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ttaylor@bcoe.org

Aaron Benton
SELPA Director
abenton@bcoe.org

Butte County SELPA
1870 Bird Street
Oroville, CA 95965
(530) 532-5621
Fax (530) 532-5920
http://selpa.bcoe.org

Board of Education
Amy Christianson
Howard M. Ferguson
Ryne Johnson
Jeannine MacKay
Brenda J. McLaughlin
Roger Steel
Mike Walsh

An Equal Opportunity Employer

SELPA Coordinating Council Meeting
January 22, 2019
8:30 – 10:30 a.m.
BCOE Lincoln Center-Room 44
1870 Bird Street
Oroville, CA

AGENDA

1. Call to Order ..... Aaron Benton
2. Introductions ..... Aaron Benton
3. Approval of the Agenda - Action ..... Aaron Benton
4. Approval of the Minutes - Action ..... Aaron Benton
5. Public Comment ..... Aaron Benton
6. Regional Srvs Committee Rec - Action ..... Aaron Benton
7. BER Policy Update - Information ..... Aaron Benton
8. SCIA Policy Update - Information ..... Aaron Benton
9. 10 Minute Trainer - Information ..... Aaron Benton
10. Group Interest Topic – Information ..... Aaron Benton
11. SELPA Director Report ..... Aaron Benton
    -Inspiration
    -Dates for next year
    -Professional Development
    -Note: Dawn Dully-Guest for HS/Unified on transition moved to 2/26
12. Items from Districts ..... Aaron Benton
13. Adjournment ..... Aaron Benton

"WHERE STUDENTS COME FIRST"

Butte County Office of Education
"WHERE CHILDREN COME FIRST"

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An Equal Opportunity Employer

SELPA Coordinating Council Meeting
December 18, 2018
8:30 – 10:30 a.m.
BCOE Lincoln Center – Room 44
1870 Bird Street
Oroville, CA

Minutes

Attending: Diane Olsen, Maryanne Taylor, Dena Kapsalis, Tom Miller, Kevin Simas, Amie Parent, Theresa Holyoak, Aaron Benton, Scott Lindstrom, Stacy Doughman, Kimberly Tyler, & Jenny Dolan-minutes

Absent: LaQuita Ulrich, Marilyn Bertolucci, Cindy Kershaw, Katie Todd

Guests: Sheila McCarthy, Melissa Izzi

Handout documents distributed or emailed to participants:

- Coordinators' Meeting Minutes 10.23.18
- Regional Services Policy
- The Body Keeps the Score Summary Notes
- Free Online Services & Resources
- Performance Indicator Review PowerPoint
- California Children's Services Resource and Referral Guide
- Legislators by SELPA
- Chris Van Hollen Press Release
- Private Schools and Service Plans
- CDE PIR/LCAP Training Email

1. **Call to Order**
   Aaron Benton called the meeting to order at 8:34 a.m.

2. **Introductions**
   Aaron Benton welcomed the group. Introductions were made around the room.

3. **Approval of the Agenda**
   Aaron Benton asked for approval of the agenda.

   MOTION: Diane Olsen made a motion to approve the agenda. Kevin Simas seconded the motion. The motion carried unanimously.

4. **Approval of the Minutes**
   Aaron Benton asked for approval of the 9.25.18 minutes.

   MOTION: Diane Olsen made a motion to approve the minutes. Stacy Doughman seconded the motion. The motion carried unanimously.

5. Public Comment

There was no public comment.

6. Regional Unit Review Subcommittee

Aaron Benton reminded the group that an email was sent out requesting updated regional numbers. He noted the subcommittee would meet in January to review current regional units and any new request.

7. Camp Fire Impact

Aaron Benton discussed the role of SELPA and SPES in the wake of the Camp Fire. The departments were tasked with heading up the trauma response. After several weeks, the responsibility will now fall to Scott Lindstrom and Roy Applegate who will be sharing responsibilities as Executive Coordinators.

Scott discussed the amazing work the ERMHS team has done over the past few weeks. Roy noted he and Scott were able to secure 16 therapists who will continue to work with students through the end of June.

Discussion was had among the group regarding the observations, thoughts, and feelings of members of the group during the campfire tragedy.

8. *Body Keeps the Score*

Aaron Benton reminded the group summary notes have been included in the agenda packet and to review at their convenience.

9. DOR Case Manager Follow-Up

Stacy Doughman asked districts to list who they would like as the representative on their respective students IEPs rather than the BCOE DIS representative as discussed in the previous meeting. Stacy informed the group as a matter of interest regarding regional units, BCOE will be moving staff around in order to be more efficient and classes will be reviewed to see if they still qualify.

10. SELPA Director Report

Aaron Benton reviewed the following:

-What's on and What's not for SELPA PD
-Annual PIR Preview
-Information from CDE on SEIS Codes
-Clarification on AAC
-Low to No Cost Resources
-Private Schools Information

11. Items from Districts

None at this time.

12. Adjournment

Aaron Benton adjourned the meeting at 10:48 a.m.

Butte County Office of Education
"Where Students Come First"

Mary Sakuma
Superintendent
msakuma@bcoe.org

Aaron P. Benton
SELPA Director
abenton@bcoe.org

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SELPA COORDINATING COUNCIL MEETING

Agenda Item Summary

PREPARED BY: Aaron Benton

MEETING DATE: January 22, 2019

AGENDA ITEM: 6

TOPIC/ ISSUE: Regional Services Committee Recomendations

BACKGROUND: Per SELPA Policy, the Regional Services Review Committee (RSRC) must meet each January to review data on regional unit/program counts collected in December. Based on their review, recommendations are then brought to the Coordinating Council and then to SELPA Governing Board for final approval in February. This item is brought to review and approve the initial recommendations thus far. The RSRC will meet again in February to review any new information and to consider the recapture of units where possible, in the interest of fiscal responsibility. Their findings will be shared with Coordinators via Zoom meeting and the group will vote on the balance of the recommendations. This is necessary because Coordinating Council meets after Governing Board in the month of February.

FINANCIAL IMPACT: The recommendations attached are a request for 2.4 additional units for the coming year, with one unit being recaptured for the coming year. The recommendations also request to use a 0.4 undesignated unit for the current year retroactive to August and a 1.0 undesignated unit from January 8, 2019 through the end of the school year. It is very likely that the net recaptured units will exceed requested additional units.

SELPA RECOMMENDATION: Approve RSRC recommendations thus far with the intent of reviewing further recommendations in early February.

Summary from Regional Services Review Committee (RSRC)

*January 14, 2019 * 11:30 a.m. to 1:30 p.m.*
Lincoln Center Conference Room

RSRC Attendance:	Aaron Benton	Maggie Daugherty
	Stacy Doughman	Dena Kapsalis
	Diane Olsen	Kevin Simas
	Kimberly Tyler	Absent: Gridley, Biggs reps

Unit Requests: Three unit requests were proposed for a total of 2.4 units. Oroville City ESD proposed a 0.4 SH/SDC unit at Sierra Del Oro based on current numbers intending to supplement the 0.6 unit for their teacher who is already working a full week with a full caseload. They also proposed a 1.0 Preschool SH/SDC unit is based on projections for the coming year. Chico USD proposed 1.0 Early Elementary Moderate to Severe Special Day Class unit based on growth projections. All three requests met the timeline for submission and all were unanimously approved.

Other Requests: At this time, Oroville City ESD and Chico USD also submitted requests to access undesignated units in the current year to fund new or existing units. Oroville City noted that the 0.4 Preschool SH/SDC unit was in place from the beginning of the school year and they asked to use 0.4 undesignated to fund that unit retroactive to August. Chico USD opened an additional Preschool SH/SDC on January 8, 2019 due to enrollment growth due to the Camp Fire. These requests have no set timeline. The undesignated units have not yet been allocated, so the RSRC unanimously approved the 1.4 units be undesignated units, leaving 0.6 units available.

Recapture: BCOE discussed the possible recapture of one of the ED/SDC Day Treatment classes at Oroville High School based on revised enrollment that showed there are 9 students remaining between the two classes. At this time, the teachers and clinicians are still assigned to those students, however three paraprofessional staff have been reassigned to other programs based on need. The group agreed it was not feasible to maintain the second ED/SDC Day Treatment unit based on the lack of numbers. If numbers change, we can look at possibly allocating an undesignated unit to reopen the recaptured unit if numbers support this. The RSRC approved the recapture of one ED/SDC Day Treatment classes for 2019-20.

Other Issues:
The Regional Services Review Committee (RSRC) discussed problems with the stated annual timeline of November 30th to submit proposals for the coming year. Aaron will

speak with the finance and personnel departments to see if there is something driving that date or if it could be pushed back in the future, possibly until end of January. It is not possible to know all the needs within this time frame and it is typical that additional requests come through June each year. This year will be especially challenging in terms of shifting units. The policy may need revision to include some exception language for classroom units that shift all the way through to summer based on population shifts.

Maggie and Dena agreed to work together to determine viable regional options for Paradise USD students and report back to the group. Paradise may want to consider a regional program parent survey in the springtime to determine which of their families plan to access regional programs through Paradise USD in order to confirm these numbers with the RSRC.

Aaron proposed the possibility of considering the second ED/SDC class at Oroville HS as a 45-day IAES and/or Interim classroom setting as there have been a few examples that demonstrate that as a need for districts. This would be flown by Coordinators to see if that was truly a need.

Another meeting will be needed of the Regional Services Review Committee by early February, with final proposals. These will be shared with the entire Coordinators group who will have the opportunity for final review prior to being agendized for Governing Board. We will need at least one more meeting of the RSRC before school ends.

<u>The Regional Unit List that is in the Coordinators 1/22/19 Agenda Packet is based on information collected from each individual regional program operator and deemed by them to be complete and accurate as of 1/8/19.</u>

Attachments:

- Regional Services Policy
- SELPA Unit Summary List
- Regional Unit list – current

LEA Application to Request Unit Transfers,
Unit Redesignations or New/Temporary Units
Must be submitted by November 30th.

