

SECTION G

Placement



San Luis Obispo County SELPA
(SPECIAL EDUCATION LOCAL PLAN AREA)

Introduction

Each child with a disability has the right to educational services designed to meet his/her individual needs. Students receiving special and/or related services will be educated with general education students to the maximum extent appropriate to the needs of both. They will be integrated as much as possible in school activities and have access to an array of services, such as transportation, fine and practical arts, physical education, counseling, and clubs. Educational and related services will be provided without cost to the special needs student except for those fees that are charged to general education students. Service(s) will be provided as close to the student's home as possible. When transportation to a more distant school or center is necessary, transportation will be provided at no cost to the parent.

Least Restrictive Environment (LRE) is that placement which can adequately meet the individual student's needs and which does so with a minimum loss of contact with general education programs and age-appropriate peers. Assignment to any service(s) other than the general classroom shall occur only when the nature and severity of the handicap are such that education in general classes, with the use of supplementary aids and services cannot be achieved satisfactorily. Services may be provided by a special education teacher in a variety of settings, including general education classes, special education classes, learning centers, or a combination of settings. Assignments are based on individual student needs and do not allow for waiting lists for services.

Service Options

The continuum of service options within the San Luis Obispo County SELPA is defined as below. They are listed in alphabetical order.

Extended School Year (ESY)

The need for ESY services, the time between the end of one school year and the beginning of the next, is an IEP team decision. ESY is not the standard LEA summer school classes.

Individuals who may **require** ESY services are students who have significant disabilities which are likely to continue for a prolonged period of time or indefinitely. These students' educational service is provided usually in a Special Day Class. ESY is **required** when the interruption of the student's specialized program will cause a loss of skills, when coupled with the limited recoupment capacity, makes it unlikely or impossible that the student will attain the level of self-sufficiency and independence that would otherwise be expected in view of his/her disability. ESY is reviewed annually. Services for ESY are considered based on individual IEP goals, and may not be required for all goals in the student's IEP, depending on the student's regression and recoupment. ESY is not required or intended to maximize educational opportunities for any student with disabilities.

General Classroom

General classroom instruction, with modifications as necessary, is provided by the general education teacher. Suggestions from the Student Study Team (SST) and consultation and/or collaboration with special education staff may be provided.

Home Services

Students less than five years of age may receive home services when home is the most natural environment and where a school setting may be detrimental to the educational progress.

Home/Hospital Instruction

Special education students are eligible for Home/Hospital Instruction when they cannot benefit from the instruction in general or special classes due to a medical condition, such as those related to surgery, accidents, chronic illness, or cannot be educated in a school setting. Home/Hospital serves students who incur a temporary disability, which makes attendance in the regular day classes or alternative education program impossible or inadvisable. The district in which the home or residential health facility is located is responsible for instructing and educating pupils who must be hospitalized or remain at home due to a temporary but extended illness or disability. There is no provision in statute that specifically addresses instructional content; however, the goal of home or hospital instruction should be maintenance of the pupil's former level of performance while recovering. The IEP team shall include a medical report or the report of the school psychologist stating the diagnosed condition and certifying that the severity of the condition prevents the student from attending the school program. LEAs and Regional Program Providers as defined by the SELPA Local Plan offer Home/Hospital instruction.

Inclusive Education

Inclusive education is part of the program continuum for students in special education. This term is often used when a child with disabilities is assigned to a general education classroom for the majority or all of their school day. The student receives appropriate educational and support services as determined by the IEP team in the general education setting. Inclusive education provides a merger of general and special education resources which allows student of diverse needs to be educated together and perform in the general education classroom.

Infant Program

The SLOCOE unless otherwise determined by the SELPA Local Plan operates a program primarily for children with low incidence disabilities, birth through three years of age. Services include assessment, consultation with parents, parent-child sessions in the home or in a center environment, and interagency linkage with Tri-Counties Regional Center (TCRC). TCRC is the referral agency for all children birth through three years of age.

