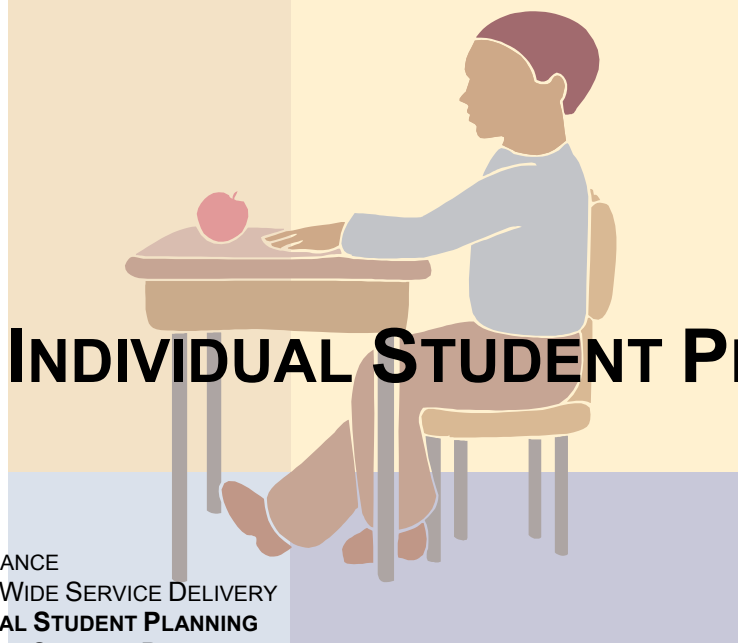


VENTURA COUNTY SPECIAL EDUCATION LOCAL PLAN AREA

- SELPA -

GUIDELINES AND PROCEDURES FOR THE LOCAL PLAN FOR SPECIAL EDUCATION



SECTION 3 INDIVIDUAL STUDENT PLANNING

- SECTION 1 – GOVERNANCE
- SECTION 2 – SELPA-WIDE SERVICE DELIVERY
- SECTION 3 – INDIVIDUAL STUDENT PLANNING**
- SECTION 4 – INDIVIDUAL STUDENT PROGRAMMING
- Section 5 – Alternate Placement
- SECTION 6 – BEHAVIOR INTERFERING WITH LEARNING
- SECTION 7 – EARLY CHILDHOOD
- SECTION 8 – PROGRAM AND PERSONNEL DEVELOPMENT AND REVIEW
- SECTION 9 – BUDGET
- SECTION 10 – PARENT INVOLVEMENT
- SECTION 11 – TRANSITION TO ADULT LIFE

This is one section of an eleven-part document. Visit our website below or call the SELPA to request copies of other sections. **Highlighted sections are local plan policy.**

Ventura County SELPA
777 Aileen Street
Camarillo, CA 93010
(805) 482-2353 (805) 482-2409 – fax
www.venturacountyselpa.com



TABLE OF CONTENTS

- I. Student Study Team**
- II. Child-Find Process**
- III. Identification and Referral**
 - A. Procedures for initiating and processing referrals
 - B. Children in Private Schools
 - C. Children 0-36 months
- IV. Parent Rights (Procedural Safeguards)**
- V. Confidentiality**
- VI. Assessment Procedures**
 - A. Assessment Plan Development
 - B. Assessment Materials
 - C. Multi-Disciplinary Assessment
 - D. Preschool to Kindergarten
- VII. Eligibility**
- VIII. Individualized Education Program (IEP)**
 - A. IEP Team Meeting Notice
 - B. Surrogates
 - C. Adult Students
 - D. IEP Team Meeting
 - E. Transition Services Language
 - F. Behavior Interfering with Learning
 - G. Learning Disabilities
 - H. Language Other Than English
 - I. IEP Working Manual
- IX. Statewide Assessment**
- X. Review**
 - A. Annual Review
 - B. Triennial Review
- XI. Complaints**
- XII. Appendices (for copies of appendices, contact SELPA at (805) 482-2353)**
 - A. District/County 504 Procedures
 - B. Student Study Team Handbook
 - C. Notice of Special Education Referral



