

*Revised “Special Education
Policies and Procedures
Manual” Training*

**Los Angeles Unified School District
Division of Special Education
July 2007**

Welcome to the training on the revisions to the “*Special Education Policies and Procedures Manual*” (July 2007).

Can You Hear This?



If you don't hear the narration, please stop the presentation and adjust your computer settings to increase the volume.

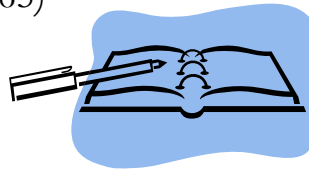
If you don't hear the narration, please stop the presentation and adjust the volume on your computer.

In order to view each slide in the presentation, press the space bar or left click the mouse.

Distribution of the Revised *Special Education Policies and Procedures Manual (July 2007)*

When will schools receive the manual?

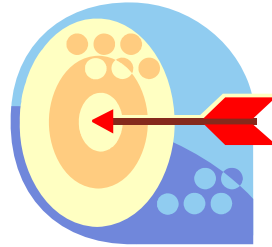
- Two copies mailed at beginning of 2007-2008 school year
- Administrators order extra copies at no cost (Commodity Code 966 121 8565)



As noted in Reference Guide 1888.1 “*Distribution and Required Use of Revised Special Education Policies & Procedures Manual (July 2007): Revision to District Policy*”, two copies of the *Manual* will be mailed to each school at the beginning of the 2007-2008 school year. School site administrators are asked to order extra copies, at no cost, from the Stores Warehouse using commodity code 966 121 8565. Make sure that enough additional copies are ordered so that each special education teacher and all school administrators have their own copy and general education teachers have access to the *Manual*.

Training Objective

- Provide information on changes in the federal law and regulations as they relate to special education
- Provide information on changes in District policy and procedures as reflected in the revised 2007 *Manual*



A number of changes in federal law and regulations have required changes in District special education policy and procedures. In addition, some revisions have been made based on District decisions. These changes are reflected in a revised edition of the District's "*Special Education Policy and Procedures Manual (July 2007)*". This training will provide information on the changes in the laws and the resulting changes in District policy and procedures that are reflected in the revised 2007 *Manual*.

It should also be noted that there is a change in the color of the cover of the manual. Previously, the *Manual* had a gray cover. It now has a burgundy cover.

It is recommended that all school staff view the training.

Purpose of Manual

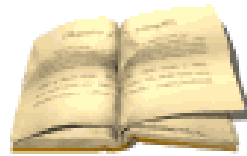
- Describes Current District Policies and Procedures
- Serves as a Reference Tool
- Serves as a Staff Development Tool
- Source for Resources



The purpose of the revised *Special Education Policies and Procedures Manual* is to provide information on current District policies and implementing procedures to support compliant special education services. It serves as a reference tool for District and school personnel, a staff development tool, and a source for District and Community resources for support and assistance.

Organization of Manual

- Table of Contents & Introduction
- Part I: Overview
- Part II: The Special Education Process
- Part III: Ensuring the Rights of Individuals with Disabilities
- Part IV: Sources of Support and Assistance
- Part V: Sources of Information on the Web and Publications
- Appendix A: LAUSD Special Education Guidelines
- Appendix B: Forms
- Appendix C: Terminology
- Appendix D: Questions and Answers
- Policy Bulletins
- Reference Guides
- Memoranda



The *2007 Manual* begins with a *Table of Contents* and *Introduction*. The *Introduction* provides an overview of the purpose and organization of the *Manual*. It now includes information about why the revisions to the *Manual* were made. As mentioned earlier, because of the substantial amendments made to IDEA and the release of final regulations, changes in the District's policies were necessary. The changes are now reflected in the revised edition of the *Manual*.

A new feature titled *2007 Manual Revisions* can be found below the shaded "Contents" box on the first page of each section that is revised. This will assist the reader in determining which section the full text of the changes can be found.

The *Manual* is divided into the five *Parts* listed on the screen. It also contains four *Appendices* and three additional sections which are also listed. Let's begin by discussing what each of the five *Parts* in the *Manual* contains.

Contents of Manual: Parts

- Part I: Overview
- Part II: The Special Education Process
- Part III: Ensuring the Rights of Individuals with Disabilities
- Part IV: Sources of Support and Assistance
- Part V: Sources of Information on the Web and Publications

Part I, *Overview*, provides the concepts and framework to understand how to implement special education policies and procedures.