Date of Request: 11/30/2018

LEA Requesting: OCESD

Person Completing Request: Name: Kimberly Tyler Title: Director of Special Education Phone: 530-532-5690
Address: 2900 Wyandotte Ave., Oroville, Ca 95966 Email: ktyler@ocesd.net

Current Number of Regional Units Operated by LEA

SH/SDC 7.6

DIS _____

LEA is Requesting:

- ☐ Unit Transfer: Unit # requested: _____
- ☐ Unit Redesignation: Unit #: R0073
- ☐ New/Temporary Unit

Description of Unit Request: (Specify the unit to be transferred, redesignated or started; the type of unit, the location the unit will be provided and the person providing services; and the grade levels served; e.g. infant, preschool, elementary, junior high, high school, 12+.)
This Regional unit serves Severely Handicapped Preschool students at Sierra Del Oro Preschool. It has been designated PS-NonSH and Non-Severe. It has been designated and funded as a .60 unit although it is a full time regional unit serving 16-20 students per day.

Rationale for Unit Change: (Include specific data on student enrollment. See Guiding Factors in the Procedure for Requesting a Unit Transfer, Unit Redesignation or New/Temporary Unit on page 5 of Regional Services Policy for specific factors considered in the decision making process.)
Unit R0073 to be redesignated to a PS-SH Severe 1.0 regional unit

Financial Impact of Unit Change: (Include the impact on the LEA as well as known impacts the SELPA.)
The financial impact would be that the unit would be correctly identified and fully funded to reflect the current services that are and have been being provided by this unit.

Effective date of LEA Unit Request: 11/30/2018

Kimberly Tyler — Name/Title: Director of Special Education — 12/3/18
Signature of Person Completing Request — DATE

S Skelton — Name/Title: Superintendent — 12/7/18
Signature of Requesting LEA Superintendent — DATE

_____ — Name/Title: _____ — _____
Signature of Sending LEA Superintendent (Unit Transfers Only) — DATE

Benton, A. Olsen, D. Doughman, S.
Daugherty, M. Tyler, K.
Kapsalis, D. Simas, K.

Butte County SELPA

Request for Unit(s)

Request Information

Requestor Name: Kimberly Tyler Date: 1/14/19

LEA Name: OCESD

Type of Units: Moderate-Severe Preschool

☐	APE	☐	OT	☐	VI	☐	RSP
☐	O&M	☐	OT COTA	☐	Infant	☐	HI
☐	SH-SDC Autism	☐	SH-ED	☐	Non SH-SDC	☐	Speech-Mod
☒	PS-SH	☐	SH-SDC	☐	SH-SDC Adult	☐	Speech-Severe

Proposed Unit Start Date: August 2019

Reason for Request:

Due to the increasing enrollment and the Camp Fire, we have an increased need and are requesting one additional PS-SH regional unit. (at Sierra Del Oro)

Kimberly Tyler 11/2/18

Requestor Signature *Date*

Review Committee Names

Benton, A. Olsen, D. Doughman, S.

Dougherty, M. Tyler, K.

Kapsalis, D. Simas, K.

Submitted to Governance

Date: _____

New Unit(s): ☐ Accepted ☐ Declined

Butte County SELPA

Request for Unit(s)

Request Information

Requestor Name: Diane Olsen Date:

District Name: Chico USD

Type of Units: Moderate-Severe Elementary SDC

☐	APE	☐	OT	☐	VI	☐	RSP
☐	O&M	☐	OT COTA	☐	Infant	☐	HI
☐	SH-SDC Autism	☐	SH-ED	☐	Non SH-SDC	☐	Speech-Mod
☐	PS-SH	☒	SH-SDC	☐	SH-SDC Adult	☐	Speech-Severe

Proposed Unit Start Date: August 2019

Reason for Request: Due to the Camp Fire and enrollment of former PUSD students into early elementary, preschool students moving into school age programs and a general increase in enrollment at the early elementary age we are requesting one additional SH-SDC regional unit.

Diane Olsen 11-30-18

Requestor Signature *Date*

Review Committee Names

Benton, A. Olsen, D. Doughman, S.
Daugherty, M. Tyler, K.
Kapsalis, D. Simas, K.

Submitted to Governance

Date:

New Unit(s): ☐ Accepted ☐ Declined

Butte County SELPA

Request for Unit(s)

Request Information

Requestor Name: Diane Olsen Date: 1/13/19

District Name: Chico USD

Type of Units: Moderate-Severe Elementary SDC

☐	APE	☐	OT	☐	VI	☐	RSP
☐	O&M	☐	OT COTA	☐	Infant	☐	HI
☐	SH-SDC Autism	☐	SH-ED	☐	Non SH-SDC	☐	Speech-Mod
☒	PS-SH	☐	SH-SDC	☐	SH-SDC Adult	☐	Speech-Severe

Proposed Unit Start Date: August 2019

Reason for Request:

Reason for Request: Due to the Camp Fire and enrollment of former PUSD students into Pre-School and those turning 3, CUSD has opened a new preschool program to accommodate students. This classroom opened January 8, 2018.

Diane Olsen *Requestor Signature* 1/13/18 *Date*

Review Committee Names

Submitted to Governance

Date:

New Unit(s): ☐ Accepted ☐ Declined

Regional Services Policy: Definitions, Unit Changes and Unit Size/Ratios

Definitions

Regional units are designed to serve students with more intense disabilities through a sharing arrangement by which all LEAs (local education agencies) cooperate and assist in serving students, either within their LEA or from another LEA. By sharing regional units, all LEAs can more efficiently serve students through the utilization of existing services available in another LEA that may not be available within their LEA.

The definition of regional program is a program created to serve students with more intense disabilities and needs. This includes programs serving students with moderate/severe needs, students with emotional disturbance, students that are deaf or hard of hearing, and students in juvenile hall. It also includes specific related services such as adapted physical education, speech and language therapy, orthopedic impairment services, orientation/mobility services, assistive technology, vision impairment services, hearing impairment services, occupational therapy and educationally related mental health services. To be recognized as a regional program within Butte County SELPA, the program must be officially designated as such by the SELPA governance board. Regional units are not dependent on a single funding source, and may come from multiple sources of specific funding. The Butte County SELPA will maintain an official record of all regional service units identified by the SELPA Governance Board. LEAs may operate units that appear to be similar to regional units in nature but are not officially designated by the SELPA Governance as regional units.

Programs Operation Standards

LEAs operating regional programs are responsible for maintaining a program option in support of the SELPA-wide continuum of services. District and site administrators of regional programs are responsible for ensuring the integration of all students into the regular program to the fullest extent possible as appropriate for each student and their IEP. This may require the provision of staff development, services to increase student awareness of human exceptionalities, and parent training to assure the highest level of successful inclusion.

The district of service is responsible for providing all instructional materials required to implement students' IEPs. Materials required may include age and developmentally appropriate core curriculum as well as specialized curriculum and materials specific to classroom and individual student needs. Students with disabilities shall have access to the general curriculum with appropriate accommodations and modifications on the campus where the program is located.

Program Evaluation

Program evaluation is the joint responsibility of the regional program operators and the SELPA. SELPA requires that regional program operators adhere to program operation standards agreed to in this policy.

Regional Unit Changes

Regional Services Policy: Definitions, Unit Changes and Unit Size/Ratios

The SELPA maintains the administrative responsibility for the official census and monitoring of regional service units and for the funding of these units. Units may change as follows:

1. Unit Transfer: An assignment of a unit from one LEA to another. The Guidelines and procedures for a Unit Transfer are outlined in page 5 of this policy. Transferred units will retain the number originally assigned by the SELPA for the regional unit.

2. Unit Return: A regional unit may be returned to the SELPA when the number of students served in the program is below the approved SELPA unit size/ratio recommendations (please see the Unit Size/Ratio chart). Upon return, the regional unit will be removed from the list of regional units and will be identified as undesignated. In this case, the SELPA Governance Board will determine how to utilize the funding that was previously used for this unit or determine if the unit is redesignated.

3. Unit Redesignation: Regional service operators may request a change in the type of unit from its current status to a new type of service. For example, an LEA operating an SDC class for students with hearing impairments might request a shift to serving students with serious emotional disorders. The requesting LEA will submit a written request outlining the justification for the proposed change to Coordinating Council which will review the request and make a recommendation to the Governance Board. Such requests must be individually considered and approved by the SELPA Governing Board.
4. New Units: An LEA may request a new unit be created and added to the list of regional units. The LEA making the request must submit a written request describing the new unit, the rationale for the request and how the regional unit will be funded. New unit requests will be reviewed and approved by both the Coordinating Council and Governance Board before being added to the list of regional units. Approved new regional service units will be subject to the same SELPA policies and procedures as previously identified regional units. The new unit will be assigned a unit number by the SELPA.
5. Temporary Unit: A regional service unit can receive a temporary status by approval of the SELPA Governing Board when the funding source is uncertain or short term.
6. Collapsed Unit: A regional unit that is permanently removed from the list of regional units in the SELPA. That unit number will be assigned to a new unit.

Recommended Service Size/Staffing Ratios: Unit Size/Ratio Guidelines

The following Unit Size Ratio Chart is intended to guide SELPA decisions about increasing and/or decreasing regional unit allocation to LEAs. The LEA operating the regional program shall determine the specific student case load for each class as well as staffing ratios for both certificated and classified personnel.

Regional Services Policy: Definitions, Unit Changes and Unit Size/Ratios

UNIT SIZE/RATIOS CHART *(*Not for determining class size.)*

Service	Age Range	Program Description	*Units Size/Ratio
Juvenile Hall	5-21	Special education services for students placed in Juvenile Hall.	Per program operators policy
Moderate/Severe SDC	5-21	SDC for students with more intense needs.	10-12
Moderate/Severe Full Inclusion	3-21	Full inclusion	10-12
Moderate/Severe Secondary	14-21	Primary focus on vocational education and community based instruction	10-12
Deaf/HH	3-21	Similar age clusters; primarily for students with hearing impairments	6-8
ED	5-21	Similar age clusters; ISBT	10-12
DIS	3-5	Speech and language	As per ed. code
DIS Early Start	3-21	Speech and language	As per ed. code
	3- 5	VI service; average 30-60 minutes per day	6-8
	5-21	VI service; average 60 minutes per week	20-30
	3-21	OI service; average 60 minutes per week	20-30
	3-21	APE service; average 60 minutes per week	20-30
	3-21	O & M service; average 60 minutes per week	20-30
	3-21	OT service; average 60 minutes per week	40-50
	NA	Braillist	6-8
	0-3	Services for infants & toddlers	10-12
Preschool SH	3-5	Total of AM & PM	12-16

Adding/Recapturing Regional Services

The needs for regional units will be re-evaluated annually to assure that appropriate service levels are maintained with fiscal efficiency. Additions or returning of units will be addressed utilizing the following criteria subject to approval by the SELPA Coordinating Council and the SELPA Governing Board.