- D. Child-find Brochures
- E. Parent/Adult Student Rights (English)
- F. Parent/Adult Student Rights (Spanish)
- G. Guidelines for Individual Evaluation of California Students with Disabilities
- H. Guidelines for Independent Education Evaluations
- I. Psychoeducational Assessment Report
- J. SLD Summary Page
- K. Collective Team Decision - SLD
- L. Special Education Eligibility Guidelines
- M. IEP Meeting Notice
- N. Parent Contact Log
- O. Designation of Educational Representative
- P. Surrogate Parent Procedures
- Q. Notification of Age of Majority
- R. IEP Forms
- S. IEP Agenda
- T. Transition Needs and Services
- U. English Language Development Page
- V. IEP Working Manual
- W. California Alternate Assessment
- X. STAR
- Y. Triennial Assessment Worksheet
- Z. Determination of Needed Evaluation Data
- AA. Complaint Procedures



I. **Student Study Team (SST) Process**

When the child is in school, the Student Study Team Process is the recommended first step in reviewing concerns for students and their educational and behavioral progress. Suspected problem areas are the responsibility of a team of regular educators whose membership may include: a site administrator, regular education teacher, referring teacher, the parents, and others as appropriate. This team is primarily problem solving in nature and recommends intervention strategies.

It is the intent of the SELPA/Districts to ensure that students who are disabled within the meaning of Section 504 of the Rehabilitation Act of 1973, are identified, evaluated, and provided with the required appropriate education designed to meet the needs of each disabled student as adequately as the needs of non-disabled students. (**Appendix 3-A - District/County 504 Procedures**)

If it is determined after documented classroom interventions or accommodations that additional information is needed and special education services may be indicated, a formal referral process will be initiated. The SELPA has a model for Student Study Team process which many districts have adopted. Parents, at any time, may make a written direct referral for special education. (**Appendix 3-B - Student Study Team Handbook and Appendix 3-C - Notice of Special Education Referral**)

General education teachers will participate in the SST process in order to develop strategies for classroom accommodations, in consultation with other school staff. These attempts will be documented in the student file.

II. **Child-Find Process**

The child-find process involves those possible special education students who reside in the area. It is the intention of the participants in the Ventura County Special Education Local Plan Area to actively solicit information about any such individuals. Aiding in this child-find process will be a focus for Community Advisory Committee members. Special attention will be directed toward providing information in the primary language whenever possible.

Multiple copies of the "Child Find" Brochures are distributed to all public and private schools in the SELPA, and all county public libraries every semester. The brochures describe the process for making a referral. (**Appendix 3-D – Child-Find Brochures**) One is for infants, and one is for school-aged pupils. Both are available in English and Spanish.

III. **Identification and Referral**

A. **Procedures for Initiating and Processing Referrals**

Any child may be referred to the local school district for consideration for special education services. This includes any child from birth through 21 years of age including those for whom English is not a primary language and those with low-incidence disabilities.

B. **Children in Private Schools**



Any child attending private school may be referred to their school district of residence for special education services. If such a child is found eligible for special education, all appropriate services will be available to him/her at a public school site. If parents choose to continue to enroll the child in a private school, their rights to a Free Appropriate Public Education will change. (See Section 5 of this Plan – “Alternate Placement”)

C. Children 0-36 months

Special education referrals for children 0-36 months old are not required to be in writing. When a referral for special education services is requested for a child over 36 months, a formal request for services statement must be submitted in writing by the referring individual. This written statement will include the reason for the referral, and be dated. The statement will be received by staff employed by the district whose specific responsibility is to initiate the assessment planning process. The parent is immediately notified that the referral has been made using the “Notice of Special Education Referral.”

IV. Parent Rights (Procedural Safeguards)

Parent rights are provided in a language understandable to the general public and in the primary language of the home. For languages for which there are no written materials, verbal interpretation will be provided. In addition, persons with disabilities (blindness, hearing impairment or deafness) will be provided with an interpreter or translator as needed.

Parents receive written notice of their procedural safeguards with each assessment plan and IEP notice. **(Appendix 3-E Parent/Adult Student Rights)**

Spanish-speaking parents receive their Procedural Safeguards Notice in Spanish at all intervals described above. **(Appendix 3-F Spanish Parent/Adult Student Rights)**

V. Confidentiality

The Ventura County SELPA adheres to the requirements of confidentiality as set forth in the Family Educational Rights and Privacy Act (FERPA) (34C.F.R. Part 99). All information which is personally identifiable to a particular student is considered confidential and is kept in a locked file. Files will be accessible only to staff with a legitimate educational interest. Schools will keep a list of staff who have access. Records will not be released to any outside parties without written approval of parent or adult student. **(Appendix 3-E, “Parent/Adult Student Rights”)**

VI. Assessment Procedures

(See Appendix 3-G – “Guidelines for Individual Evaluation of California Students with Disabilities”)

A. Assessment Plan Development

The development of the Assessment Plan will take place within 15 days of referral for possible special education services and will be submitted to the



parent for consent. If a district declines to assess, the parent will be informed in writing within 15 days, with a reason given. The parent shall have at least 15 days from the receipt of the proposed Assessment Plan to arrive at a decision. Assessment may not begin until receipt of the consent.

