

SAN DIEGO UNIFIED SCHOOL DISTRICT  
ADMINISTRATIVE PROCEDURES

NO. 4230

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CLASSIFICATION INSTRUCTION, SPECIAL PROGRAMS

EFFECTIVE 8-15-77

General  
Revision

SUBJECT INDIVIDUALS WITH EXCEPTIONAL NEEDS

REVISED 1-1-84.

A. PURPOSE AND SCOPE:

1. To outline legal requirements governing programs for individuals with exceptional needs, and to assure compliance with all federal and state mandates related to special education.
2. To provide for protection of rights of students and parents in the administration of programs.

3. This procedure includes:

Definitions (C.3.)  
Identification, Referral, and Assessment (C.3.)  
Individualized Education Program (C.5.)  
Extended School Year (C.6.)  
Designated Instruction and Service (C.7.)  
Nonpublic Schools (C.8.)  
Complaints (C.9.)  
Due Process (C.10.)

B. LEGAL AND POLICY BASIS:

1. Reference: Board policy, Ed. Code 33031, 56000-56507; Title 5, Sec. 3000-3081; PL 93-380; PL 94-142.
2. This procedure has been drafted and adopted in conformity with federal Education of the Handicapped Act pursuant to P.L. 93-380 and P.L. 94-142, and with California Master Plan for Special Education pursuant to Education Code 56000-56500.

C. GENERAL:

1. Originating Office. Suggestions or questions regarding this procedure should be directed to Special Education Department.
2. Definitions
  - a. "Individuals with exceptional needs" and "handicapped students": Those persons who have been determined to be mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, orthopedically impaired, deaf-blind, multi-handicapped, other health impaired, and persons with specific learning disabilities who require special education programs and related services.
  - b. "Related services": Those special education supportive services as required by the individualized educational program.

REVISED

- c. 2. c. "Least restrictive educational environment": Student shall be educated with students who are not handicapped, as appropriate to the needs of both; special classes, separate schooling, or other removal of an individual from regular education, shall occur only when the nature or severity of the handicap is such that education in regular classes cannot be achieved satisfactorily.
- d. "Individualized education program" (IFP): A written statement developed by a team to insure appropriate educational interventions.
- e. "Procedural safeguards": Procedures used to insure student and parents are guaranteed access to procedural due process relative to any decision regarding student identification, assessment, planning and placement.
- f. "Informed consent": Parent has been fully informed in the native language relative to the activity for which consent is sought; parent understands and agrees in writing to the requested activity; and parent understands that granting of consent is voluntary.
- g. "Educational assessment": Procedures used to determine whether an individual has exceptional needs; procedures shall not consist solely of basic tests used with all students.

3. Identification, Referral, and Assessment

- a. Individuals with exceptional needs, ages 0 through 21 years, including children not enrolled in public school programs, shall be actively and systematically sought out for services.
- b. Student shall be referred for special educational instruction and services only after resources of the regular education program have been considered and, where appropriate, utilized.
- c. Formal assessment shall be made within 50 calendar days from date of receipt of written parental consent for such assessment.
- d. Written parental consent shall be sought within 15 calendar days from day of referral.
- e. Parent shall have at least fifteen (15) days from receipt of proposed assessment plan to arrive at a decision
- f. Education assessment shall include, but need not be limited to:
- (1) Testing and assessment material selected and administered so as not to be discriminatory.
  - (2) Materials presented in English or primary language of the student.
  - (3) Materials validated for the purpose for which they are used.
  - (4) Test results reflecting the student's aptitude or achievement' rather than the student's impaired sensory, manual or speaking skills.

- c. 3. f. (5) Materials-utilized by persons with proper credentials.
- (6) Materials assessing the student's educational needs and not providing a single I.Q. score.
- (7) Assessment of the student in all areas related to suspected disability including, where appropriate, health and development, vision, hearing, motor abilities, language function, general ability, academic performance, and social and emotional status. (A developmental history shall be obtained, when appropriate.)
- (8) Interpretation and certification done by a professionally credentialed team knowledgeable about the student, placement options and services available.

A. Individualized Education Program (IEP)

- a. An individualized education program (IEP) shall be developed or revised for every individual with exceptional needs. The IEP will be developed by the IEP team, and shall be reviewed periodically, but not less than annually.
- b. IEP team shall include, but need not be limited to:
- (1) Special education administrator or designee
  - (2) Student's present teacher(s)
  - (3) Student's parent(s)
  - (4) Student, when appropriate
  - (5) Person(s) qualified to interpret results of assessment(s) administered for IEP purposes.-
  - (6) If student has suspected learning disabilities, person other than student's regular teacher, who has observed student's educational performance in an appropriate setting.
- c. Written IEP shall include, but need not be limited to:
- (1) A statement of the student's present level of educational performance.
  - (2) Annual goals and short-term objectives stated in terms of student performance, time-referenced and stating the method of measurement(s), and projected date of accomplishments.
  - (3) Specific educational services and instructional setting including a description of:
    - (a) All special education and related services
    - (b) Any special instructional media and materials
    - (c) Type of physical education program, if needed
    - (d) Career and vocational educational program
    - (e) Anticipated **timeline** of any service not immediately available.
  - (4) Extent that student will participate in regular education programs.