Calculation Methodology for Assessing Regional Service

When a regional unit reaches a unit size/ratio that can be multiplied by 2 and falls below the minimum unit size limits, the unit should be considered for transfer, recapture, or redesignation. For example, a full-time DIS OI Specialist has a unit size range of 20-30. If the current unit load is 15 or less, the regional unit could be subject to unit reductions (15x2=30) and thus falls within

the unit size. If the current unit size exceeds 40 it could be subject to a unit increase since 40÷2 falls within the unit size range.

Timelines for Adding/Redesignation of Regional Units

The SELPA will send regional program operators enrollment reports the beginning of November. Regional program operators will submit enrollment reports for students served in regional programs to the SELPA by December 5th of each calendar year. The report will include the number of students served, name of certificated provider, FTE status, number of instructional assistants assigned to the class (including special circumstance assistants), and the primary location of the unit for each regional unit (per the regional unit number assigned by the SELPA office). Most of the information required for the report on regional units can be generated from custom reports within the SEIS student database.

A report on the status of regional units drafted by the Regional Services Review Committee (comprised of no more than three LEA representatives of the Coordinators Council and the SELPA director) will be presented at the SELPA Coordinators Council meeting in January. The report will include recommendations for changes in regional units for the upcoming school year. The SELPA Coordinators Council may provide input/feedback regarding the report of the Regional Services Review Committee, however, any changes in the report must be made no later than the February Coordinator's meeting.

The recommendations of the SELPA Coordinators Council regarding changes in regional units will be presented to the SELPA Governing Board for final approval at the February meeting.

An LEA that is currently utilizing related services through an LEA regional provider must give the current regional provider one fiscal year notice before either switching regional providers or providing their own related services using local funds.

Procedure for Requesting a Unit Transfer, Unit Redesignation or New/Temporary Unit

SELPA members may request a unit transfer, unit redesignation or a new or temporary unit from the SELPA Governance Council. Requests must be submitted to the SELPA Director by Nov. 30th of the calendar year in order for approved changes to take effect in the following school year. The LEA member shall utilize the SELPA Regional Unit Request form, titled LEA Application to Request Unit Transfers, Unit Redesignation or New/Temporary Units.

Applications will initially be reviewed by the Regional Services Review Committee who will make recommendations to the SELPA Coordinators' Council in the January meeting. The Coordinators will approve or deny the recommendations by the Regional Services Review Committee by the February meeting. The Coordinating Council recommendations will be submitted to the Governing Board for final approval in February.

GUIDING FACTORS: The following guiding factors will be considered in the approval process by all the bodies above as guidance for approval or disapproval of requests:

Unit Transfers:

1. What is the ability of the LEA to provide administrative support to the regional program?
2. What is the LEA's ability to provide LRE *(least restrictive environment)*?
3. What is the impact of a transfer on the current and future student population?
4. What are the transportation implications of the transfer?
5. What are the impacts of the transfer on the staff in compensation, seniority and other acquired benefits?

Unit Redesignation:

1. Does the rationale for redesignation reflect changes in the needs of the students with disabilities?
2. What is the financial impact of the redesignation and how will any increases in costs associated with the redesignation be paid?
3. What are the implications for other regional providers if the redesignation is approved?
4. Does the redesignation have implications for changes in similar regional units in other LEAs within the SELPA?

New and/or Temporary Units:

1. How will additional costs of the new or temporary unit be paid?
2. What factors support the assignment of the new unit to the requesting LEA instead of another LEA?
3. How will the addition of the unit benefit the SELPA and other LEAs?
4. Should approval of units be contingent on recapture of other units in decline?
5. Temporary unit: What is the funding timeframe?
6. Temporary unit: Does the LEA have a plan to continue to fund the unit when the SELPA funding is discontinued?

LEA Application to Request Unit Transfers,
Unit Redesignations or New/Temporary Units
Must be submitted by November 30th.

Date of Request: _____

LEA Requesting: _____

Person Completing Request: Name: _____ Title: _____ Phone: _____
Address: _____ Email: _____

Current Number of Regional Units Operated by LEA

SH/SDC _____

DIS _____

LEA is Requesting:

- ☐ Unit Transfer: Unit # requested: _____
- ☐ Unit Redesignation: Unit #: _____
- ☐ New/Temporary Unit

Description of Unit Request: (Specify the unit to be transferred, redesignated or started; the type of unit, the location the unit will be provided and the person providing services; and the grade levels served; e.g. infant, preschool, elementary, junior high, high school, 12+.)

_____

Rationale for Unit Change: (Include specific data on student enrollment. See Guiding Factors in the Procedure for Requesting a Unit Transfer, Unit Redesignation or New/Temporary Unit on page 5 of Regional Services Policy for specific factors considered in the decision making process.)

_____

Financial Impact of Unit Change: (Include the impact on the LEA as well as known impacts the SELPA.)

_____

Effective date of LEA Unit Request: _____

_____ Name/Title: _____ _____
Signature of Person Completing Request DATE

_____ Name/Title: _____ _____
Signature of Requesting LEA Superintendent DATE

_____ Name/Title: _____ _____
Signature of Sending LEA Superintendent DATE
(Unit Transfers Only)

MEMORANDUM OF UNDERSTANDING FOR THE PROVISION AND FUNDING OF REGIONAL PLACEMENT OF SPECIAL EDUCATION STUDENTS

In this Memorandum of Understanding, District of Residence (DOR) refers to the Local Education Agency (LEA) in which the student resides or a LEA charter school in which the student is enrolled. Additionally, District of Service (DOS) refers to a LEA regional program operator, the Butte County Office of Education (BCOE), or a LEA charter school which operates a regional program.

Responsibilities of District of Residence:
Each LEA is responsible for serving students with disabilities enrolled in its school(s).However, when a DOR does not have the appropriate services to meet the needs of an identified student with special needs, the DOR has the option of requesting a placement through the IEP process to the County Office or another DOS regional program provider within the SELPA. Every effort will be made to accommodate the student's needs in the student's current school prior to placing him/her in another program. Prior to requesting a placement in a program provided by another DOS, the DOR will confirm there is space available in the DOS's program and give the DOS an opportunity to observe the student, if possible. The DOR will schedule an IEP meeting for the purpose of developing an appropriate IEP and include the DOS and a Program Specialist, as appropriate, in the meeting.

Responsibility of District of Service:
When a DOS operating a regional program on behalf of the SELPA is requested to attend an IEP meeting for the purpose described above, the DOS will agree to attend the meeting. When the DOS has space in the requested program and can meet the requirements outlined in the student's IEP, the DOS will agree to place the student in the regional program. There must be an administrator/designee present from both the DOR and the DOS in order for a change of placement to take place.

Upon placement in the DOS regional program, the student accrues the same rights provided to other students in the district/LEA. The DOS is responsible for providing a Free Appropriate Public Education and guaranteeing the student all of the procedural safeguards afforded students with special needs under the law. The DOR for the student continues to maintain ultimate responsibility in this regard.

Placements When Programs are Full:
When a regional program for a particular placement have reached the recommended countywide size or the class size permitted by the DOS collective bargaining agreement, the SELPA Regional Services Review Committee will meet to determine if the student can be served in an existing program with additional resources recommended by the committee. The Regional Services Review Committee will consider the program staff's ability to address the IEP goals and objectives for all of the students placed in the program. The committee will also review projected student numbers for the following year to determine if a new program needs to be developed to meet the needs of the students being served. Additionally, a district can request a placement in a full program even when another program has room on the basis of specific documented reasons for the student needing the particular placement (e.g. nurse on site, access to a behavior specialist, long bus ride is a concern). Should a dispute arise between the DOR and the DOS, either party may proceed to the dispute resolution process included in this MOU. Under no circumstances will a DOS be required to initiate a new program in order to accommodate students from outside their attendance area.

Dispute Resolution:
When a disagreement arises regarding any of the provisions of this MOU, it will be referred to the SELPA Governance Board for resolution. The SELPA has the responsibility to provide resources or new programs as needed. Consideration shall be given to sharing costs across the SELPA. The SELPA Governance Board's decision will be final.

Funding:
The DOS may bill the DOR for a pro-rata share of all approved unfunded costs as defined in the SELPA Funding Allocation Plan. Unfunded costs will be calculated and LEAs will be billed according to program category (SH-SDC, Juvenile Hall, or DIS). In the event that LEAs are unable to provide services through the existing process they have the option to go to the SELPA Governance Board to request additional resources.

Transportation:
Transportation arrangements will be the responsibility of the sending LEA unless otherwise agreed upon. NOTE: This policy does not prevent parents from requesting or LEAs from accepting inter-district transfers based on other provisions of law.

*Note for Inter-district or non-regional program placements, see the **Request for Non-Regional Out of District Placement Policy** located in the SELPA local plan at https://selpa.bcoe.org/butte-county-selpa-local-plan

REGIONAL/DISTRICT PROGRAM PLACEMENT PROCEDURES

For the purposes of clarity in this procedure, District of Residence (DOR) refers to the Local Education Agency (LEA) in which the student resides or a LEA charter school in which the student is enrolled. Additionally, District of Service (DOS) refers to a LEA regional program operator, or a LEA charter school which operates a regional program.

When considering a placement into a regional program operated by another LEA, the DOR (District of Residence) will complete the following:

- The DOR will review the student's assessments/records, behavior plans, and IEPs.
- When the DOR and the DOS involved have no questions or concerns regarding a placement for the student, the involvement of a SELPA Program Specialist is not necessary.
- When there are concerns or questions, the DOR or DOS will consult with a SELPA Program Specialist.
- DOR staff shall complete an observation of the student in an appropriate setting (provide a brief write-up) and update any necessary assessments.
- The DOR will communicate with the student's parents regarding DOR's concerns about the appropriateness of the current program and services as well as other placement considerations.
- The DOR will complete a Butte County SELPA request for special education program services form (located at https://selpa.bcoe.org/o/selpa/browse/13125) if seeking placement with SELPA support. If seeking placement directly with the DOS the DOR will complete any other forms required from the DOS. The completed packet will be reviewed and signed by authorized DOR staff and forwarded to the DOS staff responsible for coordinating regional placement efforts.

