

PROGRAM CONTINUUM OF SERVICES

Once a student is eligible for special education, a continuum of program options is available in the least restrictive environment within the Shasta County SELPA member districts. The following are general descriptions of environments where special education and related services are provided in the SELPA.

1) *General Education*

General education classrooms offer the best opportunity for students with disabilities to attend their home school with age appropriate peers and access to the core curriculum, as well as extra-curricular activities. The general education teacher provides primary instruction with accommodations and modifications including supplementary aids and services designed to meet the needs of the student. Special education instruction and related services may be provided within the general education setting.

The general education classroom offers non-academic benefit of social interaction for all students. General education classrooms, with the use of supplementary aids and services, provide the most contact with general education students. Considerations for serving students in the general education classroom include the impact on general education students, as well as the student with special needs.

The primary focus of instruction is in the core academic curriculum with expanded instructional methodologies beyond those offered in general education classrooms.

All of the following factors shall be considered by the Individualized Education Program (IEP) team in determining the appropriateness of services in a general education classroom:

1. The educational benefits available to the student in a general education classroom, supplemented by appropriate aids and services, as compared with the educational benefits of a special education classroom.
2. The non-academic benefits of interaction with students who are not disabled.
3. The effect of the student's presence on the teacher and other students in the classroom.

2) *Specialized Academic Instruction*

Students have educational needs that have been identified by the IEP team and may require special education instruction and services. The primary focus of instruction is in the core academic curriculum with expanded instructional methodologies to augment those offered in general education classrooms. Special education staff should be focused on accommodating the student in the general education setting and/or remedial activities that would prepare a student to have the skills necessary to be successful in the core academic curriculum in a general education setting.

Students receiving such services should be accessing the core academic curriculum in the general education setting in all areas in which they are receiving special education services. Special education services should provide supplementary support to what is already being accessed in the general education program including intervention and categorical programs

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to all students. Scheduling of all service needs is to be considered as well as considerations for the delivery location of services in order to allow access participation in core curriculum.

Resource Support:

The primary focus of resource support instruction is to provide targeted instruction to help bolster core academic skills with expanded instructional methodologies beyond those offered in general education classrooms. This service may be provided in a variety of ways, including co-teaching or collaboration between special education and general education teachers, or providing small group or individual pull out support by a special education teacher. By working in collaboration together, teachers can implement various assessment strategies and differentiated instruction, services, and supports. The Individualized Education Program (IEP) team should focus on accommodating the student in a general education setting and/or in research based strategies, interventions, and activities that would prepare the student to achieve the skills necessary to be successful in learning core curriculum and mastering state standards.

Special Day Class Support (including learning, emotional, and behavioral needs):

Special day classes provide services to students with more intensive needs. Students typically receive this service for the majority of their school day and are grouped according to age and instructional and/or behavioral needs. Special day class teachers work cooperatively with general education teachers and other related service providers to help identify, assess, and plan programs for students with disabilities, and providing targeted instruction. Most often, this level of support (i.e., a more restrictive learning environment) does not provide access to the same instruction, standards, and expectations of the core academic instruction in the general education classroom due to the more intensive needs of the student. The primary focus of instruction is rather, based on the age, disability, or severity of need as described in the student's IEP. Special education provides remedial instruction in academic and life skill areas. Depending on the student's needs as lined out by their IEP, will determine whether a student is on a diploma track (i.e., meeting criteria in order to obtain a high school diploma) or on a functional skills based track and earning a certificate of participation.

Special Day Classes on Comprehensive Education School Sites

Students with intensive learning, emotional, or behavioral needs may access district based services located on a comprehensive education setting. Districts provide access to SDC classes for students with intensive learning needs as determined by the IEP team. Students needing a more restrictive setting based on social-emotional and/or behavioral needs may be referred to an Educationally Related Intensive Counseling Services (ERICS) program. These programs provide access to a supportive small group, structured setting. Related services such as individual and group counseling are provided based on students' needs (listed in their IEP). Prior to placement in an ERICS program, the district must obtain approval from the Regional Placement Resource Committee (RPRC) to access SELPA funds to offset placement costs (see RPRC policy).

Special Day classes in Regional Programs

Students with moderate to severe cognitive, academic, and/or behavioral needs may access Shasta County's regional programs (determined by the IEP team's offer of Free and Appropriate Public Education (FAPE)).