The 15 day timeline for development of the Assessment Plan will be interrupted by school holidays in excess of 5 days.

The proposed Assessment Plan given to parents shall:

1. Be in language easily understood by the general public.
2. Be in the parents' primary language or mode of communication, unless to do so is clearly unfeasible;
3. Explain each area of assessment to be provided and the personnel responsible for administering and interpreting the instruments;
4. State that no educational placement will result without the consent of the parent; and
5. Include an attachment of the complete Parent/Adult Student Rights.

B. Assessment Materials

The instruments selected for the Assessment Plan shall be used by appropriately credentialed school personnel and shall be:

1. Selected and administered so as not to be racially, culturally, or sexually discriminatory;
2. Administered in the pupil's most proficient mode of communication;
3. Validated for the specific purpose for which they are intended;
4. Administered by trained personnel in conformance with instructions in student's primary language, whenever possible;
5. Tailored to assess specific areas of educational need;
6. Selected to address a pupil's aptitude or achievement;
7. Not the sole criterion used to determine placement for individuals with exceptional needs.

C. Multi-Disciplinary Assessment

The proposed assessment, when approved by the parent, will be conducted by a multi-disciplinary team of specialists who are knowledgeable in each of the areas of suspected disability as well as in the administration of the testing instruments and their interpretation. Assessment personnel shall be competent and appropriately trained to administer and interpret test results and, when necessary, knowledgeable and understanding of cultural and ethnic backgrounds and competent in both the oral and written skills of English Language Learners. When appropriate, an interpreter will be used and the assessment report will document this. For pupils with suspected low incidence disabilities (i.e. hearing impaired, vision impaired, and severe orthopedic impairment), assessment shall be conducted by persons knowledgeable of that disability.

Appropriate assessments may involve professionals not provided by the public schools; in such cases, resources such as state residential schools, private



schools or practitioners, parent-obtained independent assessments and other public agencies, may be employed. Such assessments will be performed by certificated or licensed professionals and shared in writing with the Assessment Team. **(Appendix 3-H Ventura County SELPA Guidelines for Independent Educational Evaluations)**

Agency cooperation is encouraged to involve other public or private service providers throughout the identification, assessment and instructional planning process, including the use of state residential schools.

The personnel who assess the pupil shall prepare a written report of the assessment results which shall be given to the parents at the IEP team meeting. The report may be a combined, multidisciplinary report or individual assessment reports. The report(s) shall include recommendations regarding the need for special education services and supporting evidence for the recommendations, the relevant behavior noted during observation in an appropriate setting, and the relationship of that behavior to social and academic functioning. If the parent requests a copy of the assessment report prior to the IEP meeting, and it is complete, it shall be made available to the parent. If the reports are not available upon parent request prior to the meeting, parents will be informed of their right to request another IEP meeting in order to develop the educational program. **(Appendix 3-I “Psychoeducational Assessment Report”)**

For pupils with learning disabilities, there shall be a summary, based on a consensus of the IEP Team, which brings together in a clear and cohesive manner all assessment information for that student. The summary will document any discrepancy between achievement and ability as well as any processing disorder. Where appropriate, the report will include educationally relevant health, development and medical findings, as well as a determination concerning the effects of environmental, cultural or economic disadvantage. **(Appendix 3-J “SLD Summary Page)**

If the test scores do not indicate a discrepancy between ability and achievement, but a processing disorder exists and other data indicate a discrepancy, the “Collective Team Decision” page of the IEP shall be completed in order to establish eligibility. **(Appendix 3-K)**

D. Preschool to Kindergarten

Preschool children will be reassessed prior to transitioning from the preschool program to kindergarten or first grade to determine whether there is a continuing need for special education. Children will be reassessed in all areas which were originally of concern. If there are recent standardized assessments in the file, they may be reviewed and summarized. An IEP meeting is always needed to review the assessment and determine placement. Under “meeting reason” the “other” box should be checked and “Transition to Kindergarten” noted.