When Program Specialist services are needed or requested, the SELPA Program Specialist will:

- Review packet contents and verify completion of regional placement request.
- Inform the DOR of an incomplete packet and provide assistance if needed.
- Review behavior support plans and supporting data of current BIP (behavior intervention plan) success rate. When the data indicates need for changes in BIP, the Program Specialist may assist the DOR in making adjustments in current plan.
- Communicate with parents and the DOR of the educational implications resulting from the proposed regional placement (e.g. diploma vs. non-diploma track programs, Free Appropriate Public Education and Least Restrictive Environment).
- Ensure commitment to principles of Least Restrictive Environment on behalf of student.
- Consult with the SELPA Director to review case information and provide support for complex cases. (The SELPA Director may consult with District Coordinators and staff, Program Specialists and parents as needed.).
- Investigate potential regional/district program placement options.
- Communicate proposed regional placement/service options to DOR.
- Coordinate parent site visit to the proposed regional placement program and IEP scheduling.

The District of Residence (DOR) IEP team will:

- Collaborate with proposed DOS (District of Service) about scheduling the IEP meeting; identify who should be invited, and location of the placement IEP meeting. Send parents an IEP meeting notice with procedural safeguards.
- Send IEP meeting notices to all staff deemed necessary.
- Update and present information that supports the need for a more restrictive setting (i.e. present levels of educational performance and drafted goals/objectives) during the IEP meeting.
- Arrange for transportation of the student to new DOS placement.
- Maintain copies of all paperwork (including needed transportation information).

Note: Without an admin/designee present at the IEP Meeting from both the DOR and DOS, no change of placement may take place.

The District of Service (DOS) team will:

- Request the transfer of all student records.
- Assist the student's family in completing registration packet for new school placement.
- Invite and notify DOR administrator/designee of all future IEP meetings for the student.
- Ensure the identified supports are in place for the student, as indicated in the IEP (e.g. BIP, inclusion and related services).

No.	Type	Type 2	FTE	District	Funding	Teacher	Location	# of IEPs	Schl Base	Pending	# of Instructional Aides	
R0001	APE	DIS	1.00	BCOE	AB602	C.Anderson	Mesa Vista	47	14	0	N/A	12.20.18
R0002	APE	DIS	1.00	BCOE	AB602	H.Erickson	Mesa Vista	43	0	0	N/A	
R0003	APE	DIS	1.00	BCOE	AB602	G.McKellar	Mesa Vista	34	7	1	N/A	
R0007	O&M	DIS	1.00	BCOE	AB602	M.Collins	Mesa Vista	25	0	0	N/A	
R0008	O&M	DIS	1.00	BCOE	AB602	C.King	Mesa Vista	20	0	0	N/A	
R0009	OI	DIS	1.00	BCOE	AB602	J.Wolner	Mesa Vista	36	0	1	N/A	
R0011	OT	DIS	1.00	BCOE	AB602	Margo Henderson	Loma Vista	29	0	7	N/A	
R0012	OT	DIS	1.00	BCOE	AB602	Maria Pelletier	Loma Vista	23	0	6	N/A	
R0013	OT	DIS	1.00	BCOE	AB602	OPEN (sub Willow D	Vista Ctr. Paradise	24	0	0	N/A	
R0014	OT	DIS	1.00	BCOE	AB602	Sara Vickery	Neal Dow	43	8	0	N/A	
R0016	OT COTA	DIS	1.00	BCOE	AB602	Kristie Russell	Mesa Vista	41	0	1	N/A	
R0017	OT	DIS	1.00	BCOE	AB602	Katie Hoiland	Loma Vista	39	0	0	N/A	
R0018	OT COTA	DIS	1.00	BCOE	AB602	Melissa Wykstra	Mesa Vista	33		1	N/A	
R0019	SH-ED	Severe	1.00	BCOE	AB602	Benjamin Beiza	Oroville High	5	0	0	1	
R0020	SH-SDC Autism	Severe	1.00	BCOE	AB602	Hailey Erickson	Mesa Vista	5	0	0	1	
R0057	VI	DIS	1.00	BCOE	AB602	S.Mossman	Mesa Vista	20	0	0	N/A	
R0065	RSP	RSP	1.00	BCOE	AB602	Scott Bailey	TMS & CBBC	14	0	2	N/A	
R0068	HI-Elem	Severe	1.00	BCOE	AB602	N. Happich	Durham Elem	12	0	0	1	
R0070	HI-Jr.HS/HS	Severe	1.00	BCOE	AB602	Danielle Johnson	Durham Intermediate	5	0	0	0	
R0071	HI-Elem/Itinerant	Severe	1.00	BCOE	AB602	H. Davis	Itinerant	44	0	0	N/A	
R0072	HI-PS	Severe	1.00	BCOE	AB602/PS	Teresa Tolzmann	Durham Elem	7	0	0	1	
R0087	SH-ED Elem	Severe	1.00	BCOE	AB602	Robin Davis	Oakdale Hts. Elem	6	0	0	3	
R0088	SH-ED HS	Severe	1.00	BCOE	AB602	Mallory Garcia	Oroville High	4	0	0	3	
R0090	SH-ED Jr. HS	Severe	1.00	BCOE	AB602	Josh Harwood	Nelson Ave.	9	0	0	3	
R0097	SH-SDC Elem	Severe	1.00	BCOE	AB602	E. Rynoso	Wilson Elementary (was Sycamore)	5	0	0	3	
R0098	SH-SDC Elem	Severe	1.00	BCOE	AB602	OPEN	Sierra Ave	9	0	0	3	
R0107	SH-SDC HS	Severe	1.00	BCOE	AB602	C. Craft-Bates	Durham High	10	0	0	3	
R0108	SH-SDC HS	Severe	1.00	BCOE	AB602	J. Henry	LPHS	9	0	0	4	
R0109	SH-SDC HS	Severe	1.00	BCOE	AB602	Kat Kurz	LPHS	13	0	0	3	
R0110	SH-SDC Elem	Severe	1.00	BCOE	AB602	S. Compton	Oakdale Heights Elem.	5	0	0	3	
R0117	SH-SDC Multi	Severe	1.00	BCOE	AB602	Orah Palmer	Mesa Vista	14	0	1	4	
R0118	SH-SDC Elem	Severe	1.00	BCOE	AB602	E. Chiem	Sierra Ave	9	0	0	3	
R0139	OT COTA	DIS	1.00	BCOE	AB602	Jennifer Moreno./sub	Loma Vista	47	0	3	N/A	
R0140	DHH Itinerant	Severe	1.00	BCOE	AB602	Brian Jones	Mesa Vista & Itinerant	32	0	1	N/A	
R0141	SH-SDC	Mod/Severe	1.00	BCOE	AB602	Jessica Logsdon	Mesa Vista	8	0	0	3	
R0142	SH-SDC	Mod/Severe	1.00	Biggs	AB602	K Montana	Biggs Elem	10	0	0	3	
R0005	APE	DIS	1.00	CUSD	AB602	R Bower	X-Itinerant	44	0	0	0.5	1.7.19
R0010	OI	DIS	1.00	CUSD	AB602	A. Gilliam	X-Itinerant	27	0	0	6	
R0021	SH-SDC – EL	Severe	1.00	CUSD	AB602	C. Roady	Neal Dow	11	0	0	3	
R0022	SH- SDC - HS	Severe	1.00	CUSD	AB602	To be hired	PVHS, 2019/2020	0	0	0	0	
R0023	SH-SDC-Bridge	Severe	1.00	CUSD	AB602	J Scott	Parkview	3	0	0	2	
R0024	SH – ED	Severe	1.00	CUSD	AB602	A Crane	PVHS	12	0	0	2	
R0025	APE	DIS	1.00	CUSD	AB602	L.Canales	X-Itinerant	50	0	0	0.5	
R0026	SH-SDC-TK	Severe	1.00	CUSD	AB602	A Harris	Loma Vista	6	15 TK	0	4	
R0058	VI	DIS	1.00	CUSD	AB602	K. Spasbo	X-Itinerant	19	0	1	4	
R0066	SH-SDC	Severe	1.00	CUSD	AB602	D. Salindong	Chapman	12	0	0	4	
R0075	PS-SH	Severe	1.00	CUSD	AB602/PS	N. Silva	Hooker Oak	12	0	0	5	
R0076	PS-SH	Severe	1.00	CUSD	AB602/PS	J. Allemandi	Loma Vista	16	0	0	3	
R0077	PS-SH	Severe	1.00	CUSD	AB602/PS	C. Garcia	Loma Vista	12	0	4	4	
R0078	PS-SH	Severe	1.00	CUSD	AB602/PS	S. Valim	Loma Vista	19	0	0	4	
R0079	PS-SH	Severe	1.00	CUSD	AB602/PS	MJ. Brown	Loma Vista	16	0	0	3	
R0080	PS-SH	Severe	0.84	CUSD	AB602/PS	C. McWilliams	Loma Vista (Itinerant)	17	0	2	4	
R0084	SH-ED	Severe	1.00	CUSD	AB602	J. Hull	PVHS	11	0	0	2	
R0085	SH-ED	Severe	1.00	CUSD	AB602	M. Abbadessi	Citrus	7	0	0	5	
R0093	SH-SDC Adult	Severe	1.00	CUSD	AB602	C Kelly	CHS	10	0	0	4	
R0094	SH-SDC Adult	Severe	1.00	CUSD	AB602	R. Testman	PVHS	14	0	0	7	
R0096	SH-SDC Autism	Severe	1.00	CUSD	AB602	C. Carr	Chapman	7	0	0	5	
R0100	SH-SDC Elem	Severe	1.00	CUSD	AB602	D. Mocek	McManus	7	0	0	5	
R0101	SH-SDC Elem	Severe	1.00	CUSD	AB602	R. Coffman	Parkview	10	0	0	5	
R0102	SH-SDC Elem	Severe	1.00	CUSD	AB602	M. Martini	Little Chico Creek	9	0	0	5	
R0105	SH-ED	Severe	1.00	CUSD	AB602	G. Hill	Marsh Jr	9	0	0	4	
R0111	SH-SDC HS	Severe	1.00	CUSD	AB602	J. Carr	PVHS	15	0	0	5	
R0113	SH-SDC Jr HS	Severe	1.00	CUSD	AB602	T. Blizman	Marsh Jr	10	0	0	5	
R0114	SH-SDC Elem	Severe	1.00	CUSD	AB602	M. Thompson	Sierra View	11	0	0	5	
R0119	SH-SDC Multi	Severe	1.00	CUSD	AB602	L. Ford	Parkview	12	0	0	5	
R0120	SH-SDC Multi	Severe	1.00	CUSD	AB602	H. Richer	CHS	14	0	0	4	
R0121	SH-SDC Multi	Severe	1.00	CUSD	AB602	J. Nickerson	CHS	7	0	0	2	
R0122	SH-SDC Multi	Severe	1.00	CUSD	AB602	A. Herrick	CHS	13	0	0	6	
R0143	PS-SH	Severe	1.00	CUSD	AB602/PS	M Philippi	Loma Vista	16	0	0	3	
R0144	PS-SH	Severe	1.00	CUSD	AB602/PS	E Espinoza	Loma Vista	16	0	0	3	
R0145	SH-SDC	Severe	1.00	CUSD	AB602	A Trulock	Chico Jr	10	0	0	4	
R0146	SH-SDC	Severe	1.00	CUSD	AB602	M Willson	EWE	12	0	0	4	
R0147	SH-SDC	Severe	1.00	CUSD	AB602	D. Schultz	Marsh Jr	10	0	0	5	
R0148	PS-SH	Severe	1.00	CUSD	AB602/PS	E. Fraser (Gill)	Loma Vista	16	0	0	3	
R0149	SH-SDC	Severe	1.00	CUSD	AB602	J. Snedeker	Bidwell Jr	10	0	0	5	
R0150	SH-SDC	Severe	1.00	CUSD	AB602	S VanWert	Little Chico Creek	11	0	0	5	
R0151	SH-SDC	Severe	1.00	CUSD	AB602	K Timmel	McManus	11	0	0	5	
R0152	SH-SDC	Severe	1.00	CUSD	AB602	C. LaRosa	EWE	10	0	0	4	
R0153	SH-SDC	Severe	1.00	CUSD	AB602	H Brandt	Chapman	11	0	0	5	
R0154	SH-SDC	Severe	1.00	CUSD	AB602	Luke Coulson	CHS	11	0	0	6	
R0155	SH-SDC	Severe	1.00	CUSD	AB602	Lacey Coulson	PVHS	12	1	0	4	