Part II, *Special Education Process*, provides step by step information about the special education process from referral through the development of the IEP. Each chapter in this Part details actions to be taken, the requirement to use the District's Welligent IEP system to manage the process, forms to be utilized, communication required, and staff responsibilities. It also links the user to other parts of the Manual for more information.

Part III, *Ensuring the Rights of Individuals with Disabilities*, provides an overview of Federal civil rights protections for students with disabilities, including Section 504 of the Rehabilitation Act and the Americans with Disabilities Act. It also contains guidelines for the prevention and elimination of hostile environments.

Part IV, *Sources of Support and Assistance*, helps the user locate District and community resources that can provide guidance and help in implementing the procedures in the *Manual*.

And Part V, *Sources of Information on the Web and Publications*, contains a selected guide to electronic and print information resources.

Now let's look at the contents of the Appendices and describe how to use the last three tabs.

Contents of Manual: Appendices and Tabs

- Appendix A: *LAUSD Special Education Guidelines*
- Appendix B: *Forms*
- Appendix C: *Terminology*
- Appendix D: *Questions and Answers*
- *Policy Bulletins*
- *Reference Guides*
- *Memoranda*

As previously stated, the *Manual* contains the four Appendices listed on the screen. The previous edition contained five Appendices. The *Topical Index Appendix* is eliminated in the 2007 revised *Manual*.

Appendix A: *Guidelines for the IEP Team*, contains District guidelines regarding the provision of special education.

Appendix B: *Forms*, no longer contains all the forms referenced in the *Manual* as it did in the previous edition. Most of the forms previously included have been removed because they were not the forms currently in use. If a form has been referenced in the procedures described in the *Manual* and is not included in this section, the location of the most current version is identified in Appendix B. Only two forms can be found now in Appendix B, the *Request for Surrogate Parent* and *Types and Location of Educational Records*.

Appendix C: *Terminology*, provides a dictionary of terms and acronyms relating to the education of students with disabilities.

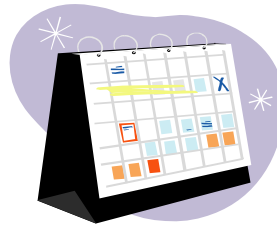
Appendix D: *Questions and Answers*, consists of questions with answers that are excerpts from the Federal Register, Individuals with Disabilities Education Act (IDEA) Amendments of 1997, Final Regulations, Appendix A to Part 300.

And finally, the three sections located at the end of the *Manual* are for you to insert recent Policy Bulletins, Reference Guides, and Memoranda. These policy communications are posted regularly on "Inside LAUSD" and also in the e-Library in the Division of Special Education Website at <http://sped.lausd.net>

Now we'll look at the other revisions that have been made. They will be grouped by topics.

Revision: IEP Timeline

- IEP timeline change from 50 days to 60 days



The revision in District policy as it relates to the timeline regarding IEP development, states that the IEP meeting is held within 60 calendar days of receipt of signed special education assessment plan. Prior to the revision, the District's timeline was 50 calendar days.

Revision: Search and Serve Procedures

- Students transferring from other school districts
- Assessment procedures for students transferring into LAUSD
- Students transferring into LAUSD with an IEP
- Students attending private schools
- General education permits

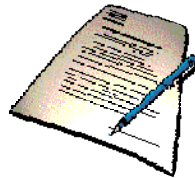


Changes in search and serve regulations have resulted in specific guidance on policies and procedures regarding students entering the District, students enrolled in private schools and students on interdistrict permits. They are:

- If a student is transferring from another district, the school must promptly obtain the IEP and other records from the previous district.
- If a student has begun the assessment process in another school district and then transfers to LAUSD, both districts are responsible for coordinating and completing the assessment.
- When a student with an IEP transfers into LAUSD from another school district in California or from another state, comparable services will be provided until a new IEP is developed.
- When an assessment of a student attending a private school is requested, staff are directed to follow procedures summarized in *Private School Student with Disabilities* in Appendix A of the *2007 Manual*.
- For assessment and IEP development for an LAUSD student attending another school district on a general education permit and for a student from another school district attending an LAUSD school on a general education permit, the students are referred to their school district of residence for assessment.

Revision: Assessment

- Parental consent for initial evaluation
- Consent for assessment for wards of the state
- Language of test administration
- No single measure of assessment
- Lack of instruction or limited English proficiency



With regard to assessment, there are several revisions that have been made based on the IDEA final regulations. It is the District's responsibility to document reasonable efforts to obtain parental consent for initial assessment. The District may, but is not required by law, to pursue the initial assessment via due process procedures when the parent refuses to sign the assessment plan.