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1. The GREAT Partnership is a Pre-K through 8th grade regional program with classrooms located on comprehensive educational settings which provide special day class support for the majority of students' school day based on their cognitive, academic, and/or behavioral needs.
2. Excel Academy is a K-8 regional program for students with intensive emotional and behavioral needs. Related services such as individual and group counseling, behavior intervention services, etc. are provided based on the student's individual needs as per IEP team determination. Prior to placement in Excel, the district must obtain approval from RPRC to access SELPA funds to offset placement costs (See RPRC policy).

Special Day classes in Non Public/ Nonsectarian School Services

Students may need more intensive educational services and supports than what can be offered by the public schools. Nonpublic school placement or nonpublic agency services will be provided only when all public school programs have been explored and it is determined by an IEP team that no appropriate placement is available in public schools to meet the needs of the individual student in the manner and to the extent required by law. This placement recommendation is based on the IEP team decision that an appropriate public program is not available. Prior to placement the district must also obtain approval from the Regional Placement and Resource Committee (RPRC) to access SELPA funds to offset placement costs. (See RPRC Policy)

The student's District of Residence (DOR) will track student progress each month, and conduct a six month review in addition to the student's annual IEP.

Residential Schools

Students may require educational services and program in combination with a residential placement. These schools may be considered as a placement option when the IEP team has determined that no appropriate placement is available within the SELPA. Prior to placement the district must also obtain approval from the Regional Placement and Resource Committee (RPRC) before placement to access SELPA funds to offset placement costs. (See RPRC Policy). A SELPA representative is required to serve as an administrative designee on a student's IEP when the district wishes to access SELPA funds for residential placement. Necessity will be determined in conversation between the LEA Special Education Administrator and the SELPA Coordinator.

A CDE approved placement in state must be considered prior to looking at an out of state placement. The student's District of Residence (DOR) will track student progress each month, and conduct a 6 month review in addition to the student's annual IEP.

**Additional note regarding LEAs - Districts wishing to place students in any regional or non public school setting must invite the special education director who oversees the program to the student's IEP. The LEA of Operation is responsible for conducting all IEP reviews and reassessments of the student while the student is enrolled in the regional program. The LEA of Residence shall be invited to all IEP team meetings. District must have PRIOR approval from RPRC to access SELPA Funds.*

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Home/Hospital or Home Instruction:

Home/Hospital Instruction serves students with temporary disabilities for whom it is impossible or unadvisable to attend regular classes. Typically this is due to a medical condition related to surgery, accidents, short-term illness, or medical treatment for chronic illness and restricts their ability to receive instruction in any other setting.

Home Instruction (also known as Homebound Instruction) is a program option for special education students who cannot be educated in a typical public school setting due to significant health or behavioral needs. These types of needs are not necessary considered “temporary”.

Home Hospital/Home Instruction placements are made by the IEP team based on a medical report which:

- Is from a student’s attending physician, surgeon, or psychologist
- States diagnosed condition
- Certifies the students condition prevents attendance in a less restrictive setting
- Contains a projected calendar date for students to return to school

3) *Related Services*

Related services shall be available when the instruction and services are necessary for the student to benefit educationally from his or her instructional program. Some students may need assistance in special areas. Examples of related services can include but are not limited to:

- Speech and Language Services
- Deaf and Hard of Hearing Services
- Orientation and Mobility
- Adaptive Physical Education
- Occupational Therapy
- Physical Therapy
- Vision Services
- Counseling and Guidance
- Vocational Education and Career Development
- Behavior Intervention Services

SELPA funding to offset program costs

Please see Appendix 1 for SELPA offsets for programs and services

Master Contracts for Non Public School and Non Public Agency services

Prior to providing services through an NPS or NPA, the responsible educational agency must enter into a master contract. The SELPA maintains a list of providers on its website and holds the master contract for those agencies. If the NPS is listed on the SELPA Website, the district only needs to complete an Individual Service Agreement (ISA) for their student. At this time, Shasta Union High School District provides Speech services to Out Of Home (OOH) students attending North Valley School. Districts may choose to contract with SUHSD for speech services on a per student basis. OOH and Foster students receive speech services under the OOH contract at no expense to the district. Other related services may be the district’s responsibility to fund. Districts must contract with approved NPAs for related services such as

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OT and Speech. The SELPA limits NPS/A placements between member LEAs and nonpublic schools and agencies to those certified by the California Department of Education.

Following execution of a master contract, an *Individual Services Agreement (ISA)* must be developed, executed, and implemented by the responsible LEA that outlines the specific special education and related services that will be provided to the individual student (District or OOH/Foster). A copy of the approved ISA will be forwarded to the SELPA Program Specialist within 15-days of placement in a NPS/A.