R0137	SH-SDC	Severe	1.00	Gridley	AB602	D.Pontarolo	McKinley Primary Sch campus (K-2 classroom)	7	0	0	2.875
R0064	SH-SDC	Severe	1.00	OCESD	AB602	M. Davis	Bird St. School	6		0	3
R0069	PS-SH	Severe	1.00	OCESD	AB602/PS	J.Hernandez	SDO *AM/PM	12		2	3
R0073	PS-SH	Severe	0.60	OCESD	AB602/PS	N. Charlton-Robles	SDO AM/PM	11		1	3
R0081	PS-SH	Severe	1.00	OCESD	AB602/PS	R. Linden	SDO *AM/PM	12		0	2
R0082	PS-SH	Severe	1.00	OCESD	AB602/PS	R. Barton	SDO *AM/PM	11		2	3
R0103	SH-SDC Elem	Severe	1.00	OCESD	AB602	E. Hoy	Ophir Elem.	12		0	4
R0104	SH-SDC Elem	Severe	1.00	OCESD	AB602	A. Rockefeller	Oakdale Heights Elem.	11		0	3
R0115	SH-SDC Jr HS	Severe	1.00	OCESD	AB602	J. Waddell	Central Middle Schl.	16		0	2
R0091	SH-SDC Adult	Severe	1.00	OUHSD	AB602	J.Tatom	Adult Transition Ct	14	13	1	6
R0092	SH-SDC Adult	Severe	1.00	OUHSD	AB602	T. Boehme	Adult transition Ct	14	13	0	5
R0074	PS-SH	Severe	0.60	Paradise	AB602/PS	Lingo/N.Jarmush	CCCS/PCMS	9	10	2	1
R0083	PS-SH	Severe	1.00	Paradise	AB602/PS	H.Terstegge	Pine Ridge	12		2	8
R0089	SH-ED HS	Severe	1.00	Paradise	AB602	D.Dunn	Paradise HS	11		0	2
R0095	SH-SDC Adult	Severe	1.00	Paradise	AB602	Nancy Baranek	Pearson Center	10		1	7
R0106	SH-SDC Elem	Severe	1.00	Paradise	AB602	Muntiferring/Entner	Ponderosa	19		0	4
R0112	SH-SDC HS	Severe	1.00	Paradise	AB602	Alison Greer	Paradise HS	10		1	8
R0116	SH-SDC Jr HS	Severe	1.00	Paradise	AB602	Erin Suttles	Paradise Intermediate	12		0	4
R0156	PS-SH	Severe	0.40	Paradise	AB602/PS	combined w/Terstegg	Pine Ridge	7			
R0157	SH-ED	Severe	1.00	Paradise	AB602	Seymour	Paradise Intermediate	5		1	3
R0158	SH-SDC	Severe	1.00	Paradise	AB602	Daniel Shepard	Pineridge	9		1	3
R0006	Asst Tech	Severe	1.00	SELPA	AB602	Nicole Eads	Mesa Vista	52			
R0124	Program Spec	SELPA	1.00	SELPA	Regionalized	Kay Paden	SELPA				
R0125	Program Spec	SELPA	1.00	SELPA	AB602	Lily Vang	SELPA				
R0126	Program Spec	SELPA	1.00	SELPA	Regionalized	Maggie Daugherty	SELPA				
R0127	Clinician II	SELPA DTx	1.00	SELPA	ERMHS	Brenda Hallett	Oakdale Hts.	5			
R0128	Clinician II	SELPA DTx	1.00	SELPA	ERMHS	Christine Mascarenas	PVHS	13			
R0129	Clinician II	SELPA DTx	1.00	SELPA	ERMHS	Courtney Gwin	Oroville HS	11			
R0130	Clinician II	SELPA DTx	1.00	SELPA	ERMHS	Larry Phipps	Paradise HS	11			
R0131	Clinician II	SELPA DTx	1.00	SELPA	ERMHS	Maribel Bravo	Citrus Elem.	9			
R0132	Clinician II	SELPA DTx	1.00	SELPA	ERMHS	Mary Clare Scott	Nelson Ave	8			
R0133	MH Servs Coord	SELPA	1.00	SELPA	ERMHS	Jim Voss	SELPA				
R0134	Clinician II	SELPA DTx	1.00	SELPA	ERMHS	Brooke Steyskal	Marsh Jr. HS	10			
R0135	Clinician II	SELPA DTx	1.00	SELPA	ERMHS	Phil Ruttenburg	PVHS Transition	10			
R0138	Clinician II	SELPA DTx	1.00	SELPA	ERMHS	Hailey LedBetter	Paradise ERMHS Floater	22			
			117.44					1729	65	48	298.875

Unfunded UNITS 09-10

			1.00		AB602	Undesignated
			1.00		AB602	Undesignated
			119.44			

GOVERNING BOARD HISTORY: SELPA Governing Board Actions - Regional Programs

Meeting	Unit #	Type	Action:
5/21/08	R0066	RSP	1.00 FTE recaptured (07-08 BCOE- NCCS/SCCS closed). Undesignated 08-09.
5/21/08	T1308	SH-ED Trans-Elem	1.00 FTE ("T"=temporary) Paradise district prgm funded for 1 year from OHC.
5/21/08	R0069	SH-HH	1.00 FTE SH-HH unit recaptured 08-09 (redesignated as OCESD SH-PS-funded AB602).
5/21/08	R0105	SH-SDC Severe	1.00 FTE recaptured (07-08 Ponderosa/Paradise USD). Undesignated 08-09.
5/21/08	T0001	PS-SH OCESD	Collapsed temporary unit. *Redesignated R0069
5/21/08	T0002	SH-ED Trans-Elem	1.00 FTE ("T"=temporary) Paradise district prgm funded for 1 year from OHC.
5/21/08	T0003	PV Transition	*Clinican funded through OHC/LEA MC + MOU w/Chico USD for .50 FTE cost
9/17/08	All Units	ALL	SELPA Governing Board approved Regional Unit list and number assignment.
9/17/08	R0069 & R0073-R0083	12 of 13 Total PS Units SH PS and NSH PS *(not HH-PS R0072)*	Preschool units *(except R0072)* funded from AB602 at regular unit rate plus proportionate share of federal preschool grants. Preschool units will not receive additional funding from Out of Home Care funds effective 7/1/2009.
12/10/08	R0134 & R0105	DTx Clinician II + SH-ED	R0134-Regional unit added: 1.0 FTE Clinician II added to DTx Prgm/Marsh Jr. HS ED. Redesignated R0105-1.0 FTE SH-ED-CUSD Marsh JrHS- effective Feb. 09
2/11/09	R0067	SH-HH-Elem	R0067-Collapsed and AB602 funding redesignated to fund R0072-BCOE PS-HH 1.0 FTE (replacing OHC funding). *R0067-number abandoned since no funding attached.
2/11/09	R0072	PS-HH	Funded AB602/PS. Previously OHC/PS/OHC.
2/11/09	T0002 & T0003	SH-ED Trans & PVHS Clinician	District requests will be submitted 3/3/09.
3/11/09	R0135 & R0136	SH-ED Trans & PVHS Clinician	T0002 & T0003 were determined as ongoing units and added to Regional Units. R0136-SH-ED Transition-Paradise USD; funded AB602. R0135 PVHS Clinician II;SELPA DTx; funded DTx + CUSD
3/11/09	R0125,R0129, R0132,R0134	SELPA Funding Cuts	R0125 cut to .90 FTE. R0129 cut to .75 FTE. R0133 & R0134 not filled.
6/10/2009	R0129, R0132, R0133	SELPA Funding Reinstatement	2 Clinician positions and .25 Cl. Supervisor funded, via ARRA funding, only funded ARRA until new MC billing funds, then ARRA to be reimbursed. (1.0 Prog Spec not funded)
6/10/2009	R0137	Add 1.0 SH Regional Unit	Governing Board voted to add Gridley SH-SDC unit as an additional regional unit effective 7/1/09. Regional unit funding to be redistributed proportionately.
9/9/2009	R0070	HI-HS position 1.0 (AB602) Teacher laid off due to declining DHH population	Unutilized BCOE DHH/SDC. Unit will be held as undesignated until Spring in case DHH caseload increases. If unit not used funding w/be dispersed as recommended by Gov Bd. Motion approving 9/9/09.
9/9/2009	R0061	Infant SDC	Unit abandoned (Part C funding). Change service delivery: increase Infant R0025 Speech .2 to equal 1.0 FTE and increase Infant R0015 OT .4 to equal 1.0 FTE. Total Infant units change from 5.4 to 5.0. No effect on AB602 funded units. Total Regional Units decrease by 0.4. Motion approving 9/9/09.
9/9/2009	R0015	Infant Occupational Therapist	Increased from .40 to 1.0 as described above
9/9/2009	R0025	Infant/Early Start Speech	Increased from .80 to 1.0 as described above
11/18/2009	R0023	DIS Speech	1.0 FTE DIS Speech unit transfer from BCOE to Palermo eff. 7/1/10.

