

## GUIDELINES & DEFINITIONS FOR CATAGORIES

### *COMPLAINT RESPONSE UNIT/PARENT RESOURCE NETWORK* Los Angeles Unified School District

**AB 3632 – COMMUNITY MENTAL HEALTH SERVICES** - a mental health program established by Los Angeles County Department of Mental Health Services.

- Assessment** It is a service designed to provide formal, documented evaluation or analysis of the nature of the pupil’s emotional or behavioral disorder. It is conducted by qualified mental health professionals employed by or under contract with the community mental health services, i.e., Los Angeles County Department of Mental Health Services.
- Eligibility Provider** **EC 60040 [Pages G-10 – G-13]**  
*Qualified Mental Health Professional:* includes the following licensed practitioners of the healing arts; a psychiatrist; psychologist; clinical social worker; marriage, family and child counselor; registered nurse, mental health rehabilitation specialist, and others who have been wavered under the *Welfare and Institutions Code*. These individuals may provide mental health services, consistent with their scope of practice.
- Services** *Mental Health Services:* Mental health assessments and the following services when delineated on an IEP: Psychotherapy provided to the pupil individually or in a group, collateral services, medication monitoring, intensive day treatment, day rehabilitation, and case management. These services shall be provided directly or by contract at the discretion of the L.A. County Department of Mental Health.
- Placement** Residential Care Placement – EC 60100 [*Composite of Laws, Pages G-16 – G-18*]

### **ADAPTED PHYSICAL EDUCATION**

Adapted Physical Education is a diversified program of developmental gross motor activities, games, sports, and rhythms suited to the interests, capacities and limitations of students with disabilities who may not safely and/or successfully engage in unrestricted participation in the vigorous activities of the general physical education program, modified general physical education program or in a specially designed physical education program in a special day program.

**Assessment** - Focus on the long and short term needs of the student.

**Eligibility  
Provider**

**Services** (Time & Frequency) services shall be based upon recommendations of the IEP team.

**Direct Services:** Direct Physical Education services provided by an APE specialist to students who have special needs, as indicated by an assessment and evaluation of motor skills performance and other areas of need.

**Collaboration:** Designates services provided and/or implemented jointly with other school staff members to assist students in meeting IEP goals and objectives through all of the physical education options described.

**Consultation:** Designates assistance given to parents, general and special education teachers, or general physical education teachers who conduct the general, modified, or specially designed Physical Education program options. Assistance may include suggestions for individualizing instruction by making modifications or adaptations, and identification of supplementary devices or teaching aids to facilitate skill development by individuals with exceptional needs.

**ASSISTIVE TECHNOLOGY [AT]** – The AT Program provides equitable access to learning for students with disabilities through the provision of specialized equipment and services designed to maximize functional independence in all LAUSD classrooms.

- **Assistive Technology device** means any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized that is used to increase, maintain, or improve the functional capabilities of a child with a disability.
- **Assistive Technology service** means any service that directly assists a child with a disability in the selection, acquisition, or use of an assistive technology device.
- **Assistive Technology is** provided to support the student’s ability to have access to the general education curriculum in the least restrictive environment possible.

**Assessment Eligibility** *See definition for Assessment – EC 56320- Section*  
IEP team determine whether a student with disabilities requires assistive technology devices and services in order to receive a free appropriate public education (FAPE) as required by IDEA.

**Provider** May be delivered as art of the child’s special education, related services, or supplementary aids and services. And on a case by case basis, the use of school purchased assistive technology devices in a child’s home or in other settings is required if the child’s IEP team determines that the child needs access to those devices in order to receive FAPE [34 CFR 300.308]

All Assistive Technology Program staff members are certificated by California State University, Northridge through the Assistive Technology Applications Certificate Program (ATACP).

**Services**

Any service that directly assists a child with a disability in the selection, acquisition, or use of an assistive technology device.

