

**SANTA CLARA COUNTY
NORTH WEST SPECIAL EDUCATION LOCAL PLAN AREA**

**SPECIAL EDUCATION PROGRAMS
AND RELATED SERVICES**

8.1 PURPOSE AND SCOPE

The SELPA, or school district, will provide a continuum of program options to meet the needs of students with disabilities to ensure a free appropriate public education (FAPE).

The IEP Team will select the program or combinations of programs that can meet the student's needs in the least restrictive environment (LRE), allowing for maximum interaction to the extent appropriate with typically developing peers and course content consistent with instruction provided to students without disabilities.

8.2 LEAST RESTRICTIVE ENVIRONMENT

8.2.A Definition

To the maximum extent appropriate, children with disabilities are educated with typically developing peers. Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature of severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

8.2.B Least Restrictive Environment Requirements

Least restrictive environment (LRE) requirements include the following:

- (1) The child's placement will be as close as possible to the child's home.
- (2) Unless the IEP requires some other arrangement, the child will be educated in the school that he or she would attend if non-disabled.
- (3) In selecting the least restrictive environment, consideration will be given to any potential harmful effect on the child or on the quality of services that she or he needs.
- (4) A child with a disability will not be removed from education in age-appropriate regular classrooms solely because of needed modifications in the general curriculum.
- (5) In providing or arranging for the provision of nonacademic and extracurricular services and activities, the district will ensure that the child with the disability participates with non-disabled children in those services and activities to the maximum extent appropriate to the needs of that child.
- (6) Special classes may enroll a student only when the nature or severity of the disability is such that education in the regular classes with the use of supplementary aids and services, including curriculum modifications and behavioral support, cannot be achieved satisfactorily. These requirements also apply to separate schooling or other removal of students from the regular education environment.

(EC 56364, 56364.2; 5 CCR 3042; CFR 300.550)

8.2.C Specialized Academic Instruction (SAI)

Specialized Academic Instruction (SAI) is defined as: “Adapting, as appropriate to the needs of the child with a disability the content, methodology, or delivery of instruction to ensure access of the child to the general curriculum, so that he or she can meet the educational standards within the jurisdiction of the public agency that apply to all children.” (34 CFR 300.26(b)(3)).

The California State Department of Education (CDE) made changes in the 2006-2007 school year on how they report special education and related services. Therefore, districts are aligning their reporting system with the requirements of the state. Moving to designating special education services as specialized academic instruction moves districts away from labeling students and allows more opportunities and flexibility for them when developing services that meet their individual needs.

When districts adopt SAI, there will no longer be separate designations by program (i.e., resource specialist and SDC). The IEP will now say specialized academic instruction. If a student’s IEP states that a student should receive SAI in a separate class, delivered by a special education teacher, the services may look similar to how they are currently, but it would not be called a special day class. Then they will decide if the services are provided in general education, in a separate class, in a separate facility, or the community. Additionally, related services will be listed as they have been previously.

The primary instructional service for most special education services will be listed as Specialized Academic Instruction on Form 7A (Special Education and Related Services) of the IEP, as well as the related services. (See [IEP 7A-1]- Related Services by logging in to SIRAS → Tools → Document Library → Blank/Emergency use forms.)

[↓ \[IEP 7A-1\] Related Services](#)

[↓ \[IEP 7A-2\] Related Services \(ESY\)](#)

As specialized academic instruction is identified, one must also identify the amount of service and the location. A student may have more than one line for this service when the locations are different. For example, you may have one line that indicates (SAI) in general education for ten (10) hours a week, and another line that indicates (SAI) in a separate class for five (5) hours per week.

8.3 CONTINUUM OF PROGRAM OPTIONS

The continuum of options includes, but is not necessarily limited to, all of the following or any combination of the following:

1. Regular education classroom with accommodations as determined by IEP.
2. Regular education classroom with specialized academic instruction/ resource specialist services.
3. Regular education classroom with specialized academic instruction or related services.
4. Regular education classroom with services from a special education specialist/ special day class teacher and supports and/or related services.