Licensed Children’s Institutions (LCI), Short-Term Residential Treatment Centers (STRTP) and Foster Homes

Each district shall be responsible for the provision of special education and related services to individuals with exceptional needs residing in LCIs/STRTP’s and foster homes located within the geographical area of the district. Each district shall first consider services operated by the district, other programs within the Shasta County SELPA and/or by Shasta County Office of Education (i.e. Regional Programs). As part of the continuum of services, Nonpublic school options (IEP School and North Valley Nonpublic) are accessible depending on level of need and determination of Least Restrictive Environment. If the special education services available within the entities are not appropriate, then the district shall contract with an appropriate service provider for implementation of the pupil’s IEP.

Coordination of Residential Placement

Before contracting with a nonpublic school or agency outside California the District shall document its efforts to find an appropriate program within California (ED 56365). If the District places the pupil within Shasta County the placing District shall remain the DOR. If the District fails to locate a suitable placement within Shasta County, the District will complete the Residential Placement Forms, located on the SELPA Website under “Forms.”

When the expanded IEP team (which includes a representative from SELPA) determines that it is necessary to place a pupil in residential care, the District shall ensure that:

- The SELPA in consultation with the Individualized Education Program team’s administrative designee, shall identify a mutually satisfactory placement that is acceptable to the parent and addresses the pupil’s educational and mental health needs in a manner that is cost-effective for both public agencies, subject to the requirements of state and federal special education law, including the requirement that the placement be appropriate and in the least restrictive environment.
- The SELPA will develop a Master Contract which addresses procedures for billing of NPS or NPA services, attendance reporting requirements, assurances of appropriately credentialed staff, fingerprinting requirements, a written course of study that provides the appropriate credits necessary for graduation, state testing, progress reports, confidentiality of and access to student records, medication permission and documentation, and other items necessary to assure appropriate educational, health and safety practices for the student.
- The LEA will schedule monthly progress meetings with RTC staff AND an IEP meeting at least every six (6) months and provide notification to the SELPA Office to ensure the

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SELPA Office will have a representative at the IEP meeting.

- If the District places a pupil with a nonpublic school or agency outside of California, the pupil's DOR team shall report to the Superintendent of Public Instruction within 15 days of the placement decision (document located on CDE website) and provide a copy to the SELPA Office.
- The LEA will work with the SELPA to transport the student the placement.

Procedures for Special Education Students placed in Shasta Juvenile Court School Programs

Juvenile court schools are operated and administered by the county superintendent per Education code 48645.2. Juvenile court schools operate year round.

A change of placement of a special education student to a juvenile court school must be recommended by the County of Shasta Juvenile Court or by a parent/guardian on an emergency basis. In such case, juvenile court school personnel may make a 30-day administrative placement when more information is necessary and then a final placement recommendation according to California Education Code section 56325. When information is available, Shasta County Office of Education (SCOE) personnel may make a recommendation to accept or develop an addendum to the existing IEP, appropriate to meet the needs of a student.

Special Education Services

Juvenile court school personnel provide services to the extent necessary and practical to enable the student to appropriately progress in the general curriculum and appropriately advance toward achieving the goals and objectives or benchmarks set out in the student's IEP.

Student Records

At the time of placement in a juvenile court school, juvenile court school personnel will contact the district of residence to request the student's records. The district of residence will immediately forward copies of the student's school records, including immunization records, current transcripts, the student's current IEP, and most recent triennial and annual evaluation(s). SCOE will complete psychological, educational assessments and coordinate assessments for the student's related services with the student's DOR.

Additional Procedures for Ineligible Students

Additional procedures for students who are not currently identified as eligible for Special Education Services placed in Juvenile Hall. Upon referral, the student's district of residence must inform SCOE-Alternative Education personnel when:

- 1) The student has been previously identified as eligible for special education services pursuant to the Individuals with Disabilities Education Act (IDEA);
- 2) The student has been identified eligible for accommodations pursuant to Section 504 of the Rehabilitation Act of 1973 ("Section 504");

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- 3) The student is being assessed for eligibility for special education services and/or Section 504 accommodations (including Student Study Team Coordination at district of residence);
- 4) The student has received educational accommodations despite no eligibility for special education services and/or Section 504 accommodations;
- 5) If, at the time of misconduct giving rise to the placement, the student's district of residence is assessing the student for eligibility for special education services, the district of residence must complete the assessment and conduct an IEP meeting adhering to all statutory timelines and other requirements; and/or
- 6) If while attending an Alternative Education program there is a request for an initial assessment for special education consideration, SCOE-Alternative education will contact the district of residence and discuss the option of the district completing the assessment and or doing a shared evaluation. When the district of residence completes or participates in the assessment and identification process, it is more likely that any supports needed for the student in the transition between alternative education programs and return to the district of residence will be successful and long term goals established for the student will be positive.