Non Public Agency (NPA)

A NPA is a private, non-sectarian group or individual that provides related services required for an individual with a disability to benefit educationally from the student's educational program pursuant to an IEP. It may be recommended for a student through the IEP process, when the student needs an intensive level of service that is not available through the public education system.

A NPA is certified by the California State Department of Education and meets the standards prescribed by the county superintendent and county school board. NPAs do not include organizations or agencies that operate a public agency or offer public service, including but not limited to, a state or local agency, an affiliate of a state or local agency (including a private, nonprofit corporation established or operated by a state or local agency), a public university or college, or a public hospital.

Non Public School (NPS)

A Non Public School is a private, nonsectarian school that enrolls individuals with special needs pursuant to an IEP, employs at least one full-time teacher who holds an appropriate credential authorizing special education services, and is certified by the California State Department of Education. It does not include organizations or agencies that operate as a public agency or offers public services, including, but not limited to a state or local agency, an affiliate of a state or local agency (including a private, nonprofit corporation established or operated by a state or local agency), or a public university or college. A nonpublic, nonsectarian school also shall meet standards as prescribed by the state superintendent and board. A NPS may be recommended for a student through the IEP process, when the student's needs cannot be met in a public school setting. The NPS is primarily used for students with emotional disturbance needing intensive mental health therapy and residential placement.

Preschool Classes

Students with disabilities of preschool age may be served in Head Start programs, state preschools, community preschools, LEA or regionally operated preschool programs. Initial identification and assessment are provided by the student's LEA of residence.

Related Services

Related services are provided by specialists and are specific services not normally designed by a general education teacher, or by other special education staff. These services are supportive of the student's total educational program and may include, but are not limited to: speech and language, hearing and audiological instruction and service, mobility instruction, special instruction for the visually impaired and orthopedically impaired, deaf/hard of hearing, psychological/counseling services (home or hospital instruction), occupational therapy, and adaptive physical education.

Resource Specialist Program (RSP)

The Resource Specialist provides direct or indirect instruction and other support for students who are found eligible for special education services. The Resource Specialist coordinates and provides instructional planning, special instruction, consultant services, resource information and materials regarding individuals with special needs to classroom teachers and parents or legal guardians.

Special Day Class (SDC)

The SDC provides services to special education students with intensive instructional services in a special education classroom. This may include students identified with a disability for who such a classroom is the LRE.

State Special Schools

State schools for the deaf, deaf-blind, and blind can provide:

1. Assessment
2. Recommendations for students with these disabilities
3. Long-term educational placement when the local program cannot adequately meet a student's special needs of deaf, deaf-blind or blind, or when the IEP team determines most appropriate placement

The **Diagnostic Centers** in Fremont, Los Angeles, and Fresno offer special services through the State Schools Division of the California Department of Education. San Luis Obispo County SELPA members are served by the Diagnostic Center Central in Fresno which provides comprehensive, state-of-the-art assessment and educational planning services to assist local school districts (LEAs) in addressing the needs of their most complex special education students. In addition DCC provides technical assistance and consultation in program and instructional design and delivery and professional development opportunities for teachers, administrators, special education staff, families and service agency personnel.

Services are provided to LEAs, the child, and their parents without charge.

Appropriate referrals to the Diagnostic Center are for:

1. Students for whom no diagnosis has been possible after **all** assessment efforts have been attempted at the local level
2. Students for whom assessment and evaluation are not available in the community
3. Students for whom service(s), curriculum or behavioral questions are not answered after all LEA, county and SELPA resources have been utilized

All referrals to any of the state schools must be recommended by the IEP team and approved by the LEA administrator of special education. The LEA of residence shares in the expense of education for students placed in a state special education school.

Supported Education

Supported education is the **process** of providing assistance and information to ensure the successful inclusion of students with disabilities within the general education classroom. This support can be provided by general education staff, special education staff, the student, the family, and/or peers. This term is often used to include any student with disabilities (learning disabled as well as severely disabled).

