

INDIVIDUALIZED EDUCATION PROGRAM

Individualized Education Program (IEP) Team

The IEP team for any student shall include at least the following members: (20 USC 1414(d))

1. The parents/guardians of the student with a disability
2. If the student is or may be participating in the regular education program, at least one regular education teacher
3. At least one special education teacher, or where appropriate, at least one special education provider of such student
4. A representative of the District who is:
 - a. Qualified to provide, or supervise, the provision of specially designed instruction to meet the unique needs of students with disabilities
 - b. Knowledgeable of the general curriculum
 - c. Knowledgeable about the availability of District and/or SELPA resources

(cf. 0430 - Comprehensive Local Plan for Special Education)
5. An individual who can interpret the instructional implication of evaluation results, who may already be a member of the team as described above
6. At the discretion of the parent/guardian or agency, other individuals who have knowledge or special expertise regarding the student, including related services personnel as appropriate
7. Whenever appropriate, the student with a disability

For a student who has been evaluated for the purpose of developing, reviewing or revising the IEP, a member of the evaluation team shall be present or at least one of the persons present shall be knowledgeable about the evaluation (assessment) procedures, familiar with the results of the student's previous assessment, if any, and qualified to interpret the

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results of the assessment which are significant to development of the student's IEP. (Education Code 56341; 34 CFR 300.344)

(cf. 6164.4 - Identification of Individuals for Special Education)

For students with suspected learning disabilities, at least one member of the IEP team shall be a person other than the student's regular teacher who has observed the student's educational performance in an appropriate setting. If the child is younger than five years or not enrolled in school, a team member shall observe the child in an appropriate environment. (Education Code 56341)

In addition, any of the following may participate, as appropriate:

1. The program specialist, school psychologist, school nurse, school social worker, counselor, or other student services worker who has conducted an assessment of the student, when the assessment is significant to the development of the IEP
2. Any other person whose competence is needed because of the nature and extent of the student's disability
3. A public agency representative fluent in the student's primary language

Individualized Education Program (IEP)

The IEP shall be a written statement determined in a meeting of the IEP team. It shall include, but not be limited to, all of the following: (20 USC 1414(d); Education Code 56345, 56345.1)

1. A statement of the present levels of the student's educational performance, including one of the following:
 - a. How the student's disability affects the student's involvement and progress in the general curriculum
 - b. Or preschool children, as appropriate, how the disability affects the student's participation in appropriate activities
2. A statement of measurable annual goals, including benchmarks or short-term objectives related to:
 - a. Meeting the student's needs that result from the student's disability in order

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to enable the student to be involved in and progress in the general curriculum

- b. Meeting each of the student's other educational needs that result from the student's disability
- 3. A statement of the special education, related services and supplementary aids and services to be provided to the student, or on behalf of the student, and a statement of the program modifications or supports for school personnel that will be provided for the student to:
 - a. Advance appropriately toward attaining the annual goals
 - b. Be involved and progress in the general curriculum in accordance with item #1 above and to participate in extracurricular and other non-academic activities
(cf. 6145 - Extracurricular and Co-curricular Activities)
 - c. Be educated and participate with other students with disabilities and non-disabled students in the activities in item #3 above
(cf. 3541.2 - Transportation for Students with Disabilities)
- 4. An explanation of the extent, if any, to which the student will not participate with non-disabled students in the regular class and in activities described in item #3 above
- 5. A statement of any individual modifications in the administration of state or district-wide assessments of student achievement that are needed in order for the student to participate in such assessment
 - a. If the IEP team determines that the student will not participate in the administration of the state or district-wide assessment of student achievement (or part of such an assessment) a statement of:
 - (1) Why that assessment is not appropriate for the student
 - (2) How the student will be assessed

(cf. 6162.5 - Student Assessment)

