

**SAN LORENZO  
UNIFIED SCHOOL DISTRICT  
ADMINISTRATIVE REGULATIONS**

**Instruction**

AR 6159 (a)

**INDIVIDUALIZED EDUCATION PROGRAM**

Members of the Individualized Education Program (IEP) Team

The district shall ensure that the individualized education program team for any student with a disability includes the following members: (20 USC 1414(d)(1); 34 CFR 300.321; Education Code 56341, 56341.2, 56341.5)

1. One or both of the student's parents/guardians, and/or a representative selected by the parent/guardian
2. If the student is or may be participating in the regular education program, at least one general education teacher

If more than one general education teacher is providing instructional services to the student, the district may designate one such teacher to represent the others.

3. At least one special education teacher or, where appropriate, at least one special education provider for the student
4. An administrator or designee 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 about the general education curriculum

In addition, the following members may participate in an IEP meeting when deemed appropriate by the team:

1. An individual who can interpret the instructional implications of assessment results
2. At the discretion of the parent/guardian or district, other individuals who have knowledge or special expertise regarding the student, including related services personnel, as appropriate
3. The student, when appropriate.

4. For transition service participants:

- a. The student, of any age, with a disability if the purpose of the meeting is the consideration of the student's postsecondary goals and the transition services needed to assist the student in reaching those goals pursuant to 34 CFR 300.320(b)

If the student does not attend the IEP team meeting, the district shall take other steps to ensure that the student's preferences and interests are considered.

- b. To the extent appropriate, a representative of any other agency that is likely to be responsible for providing transition services

If a representative of such other local agency has been invited but does not attend the meeting, the district shall take other steps to obtain input of the agency in the planning of any transition services. (Education Code 56341)

5. For students who have been placed in a group home by the juvenile court, a representative of the group home shall be invited.

If a student with a disability is identified as potentially requiring mental health services, the district shall request the participation of the county mental health program in the IEP team meeting. (Education Code 56331)

Upon request of the parent/guardian of a child who was previously served under Early Education for Individuals with Exceptional Needs (Education Code 56425-56432) or the California Early Intervention Services Act (Government Code 95000-95004), the district shall invite the Infant and Toddlers with Disabilities Coordinator or other representative of the early education or early intervention system to the initial IEP team meeting to assist with the smooth transition of services. (20 USC 1414(d)(1)(D); 34 CFR 300.321; Education Code 56341)

A member of the IEP team shall not be required to attend an IEP team meeting, in whole or in part, if the parent/guardian consents and the district agree, in writing, that the attendance of the member is not necessary because the member's area of the curriculum or related services is not being modified or discussed at the meeting. If the meeting involves a discussion of the member's area of the curriculum or related service, the IEP team member may be excused from the meeting if the parent/guardian consents in writing to the excusal and the member submits to the parent/guardian and team written input into the development of the IEP prior to the meeting.

Parent/Guardian Participation and Other Rights

The Superintendent or designee shall take steps to ensure that one or both of the parents/guardians of the student with a disability are present at each IEP team meeting or are afforded the opportunity to participate. These steps shall include notifying the parents/guardians of the meeting early enough to ensure that they will have the opportunity to attend and scheduling the meeting at a mutually agreed upon time and place. (34 CFR 300.322; Education Code 56341.5)

The Superintendent or designee shall send parents/guardians notices of IEP team meetings that

1. Indicate the purpose, time, and location of the meeting
2. Indicate who will be in attendance at the meeting
3. For students beginning at age 16 (or younger than 16 if deemed appropriate by the IEP team):
  - a. Indicate that the purpose of the meeting will be the consideration of postsecondary goals and transition services for the student pursuant to 20 USC 1414(d)(1)(A)(i)(VIII), 34 CFR 300.320(b), and Education Code 56345.1
  - b. Indicate that the district will invite the student to the IEP team meeting
  - c. Identify any other agency that will be invited

At each IEP team 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 at least once a school year. (Education Code 56500.1)

If neither parent/guardian can attend the meeting, the Superintendent or designee shall use other methods to ensure parent/guardian participation, including conference telephone calls. (20 USC 1414(f); 34 CFR 300.322; Education Code 56341.5)

