

## **INDIVIDUALIZED EDUCATIONAL PROGRAM (IEP)**

**20 USC Section 1412 (a) (4), 1414(d), 1436(d), CFR 300.344 (c) (1) (ii), 300.345 (a)**

**56205(a), 56195.7(a), 56195.8(a)(3)**

### **POLICY**

It shall be the policy of the Sacramento County SELPA that an Individualized Educational Program (IEP) or an Individualized Family Service Plan (IFSP) is developed, reviewed and revised for each child with a disability who requires special education and related services in order to benefit from his/her individualized education program.

The Sacramento County SELPA provides a free appropriate public education (FAPE) in the least restrictive environment (LRE) to all students residing within the SELPA. Districts provide a full range of special education programs to facilitate services for students with disabilities in a supportive, cooperative, and mutually respectful environment. The appropriate special education placement in the least restrictive environment (LRE) for each child with a disability is determined by an individualized education program (IEP) team. The IEP team is comprised of the child's parents, school staff, and other professionals with knowledge or expertise regarding the child.

The IEP team shall consider the educational and nonacademic benefits of placing the student in a regular class and shall determine what support services would be needed in order to support this placement. All placement decisions should promote maximum interaction between students with disabilities and their non-disabled peers, in a manner that is appropriate to the needs of both. Special education services shall be provided outside the regular classroom only when the IEP team determines that the student's individual needs cannot be appropriately met in the general education classroom.

Parents/guardians shall have the right to approve the student's placement in a special education program, and written parental consent shall be obtained before any such placement is made unless a due process hearing officer authorizes the placement. Once an IEP team has determined an appropriate placement with the parent/guardian approval, that placement remains in effect unless modified through the IEP process, mutual agreement, or a due process hearing officer order.

### **PROCEDURES**

Each local education agency offering special education programs will initiate and conduct meetings for the purpose of developing, reviewing, and/or revising the Individualized Education

Program (IEP) of each student with a disability. The description of IEP development included in EC Sections 56340-7 and 34 CFR 300.340-350, are hereby included.

## IEP TIMELINES

An IEP will be developed (a) within 30 days of an interim placement from outside the Sacramento County SELPA, (b) within 60 days [not including days between sessions or terms, or vacation of more than five days in length] of the parent's/guardian's consent to the Assessment Plan, and (c) at least annually. Time lines for development of an IEP are as follows:

- a. An IEP required as a result of initial assessment shall be developed within 60 calendar days of receipt of the parent's signed consent for assessment [not counting days between school sessions or terms, or vacation days in excess of five consecutive days]. An IEP shall be developed within 30 days of the beginning of the subsequent school year for each student for whom a referral was made within 20 days of the end of the school year. An extension of the time limits may be agreed to, in writing, by the parent;
- b. A meeting of the IEP team shall be held within 30 days of a parents written request, not counting days between school sessions or terms, or vacation days in excess of five consecutive days;
- c. When placement in a nonpublic school is being considered by an IEP team, the proposed recommendation shall be submitted to the district governing board for review and approval which will be completed no later than the next regularly scheduled board meeting. The 60 day, and 30 day, timelines shall be waived for up to 15 additional days to allow the board to meet and review the IEP team recommendation;
- d. The IEP meeting will always include a parent (or surrogate parent) unless the parent is unwilling/unable to attend and the district has maintained a record of attempts to include the parent at a mutually agreeable time and location;
- e. The district encourages meaningful participation of parents at IEP meetings by scheduling meetings at times convenient for parents, providing interpreters for non-English speaking or deaf parents, encouraging parents to send a representative in their absence, conducting teleconferences when appropriate, etc.

Parents are notified in advance of a need for an IEP team meeting. Every attempt is made to schedule a student's IEP team meeting at a time that is mutually convenient for the parent/guardian and school staff. Staff will utilize a variety of communication modes, offer alternative meeting dates and locations, facilitate transportation, and/or suggest that the parent send a representative if he/she is unable to attend. Notification forms include the purpose, time, and location of the meeting and the staff who will attend. Meetings are held within 60 days not including days between sessions or terms, or vacations of more than five days in length, of the

receipt of written parent consent for assessment [not counting days between school terms or vacation days in excess of five days].

The IEP team includes at least the following members:

- a. The parents of the child;
- b. At least one regular education teacher of the child (if the child is, or may be, participating in the regular education environment)
- c. At least one special education teacher of the child, or if appropriate, at least one special education service provider of the child;
- d. A representative of the public agency who is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities knowledgeable about the availability of resources in the public agency.
- e. An individual who can interpret the instructional implications of assessment results, who may be a member of the team described in a-d;
- f. At the discretion of the parent or the agency, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate;
- g. The child, if appropriate.

As appropriate, representatives of other agencies are invited to participate in IEP meetings that are held to discuss transition services. In addition to written invitations and telephone calls, other efforts are made to encourage their participation. If an agency representative does not attend the IEP meeting where transition services are discussed, a district designee will contact the agency representative if appropriate to coordinate transition services.

The IEP team meets when:

- a. The student has received an assessment for special education;
- b. The student's special education placement is to be initiated, changed or terminated;
- c. The student's progress is less than anticipated;
- d. A parent or teacher requests a meeting to develop, review, or revise the IEP;
- e. It has been one year since the previous IEP was developed. The purpose of the annual meeting is to review the student's progress, the appropriateness of the placement, and make any needed changes in the IEP.