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6. The projected date for the beginning of the services and modifications described in item #3 above and the anticipated frequency, location and duration of those services and modifications
7. A statement of transition service needs, as defined in Education Code 56345.1, as follows:
 - a. Beginning at age 14, and updated annually, a statement of transition service needs of the student under the applicable components of the IEP that focus on the student's courses of study (such as participation in advanced-placement courses or a vocational education program)
 - b. Beginning at age 16 (or younger if determined appropriate by the IEP team), a statement of needed transition services for the student, including, when appropriate, a statement of the interagency responsibilities or any needed linkages
 - c. Beginning at least one year before the student reaches the age of majority, a statement that the student has been informed of his/her rights pursuant to IDEA, if any, that will transfer to the student upon reaching the age of majority pursuant to 20 USC 1415(m)
8. Appropriate objective criteria, evaluation procedures, and schedules for determining, on at least an annual basis, whether the annual goals are being achieved.
9. A statement of:
 - a. How the student's progress toward the annual goals described in item #2 above will be measured
 - b. How the student's parents/guardians will be regularly informed (by such means as periodic report cards), at least as often as parent/guardians of non-disabled students of:
 - (1) Their child's progress towards the annual goals described in item #2 above
 - (2) The extent to which that progress is sufficient to enable the student to achieve the goals by the end of the year

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10. A determination as to whether differential proficiency standards shall be developed for the student pursuant to Education Code 51215. If differential proficiency standards are to be developed, the IEP shall include these standards.

(cf. 6146.4 - Differential Graduation and Competency Standards for Individuals with Exceptional Needs)

Where appropriate, the IEP shall also include: (Education Code 56345)

1. For students in grades 7-12, any alternative means and modes necessary for the student to complete the District's prescribed course of study and to meet or exceed proficiency standards required for graduation
2. Linguistically appropriate goals, objectives, programs and services for students whose primary language is not English
3. Extended school year services when needed, as determined by the IEP team
4. Provision for transition into the regular education program if the student is to be transferred from a special class or center, or nonpublic, nonsectarian school, into a regular education program in a public school for any part of the school day

The IEP shall include descriptions of activities intended to:

- a. Integrate the student into the regular education program, including indications of the nature of each activity and the time spent on the activity each day or week
 - b. Support the transition of the student from the special education program into the regular education program
5. Specialized services, materials and equipment for students with low incidence disabilities, consistent with the guidelines of Education Code 56136

In developing or revising the IEP, the IEP team shall consider the following: (20 USC 1414(d); Education Code 56345)

1. When appropriate, strategies including positive behavioral interventions and supports to address the behavior of a student whose behavior impedes his/her learning or that of others

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2. In the case of a student with limited English proficiency, the language needs of the student as such needs relate to the student's IEP
3. In the case of a student who is blind or visually impaired, the need to provide for instruction in Braille and the use of Braille unless the IEP team determines, after an evaluation of the student's reading and writing skills, needs, and appropriate reading and writing media, that instruction in Braille or the use of Braille is not appropriate for the student
4. Whether the student requires assistive technology devices and services
5. In the case of a student who is deaf or hard-of-hearing, the related services and program options that provide the student with an equal opportunity for communication access, including the following: (Education Code 56345)
 - a. The student's primary language mode and language, which may include the use of spoken language with or without visual cues, and/or the use of sign language
 - b. The availability of a sufficient number of age, cognitive and language peers of similar abilities
 - c. Appropriate, direct and ongoing language access to special education teachers and other specialists who are proficient in the student's primary language mode and language
 - d. Services necessary to ensure communication-accessible academic instructions, school services and extracurricular activities

Due Process / Mediation

All parts of the IEP to which the parent/guardian has consented in writing shall be implemented without delay. If the Superintendent/Principal or designee determines that a part of the proposed IEP to which the parent/guardian does not consent is necessary in order to provide a free and appropriate public education to the student, he/she shall either initiate a due process hearing or a pre-hearing mediation conference with the state pursuant to Education Code 56500.3. While the due process hearing or pre-hearing mediation conference is pending, the student shall remain in his/her current placement unless the parent/guardian and the Superintendent/Principal or designee agree otherwise. (Education Code 56346)

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While a due process hearing is pending, the Superintendent/Principal or designee may choose to meet informally with the parent/guardian pursuant to Education Code 56502 or may hold a mediation conference pursuant to Education Code 56503. If a due process hearing is held, the hearing decision shall be the final administrative determination and shall be binding upon the parties. (Education Code 56346)