This includes:

- a. The evaluation of the needs of the child, including a functional evaluation of the child in the child's customary environment;
- b. Purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices by such child;
- c. Selecting, designing, fitting, customizing, adapting, applying, maintaining repairing, or replacing of assistive technology devices;
- d. Coordinating and using other therapies, interventions, or services with assistive technology devices such as those associated with existing education and rehabilitation plans and programs;
- e. Training or technical assistance for such child, or where appropriate, the family of such child; and
- f. Training or technical assistance for professionals (including individuals providing education and rehabilitation services), employers, or other individuals who provide services, employ, or are otherwise substantially involved in the major life functions of the child.

**BEHAVIOR INTERVENTION** – The Rules and Regulations do not address any specific intervention approach, whether it is administrative, curricular, or behavioral in nature. The IEP Team considers a variety of methods when planning a child's behavioral program.

The degree and intensity of behavior modification programs correspond directly to-

- the severity of the student's behavior
- resistance to change
- the type of problem behavior exhibited
- the skill and training of the professional staff implementing the program
- the curriculum design and content
- the informed knowledge of these interventions by parents, and
- the cooperation and support of District administration.

**Examples of strategies that may be considered -**

- Appropriate and Motivating Curriculum
- High Rate of Positive Response from Teachers

- Structured Daily Schedule
- Staff Training
- Environmental Engineering
- Instructional Pacing
- Precision Commands
- Data Collection
- Parent Conference
- Special Equipment
- Supervision

### **COMPENSATORY EDUCATION**

If a student has an inappropriate IEP or is not receiving more than a minimum education benefit, the student must correct the situation. If the district fails to correct the situation, the child is entitled to compensatory education equal to the period of deprivation, excluding the time reasonably required for the district to rectify the problem.

### **COMPLIANCE**

- Offer of an educational placement is in question
- Contents of the Procedural Notice explanation are in question

### **COUNSELING**

Students with disabilities should have access to regular guidance and counseling programs to the same extent as their non-disabled peers. Designated Instruction and Services (DIS) related services counseling is to be considered a supplement to the regular guidance and counseling program.

**Eligibility** Counseling and guidance services may be provided to an individual with exceptional needs who required additional counseling and guidance services to supplement the regular guidance and counseling program. The IEP team shall determine the need for additional guidance and counseling services when they are necessary for the student to benefit educationally from his or her instructional program.

**Provider** Services provided by qualified social workers, psychologists, guidance counselors, or other qualified personnel.

**Services** *Educational counseling* in which the pupil is assisted in planning and implementing his or her immediate and long-range educational program;  
*Career counseling* in which the pupil is assisted in assessing his or her aptitudes, abilities and interests in order to make realistic career decisions.  
*Personal counseling* in which the pupil is helped to develop his or her ability to function with social and personal responsibility.

*Counseling and consultation* with parents and staff members on learning problems and guidance programs for pupils.

## **DEAF AND HARD OF HEARING**

A student has a hearing impairment, whether permanent or fluctuating, which impairs the processing of linguistic information through hearing, even with amplification, and which adversely affects educational performance. Processing linguistic information includes speech and language reception and speech and language discrimination.

**Assessment** *See definition for Assessment – EC 56320 - Section*  
**Eligibility**

- (a) A current audiological evaluation must be completed by a qualified audiologist. All “outside” assessments are to be reviewed by a district educational audiologist.
- (b) The hearing impairment limits the student’s access to language and communication through hearing with or without amplification.
- (c) The hearing impairment adversely affects the development of expressive and or receptive language and communication.
- (d) The impairment adversely affects the student’s educational performance, and requires special education to meet the student’s needs.

**Services** (Time Frequency) services shall be based upon recommendations of the IEP team.

## **ELIGIBILITY FOR SPECIAL EDUCATION**

See: the LAUSD *IEP Team Guidelines Notebook* – Section 3

1. Autism (AUT)
2. Deafness (DEA)
3. Deaf-blindness (DBL)
4. Emotional Disturbance (ED)
5. Established Medical Disability (EMD)
6. Hard of Hearing (HOH)

Deaf and Hard of Hearing (DHH) services are provided to eligible students with a documented hearing loss that impacts communication skills and access to the core curriculum. Services are provided through the DHH Itinerant or SDC Program.