The District also has the responsibility for obtaining initial consent for assessment if the student is a ward of the state and not residing with the parents.

With regard to assessment tools, tests are to be administered in the language and form most likely to yield accurate information on what the student knows.

Also, no single measure or assessment may be used to determine eligibility.

And last, lack of instruction or limited English proficiency may not be the primary factor for determining that the student has a disability.

Revision: Reassessment and Independent Educational Evaluation

- Reassessments no more than once a year
- No more than one IEE at public expense annually
- District's right to conduct another assessment
- Reasonable and customary rates
- Avoidance of conflict of interest

Revisions have also been made regarding reassessment and Independent Educational Evaluations (IEE). First, a reassessment requested by parents or District staff now may not occur more frequently than once a year unless the parent and District agree.

Federal regulations now state that no more than one IEE at public expense may be provided annually in each area. The *Manual* states that if the District assessment was conducted more than one year prior to parent disagreement with the assessment, the District has the right to conduct another assessment. Also, the District will not cover costs exceeding rates that are reasonable and customary for the community for each identified assessment.

Further, to avoid conflict of interest, and in order to ensure the appropriateness of the IEE, and its recommendations, the District may not fund an IEE by an evaluator who provides ongoing services or is sought to provide service(s) to the student for who the IEE is requested. Likewise, the District may not fund services through the evaluator whose IEE the District agrees to fund.

Revision: Individualized Education Program (IEP) Meeting

- IEP team member excusal
- Agency representatives for transition planning
- Notice of post secondary goals/transition services
- Audio conference IEP meeting
- Rationale for services and providers



Changes in the federal regulations, and now reflected in District policy, include that a member of the IEP team is not required to attend the meeting, in whole or in part, if the parent and District agree. The Parent must agree in writing. Further clarification on who may be excused, the excusal process and the excusal form will be provided in a Reference Guide in July 2007.

Also, an agency representative may be invited to an IEP where transition planning will be discussed, with the adult student's or the parent's consent.

With regard to the IEP notification form, for an IEP held for a 16 year old student, the checkbox indicating that post secondary goals and transition services will be addressed at the meeting must be checked.

In addition, an IEP meeting can now be held via audio conferencing or other alternative means to encourage parent participation in the meeting.

And, when discussing the services a student might need, the IEP team must now discuss the rationale per the research that supports the recommended services to the extent feasible.

Revision: Assistive Technology and Low Incidence

- Excludes surgically implanted medical devices
- Appropriate use of Low Incidence funds



Information regarding low incidence programs is now combined with information on assistive technology in the revised *2007 Manual*. Let's talk about the revision in assistive technology first.

Federal regulations now specify that assistive technology excludes surgically implanted medical devices or replacement of such devices.

With regard to Low Incidence funding, the *2007 Manual* now provides additional, specific information regarding the appropriate use of low incidence funds.

Revision: Dispute Resolution

- Options for dispute resolution
- Dispute resolution procedures
- Office of Administrative Hearings contact information
- Complaint procedures and contact information

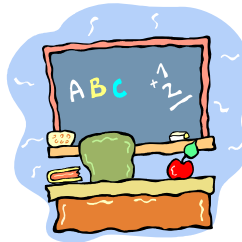


Three dispute resolution options are available to parents: informal dispute resolution, mediation only and due process proceedings. Updated and more detailed information regarding the three dispute resolution options and instructions on what to do when parents select one of the three options are provided in the *2007 Manual*.

The *Manual* also includes updated contact information for the Office of Administrative Hearings and current information regarding District and State complaint procedures and updated contact information.

Revision: Prevention and Elimination of Hostile Environment

- Distribution of Title IX and Nondiscrimination brochures



With regard to the District's policy on the prevention and elimination of hostile environments, the *2007 Manual* now specifies that the school should provide secondary students with the Title IX and Nondiscrimination brochures.

Revision: Student Records

- Records include draft Welligent IEP pages
- Parent request for records
- Maintenance of green folders
- Transfer of records to charter schools



Now we'll look at revisions regarding student records.

In the past, there has been some confusion about the release of draft IEP pages to parents. Information in the *2007 Manual* specifies that draft Welligent IEP pages are considered student records.

Parents have a right to request, orally or in writing, copies of their child's records and to receive the requested records within five business days of the date of the request. Federal regulations have recently extended the required timeframe for providing copies of, or access to, pupil records from five (calendar) days to 5 business days.