Change of Placement Considerations within San Luis Obispo County SELPA

Regional Programs

DOR Responsibilities

For a student in need of a program not operated/funded by the DOR, the current school service provider completes a *Request for Review/Change of Placement* form. The completed packet is sent to the appropriate administrator as indicated on the reverse of the *Request for Review/Change of Placement* form. The packet must include:

1. Current psycho-educational report
2. Current related services reports
3. Current IEP
4. Other documents/reports, as appropriate:
 - a. Attendance information, including suspensions
 - b. Health information, including medications
 - c. Current academic report(s)
 - d. Current behavior plan, if appropriate
 - e. Psychiatric evaluations, treatment reports
 - f. Agency reports: CCS, MH, TCRC

DOS Responsibilities

The administrator, upon receipt of the packet, assigns a case manager to review the referral and materials. The case manager may arrange for an observation of the referred student prior to any scheduled IEP meeting, but should not request a delay of the meeting to complete an observation. The LEA may also call upon the services of the SELPA program specialist to observe the student and attend any staffings/reviews. If there is a disagreement between the LEAs regarding the appropriateness of the proposed transfer, the decision is appealed to the SELPA director.

Process to a Regional Program

Regional programs will provide all services for students as long as the district provider has those services. See Appendix I for Regionalized Program Case Manager Procedures for Non-District Resident Students. See Appendix II for Regionalized Program Case Manager Checklist for Non-District Resident Students.

DOR Responsibilities	DOS Responsibilities
<p>The DOR is responsible for ensuring the parent receives prior written notice of the IEP meeting and the proposed change of placement.</p>	<p>The DOS case manager selects necessary staff members to attend the IEP meeting which is organized and facilitated by the DOR. The primary purpose of the DOS staff at the IEP meeting is to provide information about the program being considered while gathering additional information regarding student needs for IEP implementation.</p>
<p>The DOR conducts the IEP meeting with all required team members including the parent and representatives from the DOS. The IEP team completes the basic goals and objectives (if required), and after IEP team discussion of program alternatives, assigns the student to the agreed upon program.</p>	<p>The DOS is responsible for arranging the start of the new program and for providing copies of the IEP to all involved staff for implementation with the intent to ensure there are no delays to the implementation of services and placement.</p>
<p>The DOR is responsible for arranging student transportation to the new program (refer to LEA transportation policies). The DOR is also responsible for the transfer of educational records to the DOS.</p>	

Process to SLOCOE Community School

Appropriate Referrals:

- Education Code Section 1981 states that the county board of education may enroll pupils in a community school program who meet any of the following criteria:
 1. Are expelled from a school district for any reason
 2. Upon the recommendation of a school attendance review board or by the school district of attendance, upon the request of a pupil’s parent/guardian, with the approval of the school district of attendance
 3. On probation or parole and not in attendance in any school
 4. Are considered to be homeless
- SLOCOE Community School shall serve eligible seventh through twelfth grade special

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education students when staff has determined that the goals and objectives written on the student's Individualized Education Program (IEP) can be addressed at SLOCOE Community

- It shall be the responsibility of the district of residence to fund/provide related services stipulated on a student's IEP if those services are not available at SLOCOE Community School (i.e. special circumstance paraprofessional)
- Education code section 51745(c) states that independent study cannot be used unless it is stipulated in the student's IEP
- CCR section 3051.4 states that a student can be placed on home instruction through an IEP team decision. If a student is placed on home instruction and SLOCOE determines that they are unable to provide this service; the student will be dis-enrolled and return to the District of Residence.