IEP Team Meetings

The IEP team shall meet: (20 USC 1414(d); Education Code 56343)

1. Whenever a student has received an initial formal assessment. The team may meet when a student receives any subsequent formal assessment.
2. Whenever the student demonstrates a lack of anticipated progress.
3. Whenever the parent/guardian or teacher requests a meeting to develop, review or revise the IEP.
4. At least annually to:
 - a. Review the student's progress and to determine whether the student's annual goals are being achieved
 - b. Review the IEP and the appropriateness of placement
 - c. Make any necessary revisions to the IEP

The IEP team shall conduct this review. Others may participate if they have essential expertise or knowledge. (20 USC 1414(d))

The IEP may be revised, as appropriate, to address: (20 USC 1414(d); Education Code 56343, 56345.1)

1. Any lack of expected progress toward the annual goals and in the general curriculum
2. The results of any reevaluation conducted
3. Information about the student provided to or by the parents/ guardians regarding review of evaluation data pursuant to 20 USC 1414(c)(1)(B)

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4. The student's anticipated needs
5. Other matters

If a participating agency, other than the District, fails to provide the transition services described in the student's IEP, the team shall reconvene to identify alternative strategies to meet the transition service needs for the student set out in the IEP. (Education Code 56345.1)

When a parent/guardian requests an IEP team meeting to review the IEP, the team shall meet within 30 days of receiving the parent/guardian's written request, not counting days in July and August. (Education Code 56343.5)

An IEP required as a result of an assessment of the student shall be developed within 50 days, not counting days between school sessions or term days, from the date of receipt of the parent/guardian's written consent for assessment, unless the parent/guardian agrees, in writing to an extension. However, an IEP shall be developed within 30 days after the commencement of the subsequent regular school year for each student for whom a referral has been made 20 days or less prior to the end of the regular school year. (Education Code 56344)

A regular education or special education teacher may request a review of the classroom assignment of a special education student by submitting a written request to the Superintendent or designee. The Superintendent/Principal or designee shall consider the request within 20 days of receiving it, not counting days in July and August. If his/her review indicates a change in the student's placement, instruction and/or related services, the Superintendent/Principal or designee shall convene an IEP meeting, which shall be held within 30 days of the Superintendent or designee's review, not counting days in July or August, unless the student's parent/guardian consents to an extension of time.

At each IEP meeting convened by the District, the District administrator or specialist on the team shall inform the parent/guardian and student of the federal and state procedural safeguards included in the notice of parental rights provided pursuant to Education Code 56321. (Education Code 56500.1)

(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)

Parents/guardians and the District shall have the right to audiotape the proceedings of IEP meetings, provided members of the IEP team are notified of this intent at least 24 hours before the meeting. If the District gives notice of intent to audiotape a meeting, and if the parent/guardian objects or refuses to attend because the meeting would be audiotaped, the

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meeting shall not be audiotaped. Parents/guardians also have the right to: (Education Code 56341)

1. Inspect and review the audiotapes
2. Request that the audiotapes be amended if the parent/guardian believes they contain information that is inaccurate, misleading or in violation of the student's privacy rights or other rights
3. Challenge, in a hearing, information that the parent/guardian believes is inaccurate, misleading, or in violation of the student's privacy rights or other rights

Prior Written Notice

The Superintendent/Principal or designee shall send parents/guardians a prior written notice whenever there is a proposal to initiate or change or refusal to initiate or change the identification, evaluation or educational placement of the student or the provision of a free and appropriate public education. This notice shall include: (20 USC 1415(c))

1. A description of the action proposed or refused by the District
2. An explanation as to why the District proposes or refuses to take the action
3. A description of any other options that the District considered and why those options were rejected
4. A description of each evaluation procedure, test, record or report the District used as a basis for the proposed or refused action
5. A description of any other factors that are relevant to the District's proposal or refusal
6. A statement that the parents/guardians of the student have protection under procedural safeguards and, if this notice is not an initial referral for evaluation, the means by which a copy of the description of procedural safeguards can be obtained
7. Sources for parents/guardians to obtain assistance in understanding these provisions