7. Mental Retardation (MR)
8. Multiple Disabilities (MD)
  - Multiple Disabilities, Hearing (MDH)
  - Multiple Disabilities, Orthopedic (MDO)
  - Multiple Disabilities, Vision (MDV)
  - Multiple Disabilities, Generic (MDG)
9. Orthopedic Impairment (OI)
10. Other Health Impairment (OHI)

11. Specific Learning Disability (SLD)

12. Speech or Language Impairment

- Language and Speech (LAS)
- Aphasia (APH)

13. Traumatic Brain Injury (TBI)

14. Visual Impairment (VI)

Visually Impaired Programs provides services to students based on a medical report from an eye doctor, and an assessed need for intervention. Services may include options such as a VI Special Day Class on a Special Education Center site for the Visually Impaired, a VI SDC on a general education site, services from an itinerant teacher of the visually impaired provided in the student's current educational setting. Orientation and Mobility services, Braille transcription, and reader services for the blind.

- Partially Sighted (PS)
- Blindness (BL)

### **EXTENDED SCHOOL YEAR [ESY]**

A student is entitled to special education and related services during Extended School Year (ESY) when the information available to the IEP team establishes that:

1. The student's disability will persist over a prolonged period of time;
2. The student is likely to lose mastered skills if services are interrupted (regression),
3. The student has limited ability to re-learn skills (recoupment capacity); and
4. Based on the student's likelihood to regress and limited recoupment capacity, it is impossible or unlikely that the student will maintain the level of self-sufficiency and independence that would otherwise be expected in view of the student's ability.

### **EXPULSION/SUSPENSIONS**

#### **Four types of Disciplinary Removals**

- (1) Short Term removals of 10 days or fewer – No right to educational services/No IEP team meeting required regarding behavior interventions/manifestation determination
- (2) Short term removals of more than 10 cumulative days not constituting a change in placement – right to educational services on 11<sup>th</sup> day – to enable the student to progress in general curriculum; and advance toward achieving IEP goals and objectives schools personnel consult with child's' special education teacher to determine scope of services.
  - IEP team required regarding behavior interventions
  - No IEP team meeting required regarding manifestation determination.
- (3) Short-term removals of more than 10 cumulative days constituting a change in placement
  - Right to educational services on 11<sup>th</sup> day –

- To enable the student to progress in general curriculum; and
  - Continue to receive those services and modifications described in student's IEP necessary to meet IEP Goals and Objectives.
  - IEP Team determining scope of services
  - IEP Team meeting required regarding:
    - Behavior Interventions
    - Manifestation Determination
- (4) Long-term removals of more than 1- consecutive days
- Right to educational services on 11<sup>th</sup> day –
  - To enable the student to progress in general curriculum; and
  - Continue to receive those services and modifications described in student's IEP necessary to meet IEP Goals and Objectives.
  - IEP Team determining scope of services
  - IEP Team meeting required regarding:
    - Behavior Interventions
    - Manifestation Determination

**IEP** -The IEP must be designed to provide meaningful educational benefit.

*Goals and Objectives* of the IEP needs to focus on offsetting or reducing problems that have resulted from the student's disability and are interfering with the student's ability to acquire or produce skills in an academic environment.

*Present levels of performance* – A statement that describes the present levels of performance including how the disability affects the child's involvement and progress in the general curriculum. The information should address the effect of the student's disability on overall school performance, as well as progress in the general education curriculum. Deficits and or strengths identified during the course of the assessment should be connected to curriculum components in writing. [See IEP Page 3].

*Statement of the specific special education and related services to be provided* and the extent to which the student should be reasonably expected to participate in general education programs.

*Projected dates of initiation of services and the anticipated duration of the services;*

*Appropriate, objective evaluation criteria and procedures, and schedules* for determining, on at least *an annual basis*.