8.3.A Special Classes and Centers

Instruction in settings other than classrooms where specially designed instruction may occur.

Itinerant instruction in classrooms, resource rooms, and settings other than classrooms where specially designed.

Instruction using telecommunication and instruction in the home, in hospitals, and in other institutions.

8.3.B Nonpublic, Nonsectarian School Services

Nonpublic, nonsectarian school means a private, nonsectarian school that enrolls individuals with exceptional needs pursuant to an individualized education program and is certified by the CDE.

8.3.C State Special Schools.

In determining the educational placement of a child with a disability, including a preschool child, the district will ensure that the placement decision is made by a group of persons, including the parents, and other persons knowledgeable about the child, the meaning of the evaluation data, and the placement options.

All placement decisions will be based on the individual need of the student pursuant to the IEP and not on the basis of the disability, configuration of service delivery, availability of staff, curriculum intent or administrative experience. All placements will be made in the least restrictive environment.

(EC 56360, 56361; CFR 300.551, 300.26)

8.3.D Related Services

The term "related services" means transportation, and such developmental, corrective, and other supportive services (including speech-language pathology and audiology services, interpreting services, psychological services, physical and occupational therapy, recreation, including therapeutic recreation, social work services, school nurse services designed to enable an individual with exceptional needs to receive a free appropriate public education as described in the individualized education program of the child, counseling services, including rehabilitation counseling, orientation and mobility services, and medical services, except that such medical services shall be for diagnostic and evaluation purposes only) as may be required to assist an individual with exceptional needs to benefit from special education, and includes the early identification and assessment of disabling conditions in children.

Related services as specified in the IEP shall be available when the instruction and services are necessary for the student to benefit educationally from his or her special education program. These services may include, but are not limited to, the following:

Language and Speech Development and Remediation

The related service in language speech and hearing may include:

- (1) Specialized instruction and services for students with disorders of language, speech and/or hearing, including monitoring of student progress on a regular basis, providing information for the review, and when necessary, participating in the review and revision of IEPs of students.

- (2) Consultative services to students, parents, teachers, or other school personnel in the management of a student's language, speech development, or hearing needs.
- (3) Coordination of speech and language services with a student's regular and special education program.
- (4) The person providing instruction and services shall hold an appropriate credential with specialization in language, speech and hearing.

Caseloads of full-time equivalent speech/language pathologist shall not exceed a district-wide or SELPA-wide average of fifty-five (55) students unless prior written approval has been granted by the State Superintendent of Public Instruction.

Services may be provided by a speech/language pathology assistant working under the direct supervision of a credentialed speech/language pathologist if specified in the IEP.

Audiological Services

Audiological instruction and services, aural rehabilitation, including auditory training and speech reading, may include the following:

- (1) Aural rehabilitation (auditory training, speech reading, language habilitation and speech conservation) and habilitation with individual students or groups and support for the hearing-impaired students in the regular classroom.
- (2) Monitoring hearing levels, auditory behavior, and amplification for all students requiring personal or group amplification in the instructional setting.
- (3) Planning, designing, organizing, and implementing an audiology program for individuals with auditory dysfunction, as specified in the IEP.
- (4) Consultative services regarding test findings, amplification needs and equipment, ontological referrals, home training programs, acoustic treatment of rooms, and educational management of the hearing-impaired individuals.
- (5) The person providing audiological services shall hold a valid credential with a specialization in clinical or rehabilitative services in audiology.

Orientation and Mobility Instruction

Related services in orientation and mobility may include the following:

- (1) Specialized instruction for individuals in orientation and mobility techniques.
- (2) Consultative services to other educators and parents regarding instructional planning and implementation of the IEP.
- (3) Counseling services to parents of individuals with disabilities relative to the development of orientation and mobility skills and independent living skills of their children.
- (4) The person providing mobility instruction and services shall hold a credential as an orientation and mobility specialist.