To facilitate the meeting, districts may arrange for interpreters for parents who are hearing impaired or whose primary language is not English. The IEP form serves as a record of the persons attending, and the deliberation, planning, and decisions of the IEP team regarding the special education programs and services for each student. Prior IEP goals and objectives are reviewed to determine to what degree they were met. The discussion of present levels of performance includes not only results of standardized achievement test scores, but also classroom performance, observations, and parent and teacher reports. The IEP process enables the team to develop a completed IEP which shows a direct relationship among the levels of performance, the goals and objectives, and to identify the specific services required to enable the child to advance appropriately toward attaining the annual goals, be involved and progress in the general curriculum, to participate in extracurricular or other nonacademic activities, and to be educated and participate with children with disabilities and non disabled children in these activities as appropriate.

The IEP team refers to established eligibility standards as set forth in Title 5 CCR 3030(a-j) as appropriate. Eligibility for special education is written on each IEP developed by the team.

At the IEP meeting, introductions are made, and the purpose and format of the meeting are described. Each required component of the IEP is discussed by the team and recorded on the form including:

- a. The strengths, interests, and learning preferences of the student;
- b. The child's present levels of educational and social functioning, including the results of the initial or most recent assessment of the child and/or the results of the child's performance on any general State or district-wide assessment programs as appropriate;
- c. Annual goals and short-term objectives or benchmarks related to meeting the child's needs that result from the disability to enable the child to be involved in and progress in the general curriculum [or appropriate activities for preschool children] or to meet each of the child's other educational needs that result from the disability;
- d. The concerns of the parent relevant to the child's educational progress;
- e. A description of how the child's disability affects involvement and progress in the general curriculum, or for preschoolers, participation in appropriate activities;
- f. An explanation of the extent, if any, to which the child will not participate with non-disabled children in the regular class and extracurricular activities;
- g. A statement of the supplemental aids and services to be provided to or on behalf of the student;

- h. A statement of program modifications or supports for school personnel that are required for the child to advance appropriately toward attaining the annual goals specified in the IEP;
- i. A determination of the student's need for assistive technology devices and services or low incidence services, equipment, and materials to meet the educational goals and objectives;
- j. A statement of how the child's progress toward the annual goals will be measured and how the parents will be informed of their child's progress;
- k. If the child is Limited English Proficient, a description of how his or her level of English proficiency, related to the IEP, will be addressed;
- l. If the child is Deaf or Hard of Hearing, a description of specialized communication strategies, if needed, and opportunities for direct instruction and communication with peers and adults in the student's language and mode of communication;
- m. If the child's behavior impedes learning, a description of positive behavior interventions, strategies, and supports to address the behavior, including a Hughes Bill Behavior Intervention Plan if required;
- n. A Transition Plan, for when a student graduates, must be developed not later than the first IEP to be in effect when the student *turns 16 years old*, and updated annually thereafter, including all of the following components [California Education Code § 56345(a)(8)];**
  - ***Appropriate measurable postsecondary goals, updated annually, based upon age-appropriate transition assessments related to training, education, employment, and where appropriate, independent living skills [CEC § 56345(a)(8)(A)];***
  - ***A statement of transition services (including courses of study, needed to assist the student in reaching these goals) [CEC § 56345(a)(8)(B)];***
    - i. that are focused on improving the academic and functional achievement of the student to facilitate their movement from school to post-school activities [CEC § 56345.1(a)(1)];***
    - ii. that are based upon the individual needs of the pupil, taking into account the strengths, preferences, and interests of the pupil [CEC § 56345.1(a)(2)];***
    - iii. that include instruction, related services, community experiences, the development of employment and other post-school adult living objectives, acquisition of daily living skills and provision of a functional vocational evaluation [CEC § 56345.1(a)(3)];***

- *A description of how the student’s progress towards these goals will be measured, and when periodic reports on this progress will be provided [CEC § 56345(a)(3)];*
  - *Evidence that the student was invited to any IEP Team meeting where transition services are to be discussed [CEC § 56341(d)(1)];*
  - *If appropriate, evidence that a representative of any participating agency was invited to the IEP Team meeting, with the prior consent of the parent or student who has reached the age of majority [CEC § 56341(d)(3)]; and*
  - *If appropriate, a statement of the interagency responsibilities or needed linkages;*
- o. For students age 17 or older, verification that the student has been apprised of his or her rights at the age of majority;
  - p. A statement of the special education and related services to be provided to the child, including the projected date for beginning the services and modifications, anticipated frequency, location, and duration of those services and modifications;
  - q. Individual modifications in the administration of State or district-wide assessments of pupil achievement, or a statement of why that assessment is not appropriate for the child, designating the Alternate Assessment (CAPA) as the means to measure the student’s progress;
  - r. The determination of the need for Extended School Year, participation in WorkAbility, and specialized transportation services;
  - s. A review of the Notification of Procedural Safeguards; and
  - t. Parental consent to all or part of the IEP.

A copy of the completed IEP is provided to the parent(s). Upon request, the IEP will be translated into the primary language of the parent. All staff who are responsible for portions of the student’s education are informed of the content of the IEP. Service providers from other agencies who provide instruction or a related service will be provided a copy of the IEP. IEPs are maintained in accordance with state and federal pupil record confidentiality laws.