The previous manual stated that green folders are to be maintained for 7 years following the student's graduation. The revision now specifies that green folders are to be maintained for 5 years following the student's graduation.

Also, there are procedures regarding transferring records to an independent start-up charter or a conversion charter school. A request from an independent start up charter school for records of a current student, unless specified otherwise, is to be interpreted as a request for a copy, otherwise known as a transcript. A conversion charter is treated as an LAUSD school which receives the entire cumulative folder.

Revision: Surrogate Parents

- Appointment of surrogate parent
- Homeless youth



There are two revisions in the guidelines for the appointment of surrogate parents. First, a timeline is now specified for the appointment of a surrogate parent. The Principal is responsible to ensure that a surrogate parent is appointed within 30 days.

The second revision is in regard to homeless youth. The policy now specifies that a surrogate parent must be appointed for homeless youth not in physical custody of the parent or guardian.

Revision: Determining Eligibility

- Lack of appropriate instruction ruled out as determining factor
- Tourette Syndrome included under Other Health Impaired (OHI)
- Assessment requirements for Other Health Impaired (OHI)

Federal regulations and District policy now specify that a student cannot be determined eligible to be a student with a disability if the determining factor is a lack of appropriate instruction in reading, including the essential components of reading instruction, lack of instruction in math or limited English proficiency.

Another revision is found under the eligibility of *Other Health Impaired* (OHI) category. Tourette Syndrome has been included as a “chronic or acute health problem.”

Also, only written reports from the school psychologist and special education teacher and assessment by school nurse are needed to establish eligibility of OHI due to characteristics of Attention Deficit Hyperactivity Disorder. The requirement in the previous *Manual* for a report by a physician documenting the health impairment has been removed.

Revisions: *Secondary Transition Services*

- Requirements for assessment plans for secondary transition assessment
- Difference in focus of secondary transition planning and IEP development based on age
- Postsecondary goals
- *Summary of Performance*
- *Senior Transition Inventory*



There are several revisions that relate to transition services. In the *Manual*, a good portion of the information about transition services has been rewritten to clarify the content and provide more specific direction for transition planning. Let's look at the specific revisions that have been made.

Revisions have been made with regard to the development of an assessment plan for secondary transition assessments. Assessment embedded in instruction, such as learning style preferences and strengths, do not require the development of an assessment plan. Formal assessments, such as IDEAS or COPS, require an assessment plan, unless the assessment is generally administered to students in the class, school or District.

Transition planning and the IEP development for students 14-15 years of age differs from that for students 16 years of age or older. Transition planning for students with disabilities 14 and above are designed to provide exploratory activities, including developing a sense of self-awareness and self-determination.

Transition planning for students with disabilities age 16 and above are designed to be within a results-oriented process that is focused on improving the academic and functional achievement of the child with a disability to facilitate the child's movement from school to post-secondary activities.

The Individual Transition Plan must document postsecondary goals in the areas of education, training, employment and, if appropriate, independent living skills. In the previous *Manual*, development of postsecondary goals related to these specific areas was not specified.

For students graduating with a diploma or who are 22 years of age, a *Summary of Performance* (SOP) must now be completed and provided to the student. It is a separate document from the IEP that summarizes the student's academic achievement and functional performance and includes recommendations on how to assist the child in meeting their postsecondary goals. It is also highly recommended that an SOP be completed for students who are receiving a voluntary certificate of completion.

The last transition-related revision involves a change in a District procedure and form. If it is expected that the student will be graduating with a diploma, a certificate of completion or is 22 years of age, staff will assist the student in completing the *Senior Transition Inventory* form. This form can be found on Welligent and replaces the *Student Exit Interview* form.

Revision: Collaborative Services

- Collaborative service delivery model summary statement



It is now District policy that if collaborative services are recommended, the services must be documented in a summary statement in the summary offer of FAPE. The summary statement must include: who will be providing the services, a description of the services to be provided, where the services will be provided, how the services will be provided, and the frequency and total number of minutes of collaborative services provided on a weekly or monthly basis. Examples of appropriate summary statements are provided in the *2007 Manual*.