VII. Eligibility



The Ventura County SELPA has developed guidelines for applying federal and state statutes in determining eligibility for special education and related services. **(Appendix 3-L “Special Education Eligibility Guidelines”)**

VIII. Individual Education Program (IEP)

A. IEP Team Meeting Notice

The IEP Team will consist of the parent(s), a school administrator or designee and the pupil's present teacher or other teacher who is qualified to provide special education services to pupils with similar needs. The IEP Team will also include, as appropriate, the necessary school assessment personnel to interpret the results of assessment; personnel from other agencies who have provided assessment and may provide related services; and the pupil. **(Appendix 3-M “IEP Team Meeting Notice”)**

The IEP Chairperson is responsible for obtaining interpreters for parents whose primary language is other than English or who are deaf or hearing impaired.

Reasonable attempts shall be made to ensure parent participation at the IEP meeting. Methods may include a written invitation and one or two phone calls made in the primary language of the parents. These attempts shall be documented.

If parents do not respond to the above attempts, or fail to attend a scheduled IEP, the IEP shall be developed and given to the parent for consent.

Sample documentation sheets. (Appendix 3-N)

If parents want to designate a representative, they may do so. **(Appendix 3-O “Designation of Educational Representative)**

B. Surrogates

For pupils placed in Licensed Children’s Institutions and Foster Family Homes, the Ventura County SELPA Surrogate Parent Procedure will be used to ensure that the pupil's educational rights are protected. **(Appendix “3-P” - Ventura County SELPA Surrogate Parent Procedures)** Foster Parents will be allowed to act as “parent” in the IEP Process if parents have had their educational rights removed. The Ventura County SELPA will cooperate with any California Department of Education requirements for data collection regarding numbers of trained surrogate parents and those assigned to individuals with disabilities.

C. Adult Students

When a special education student turns 18, the student as well as the parent shall receive a notice that all special education rights have transferred to him/her. **(Appendix 3-Q – “Notification of Age of Majority”)**. From then on the student shall receive all notices of IEP meetings. Parents will also continue to receive notice. If an adult student wants to designate his/her parent or any other adult as his/her educational representative, he or she may do so using the “Designation of



Educational Representative”. Adult students have all rights of a parent and may exclude their own parents from the IEP meetings if they choose.

D. IEP Team Meeting

Within 50 days (not counting days between school sessions as per Education Code Section 56343.5) of receipt of written parental consent for assessment, and sooner when possible, the Chairperson of the IEP Team will convene the IEP.

The IEP Team will meet to review the assessment findings, determine eligibility, and develop educational goals and objectives based upon the assessment results. The IEP Team will then determine the necessary special education services, in order for the pupil to attain the educational goals and objectives. **(Appendix 3-R – IEP Forms)**

The Ventura County SELPA is committed to involving parents as active participants in the IEP process. **(Appendix 3-S – IEP Agenda)**

Decisions of the IEP Team shall be made by consensus. If consensus cannot be reached, on all elements, the parents will be asked to indicate the elements that are agreed upon, so that they can be implemented immediately. For those elements for which there is not agreement, a plan shall be made for resolving those issues (e.g., setting a new meeting date, getting more information or assessment, having an informal discussion meeting, going to mediation.)

The Ventura County SELPA will maintain a list of “volunteer support parents” who are experts in special education law and are available to assist parents with their IEP meetings.

E. Transition Services Language

For all students who will turn 14 prior to the next IEP meeting, and every year thereafter, a Transition Needs and Services page will be completed as part of the IEP.

If a Transition Needs and Services page will be written, the student must be invited to attend. If the student does not attend, the IEP must document how his/her input was obtained. **(Appendix 3-T – “Transition Needs and Services Page”)**

Other public agencies that may be involved with a transition plan will be invited to the IEP meeting with approval of the student and family. If the person is unable to attend, the case manager will get input by fax, letter, e-mail or conference call. The IEP form documents how this input was obtained. **(See “Transition to Adult” section of this Local Plan)**

F. Behavior Interfering with Learning

If a pupil is exhibiting serious behavior problems that significantly interfere with the implementation of the goals and objectives of the IEP, a Behavioral



Intervention Plan shall be developed per the Ventura County SELPA procedures. **(See “Behavior Interfering with Learning” section of this Local Plan)**

When the IEP Team is considering a behavioral intervention plan due to a serious behavior as per CCR 3050, the team must also include a Certified Behavioral Intervention Case Manager and a person knowledgeable of the student's health needs.