Home and Hospital Instruction

Related services in the home or hospital may include the following:

- (1) Instruction and services for individuals with disabilities whose physical condition requires their confinement for prolonged periods of time and who require long-term instruction at home or in a hospital. The IEP team must recommend this service.
- (2) Instruction and service for individuals with disabilities, whose disability restricts their capability to attend school, and whose instructional goals include both academic and rehabilitative services. This service must be recommended by the IEP team and is regarded as an interim placement.
- (3) One (1) hour of home/hospital instruction is the equivalent of a full day of ADA, and that a typical home/hospital instruction is 1 hour per day. However, the amount of instruction time must be based upon a student's needs and may be fewer or greater than 60 minutes per day.

Instruction in the home or hospital shall be provided by a regular class teacher, the special class teacher, or the resource specialist, if the teacher or specialist is competent to provide such instruction.

Adapted Physical Education (APE)

Adapted physical education is designed for students with disabilities who require developmental or corrective instruction, and which preclude the individual's participation in the activities of the general physical education program, modified regular physical education program, or in a specially designed physical education program in a special class.

Consultative services may be provided to students, parents, teachers, or other school personnel for the purpose of identifying supplementary aids and services or modifications necessary for successful participation in the regular physical education program or specially designed physical education programs.

Teachers instructing adapted physical education shall have a credential authorizing the teaching of adapted physical education as established by the Commission on Teacher Credentialing.

Physical and Occupational Therapy

When the district, SELPA or county office contracts for the services of a physical therapist or an occupational therapist, the following standards shall apply:

- (1) Occupational or physical therapists shall provide services based upon recommendation of the IEP Team. Physical therapy services may not exceed the services specified in the Business and Professions Code at Section 2620.
- (2) The district, SELPA, or county office shall assure that the therapist has available safe and appropriate equipment.
- (3) A 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.

- (4) An occupational therapist shall be licensed and be currently registered with the American Occupational Therapy Association.

Vision Services

Related services for the students with visual disabilities may include the following:

- (1) Adaptations in curriculum, media, and the environment, as well as instruction in special skills.
- (2) Consultative services to students, parents, teachers, and other school personnel.
- (3) The person providing services shall hold an appropriate credential with specialization in the area of the visually impaired.

Counseling and Guidance

Counseling and guidance services may be provided to an individual with a disability, that requires these services, to supplement the program. The IEP team shall determine the need for guidance and counseling services. Services may include:

- (1) Educational counseling in which the student is assisted in planning and implementing his or her immediate and long-range educational program.
- (2) Career counseling in which the student is assisted in assessing his or her aptitudes, abilities, and interests in order to make realistic career decisions.
- (3) Personal counseling in which the student is helped to develop his or her ability to function with social and personal responsibility.
- (4) Counseling and consultation with parents and staff members on learning problems and guidance programs for students.
- (5) The individual performing counseling services to students shall be qualified as set forth in C.C.R., Title 5, Section 3051.9.

Psychological Services

Related psychological services other than assessment and development of the IEP may include:

- (1) Counseling provided to an individual with disabilities by a credentialed or licensed psychologist or other qualified personnel.
- (2) Consultative services to parents, students, teachers, and other school personnel.
- (3) Planning, managing, and implementing a program of psychological counseling for eligible children and parents as specified in the IEP.

Parent Counseling and Training

Parent counseling and training may include:

- (1) Assisting parents in understanding the special needs of their child, and
- (2) Providing parents with information about child development.

Health and Nursing Services

Related health and nursing services are designed to assist those individuals with disabilities who have health problems. Qualified personnel will provide services. Services may include the following:

- (1) Managing the individual's health problems on the school site;
- (2) Consulting with staff members regarding management of the individual's health problems;
- (3) Providing group and individual counseling with the individuals and parents regarding health problems; and
- (4) Making appropriate referrals and maintaining communication with health agencies providing care to individuals

Social Work Services

Personnel providing social worker services shall be qualified. Social work services may include:

- (1) Individual and group counseling with the individual and his or her immediate family;
- (2) Consultation with students, parents, teachers, and other personnel regarding the effects of family and other social factors on the learning and developmental requirements of individuals with disabilities; and
- (3) Developing a network of community resources, making appropriate referral and maintaining liaison relationships among the school, the student, the family, and the various agencies providing social, income maintenance, employment development, mental health, or other developmental services.