A Complete Referral Packet Requires the Following Items and Steps:

- District contacts SLOCOE staff representative to arrange an IEP meeting to discuss school placement and services, a copy of the current IEP is sent to the SLOCOE Executive Director of Special Education for review.
- A complete referral packet will be submitted to SLOCOE. The referral packet shall include:
 1. A completed Referral Recommendation Form signed by the parent/guardian, student and representative from district of residence. If the student is homeless, a district staff person authorized to determine residence shall sign the referral recommendation form.
 2. The most current IEP. If at the most recent triennial review new assessment was not administered, attach copy of Triennial Review Worksheet/letter and Summary of Review.
 3. The most recent Psychoeducational Assessment reports. If applicable, the Manifestation Determination Review Worksheet.
 4. For students with social-emotional needs, social-emotional goal(s) as necessary
 5. A summary of any district interventions, including a Functional Behavior Assessment (FBA) or Positive Behavior Intervention Plan (PBIP), and any other interventions that have been tried and any other pertinent information
 6. Current attendance and discipline records
 7. Current academic assessment information
- SLOCOE staff shall notify the DOR within two days, by phone or e-mail, if the referral packet is not complete and provide the DOR a list of the missing information that needs to be submitted.

Once a complete referral packet is received and reviewed, the following steps will be followed in order:

- The DOR shall be notified within five working days if the SLOCOE staff does not believe

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that SLOCOE is the appropriate setting for the student. A written explanation for the decision will be provided.

- If the student's IEP stipulates services or materials not available on the Community School campus, it shall be the responsibility of the DOR to provide and or fund the identified services and materials (i.e. 1:1 classroom support, special education transportation, additional counseling support.)
- IEP Placement meeting will be held to discuss service and programs
- Parent is invited to an orientation/enrollment meeting at SLOCOE. SLOCOE staff will notify district if the parent misses two enrollment appointments and will determine next steps.

Appeal Process:

- The district of residence shall have the option to challenge the denial of enrollment or return to district based on an IEP team decision
- Within five days of the denial of enrollment the district of residence shall request a review meeting with the Assistant Superintendent of the County Office of Education Student Services Division. If the meeting between the representative of the DOR and the Student Services administration does not end in consensus, the DOR shall have the right to appeal to the County Office of Education administration.
- The DOR representative and the representative of Community School shall meet with the County Office of Education to resolve the dispute
- The Community School representative shall present documentation and a rationale as to why Community School is not the appropriate educational placement option for the student and the DOR shall have the opportunity to present evidence as to why Community School is the appropriate placement
- The San Luis Obispo County Office of Education Superintendent or Designee shall hear all relevant evidence and render a final decision within seven calendar days

Initial/Annual/Triennial Evaluations:

- Any SST recommended or parent requested special education initial assessment must be completed with final determination as to whether the student is eligible for services prior to student being referred to SLOCOE
- If a triennial evaluation is due within 90 days of the student enrollment in SLOCOE, the DOR is responsible for completing the assessment
- If a triennial evaluation is due beyond 90 days of the student enrollment in SLOCOE, the County Office of Education will coordinate with the DOR to ensure the appropriate assessments are completed
- For annual IEPs due within 30 days of entering Community School or returning to district, the DOR will coordinate with SLOCOE to ensure that the annual IEPs are held within the timeline

Student Return to District:

- District will be provided with prior notice not less than 5 days by SLOCOE staff if student is being considered for return to district
- When considering returning a Special Education student to district, SLOCOE and district of residence will agree on an appropriate date and time to convene an IEP meeting

Interim Placement

Students Entering from WITHIN San Luis Obispo County SELPA

If the student has an IEP from a LEA within the San Luis Obispo County SELPA and moves to another LEA within the SELPA, the *Interim Service Form* is **not** necessary and a new IEP need not be developed until the annual review, unless the parent or teacher requests an IEP meeting. There is no interim period for students moving within the SELPA.

Students Entering from OUTSIDE San Luis Obispo County SELPA

The *Interim Service Form* is completed by an administrator or designee whenever a student transfers into a SLO SELPA LEA with an active IEP from another SELPA. A case manager is assigned when the student enrolls obtaining signatures and implementing the agreed upon services during the 30-day interim period. All necessary information is determined by reviewing records and/or contacting the previous LEA.