G. Learning Disabilities

In the case of a pupil suspected of having a learning disability, educational personnel on the IEP Team other than the pupil's current teacher will observe the pupil's educational performance in an appropriate setting. If the pupil is not in school the observation will be made in the home or other setting appropriate for the pupil. The purpose of this observation will be to provide unbiased information regarding educational performance in a relevant setting

H. Language Other Than English

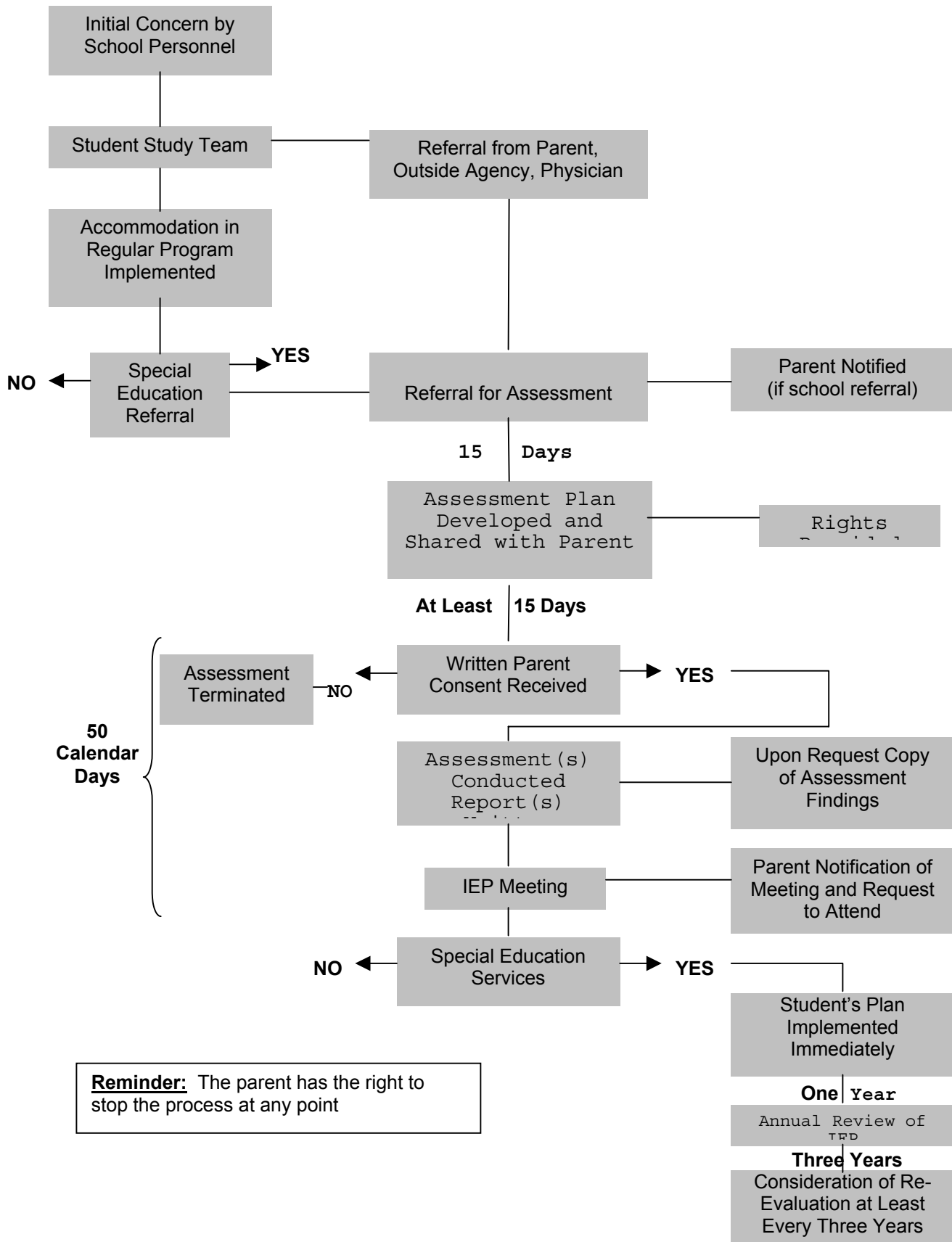
If the pupil in question primarily uses a language other than English, the IEP will address the issue. See “English Language Development” page of the IEP. **(Appendix 3-U)**

I. IEP Working Manual

All special education teachers will receive a copy of the IEP Working Manual, which describes how the IEP meeting should be conducted and how the forms should be filled out. **(Appendix 3-V)** There are separate versions for districts using goals and objectives page “Form A” and “Form B.”