An IEP team meeting may be conducted without a parent/guardian in attendance if the district is unable to have the parent/guardian attend. In such a case, the district shall maintain a record of its attempts to arrange a mutually agreed upon time and place for the meeting, including: (34 CFR 300.322; Education Code 56341.5)

1. Detailed records of telephone calls made or attempted and the results of those calls
2. Copies of correspondence sent to the parent/guardian and any responses received
3. Detailed records of visits made to the parent/guardian's home or place of employment and the results of those visits

The district shall take any action necessary to ensure that the parents/guardians understand the proceedings of the meeting, including arranging for an interpreter for parents/guardians with deafness or whose native language is not English, if requested. (34 CFR 300.322; Education Code 56345.1)

The district shall give the parents/guardians of a student with disabilities a copy of his/her child's IEP at no cost. (34 CFR 300.322)

Contents of the 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)(1)(A); 34 CFR 300.320; Education Code 56043, 56345, 56345.1)

1. A statement of the present levels of the student's academic achievement and functional performance, including:
  - a. The manner in which the student's disability affects his/her involvement and progress in the general education curriculum
  - b. For a preschool child, as appropriate, the manner in which the disability affects his/her participation in appropriate activities
2. A statement of measurable annual goals, including academic and functional goals, designed to do the following:
  - a. Address the student's needs that result from his/her disability in order to enable the student to be involved in and progress in the general education curriculum
  - b. Address each of the student's other educational needs that result from the his/her disability
  - c. For students with disabilities who take alternate assessments aligned to alternate achievement standards, a description of benchmarks or short-term objectives
3. A description of the manner in which the progress of the student toward meeting the annual goals described in item #2 above will be measured and when the district will provide periodic reports on the progress the student is making toward meeting the annual goals, such as through the use of quarterly or other periodic reports, concurrent with the issuance of report cards
4. A statement of the specific special educational instruction and related services and supplementary aids and services, based on peer-reviewed research, to the extent practicable, 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 to enable the student to:
  - a. Progress appropriately toward meeting the annual goals
  - b. Be involved and make progress in the general education curriculum and to participate in extracurricular and other nonacademic activities
  - c. Be educated and participate with other students with disabilities and nondisabled students in the activities

5. An explanation of the extent, if any, to which the student will not participate with nondisabled students in the general education class and in extracurricular and other nonacademic activities
6. A statement of any appropriate individual accommodations necessary to measure the academic achievement and functional performance of the student on state and districtwide assessments

If the IEP team determines that the student shall take an alternate assessment instead of a particular regular state or districtwide assessment, a statement of all of the following:

- a. The reason that the student cannot participate in the regular assessment
  - b. The reason that the particular alternate assessment selected is appropriate for the student
7. The projected date for the beginning of the services and modifications and the anticipated frequency, location, and duration of those services and modifications
  8. Beginning not later than the first IEP to be in effect when the student is 16 years of age, or younger if determined appropriate by the IEP team, and updated annually thereafter, the following:
    - a. Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and where appropriate, independent living skills
    - b. The transition services, including courses of study, needed to assist the student in reaching those goals
  9. Beginning at least one year before the student reaches age 18, a statement that the student has been informed of his/her rights, if any, pursuant to Education Code 56041.5 that will transfer to the student upon reaching age 18

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

1. For students in grades 9-12, any accommodations/modifications necessary for the student to complete the district's prescribed course of study
2. Linguistically appropriate goals, objectives, programs, and services for students whose native language is not English
3. Extended school year services when the IEP team determines, on an individual basis, that the services are necessary for the provision of a free appropriate public education (FAPE)
4. Provision for transition into the general education program if the student is to be transferred from a special class or center or nonpublic, nonsectarian school into a general education program in a public school for any part of the school day

5. Specialized services, materials, and equipment for students with low incidence disabilities, consistent with the guidelines pursuant to Education Code 56136

Development, Review, and Revision of the IEP

In developing the IEP, the IEP team shall consider all of the following: (20 USC 1414(d)(3)(A); 34 CFR 300.324; Education Code 56341.1, 56345)