The *Interim Service Form* provides for continuance of the student's IEP from another SELPA for 30 calendar days. The LEA is not required to create a like program. This 30-day interim period applies to continuous days and, therefore, the timeline is extended whenever school is not in session in excess of five school days. During the interim period, typically IEP teams implement the existing IEP and gather present levels in preparation for the IEP team meeting. An IEP must be convened within 30 calendar days to review records, confirm the appropriateness of the program, and complete any new/updated documentation required. Unless there are objective and compelling reasons to deny placement, the DOS will accept the student for the 30-day interim placement. The IEP team meeting will be convened within 30 days by the DOS. The IEP team creates a new IEP using SLO County SELPA forms, and the annual IEP date re-sets to that meeting day.

When an administrator/designee determines that their LEA does not have a comparable program to the one stated on the IEP, s/he will contact the administrator of the closest LEA that has an appropriate program. If the suggested program is one run by a Regional Program Provider, the process is detailed below.

Regional Program Providers

If a student's current IEP indicates a level of services provided by a Regional Program Provider the school/LEA completes the *Interim Service Form*. The need for a regional program is confirmed by the school/LEA by reviewing the current IEP and verifying the program from the previous LEA. The LEA special education administrator contacts the appropriate Regional Program Provider administrator. The partially completed *Interim Service Form*, current IEP, and all additional information are sent to the Regional Program Provider's special education administrator.

Typically a new annual IEP is drafted at that IEP meeting, and the annual IEP date re-sets to that date.
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The Regional Program Provider's special education administrator contacts the parent, completes the Interim Service Form, and places the student. Within 30 calendar days an IEP is called by the regional program's administrator or designee. The LEA of residence will be invited to this meeting and will be kept informed of the appropriateness of the placement.

Regionally Provided Related Services

If a student is placed in a regionally operated special education program and the current IEP calls for contracted related services, copies of the completed *Interim Service Form*, the current IEP and any reports available are sent to the appropriate regional provider's special education administrator. Related services begin and the related services staff is included in the IEP meeting.

Out of County Placements

Students returning or being placed from outside of San Luis Obispo County by an agency, other than education, shall notify in advance the SELPA director and the proposed LEA of residence.

Reviewed and approved by Governing Council on March 10, 2017, May 11, 2018

APPENDIX I

Regionalized Program Case Manager Procedures for Non-District Resident Students

- All services for students that are from outside the district of the Regional Program, with the exception of transportation, will be provided by Regional Program. (Examples: speech and language services; interpreter/translator for IEP meetings and documents; OT; etc.)
 - Should non-district resident student require services that are not available by Regional Program provider, the DOR will provide the required service.
- DOR, both administration and transportation, must be invited to each IEP meeting and be part of the scheduling process to ensure attendance at the IEP. Should DOR not be available for the chosen date, Regional Program MUST reschedule the IEP to ensure attendance or get DOR authorization to proceed.
- Regional Program will facilitate all IEPs and provide necessary data and input regarding progress. The DOR will facilitate the discussion of the offer of FAPE.
- DOS will provide a copy of all IEP reports and documents, including signature pages (either scanned or hard copy) to the DOR.

APPENDIX II

Regionalized Program Case Manager Checklist for Non-District Resident Students

- Review IEP for referred student and coordinate all necessary services.
- When scheduling IEP or any other staff meetings, include referring district in the discussion of available dates to ensure attendance.
- Invite referred district to all IEP meetings and/or other staff meetings, including referring district administration and transportation and include them on the Notice of IEP.
- If a translator is necessary, schedule your DOS translator to attend the meeting.
- Do not move forward with IEP meeting if referring district is unable to attend, unless you have received permission from referring district to proceed.
- Case Manager facilitates entire IEP meeting for regional programs.
- Consult or meet if changes or issues are anticipated.
- DOS provides a scanned or hard copy with signature page to DOR.