3/10/2010	R0070	DHH Unit	Restart BCOE DHH unit as soon as teacher hired (began 3/1/10) and distribute July-Feb regional funding proportionately to regional units.
3/10/2010	R0066	SH-SDC Severe	Redesignated RSP unit #R0066 as a SH-SDC unit, assigning to CUSD; unit funding adjusted proportionately.
3/10/2010	R0006	Asstive Technologist	Transfer administration of the AT unit from BCOE to SELPA.
11/10/2010	R0020, R0021	DIS Speech	2.0 FTE DIS Speech transferred from BCOE to Thermalito USD. *Affects funding.
3/9/2011	R0071	DHH Unit	Asked that it remain 'undesignated' forseeing increase in DHH population. *Affects funding
3/9/2011	R0137	SH-SDC Unit	Gridley: Redesignated from a high school program to an elementary program. *No funding affect.
3/9/2011	R0062	NSH/CH Unit	Chico: Redesignate from a NSH/CH unit to a NSH/mild-moderate. *No funding affect.
3/14/2012	R0073	PS: NonSH	OCESD: Unit not utililized until October. Funding for 11-12 pro-rated for the year.
3/14/2012	R0071	DHH Unit	BCOE: Reactivate (undesignated 11-12) for 12-13 due to increase in DHH population.
3/14/2012	R0135	Clinician II	PVHS Transition: Fully funded through MH/MC/OHC.CUSD no longer pays 1/2.
3/14/2012	R0138	Clinician II	Paradise: New position added to staff Paradise ED/SDC at Cedarwood with Clinician II as in other ED regional programs.
3/13/2013	R0071	DHH Unit	BCOE: Recapture DHH unit for 13-14. Leave undesignated, redistributing unit funding accordingly.
11/13/2013	R0071	DHH Unit	BCOE: Governing Board reassigned unit R0071 to BCOE in leiu of the increase in the DHH population.
1/8/2014	R0064	NonSH Unit to Severe	BCOE: Governing Board redesignated unit R0064 to a severe unit in name only. OCESD request was not received by deadline, so funding remains at Non-SH rate. *Request for funding increase must be submitted to SELPA by deadline for funding to be considered for increase in 2015-16.*
3/12/2014	R0123 R0125	Autism Behavior Support Spec Program Specialist	Governing Board made a motion to not fill the SELPA ABSS position and use this funding to fill the SELPA Program Specialist Position. The Program Specialist position will be funded using the regional unit funding and the carryover funding from the Autism cost center. This is to be brought back to Governing Board when carryover funds are close to depleted to determine if this is the best use of this regional unit funding.The Autism unit will remain unfunded at this time. Program Specialist-Regional costs will be tracked under a separate org key assigned to the SELPA budget.
5/14/2014	FUNDING	Unit Rate Equalization	Gov Bd made a motion for all regional units to be funded at the same rate.
10/7/2014	DHH	Add .60 DHH Teacher	Gov Bd made a motion to approve BCOE add .60 FTE DHH staff. The cost will be added to the BCOE billback. This will not increase regional DHH units.
4/7/2015	R0091; R0092	ATC SH units transfer to OUHSD 7/1/16.	April 7, 2015: Gov Bd made a motion to approve the OUHSD program transfer request transferring units R0091 & R0092 from BCOD to OUHSD effective July 1, 2016.
10/14/2015	R0017	COTA Unit filled with OT. Excess cost of OT position funded with BCOE LEA Medi-Cal funds.	Governing Board approved staffing regional unit #R0017 with an OT vs. a COTA with the excess salary cost of funded with BCOE LEA Medi-Cal.
1.17.18	R0004	APE-DIS	BCOE .60 unit collapsed, adding to R0003 (.40units) to make 1 unit
1.17.18	R0062, R0063	NonSh-SDC_Non-Severe	CUSD 2 units dropped, no longer fit updated policy
1.17.18	R0099	SH-SDC Elem_Severe	CUSD 1 unit dropped, no longer fits updated policy
1.17.18	R0136	SH-ED Trans-Elem_Severe	Paradise 1 unit re-captured, class not implemented
1.17.18	R0019, R0022, R0024, R0025, R0055, R0056	Speech-DIS	BCOE 5.10 units dropped, speech no longer identifed as a regional unit per revised policy
1.17.18	R0026-R0039	Speech-DIS	CUSD 13.20 units dropped, speech no longer identified as a regional unit
1.17.18	R0040	Speech-DIS	Durham .90 units dropped, speech no longer identified as a regional unit
1.17.18	R0041 & R0042	Speech-DIS	Gridley 1.50 units dropped, speech no longer identified as a regional unit
1.17.18	R0043-R0047	Speech-DIS	OCESD 4.90 units dropped, speech no longer identified as a regional unit
1.17.18	R0048	Speech-DIS	OUHDS .40 units dropped, speech no longer identified as a regional unit
1.17.18	R0023 & R0049	Speech-DIS	Palermo 2 units dropped, speech no longer identified as a regional unit
1.17.18	R0050-R0054	Speech-DIS	Paradise 4.10 units dropped, speech no longer identified as a regional unit
1.17.18	R0020 & R0021	Speech-DIS	Thermalito 2 units dropped, speech no longer identified as a regional unit
1.17.18	R0064	SH-SDC_Non Severe	OCESD 1 unit redesignated to SH-SDC_Severe per revised policy
1.17.18	R0073	PS-NonSh_Non-Severe	OCESD .60 unit redesignated to PS-SH_Severe per revised policy
1.17.18	R0074	PS-NonSh_Non-Severe	PUSD .60 units redesignated to PS-SH_Severe per revised policy
1.17.18	R0139	OT	1 unit added BCOE
1.17.18	R0140	DHH Itinerant	1 unit added BCOE
1.17.18	R0141	SH-SDC_ModSevere	1 unit added BCOE
1.17.18	R0142	SH-SDC	1 unit added Biggs
1.17.18	R0143, R0144, R0148	PS-SH	3 units added CUSD
1.17.18	R0145-R0147, R0149-R0155	SH-SDC	10 units added CUSD
1.17.18	R0156	PS-SH	.40 units added PUSD
1.17.18	R0157	SH-ED	1 unit added PUSD
1.17.18	R0158	SH-SDC	1 unit added PUSD
1.17.18	R0012, R0014, R0017	OT_DIS	3 units redesignted to come from AB602 funds rather than Billback funds
1.17.18	R0016	OT COTA_DIS	1 unit redesignated to come from AB602 funds rather than Billback
1.17.18	R0013, R0018	OT_DIS	2 units redesignated to AB602 funds rather than OHC
1.17.18	R0011	OT_DIS	1 unit funded as .50AB602/.50OHC, redesignated fully as 1 unit AB602

2.21.18	R0019	SH-ED	1 unit added to BCOE for SUMMIT program (Success Using Motivation, Morale, Intensity & Treatment)
2.21.18	R0020	SH-SDC Autism	1 unit added to BCOE for STRIVE program (Structured Teaching Reinforced in Visual Environments)
2.21.18	R0021	SH-SDC	1 unit added to CUSD mod/severe SDC elementary
2.21.18	R0022	SH-SDC	1 unit added to CUSD mod/severe SDC secondary
2.21.18	R0023	SH-SDC	1 unit added to CUSD K-5 Bridge class
2.21.18	R0024	SH-ED	1 unit added to CUSD HighSchool ED class at PV
2.21.18	R0025	APE	1 unit added to CUSD
2.21.18	R0026	SH-SDC	1 unit added to CUSD TK-blended mod/sev class at Loma Vista
12.20.18	R0018, R0139	OT	changed to OT COTA

Butte County Office of Education
SELPA Unit Summary
1.11.19

Before January 2018

	Biggs	Chico	Durham	Gridley	Oro City	Oro High	Palermo	Paradise	Thermalito	BCOE	SELPA	Undesig	Totals
Severe		23.84		1.00	6.00	2.00		7.00		15.00	1.00		55.84
Non-Severe		2.00			1.60			0.60					4.20
DIS		16.20	0.90	1.50	4.90	0.40	2.00	4.10	2.00	10.60			42.60
RSP										1.00			1.00
Undesig													-
Totals	-	42.04	0.90	2.50	12.50	2.40	2.00	11.70	2.00	26.60	1.00	-	103.64

After January 2019

	Biggs	Chico	Durham	Gridley	Oro City	Oro High	Palermo	Paradise	Thermalito	BCOE	SELPA	Undesig	Totals	Difference
Severe		40.84		1.00	7.60	2.00		9.00		18.00	1.00		79.44	23.60
Non-Severe		-						-					-	(4.20)
DIS		4.00	-	-	-	-	-	-	-	15.00			19.00	(23.60)
RSP										1.00			1.00	-
Undesig												2.00	2.00	2.00
Mod-Severe	1.00									2.00				
Totals	-	44.84	-	1.00	7.60	2.00	-	9.00	-	34.00	1.00	2.00	101.44	(2.20)

Difference	-	2.80	(0.90)	(1.50)	(4.90)	(0.40)	(2.00)	(2.70)	(2.00)	7.40	-	2.00	(2.20)

Behavior Emergency Response & Reporting

Winter
2018-2019

Butte County Office of Education
"WHERE STUDENTS COME FIRST"

Training Objectives

- Staff will become familiar with California State Regulations and SELPA-wide policy and procedures in regards to behavior response
- Staff will be able to distinguish between behavior a emergency report form vs. a behavior incident report

"My fortune says, 'You will be successful in getting students to control their behavior, if you first control your own behavior'."

What is a Behavior Emergency?

- **An Emergency** is defined as serious, dangerous behavior that staff has determined to present a clear and present danger to others. It requires a Non-violent Physical Intervention to protect the safety of student, self, or others.

What is Behavior Emergency Response?

- A physical intervention (medium or high-level hold) has been used.
- OR, a physical intervention has not been used, but an injury or serious property damage has occurred.
- Personal Safety Techniques may or may not have been used.