Specially Designed Vocational Education and Career Development

Personnel providing vocational education services shall be qualified. Specially designed vocational education and career development for individuals with disabilities regardless of severity of disability may include:

- (1) Providing prevocational programs and assessing work-related skills, interest aptitudes, and attitudes;
- (2) Coordinating and modifying the regular vocational education program;
- (3) Assisting individuals in developing attitudes, self-confidence, and vocational competencies to locate, secure, and retain employment in the community or sheltered environment, and to enable such individuals to become participating members of the community;
- (4) Establishing work training programs within the school and community;
- (5) Assisting in job placement;
- (6) Instructing job trainers and employers as to the unique needs of the individuals;
- (7) Maintaining regularly scheduled contact with all workstations and job-site trainers; and
- (8) Coordinating services with the Department of Rehabilitation, the Department of Employment Development and other agencies as designated in the IEP

Recreation Services

Recreation services include but are not limited to the following:

- (1) Therapeutic recreation services which are those specialized instructional programs designed to assist students in becoming as independent as possible in leisure activities, and when possible and appropriate, facilitate the student's integration into regular recreation programs;
- (2) Recreation programs in schools and the community which are those programs that emphasize the use of leisure activity in the teaching of academic, social, and daily living skills; and, the provision of nonacademic and extracurricular leisure activities and the utilization of community recreation programs and facilities; and
- (3) Leisure education programs which are those specific programs designed to prepare the student for optimum independent participation in appropriate leisure activities, including teaching social skills necessary to engage in leisure activities, and developing awareness of personal and community leisure resources.

Specialized Services for Low Incidence Disabilities

Specialized services for low incidence disabilities may include:

- (1) Specially designed instruction related to the unique needs of students with low-incidence disabilities.
- (2) Specialized services related to the unique needs of students with low-incidence disabilities provided by qualified individuals such as interpreters, note-takers, readers, transcribers, and other individuals who provide specialized materials and equipment.
- (3) Services will be provided by appropriately credentialed teachers.

Services for Students with Chronic Illnesses or Acute Health Problems

Specialized services for students with chronic illnesses or acute health problems include but are not limited to:

- (1) Individual consultation;
- (2) Home or hospital instruction; and
- (3) Other instructional methods using advanced communication technology.

Services for Deaf and Hard of Hearing Students

Related services for deaf and hard of hearing students may include but need not be limited to:

- (1) Speech, speech reading and auditory training;
- (2) Instruction in oral, sign, and written language development;
- (3) Rehabilitative and educational services for hearing impaired individuals to include monitoring amplification, coordinating information for the annual review, and recommending additional services;
- (4) Adapting curricula, methods, media, and the environment to facilitate the learning process; and

- (5) Consultation to students, parents, teachers, and other school personnel as necessary to maximize the student's experience in the regular education program.

A specially trained instructional aide, working with and under the direct supervision of the credentialed teacher of the deaf and hard-of-hearing, may assist in the implementation of the student's educational program.

Services will be provided by an individual holding an appropriate credential to provide services to the hearing impaired and who has training, experience and proficient communication skills for educating students with hearing impairments.

Individual and Small Group Instruction

Instruction delivered one-to-one or in a small group as specified in an IEP enabling the student(s) to participate effectively in the total school program.

8.3.E Educationally Related Mental Health Services

Educationally related mental health services are designed to assist students with mental health issues to benefit from their special education program. These services could include individual and group counseling, counseling and guidance, parent counseling, social work services, psychological services, behavior intervention services, intensive support services and residential treatment services.