Revision: Disciplinary Procedures

- 45 day alternative interim placement prior to expulsion
- Expulsion considerations
- Placement during appeal

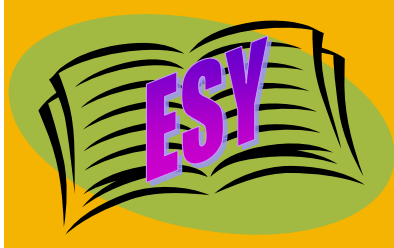


There are three revisions in the District's discipline procedures as they relate to expulsion. First, the criteria for unilateral implementation of a 45 school day alternative interim placement without regard to whether the misconduct was a manifestation of the student's disability now suggests that the Special Education Support Unit be contacted along with the Student Discipline Proceeding Unit when considering this action. In addition, the legal definition of "serious bodily injury" is provided.

Second, current considerations that must be addressed prior to expulsion have been modified. For example, previously the *Manual* stated that the IEP team must consider if the "misconduct was not caused by a direct manifestation of the students disability". The team must now consider if "the conduct in question was not caused by, and did not have a direct and substantial relationship to the students disability."

Third, District procedures specify that during an expulsion appeal, the student remains in the alternative interim placement determined by the pre-expulsion IEP team, until resolution of the appeal.

NEW:
Extended School Year Services Guidelines



Extended School Year Services guidelines are a new addition to the *2007 Manual*. They provide special education guidelines to assist IEP teams with criteria and procedures for determining when a student requires ESY services and what services are appropriate

These guidelines contain five sections: Los Angeles Unified School District Policy, Overview of ESY, IEP Team Recommendation for ESY, ESY Services and Programs, and ESY Transportation.

Revision: High School Graduation

- Graduation with diploma or becoming 22
- Final IEP



In most cases when a student's eligibility is being terminated, an evaluation must be completed. However, District policy now specifies that an evaluation is not required before termination of a student's eligibility due to graduation with a diploma or becoming age 22.

Also, the manual contains new procedures for completing *Final IEPs* for students graduating with a diploma, becoming age 22 or voluntarily electing to exit school with a certificate of completion. The procedures address required documentation on the Welligent IEP management screens. Final IEPs will be placed in an inactive status until the effective date.

Revision: **Preschool**

- Referral - Elementary School
- Referral - Early Education Center
- Assessment - Elementary School-based
- Assessment - Preschool transition
- After School Early Education Program
- Community Afterschool Resource Team



Preschool related revisions include modified referral procedures for requests for special education services for children attending elementary and early education center preschool programs. For example, if staff believes that a child enrolled in a District elementary school-based preschool program may have a disability, they must now observe and document the progress of the child using the *Desired Results Developmental Profile*, also known as DRDP.

The assessment requirements are now specified for children 3 to 4 years of age, not enrolled in elementary school based general education programs, and those children 3 to 4 years of age who are enrolled. The requirements for conducting an assessment for a child transitioning from preschool to kindergarten or first grade are further clarified.

The *Afterschool Early Education Program* has been eliminated as a service option. A new program, *Community Afterschool Resource Team (CART)*, has been added as a preschool service option.

Revision: Private School

- Responsibility for child find, identification and evaluation
- Consultative and professional development services



Now let's look at the revisions made in guidelines that relate to private schools.

The *Manual* provides the revised policy regarding the District's responsibility for locating, identifying and evaluating all parentally placed private school students with disabilities attending private schools located within LAUSD boundaries regardless of the students' district of residence.

It specifies that LAUSD's policy is also to provide alternative services to eligible students with disabilities whose parents choose to place them in private schools located within District boundaries regardless of where the student resides.

Revision: Glossary

Definitions added

- Assistive technology device
- Core academic subjects
- Essential components of reading instruction
- Illegal drug
- Limited English proficient
- Parent
- Related services
- Serious bodily injury

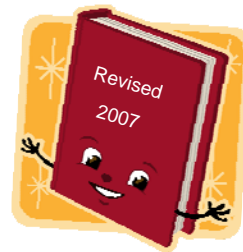


And now let's look at the last revisions that were made to the *Manual*. Eight terms listed on the screen have been added to, or modified, in the Glossary.

ATTACHMENT

Special Education Policies and Procedures Manual – July 2007

- Listing of revisions
- Location of revisions



For your convenience, a listing of the revisions and the location of the revisions is provided in the attachment to this presentation.

SPECIAL EDUCATION SUPPORT UNITS

Support Unit East

323.932.2155

Support Unit North

818.256.2800

Support Unit South

310.354.3431

Support Unit Central-West

323.421.2950

Thank you for viewing the Revised “Special Education Policies and Procedures Manual “ Training.

If you have any questions about this training, or other special education topics, contact the Special Education Compliance Specialist in your Special Education Support Unit (SESU). The telephone numbers of the SESU’ s are provided on the screen.