

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

LOW INCIDENCE (LI) PURCHASING

The SELPA Office shall provide guidelines for the purchase of specialized books, materials and equipment for students meeting the criteria for low incidence funding of specialized services as set forth by the California Department of Education Special Education Division.

13.1 OVERVIEW

Funding for the purchase of specialized books, materials and equipment for students meeting the criteria for low incidence funding of specialized services is provided by the State of California. Students must fall within the following categories: hard of hearing, deafness, visual impairment, severe orthopedic impairment, and deaf-blindness. Those students, who meet the criteria for low incidence funding of specialized services, are determined by the assessment of a student with a suspected low incidence disability. This assessment is conducted by persons knowledgeable of that disability and an individualized education program (IEP) prepared for each pupil with low incidence disabilities as defined in Section 56026.5 of the Education Code.

Once it is determined by the IEP Team that a student requires the purchase of specialized books, materials and equipment, and meets the criteria for low incidence funding of specialized services, a *Low Incidence Requisition Form* is prepared and a copy of the supporting IEP forms:

1. MIS Summary Page *or* Forms 1 & 2A with an LI disability (*hard of hearing, deafness, visual impairment, severe orthopedic impairment, deaf-blindness*) designated as primary or secondary.
2. Form 3A/B with a goal related to LI equipment being requested.

ONLY SEND the MIS Summary Page/IEP FORMS 1 & 2A, with IEP Form 3A/B. If an amendment (Form 10) is completed with the goal and not included in Form 3A/B, include Form 10.

The *Low Incidence Requisition Form* and the MIS Summary Page/IEP Forms 1 & 2A, with Form 3A or 3B are sent to the respective district Director of Special Education for approval. After district approval, the low incidence requisition is forwarded to the SELPA office for approval and further processing, preparation of a purchase order, placing the order, etc.

As a condition of receiving these funds, the responsible SELPAs or local education agencies (LEAs), shall ensure that the appropriate books, materials and equipment are purchased. The use of the equipment will be coordinated as necessary, and the books, materials and equipment will be reassigned to other qualifying SELPAs and LEAs within the special education local plan area, once the SELPA or agency, who originally received the books, materials and equipment, no longer requires them.

When a student is on an inter-district transfer and is in need of low incidence, equipment, material or services, the district of residence will pay for the equipment out its Low Incidence Funds.

Home Use of Low Incidence Equipment

In some cases Low Incidence Equipment may need to be used in the home for the student to receive FAPE. If equipment will be used in the home, it is important to complete the *Home Use of Low Incidence Equipment* form.

Property Change Notice/Surplus Equipment

If LI equipment is being transferred to another student or another site complete the *Property Change Notice/Surplus Equipment* form. This form is also used if this equipment is going to be classified as surplus/obsolete.

When Student Moves to another District

EC 56836.22(e) states that “it is intent of the legislature that SELPAs share unused equipment, books and materials with neighboring SELPAs...” “If the book, materials and equipment are still needed by other students with low incidence disabilities in the SELPA, there is no requirement to send it with the student who moved away. Providing these resources are the responsibility of the SELPA where the student now resides. If, however, books, materials and equipment purchased with low incidence funds are unused, SELPAs are encouraged to make arrangements with other SELPAs to share the unused equipment, books and materials. Special rules apply if the LI equipment is an assistive technology device(s), as referenced below.

When a Student Graduates

Pursuant to E.C 56822, books, materials and equipment purchased with low incidence funds remain the property of the State. Since the student has graduated from high school, he/she is no longer eligible to receive special education and related services. Therefore, districts CANNOT give the books, materials and equipment to the student. This would be a gift of public funds. Districts cannot sell the equipment to parents/students.

Low Incidence Equipment that is also Assistive Technology

Pursuant to E.C. 56040.3, low incidence equipment that is considered assistive technology may need to be provided to a student outside of school environments and after a student disenrolls from a local educational agency (LEA) and enrolls in a new LEA, including a Charter School. Specifically, low incidence equipment that is also an assistive technology device must be provided outside of school when a student’s IEP team determines a student needs access to that device(s) in the student’s home or other settings in order to receive a free, appropriate public education. Moreover, when a student with such assistive technology LI equipment enrolls in another Local Educational Agency (LEA), including a Charter School, the original LEA is responsible for providing continued access to the device until (1) alternative arrangements for providing the student the device, or comparable device, can be made, or (2) two months from the time the student disenrolled from the original LEA; whichever occurs first.