Special Education Referral Process





IX. Statewide Assessment

All special education teachers will ensure, students with disabilities will participate in statewide assessments. This is currently addressed at every IEP meeting. Accommodations or partial assessment will be provided based on the student's needs and disability and will reflect accommodations provided in general education.

It is estimated that 10-20% of students with disabilities (1-2% of the general student population) will not be able to take part in the standardized statewide assessment even with accommodations or partial assessment and must participate in the California Alternate Performance Assessment. In general, the only students in a functional skills curriculum should participate in California Alternate Performance Assessment.

Decisions regarding participation in the California Alternate Performance Assessment or general statewide assessment must be documented in the IEP.

(Appendix 3-W “California Alternate Assessment” and Appendix 3-X “STAR”)

X. Review

A. Annual Review

The participating agencies within the Ventura County SELPA each employ an ongoing IEP monitoring system. At least annually, all student Individualized Education Programs are reviewed to determine and document student progress, appropriateness of placement as well as when revisions of the program may be indicated.

The IEP Team shall meet whenever a change of placement is indicated, when there is a lack of expected student progress, or upon a teacher or parental request.

B. Triennial Review

All students receiving special education and/or related services in the SELPA will be reevaluated at least every three years or more frequently if requested by the student's parent or teacher. These evaluations, will, in all cases, adhere to the requirements for parent notification, consent and timelines. The purpose of the triennial reevaluation is to provide information to the IEP Team in the determination of:

- present levels of performance and educational needs of the student
- whether the student continues to have a disability
- whether the student continues to require special education services
- how the student is involved and progressing in the general curriculum
- progress of student toward meeting the district's standards and/or requirements for graduation
- appropriate test accommodations or modifications that will enable the student to participate in the administration of district-wide and statewide assessments



Within one year prior to the triennial reevaluation the IEP Team, including the parents, will review existing data and determine what additional information will be needed to address these issues. Consideration will be given to those students who may need additional, updated assessment prior to graduation/exiting school in order to access services of other agencies. A preliminary discussion could occur at the second year annual review meeting or could occur in a conference phone call with parents.

If the team agrees that no additional data are needed to answer the above questions, no additional assessment will be conducted. This decision must be documented. An IEP meeting to answer the required triennial reevaluation questions must be held. **(Appendix 3-Y “Triennial Assessment Worksheet”)**

If the team agrees that additional data are needed a decision will be made regarding the areas to be addressed in the Assessment Plan and the proposed methods of evaluation. Within the required timeline for conducting evaluations, an Assessment Plan will be developed based on decisions made by the IEP team. Included with the proposed Assessment Plan will be a letter to the parents, indicating the purpose of the reevaluation. Parents will be given an opportunity to review the Assessment Plan, meet with other members of the IEP Team if desired and indicate whether they believe that further assessment is needed in a particular area. **(Appendix 3-Z “Determination of Needed Evaluation Data”)**

IEPs developed pursuant to triennial reevaluations will include a determination and documentation of continuing eligibility for special education services. The disability will be documented on the cover page, and functioning levels related to eligibility criteria will be indicated on the present levels of performance page and/or specific learning disabilities summary page and assessment team report. Student progress toward core curriculum will be noted in the Present Levels of Performance. Participation of the student in state and districtwide assessments of achievement and any necessary accommodations for testing or graduation will be noted on the “Program Accommodations and Supports” page of the IEP.

Every attempt will be made to obtain parental consent before conducting reevaluation of the student. However, if after reasonable efforts (at least two attempts in writing and at least one follow-up phone call) the school district is unable to get parent consent, the evaluation may be conducted without consent. The district will document attempts to get parent permission.

If a parent refuses to give permission for reevaluation, the LEA may continue to pursue a reevaluation via due process procedures. Each district will develop a system of collection and monitoring of reevaluation dates in the CASEMIS field defined as “Last ASSMT.”

C. Teacher’s Request for Review

If a general or special education teacher requests a review of the IEP to discuss the appropriateness of a special education student’s placement, the meeting shall be held within 30 days.



XI. Complaints

Any individual, public agency or organization may file a written complaint with the Administrator/Superintendent of the Local Education Agency, alleging a matter which, if true, would constitute a violation by that Local Education Agency of Federal or State law or regulation governing special education programs. **(Appendix 3-AA for Ventura County SELPA Complaint procedures. Complaints are also referenced in Appendices 3-E and F “Parent/Adult Student Rights”)**