Medium-Level Holding in a Seated Position

Higher-Level Holding in a Seated Position

Medium-Level Holding in a Standing Position

Higher-Level Holding in a Standing Position

Higher-Level Holding – Standing Position
***Team Control Position*SM**

Higher-Level Holding – Standing Position
*Children's Control Position*SM

Lower-Level Holding

Medium-Level Holding

Higher-Level Holding

Legal

- Assembly Bill 86 (AB 86), the Education Omnibus Trailer Bill, Chapter 48, Statutes of **2013**, repealed regulations and added state statute that addressed behavioral interventions.

http://www.cde.ca.gov/sp/se/ac/bipleafaq.asp

Legal

- To prevent emergency interventions from being used in lieu of planned, systematic behavioral interventions, the parent, guardian, and residential care provider, if appropriate, shall be notified within one school day if an emergency intervention is used or serious property damage occurs. A behavioral emergency report shall immediately be completed and maintained in the file of the **individual with exceptional needs.** All behavioral emergency reports shall immediately be forwarded to, and reviewed by, a designated responsible administrator. (*Education Code* sections 56521.1(e), (f), (g)

http://www.cde.ca.gov/sp/se/ac/bipleafaq.asp

Legal

Can LEAs rely on the use of such emergency interventions as restraint and seclusion instead of developing positive behavioral intervention plans?

- Emergency interventions may only be used to control unpredictable, spontaneous behavior that poses clear and present danger of serious physical harm to the individual with exceptional needs, or others, and that cannot be immediately prevented by a response less restrictive than the temporary application of a technique used to contain the behavior. Further, emergency interventions shall not be used as a substitute for the systematic behavioral intervention plan that is designed to change, replace, modify, or eliminate a targeted behavior. (*Education Code* Section 56521.1(a) and (b))

http://www.cde.ca.gov/sp/se/ac/bipleafaq.asp

AB 2657: Restraint and Seclusion

- Effective January 1, 2019, AB 2657 added Sections 49005 to 49006 to California Education Code on the issue of restraint and seclusion for ALL students, general and special education.
- Authorizes an educational provider, as defined, to use behavioral restraints, which includes physical and mechanical restraints, or seclusion, as defined, only to control behavior that poses a clear and present danger of serious physical harm to the pupil or others that cannot be immediately prevented by a response that is less restrictive, and if other specified conditions are met. The bill would prohibit an educational provider from using a behavioral restraint or seclusion in certain circumstances, including, but not limited to, using seclusion or a behavioral restraint for the purpose of coercion, discipline, convenience, or retaliation, and would prohibit the use of certain restraint and seclusion techniques.

AB 2657: Restraint and Seclusion

- The bill would require a local educational agency that meets a specified federal definition to collect and, no later than 3 months after the end of a school year, report to the State Department of Education annually on the use of behavioral restraints and seclusion for pupils enrolled in or served by the local educational agency for all or part of the prior school year, as specified. The bill would require that the data collection and reporting requirements be conducted in compliance with specified federal law, and would prohibit those requirements from being construed to impose a new program or higher level of service on local educational agencies or nonpublic schools or agencies.

AB 2657: Restraint and Seclusion

RATIONALE

- 49005 (b) United States Department of Education guidelines specify that the use of restraint and seclusion must be consistent with the child's right to be treated with dignity and to be free from abuse.
- (c) Restraint and seclusion should only be used as a **safety measure of last resort**, and should never be used as punishment or discipline or for staff convenience.
- **(d) Restraint and seclusion may cause serious injury or long lasting trauma and death, even when done safely and correctly.**
- (e) There is **no evidence that restraint or seclusion is effective** in reducing the problem behaviors that frequently precipitate the use of those techniques.
- (f) Students with disabilities and students of color, especially African American boys, are **disproportionately** subject to restraint and seclusion.

Guiding Hands School to lose certification following student's death

13-year-old special needs student died in November

418
Shares

KCRA 3

Updated: 2:56 AM PST Jan 11, 2019

Vicki Gonzalez

Reporter

New Bill:Assembly Bill No. 2657

Information included in reporting is required to be “disaggregated by race or ethnicity, and gender”:

- The number of pupils subjected to mechanical restraint
- The number of pupils subjected to physical restraint
- The number of pupils subjected to seclusion
- The number of times mechanical restraint was used on pupils
- The number of times physical restraint was used on pupils
- The number of times seclusion was used on pupils

All data is to include students with IEPs, 504 plans, non-special education students, and students for whom are being considered for 504 or Special education.

Behavior Emergency Report (BER) Documentation Forms

1. BER Instructions
2. BER Checklist
3. BER Form
4. BER Postvention Process

BER Checklist

- For Administrative Use
- Not for Student File
- Fill out every section of the form

Make sure to document if the student does or does not have a BIP

Butte County Special Education Local Plan Area (SELPA)
Behavior Emergency Report (BER) Checklist
(This is a form to be used for TEAM use ONLY, not to be placed in student's file.)

DOB: **Incident Date**

Student Name: _____

District of Residence: _____ **District of Attendance:** _____

School: _____ **Location of Incident:** _____

	Date	Initial
The parent and/or residential care provider, if appropriate, were notified within one school day that an emergency intervention was used.		
The Behavior Emergency Report (BER) was immediately completed and a copy placed in the student's file.		
The Behavior Emergency Report was immediately forwarded to, and reviewed by, the designated, responsible administrator.		
(a) If the Behavior Emergency Report was written regarding a student who **does not** have a Behavior Intervention Plan (BIP), within two days, the designated, responsible administrator scheduled an IEP team meeting to review the Behavior Emergency Report and determine whether an FBA and/or an interim Behavior Intervention Plan are needed.		
(b) If the Behavior Emergency Report was written regarding a student who **does** have a Behavior Intervention Plan, any incident involving a previously unseen serious behavior problem or where previously designed behavior interventions is not effective, has been referred to the IEP team to review and determine the need for modifications to the Behavior Intervention Plan.		
Designated responsible administrator forwarded a copy of the Behavioral Emergency Report and this form (Behavioral Emergency Report Checklist) to the district's Coordinator of Special Education.		
A copy of the Behavioral Emergency Report was forwarded to the SELPA office to the attention of the SELPA Director.		

Name of person completing this form: _____

Title of person completing this form: _____

Signature: _____ **Date:** _____

Completing the BER

Butte County Office of Education
"WHERE STUDENTS COME FIRST"

BUTTE COUNTY SELPA
BEHAVIOR EMERGENCY REPORT (BER) OR
BEHAVIOR INCIDENT REPORT

Student:	DOB:	Primary Disability:	Race/Ethnicity:	Grade:
Date of Incident	Emergency Procedure Start Time:	End Time:	Name/Title of Person Completing Form:	
Current BIP: ☐ Yes ☐ No	Type of Report: ☐ BER ☐ Incident Report		District: School: Location of incident:	

	Describe Student Behavior/Description of Incident	***Staff Response***	
Anxiety/Defensive		**Supportive/Non-judgmental:** ☐ Proximity ☐ Listening ☐ Counseling ☐ Accommodations ☐ Restructure routine / environment ☐ Referral to: ☐ Other: **Directive/Setting Limits:** ☐ Redirect, restate direction ☐ Set limits, give choices ☐ Separate student from group ☐ Go to specific location ☐ Other:	Prevention
Risk Behavior		**Physical & non-physical interventions that DO NOT require a BER:** ☐ Clear area ☐ Lower-level holding ☐ Call Administrator ☐ Disengagement Skills **Physical Interventions that REQUIRE a BER (Med or High Level only):** ☐ Seated Position ☐ Children's Control Position ☐ Standing Position ☐ Team Control Position ☐ with Transport	Intervention
Tension Reduction		**Re-establish Communication:** ☐ Review Events ☐ Make Plan ☐ Review Schedule ☐ Other:	Debriefing
Injury	**Injury/Medical:** ☐ Student ☐ Staff	☐ Nurse ☐ First Aid ☐ 911 Paramedics ☐ CPR ☐ Other:	Action Taken

Team Members Involved with intervention *(names)*:

Instructions for Completing:
1. Determine if emergency or incident and mark appropriate box.
2. Determine if student does or does not have a current BIP and mark appropriate box.
3. Document duration of physical intervention.
4. Use pen or complete electronic version.
5. If you include information on the back, indicate.
6. Report must be completed and submitted to administrator on same day of incident.

Incident or Emergency?

1. A **"Behavior Emergency"** is defined as serious, dangerous behavior that staff has determined to present a clear and present danger to others. It requires a Non-violent Physical Intervention to protect the safety of student, self, or others. A physical intervention has been used. OR, a physical intervention has not been used, but an injury or serious property damage has occurred. Disengagement skills may or may not have been used.
2. **Behavior Emergencies *require*** this form to be completed and submitted to the administrator for administrative action.
3. A **"Behavior Incident"** is defined as behavior that is unusual or out of the ordinary for the student, is disruptive to the classroom, and/or abuse of the environment occurs. **Behavior incidents** may be documented with this form if the student does not have a behavior plan addressing the behavior.* Then submit to the administrator for administrative action.

* *Procedure may vary between districts*

ADMINISTRATIVE ACTION: *(To be completed by Administrator)*
Emergency:
☐ Notified parents within 24 hrs. via phone call, and provide a copy of the emergency report
☐ Parents contacted by: Admin ☐ Teacher
☐ No BIP, schedule IEP meeting within 2 days
☐ Yes BIP, refer to IEP team for possible revisions
☐ Copy to confidential file & Copy to SELPA
☐ Date BER sent to SELPA: _____

Incident:
-Determine if copy to be sent home
-Copy to cumulative/teacher file (use as data for behavior plan if necessary/purge annually)

**Procedure may vary between districts.*

Distribution: Original: Student File Copies: Parent(s), Teacher(s), Other
Revised: 12/18
Approved by Coordinators:

Signature of Person Completing Form: _____

Signature of Site Administrator: _____

What must be included in the Behavior Emergency Report?

- The name and age of the individual with exceptional needs.
- The setting and location of the incident.
- The name of the staff or other persons involved.
- A description of the incident and the emergency intervention used, and whether the individual with exceptional needs is currently engaged in any systematic behavioral intervention plan.
- Details of any injuries sustained by the individual with exceptional needs, or others, including staff, as a result of the incident.