NOTE: See Appendix E: Santa Clara County SELPA's "Educationally Related Mental Health Services" Guidelines

8.3.F Resource Specialist Program/Non-intensive Services

Program Description

The resource specialist program/non-intensive services shall provide, but not be limited to, all of the following:

- (1) Provision for a resource specialist or specialists who shall support instruction and services for those students whose needs have been identified in an IEP, developed by the IEP Team, and who are assigned to regular classroom teachers for a majority of a school day;
- (2) Provision of information and assistance to students with disabilities and their parent;
- (3) Provision of consultation, resource information, and material regarding students with disabilities to their parents and to regular staff members;
- (4) Coordination of special education services with the regular school programs for each student enrolled in the resource specialist program;
- (5) Monitoring of student progress on a regular basis, participation in the review and revision of individualized education programs, as appropriate, and referral of students who do not demonstrate appropriate progress to the IEP Team; and
- (6) Emphasis at the secondary school level on academic achievement, career and vocational development, and preparation for adult life.

Program Staffing

The resource specialist program/non-intensive program shall be under the direction of a resource specialist/mild to moderate specialist, who is a credentialed special education specialist, or who has a clinical services credential, with a special class authorization, who has had three or more years of teaching experience, including both regular and special education teaching experience, and who has demonstrated the competencies for a resource specialist, as established by the Commission on Teacher Credentialing.

At least 80 percent of the *resource specialists* within a local plan shall be provided with an instructional aide.

No resource specialist shall have a caseload that exceeds 28 students without a waiver.

Resource specialists shall not simultaneously be assigned to serve as resource specialists and to teach regular classes.

Provisions for a resource specialist or specialists who shall provide support and services for those pupils whose needs have been identified in an individualized education program developed by the individualized education program team and who are assigned to regular classroom teachers for majority of a school day.

(EC 56362)

8.3.G Special Classes/Intensive Services

Program Description

Placement in a special day class/intensive services shall not limit or restrict the consideration of other options, including services provided in a vocational education program or any combination of programs and placements as may be required to provide the services specified in a student's IEP.

The following standards for special classes shall be met:

- (1) Special classes may enroll students only when the nature or severity of the disability of the student is such that education in the regular classes with the use of supplementary aids and services including curriculum modification and behavioral support cannot be achieved satisfactorily. These requirements also apply to separate schooling or other removal of individuals with disabilities from the regular educational environment;
- (2) A special class shall be composed of students whose needs as specified in the IEPs can be appropriately met within the class;
- (3) Students in a special class shall be provided with an educational program in accordance with their individualized education programs for at least the same length of time as the regular school day for that chronological peer group;
- (4) When a student can benefit by attending a regular program for part of the day, the amount of time shall be written in the IEP;
- (5) Students with low incidence disabilities may receive all or a portion of their instruction in the regular classroom, while being enrolled in special classes taught by

an appropriately credentialed teacher, who serves these students at one or more school sites, with instruction provided consistent with state guidelines; and

- (6) When the IEP team determines that a student cannot function for the period of time of a regular school day, and when it is so specified in the IEP, a student may be permitted to attend a special class for less time than the regular school day for that chronological peer group.

Program Staffing

The special class shall be taught by a teacher, whose responsibility is the instruction, supervision, and coordination of the educational program for those students enrolled in the special class.

The special class teacher must hold an appropriate special education credential and possess the necessary competencies to teach students assigned to the class.

The procedure for allocation of aides for special classes shall be specified in the local plan. Additional aide time may be provided when the severity of the handicapping conditions of the pupils or the age of the pupils justifies it, based on the individualized education programs.

(5 CCR 3053)

8.3. H Nonpublic, Nonsectarian Schools and Agencies

When a student with disability's educational needs cannot be met in a public educational program, nonpublic nonsectarian school services shall be made available.

These services shall be provided under contract with the district, SELPA, or county office to provide the appropriate special educational facilities, special education, or related services required by the individual with disabilities, when no appropriate public education program is available.

Refer to Chapter 10: Non-Public School/Agency Placement for complete information about nonpublic, nonsectarian schools and agencies.

Approved by Executive Council:

<i>SELPA I</i>	<i>1/25/24</i>
<i>SELPA II</i>	<i>1/26/24</i>
<i>SELPA III</i>	<i>1/25/24</i>
<i>SELPA IV</i>	<i>1/26/24</i>
<i>SELPA VII</i>	<i>1/24/24</i>