1. The strengths of the student
2. The concerns of the parents/guardians for enhancing the education of their child
3. The results of the initial assessment or most recent assessment of the student
4. The academic, developmental, and functional needs of the student
5. In the case of a student whose behavior impedes his/her learning or that of others, the use of positive behavioral interventions and supports and other strategies to address that behavior
6. 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
7. Whether the student requires assistive technology devices and services
8. The Superintendent or designee shall ensure that the IEP team: (20 USC 1414(d)(4); 34 CFR 300.324; Education Code 56043, 56341.1, 56380)
  - a. Reviews the IEP periodically, but at least annually, to determine whether students are making progress towards annual goals
  - b. Revises the IEP, as appropriate, to address:
    - Any lack of expected progress toward the annual goals and in the general curriculum, where appropriate
    - The results of any reassessment conducted pursuant to Education Code 56381
9. Considers the special factors when reviewing the IEP. The IEP team shall also meet: (Education Code 56343)
  - a. Whenever the student has received an initial formal assessment and, when desired, when the student receives any subsequent formal assessment
  - b. Upon request by the student's parent/guardian or teacher to develop, review, or revise the IEP.

- c. As a member of the IEP team, the general education teacher shall, to the extent appropriate, participate in the development, review, and revision of the student's IEP, including assisting in the determination of: (20 USC 1414(d)(3)(C); 34 CFR 300.324; Education Code 56341)
  1. Appropriate positive behavioral interventions and supports and other strategies for the student (cf. 6159.4 - Behavioral Interventions for Special Education Students)
  2. Supplementary aids and services, program modifications, and supports for school personnel that will be provided for the student, consistent with 34 CFR 300.320.
  3. When an IEP calls for a residential placement as a result of a review by an expanded IEP team, the IEP shall include a provision for a review, at least every six months. (Education Code 56043)

#### Timelines for the IEP and for the Provision of Services

An IEP required as a result of an assessment of the student shall be developed within 60 days (not counting days between the student's regular school sessions, terms or days of school vacation in excess of five school 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. (Education Code 56344)

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 between the student's regular school sessions, terms, or days of school vacation in excess of five school days. If a parent/guardian makes an oral request, the district shall notify the parent/guardian of the need for a written request and the procedure for filing such a request. (Education Code 56043, 56343.5)

The student's IEP case manager shall ensure that the student's IEP is accessible to each general education teacher, special education teacher, related service provider, and any other service provider who is responsible for its implementation. The case manager shall also ensure that such teachers and providers are informed of their specific responsibilities related to implementing the IEP and the specific accommodations, modifications, and supports that must be provided to the student in accordance with the IEP. (34 CFR 300.323)

Before providing special education and related services, the district shall seek to obtain informed consent pursuant to 20 USC 1414(a)(1). If the parent/guardian refuses to consent to the initiation of services, the district shall not provide the services. If the parent/guardian does not consent to all of the components of the IEP, then those components to which the parent/guardian has consented shall be implemented so as not to delay providing instruction and services to the student. (Education Code 56346)

If the parent/guardian refuses all services in the IEP after having consented to those services in the past, the district may file a request for a due process hearing, if appropriate. If the district determines that a part of the proposed IEP to which the parent/guardian does not consent is necessary in order to provide the student FAPE, the district may file a due process hearing. While the due process hearing is pending, the student shall remain in the current placement unless the parent/guardian and the district agree otherwise. (Education Code 56346)

### Transfer Students

To facilitate a transfer student's transition, this district shall take reasonable steps to promptly obtain the records of a student with disabilities transferring into this district, including his/her IEP and the supporting documents related to the provision of special education services. (34 CFR 300.323; Education Code 56325)

If a student with disabilities transfers to this district during the school year from a district within this same SELPA, this district shall continue, without delay, to provide services comparable to those described in the existing IEP, unless the student's parent/guardian and district agree to develop, adopt, and implement a new IEP.

If a student with disabilities transfers to this district during the school year from a California district outside of this district's SELPA, this district shall provide the student with FAPE, including services comparable to those described in the previous district's IEP. Within 30 days, this district shall, in consultation with the parents/guardians, adopt the other district's IEP or shall develop, adopt, and implement a new IEP that is consistent with state and federal law. (34 CFR 300.323; Education Code 56325)

Board adopted: January 20, 2009