Citations: (E.C. § 48645.2)(E.C. § 56325)(E.C. § 56001)(E.C. § 48200)(E.C. § 48204)(E.C. § 48853)(Title 20 U.S. Code Section 1415(k); Title 34 Code of Federal Regulations Section 300.519 et seq)

Correctional Facilities (Jail)

Adults (aged 18 to 21 years) incarcerated in California adult jails and prisons are entitled to a free appropriate public education (FAPE) if they meet the following criteria:

- 1) Not a graduate with a high school diploma; and
- 2) At the time they turned 18, were identified as an individual with exceptional needs and had an individualized education program (IEP) under the IDEA.

An individual who was not identified as an individual with exceptional needs or did not have an IEP under the IDEA in the educational placement prior to his or her incarceration in an adult correctional facility is not entitled to a FAPE.

In December 2013, the California Supreme Court unanimously ruled in LAUSD v. Garcia that, under EC § 56041, the school district where the pupil's parent resides is responsible for providing special education and related services to a qualifying individual who is incarcerated in a county jail. This decision means that every school district in California can be held responsible to provide, or contract to provide, special education and related services to eligible incarcerated young adults if the youth's parent resides in the district, even if the student is incarcerated outside of the school district's boundaries. This includes obligations for all of the rights afforded by the IDEA and related state law including child find/search and serve, the provision of FAPE in the least restrictive environment (LRE), and the right to due process.

The following special education requirements do not apply to eligible individuals who are convicted as adults under State law and incarcerated in adult prisons:

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- 1) The requirements relating to participation in general assessments; eligible individuals incarcerated in adult prisons are exempted from participation in state and district-wide assessment programs under the IDEA.
- 2) The requirements relating to transition planning and transition services do not apply with respect to such individuals whose eligibility under the IDEA will end because of their age before he or she will be released from prison.
- 3) The IEP Team may modify the individual's IEP or placement notwithstanding the LRE requirements and the IEP contents requirements if there is a bona fide security or compelling legal interest that cannot otherwise be accommodated.

Anderson Union High School (AUHSD) provides educational services to the Shasta County Jail. AUHSD will provide special education services to eligible inmates. AUHSD will complete educational and psychological assessment and coordinate assessment and provision of related services with the inmate's District of Residence.

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**SELPA Subsidized Financial Model
For DISTRICT Students**

ERICS Programs (Gateway USD, Anderson UHSD, Shasta UHSD):

SELPA offset: (Pilot Program 2016-2017)

- 30% of 210,000 (\$63,000)
- District pays for transportation

Excel:

SELPA offset:

- Districts receive 30% for cost of Excel (including tuition, speech, psychologist services)
- District pays for transportation

NPS: North Valley/IEP School:

SELPA offset:

- 35% reimbursement for NPS invoiced amount
- District contracts with approved NPA for speech and OT
- *District may contract with SUHSD or District provider for speech services at N. Valley*
- Transportation by the district is district expense
- Assessments
 - Academic assessments completed by NPS
 - Psychological assessments completed by District

Out of County/State RTC “Educationally” Placed Students:

SELPA will reimburse at 100% for:

- student’s room and board
- mental health services associated with room and board.

District will pay for:

- educationally related mental health services
- tuition (SELPA will reimburse 35% subsidy)
- OT/Speech and other related services as appropriate
- Parent and student travel to and from the RTC, with the following options:
 - Parent transport student
 - NPS/A transports student
 - Contracted Therapeutic Transport Services

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**SELPA Subsidized Financial Model
For Out of Home/Foster Levels Students**

ERICS Programs (Gateway USD, Anderson UHSD, Shasta UHSD):

SELPA offset: (Pilot Program 2016-2017)

- Cost minus subsidy minus LCFF would be covered at 100%
- District pays for transportation

Excel:

SELPA offset:

- Cost minus subsidy minus LCFF would be covered at 100%
- SCOE transportation covered at 100%

NPS: North Valley/IEP School:

SELPA offset:

- 100% minus LCFF (includes SCOE and NPS transportation)
- OOH Coordinator will case manage (DOR still responsible to be at table) and will coordinate related services with appropriate providers
- OOH Coordinator will conduct assessments (including academic)

***For students in LCI's attending Comprehensive Education Sites: District may request OOH Coordinator to conduct psycho-educational assessment via referral through RPRC*