*An appropriate statement of the needed transition services for students with disabilities, ages 14 and older (or younger, if determined appropriate), focusing on the student's course of study, such as participation in advanced placement courses or a vocational education program). Beginning at age 16 (or younger if determined appropriate by the IEP team), each student's IEP must include a*

**statement** of the responsibilities of each public agency toward the student before he or she leaves the school setting,

*If the IEP determines that services are NOT NEEDED in one or more areas of the IEP, a statement to that effect which outlines the basis for the determination.*

**Documentation of FAPE (Free Appropriate Public Education)** on IEP Page 12. A summary statement of the District's recommended program and services to address the needs of the student. The offer of FAPE must include a specific offer of placement containing the following:

- Period of time for the placement
- Name of the District's school or nonpublic school
- Description of the type of school, the type of provider, and or the program, including the type of class or classes.
- A description of the related services, the student will receive, including the time and frequency, and type of provider.
- Other unique conditions relevant to the student, including the specialized equipment/assistive technology or facilities.

## **LANGUAGE AND SPEECH**

School based speech therapy supports the educational program for students who have a disorder in communication involving articulation, language, fluency and or voice. Speech and Language Therapists work as members of a multidisciplinary team that services children school wide in the development of the communication and language skills needed for school success.

**Assessment** *See definition for Assessment Section– EC 56320*

**Eligibility – School Based Therapy** – School based speech therapy supports the educational program for students who have a disorder in communication in one or more of the following areas.

- **Articulation**: The production of speech sounds significantly interferes with communication and attracts adverse attention.
- **Language**: Inappropriate or inadequate acquisition, comprehension or expression of spoken language.
- **Fluency**: Difficulties which result in the abnormal flow of verbal expression to such a degree that they adversely affect communication.
- **Voice**: A voice that is characterized by persistent defective vocal quality, pitch or loudness.

**Provider**

- **Qualified Speech and Language Pathologists**
- **Nonpublic Agency**
- **LAUSD - After School and Saturday Clinics**

**Services** - (Time & Frequency) services shall be based upon recommendations of the IEP team.



**LRE [Least Restrictive Environment]** – Children with disabilities, including children in public or private institutions or other care facilities, are, to the maximum extent appropriate, educated with their non-disabled peers. Special classes, separate schooling, or other removal of children with disabilities from age-appropriate general education classrooms shall occur only when the nature or severity of the disability of the child is such that education in general education classes with the use of supplementary aids and services cannot be achieved satisfactorily. [See *Special Education Policies and Procedures Manual, July 2005* – Section IX “Placement in the Least Restrictive Environment – Page 71 – 73 of 428]

## **CONTINUUM OF PLACEMENTS**

### ***General Education Schools***

- General Education classroom with accommodations or modifications
- General Education classroom with supplementary aids and supports
- General Education classroom with designated instruction and services (related services)
- General Education classroom with Resource Specialist Program [RSP] services
- General Education classroom with special day classroom
- Special Day Classroom [SDC]

### ***Special Schools/Centers***

- Special Day Classroom [SDC]

### ***Nonpublic Schools [NPS]***

- Dual enrollment (public and nonpublic schools)
- Special day classroom

### ***Home or Hospital***

- Instruction in the home or hospital

### ***Residential***

- State school
- Nonpublic school or center

**ORIENTATION AND MOBILITY** – Mobility instruction may include specialized instruction for individuals in orientation and mobility techniques; consultative services to other educators and parents regarding instructional planning and implementation of the IEP relative to the development of orientation and mobility skills and independent living skills.

**Assessment** *See definition for Assessment – EC 56320- Section*

**Eligibility**

**Provider**

The person providing mobility instruction and services shall hold a credential as an orientation and mobility specialist.

**Services** (Time & Frequency) Orientation and Mobility Specialist shall provide services based upon recommendations of the IEP team.

### **OCCUPATIONAL THERAPY [OT]**

School Occupational Therapy is a support service to a student's educational program. School occupational therapy assesses and addresses the following areas;

- Postural stability
- Fine motor skills;
- Visual perception and integration
- Sensory motor

School occupational therapy may involve adaptation of task or the environment and consist of a combination of direct intervention, consultation, and monitoring.

