

SANTA CLARA COUNTY

NLT3 -70. 3 or school district with SPED. 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 or 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 may receive.
- (4) A child with a disability will not be removed from education in 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 nondisabled 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 removal of students from the regular education environment.

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

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

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

8.3.B Nonpublic, Nonsectarian School Services

Nonpublic, nonsectarian school means 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 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 sp2.9 (f)-5 (s)-2.-rieseviiivices shall

- (2) Consultative services to students, parents, teachers, or other school personnel in the management of student's language, speech development, or

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 s(s)-2.3 (e)-1.7 (t)-4.6 (h)10.talInd

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

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 9 i1)(r)-1.9Tc 0 Tw 11eco ()Tj /TT1 1 Tf 0.467 0(s)10.5 (67 bDC q 9)Tj /-0.011

an appropriately credentialed teacher, who serve 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 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 funds 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 305)

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 available.

These services shall be provided under contract with the district, SELPA, or county office to provide the appropriate special educational facilities, special educational services