**Q:** *If a student requires behavior technician support to implement his BIP on his van ride, does it need to be reflected in the hours grid of his IEP?*

**A:** It is good practice to have it reflected in the IEP as part of the BIP and/or the transportation grid. As long as it is in the IEP, it doesn't necessarily have to be in one section or the other.

**Q:** *If a student has individualized transportation on his IEP, can we require his parents to contact us on days he won't be attending school?*

**A:** You can request that the parent contact the school. If they do not, it is difficult to enforce. Keep in mind that the IEP sets forth obligations of the school, not the parent. A better practice may be to set up a system where the attendance office contacts special services and transportation when the parent calls the student out sick.

*Resource: For a copy of this audio conference on 90-minute CD, go to [www.shoplrp.com/product\\_p/3801.091416.htm](http://www.shoplrp.com/product_p/3801.091416.htm). ■*

### Key points

- Recognize when suspension from bus warrants MDR
- Avoid denying FAPE because of repeated late arrivals
- Work with divorced parents on consistent pick-ups, drop-offs