**Assessment** The *Ecological Model of Student Performance* is a guide in determining the specific needs of a student within his/her educational program. The ecological model takes into account three factors:

- Student Abilities: The student's strengths and limitations in the educational environment;
- Curriculum: The program that guides what is taught in the classroom;
- Educational Environment: The setting in which the student learns.

**Eligibility** Occupational or physical therapists shall provide services based upon recommendations of the IEP team.

**Provider** An occupational therapist shall be currently registered with the American Occupational Therapy Association.

**Services** (Time & Frequency) Occupational or physical therapists shall provide services based upon recommendations of the IEP team.

### **OTHER ASSESSMENT – See Other Definitions - Assessment**

### **OTHER RELATED SERVICES**

- **AUDIOLOGY**

Educational Audiologists provide complete audiologic evaluations for any LAUSD student. They provide direct service to SDC program and are a resource to the DHH Itinerant Program regarding use of residual hearing and amplification systems. Educational Audiologist also provide counseling to parents and professional development to District staff and outside agencies.

**PLACEMENT - that names the facilities, personnel, location, or equipment necessary to provide FAPE is adequate, note not all of these components have to be met at the same time to meet these requirements.**

- **Nonpublic Schools** – Nonpublic, nonsectarian school means a private, nonsectarian school that enrolls individuals with exceptional 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 CDE. It does not include an organization or agency that operates as a public agency or offers public services, including but not limited to, a state or local agency, or an affiliate of a state or local agency, including a private, nonprofit cooperation established or operated by a state or local agency or a public university or college.
- **Private**
- **Public School**

### **PSYCHO-EDUCATIONAL ASSESSMENT**

Any psychological assessment of pupils shall be made in accordance with the *California Education Code, Section 56320*, and shall be conducted by a credentialed school psychologist who is trained and prepared to assess cultural and ethnic factors appropriate to the pupil being assessed.

### **PHYSICAL THERAPY [PT]**

*School Physical Therapy* is a support service to a student's educational program.

School physical therapy assesses and addresses the following areas:

- Posture
- Balance
- Strength
- Coordination
- Mobility
- Gross motor skills

School physical therapy may involve adaptation of task or the environment, and consist of a combination of direct interventions, consultation and monitoring.

**Assessment** The *Ecological Model of Student Performance* is a guide in determining the specific needs of a student within his/her educational program. The ecological model takes into account three factors:

- ***Student Abilities***: The student's strengths and limitations in the educational environment;
- ***Curriculum***: The program that guides what is taught in the classroom;
- ***Educational Environment***: The setting in which the student learns.

#### **Eligibility**

**Provider** A qualified physical therapist shall be currently licensed by the Board of Medical Quality Assurance of the State of California and meet the educational standards of the Physical Therapy Examining Committee.

**Services (Time & Frequency)** – Occupational or physical therapists shall provide services based upon recommendations of the IEP team.

Physical therapy for infants is limited by *EC 56426.6*. PT services may not exceed the services specified in the *Business and Professions Code at Section 2620*.

## **RETENTION**

## **REIMBURSEMENT**

The District is not required to pay for the private school education, including special education services, of a child with disabilities if the District made available to the child appropriate special education services at a District school, but the parent chose to place the child in a private school or facility.

For a child that previously received special education services at a District school and the parent enrolled the child in a private school without the consent of or referral by the District; a court or a due process hearing officer may require that the District reimburse the parents for the private school placement if the District did not make the appropriate special education services available to the child in a timely manner prior to the child's enrollment in the private school.

The parent is required to give the District notice that:

1. They are rejecting the District's placement;
2. What their concerns are regarding the placement; and
3. Their intent to enroll the child in a private school and request reimbursement from the District.