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- c. 4. c. (5) Rationale for placement, in keeping with least restrictive educational environment concept.
- (6) List of individuals responsible for implementation.
- (7) Evaluation procedures and schedules for determining, at least annually, whether objectives are being achieved.
- d. When appropriate, IEP shall include, but not be limited to, all of the following:
- (1) For secondary grade level students, any alternative means and modes necessary to enable student to complete the district's prescribed course of study and to meet or exceed proficiency standards for graduation.
- (2) Determination by IEP team as to whether -differential proficiency standards shall be developed for the student; if to be developed, such standards shall be stated.
- (3) For students whose primary language is other than English, linguistically appropriate goals, objectives, programs and services.
- (4) Extended school year services.
- (5) Provision for transition into regular classroom.
- e. IEP is a statement of services and anticipated objectives but not a contract which guarantees accomplishment of anticipated objectives.

5. Extended School Year

- a. Students who may require an extended school year are those who:
- (1) Are placed in **special** classes or **centers**.
- (2) Have an IEP that specifies the need for an extended school **year**.
- b. An extended school year shall provide for a minimum of 20 instructional days. For reimbursement purposes:
- (1) A maximum of 55 instructional days shall be allowed for the following severely handicapped students: autistic, visually handicapped, deaf and hard of hearing, orthopedically impaired, seriously emotionally disturbed (SED), trainable mentally-retarded (TMR), and the developmentally handicapped.
- (2) A maximum of 30 instructional days shall be allowed for all other eligible students.

6. Designated Instruction and Services (DIS)

- a. May include individual and small group instruction.
- b. May be specified on the IEP and must include frequency and duration of service.

C. 6. c. May include, but are not limited to:

- (1) Language and speech development and remediation
- (2) Audiological services
- (3) Orientation and mobility instruction
- (4) Instruction in the home or hospital
- (5) Adapted Physical Education
- (6) Physical and occupational therapy
- (7) **Vision** services
- (8) Specialized driver training instruction
- (9) Counseling and guidance
- (10) Psychological services other than assessment and development of the individualized education program
- (11) Parent counseling and training
- (12) Health and nursing service
- (13) **Social** worker service
- (14) Specially designed vocational education and career development
- (15) Recreation services
- (16) Specialized services for low-incidence disabilities, such as readers, transcribers and vision, and hearing services

7. Nonpublic School Eligibility and Placement

- a. Eligibility and placement are processed by the central IEP team.
- b. Nonpublic school placement is considered only after all resources of San Diego Unified School District regular and special education have been explored.

8. Complaints

- a. Annual Notification. The district shall annually notify individuals, agencies, and organizations of their right to file a complaint and of procedures for implementation. Such notification shall include annual notice in a newspaper with local distribution, and individual notice to parents or guardians in their primary language or other mode of communication, at least annually in conjunction with the district's normal notification procedures.
- b. Filing A Complaint
  - (1) Any individuals, public agency, or organization may file a written complaint with State Superintendent of Public Instruction alleging a matter which, if true, would constitute a violation by the district of federal or state law or regulation governing special education and related services.
  - (2) If complainant files a written complaint with superintendent of the district, superintendent shall immediately transmit complaint to State Superintendent of Public Instruction.
  - (3) Each person or organization filing a complaint shall specify all relevant facts in his/her possession and provide any additional information complainant believes will support complaint.

c. g. Due Process

a. Student, parent or the **district** may initiate a due process hearing under any of the following circumstances:

(1) There is a proposal or refusal to initiate or change identification, assessment, or educational placement of student or provision of a free, appropriate public education to the student.

(2) Parent refuses to consent to an assessment of the student.

b. A due process hearing may be initiated by submission of written request to State Superintendent of Public Instruction.

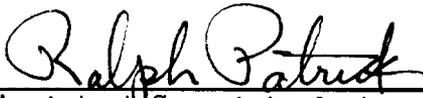
D. IMPLEMENTATION: Refer to guidelines for IEP teams.

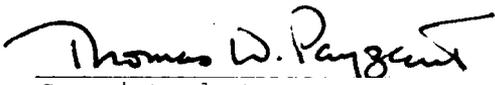
E. FORMS AND AUXILIARY REFERENCES:

1. Refer to guidelines for Individualized Education Program (IEP) teams.

F. REPORTS AND RECORDS:

G. APPROVED BY:

  
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Assistant Superintendent  
Educational Services

  
\_\_\_\_\_  
Superintendent