**SECTION 504** - *Section 504 of the Rehabilitation Act of 1973* is a civil rights statute that prohibits discrimination against students with disabilities in any program or activity receiving federal financial assistance. It is LAUSD's responsibility under this federal law to identify, evaluate and determine if a student with disabilities might qualify under the criteria of *Section 504* for the protections that the law offers. [See *Special Education Policies and Procedures Manual, July 2005* – Part III Chapter 1 “Section 504 of the Rehabilitation Act of 1973 – Page 91 of 428]

- **Section 504 Definition of Disability** – A student is considered “disabled” by *Section 504's* definition if he or she:
  1. Has a mental or physical disability that substantially limits one or more of the student's major life activities;
  2. Has a record of such disability; or
  3. Is regarded as having such a disability.

- **Definition of Major Life Activity and the “Limiting Effects” of a Disability**  
 “Major Life Activities” – include functions such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

If a disability does not **substantially limit** a major life activity, the individual is not considered disabled under *Section 504*.

- **Definition of Other Section 504 Terms (As Used in C.F.R. Part 104 of the Section 504 Regulations)**

**Assessment** – Refers to the gathering of data from a variety of sources, such as achievement records/scores, grade reports, teacher observation comments, discipline and attendance records, the cumulative record, and/or medical records provided by parents, etc.

**Educational Placement** – Refers to the application of the Section 504 Plan in the general education setting.

**Supplementary Aids and Services** - Refers to the actual accommodations determined in the student’s Section 504 Plan.

**Accommodations** - Refers to the special arrangements used in the general education classroom to provide access to the curriculum/program that do not change the course expectations and/or content of the curriculum/program. [**Examples of accommodations:** sitting in the front of the room, being provided with extended time for testing, providing a student with highlighted critical text, or providing use of a calculator.]

## **SOCIAL SKILLS**

<b>Assessment</b>	An assessment of social emotional skills by the School Psychologist
<b>Provider</b>	Classroom teacher per the IEP/ NPAs
<b>Services</b>	(Time & Frequency) services shall be based upon the recommendations of the IEP team.

## **TRANSPORTATION**

**Definition of Special Education Transportation** – The transportation of severely disabled special day class pupils, and orthopedically impaired pupils who require a vehicle with a wheelchair lift, as specified in their IEP. [See *Special Education Policies and Procedures Manual, July 2005* – Appendix A, Section 9 “Determining Transportation as a Related Services – Page 205 of 428]

## **TEMPORARY SUPPORT ASSISTANT / ADDITIONAL ADULT ASSISTANT**

Adult support beyond baseline classroom assistant support to students with disabilities.

**District**

**Private**

## **TRANSITION SERVICES/ PLAN**

**Transition Services** are a coordinated set of activities for students designed within an outcome-oriented process. These transition activities are designed for each student, based on his/her interests, needs, and preferences. They are also designed to achieve certain results. Transition services provide students with disability the opportunities to choose goals, objectives, and activities that prepare them for the future. [See *Special Education Policies and Procedures Manual, July 2005* – Appendix, Section 8 “Determining Transition Services for Students with Disabilities Beginning at Age 14 – Page 197 of 428].

The District provides transition instruction and services to students with disabilities, beginning at age 14 or younger, if determined appropriate by the IEP team.

**Transition Plan** – The results of transition planning are documented in the ITP section of the IEP. The specific items documented are:

1. Instructional Services
2. Related Services
3. The role of community experience in the plan for employment, other post-school adult living objectives and
4. The gaining of daily living skills and work evaluation, if needed.

Examples of types of services that may be included:

- Classroom lessons and planning for life after high school
- Life after high school
  - Work training
  - Jobs
  - Adult Services
  - Independent living
  - Help from public agencies

**VISION THERAPY - May include:** Remedial and/or developmental instruction provided directly by or in consultation with the optometrists, ophthalmologist, or other qualified licensed physician and surgeon providing ongoing care to the individual.

**Assessment** *See definition for Assessment – EC 56320- Section*

**Eligibility**

**Provider** Vision therapy shall be provided by an optometrists, ophthalmologist, or by appropriate qualified school personnel

when prescribed by a licensed optometrist, ophthalmologist, or other qualified licensed physician and surgeon.

**Services** (Time & Frequency) services shall be based upon recommendations of the IEP team.

### ***WILLIAMS v. STATE OF CALIFORNIA CASE***

The *Williams* Case focused on the issue of sub-standard conditions in certain of the state's public schools. Complaints may be registered under the Uniform Complaint Process. There are three general categories that can prompt complaints.

- **Students**, including English language learners, not having access to appropriate **textbooks** aligned as state standards, not having the books available for home use, or not having books or materials that are in useable condition.
- A **less than fully credentialed teacher assigned** to teach a class at the beginning of a semester, or teachers assigned to classes without appropriate E.L.L. certification or subject matter competency.
- Complaints related to **facilities** regarding conditions that pose an emergency or urgent threat to the health or safety of pupils or staff.

Notices must be posted in each classroom that explains to parents and guardians that there should be sufficient textbooks or instructional materials, school facilities must be clean, safe and in good repair, and the location to obtain a form to file a complaint regarding a deficiency.

All California school district must provide policies and procedures for investigation and resolution of related complaints.

Note the *Williams* settlement legislation does not circumvent IEPs. English learners are explicitly mentioned in the law and must have state-adopted textbooks in the four core subject areas, including the English language development component of an adopted program. IEPs may require modified instructional materials. Resource students should be enrolled in general education core classes and should have core textbooks in the four core subject areas.

## **GENERAL DEFINITIONS**

**Assessment: EC 56320:** Before an initial placement of an individual, an individual assessment of the pupil's educational needs shall be conducted, by qualified persons, in accordance with requirements including, but not limited to, all of the following:

(a) *Testing and assessment materials* and procedures used for the purposes of assessment and placement of individuals with exceptional needs are selected and administered so as not to be racially, culturally, or sexually discriminatory.

(b) *Meets Requirements:* Test and other assessment materials meet all of the following requirements:

(1) *Provided in Primary Language:* Are provided and administered in the pupil's primary language or other mode of communication, unless the assessment plan indicates reasons why this provision and administration are not clearly feasible.

(2) *Validated for Specific Purposes:* Have been validated for the specific purpose, for which they are used,

(3) *Administered by trained Personnel:* Are administered by trained personnel in conformance with the instructions provided by the producer of the tests and other assessment materials, except that individually administered tests of intellectual or emotional functioning shall be administered by a credentialed school psychologist.

(c) *Assess specific area of need:* Tests and other assessment materials include those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence

(d) *Accurate test results:* Tests are selected and administered to best ensure that when a test administered to a pupil with impaired sensory, manual, or speaking skills produces test results that accurately reflect the pupil's aptitude, achievement level, or any other factors the test purports to measure and not the pupil's impaired sensory, manual, or speaking skills unless those skills are the factors the test purports to measure.

(e) *No single procedure shall be used.*

(f) *Assessed in All Areas:* The pupil is assessed in all areas related to the suspected disability including, if appropriate, health and development, vision, including low vision, hearing, motor abilities, language function, general intelligence, academic performance, communicative status self-help, orientation and mobility skills, career and vocational abilities and interests, and social and emotional status. A developmental history is obtained, when appropriate. For pupils with residual vision, a low vision assessment shall be provided in accordance with guidelines established pursuant to *EC Section 56136*.

**WRITTEN OFFER:** IDEA requires written prior notice to the parents of the child whenever the district:

- Proposes to initiate or change; or
- Refuses to initiate or change;
- The identification, evaluation, or educational placement of the child.

**When:** For **Initial placement:** at the IEP team meeting held within 50 days of



the parents' consent to assess; For **two years olds**, at a minimum, within a reasonable time prior to the date the child is eligible to receive services;

For **continuing placement**, at the IEP team meeting for the annual review or, at a minimum, within a reasonable time before the expiration of the current IEP.

**Where:**

The offer should be made on the IEP, in a notice, in a letter, in any other clear written statement, in any combination of the others.