Completing the BER - Examples

EXAMPLES OF OBSERVABLE BEHAVIOR	DESCRIBE STUDENT BEHAVIOR/DESCRIPTION OF INCIDENT		CHECK STAFF RESPONSE USED/EMERGENCY INTERVENTION
Pacing, nervousness, shaking, change in eye contact, change in facial expression, change in posture, movement to specific area, change in rate of speech	ESCALATION STAGES	ANXIETY:	SUPPORTIVE: ☐ proximity ☐ counseling ☐ restructure routine/environment ☐ accommodate materials/expectations ☐ referral to: _____
Loud noises or speech, questions, refusals, swearing, name calling, challenging, threatening, increase in breathing and/or heart rate.		DEFENSIVE: (question, refuse, vent, intimidate)	DIRECTIVE: ☐ redirect, restate direction ☐ set limits: _____ _____ ☐ separate student from group ☐ sit out within group ☐ go to specific location (class/campus)
Hit/kick/throw objects at other people, running in dangerous area (e.g., street), self injury (e.g. pounding on windows, stabbing with pencil). **Note: For "serious property damage," restraints may not be used.**	DANGEROUS BEHAVIOR	ACTING OUT:	NONVIOLENT PHYSICAL CRISIS INTERVENTION: If restraint was used please provide details to include time and personnel involved: ☐ clear area ☐ block ☐ call administrator ☐ grab/release ☐ escort ☐ visual supervision ☐ team control position ☐ children's control position ☐ other _____
Reduction of above behaviors, can answer simple questions rationally, can follow simple directions such as "Take a deep breath", briefly discuss incident w/o re-escalation, breathing and heart rate return to resting rate.	SELF CONTROL RE-ESTABLISHED	TENSION REDUCTION:	THERAPEUTIC RAPPORT: ☐ Review events ☐ Review schedule ☐ Counseling ☐ Referral to: _____ ☐ Other

BER Postvention

- Most under-utilized component of NCI/CPI
- Essential component of NCI/CPI
- Learning opportunity for student *and* staff

Butte County Special Education Local Plan Area (SELPA)
Post-Vention Resolution Process
(This is a form to be used for TEAM use ONLY, not to be placed in student's file.)

To be completed by involved staff members after a physical intervention was implemented as the "Tension Reduction" stage of the crisis prevention model.

Date of Incident: _____ **Time:** _____

Date of Post-vention Resolution Meeting: _____ **Time:** _____

TEAM MEMBERS INVOLVED

Name	Position	Signature

PATTERN
Identify patterns of response by team members:

INVESTIGATE/NEGOTIATE
Identify alternative methods of team response that may be appropriate:

GIVE
Document positive support to involved crisis intervention team members:

Postvention

INVESTIGATE/NEGOTIATE

Identify alternative methods of team response that may be appropriate:

This is the appropriate section to document the action plan for improvement.

Once again….

- To prevent emergency interventions from being used in lieu of planned, systematic behavioral interventions, the parent, guardian, and residential care provider, if appropriate, shall be notified within one school day if an emergency intervention is used or serious property damage occurs. *A behavioral emergency report shall immediately be completed and maintained in the file of the individual with exceptional needs. All behavioral emergency reports shall immediately be forwarded to, and reviewed by, a designated responsible administrator.* (*Education Code* sections 56521.1(e) and (f))

http://www.cde.ca.gov/sp/se/ac/bipleafaq.asp

NPS's and RTC's and the BER

- When completing the BER, RTC/NPS must use the LEA's BER form.
- A BER is required when a non-violent physical intervention is used to protect the safety of student, self, or others (i.e. restraint, hands on students) OR serious property damage occurs.
- A BER must be provided to the LEA within one school day.
- Parent and LEA notified within 24 hours of the emergency intervention.

Q & A

Q: What do we do if a student is needing repeated emergency interventions for the same behaviors?

Q: Should I be completing a BER for a student who does not have an IEP?

Q: Should I write a BER for a student who was “escorted” to another location?

Q: When are LEAs required to conduct FBAs?

Q: When are LEAs required to develop Behavior Intervention Plans (BIPs)?

Q: Who is qualified to develop behavioral intervention plans and provide positive behavioral intervention services and support?

Questions?

Thank you for your participation!

Butte County Special Education Local Plan Area (SELPA)
Behavior Emergency Report (BER) Instructions

Please use the following instructions to properly complete the BER and accompanying documents, as required under Education Code § 56521.1, regarding emergency interventions.

1. Complete the **BER Form** as soon as possible whenever an emergency intervention (physical restraint) is employed.

2. The parent or guardian shall be notified **within one school day** if an emergency intervention is used or serious property damage occurs.

3. All behavioral emergency reports shall immediately be forwarded to, and reviewed by, a designated responsible administrator.

4. Place a completed and reviewed copy in the student's special education file.

5. Determine, depending on the nature of the behavior, whether revision of the Behavior Intervention Plan is necessary.

6. If a behavioral emergency report is written regarding an individual with exceptional needs who **does not have a behavioral intervention plan**, the designated responsible administrator shall, within two days, schedule an individualized education program (IEP) team meeting to review the emergency report, to determine the necessity for a functional behavioral assessment, and to determine the necessity for an interim plan. The IEP team shall document the reasons for not conducting the functional behavioral assessment, not developing an interim plan, or both.

7. If a behavioral emergency report is written regarding an individual with exceptional needs who **has a positive behavioral intervention plan**, an incident involving a previously unseen serious behavior problem, or where a previously designed intervention is ineffective, shall be referred to the IEP team to review and determine if the incident constitutes a need to modify the positive behavioral intervention plan.

8. Complete the **BER Checklist form**, which is for internal use, and send a copy to the SELPA Office.

9. Complete the **BER Postvention Form** in accordance with the intent of Education Code § 56521.1 (e) through (g).

Butte County Special Education Local Plan Area (SELPA)
Behavior Emergency Report (BER) Checklist

(This is a form to be used for TEAM use ONLY, not to be placed in student's file.)

DOB: Incident Date

Student Name: _____ _____ _____

District of Residence: _____ District of Attendance: _____

School: _____ Location of Incident: _____

	Date	Initial
The parent and/or residential care provider, if appropriate, were notified within one school day that an emergency intervention was used.		
The Behavior Emergency Report (BER) was immediately completed and a copy placed in the student's file.		
The Behavior Emergency Report was immediately forwarded to, and reviewed by, the designated, responsible administrator.		
(a) If the Behavior Emergency Report was written regarding a student who **does not** have a Behavior Intervention Plan (BIP), within two days, the designated, responsible administrator scheduled an IEP team meeting to review the Behavior Emergency Report and determine whether an FBA and/or an interim Behavior Intervention Plan are needed.		
(b) If the Behavior Emergency Report was written regarding a student who **does** have a Behavior Intervention Plan, any incident involving a previously unseen serious behavior problem or where previously designed behavior interventions is not effective, has been referred to the IEP team to review and determine the need for modifications to the Behavior Intervention Plan.		
Designated responsible administrator forwarded a copy of the Behavioral Emergency Report and this form (Behavioral Emergency Report Checklist) to the district's Coordinator of Special Education.		
A copy of the Behavioral Emergency Report was forwarded to the SELPA office to the attention of the SELPA Director.		

Name of person completing this form: _____

Title of person completing this form: _____

Signature: _____ Date: _____

The use and distribution of this form is intended for employees of the public schools within the Butte County Special Education Local Plan Area (SELPA).

BUTTE COUNTY SELPA
BEHAVIOR EMERGENCY REPORT (BER) OR
BEHAVIOR INCIDENT REPORT

Student:	DOB:	Primary Disability:	Race/Ethnicity:	Grade:
Date of Incident	Emergency Procedure Start Time: End Time:		Name/Title of Person Completing Form:	
Current BIP: ☐ Yes ☐ No	Type of Report: ☐ BER ☐ Incident Report		District: School: Location of incident:	

	Describe Student Behavior/Description of Incident	*Staff Response*	
Anxiety/Defensive		Supportive/Non-judgmental: ☐ Proximity ☐ Listening ☐ Counseling ☐ Accommodations ☐ Restructure routine / environment ☐ Referral to: ☐ Other: Directive/Setting Limits: ☐ Redirect, restate direction ☐ Set limits, give choices ☐ Separate student from group ☐ Go to specific location ☐ Other:	Prevention
Risk Behavior		Physical & non-physical interventions that DO NOT require a BER: ☐ Clear area ☐ Lower-level holding ☐ Call Administrator ☐ Disengagement Skills Physical Interventions that REQUIRE a BER (Med or High Level only): ☐ Seated Position ☐ Children's Control Position ☐ Standing Position ☐ Team Control Position ☐ with Transport	Intervention
Tension Reduction		Re-establish Communication: ☐ Review Events ☐ Make Plan ☐ Review Schedule ☐ Other:	Debriefing
Injury	Injury/Medical: ☐ Student ☐ Staff	☐ Nurse ☐ First Aid ☐ 911 Paramedics ☐ CPR ☐ Other:	Action Taken

Team Members Involved with intervention *(names)*:

Instructions for Completing:
1. Determine if emergency or incident and mark appropriate box.
2. Determine if student does or does not have a current BIP and mark appropriate box.
3. Document duration of physical intervention.
4. Use pen or complete electronic version.
5. If you include information on the back, indicate.
6. Report must be completed and submitted to administrator on same day of incident.

Incident or Emergency?

1. A **"Behavior** Emergency**"** is defined as serious, dangerous behavior that staff has determined to present a clear and present danger to others. It requires a Non-violent Physical Intervention to protect the safety of student, self, or others. A physical intervention has been used. OR, a physical intervention has not been used, but an injury or serious property damage has occurred. Disengagement skills may or may not have been used.
2. Behavior Emergencies *require* this form to be completed and submitted to the administrator for administrative action.
3. A "**Behavior** Incident**"** is defined as behavior that is unusual or out of the ordinary for the student, is disruptive to the classroom, and/or abuse of the environment occurs. **Behavior incidents** may be documented with this form if the student does not have a behavior plan addressing the behavior.* Then submit to the administrator for administrative action.
* *Procedure may vary between districts*

ADMINISTRATIVE ACTION: *(To be completed by Administrator)*
Emergency:
☐ Notified parents within 24 hrs. via phone call, and provide a copy of the emergency report
☐ Parents contacted by: Admin ☐ Teacher
☐ No BIP, schedule IEP meeting within 2 days
☐ Yes BIP, refer to IEP team for possible revisions
☐ Copy to confidential file & Copy to SELPA
☐ Date BER sent to SELPA: _____

Incident:
-Determine if copy to be sent home
-Copy to cumulative/teacher file (use as data for behavior plan if necessary/purge annually)

**Procedure may vary between districts.*

Distribution: Original: Student File Copies: Parent(s), Teacher(s), Other
Revised: 12/18
Approved by Coordinators:

Signature of Person Completing Form: _____

Signature of Site Administrator: _____

Butte County Special Education Local Plan Area (SELPA)

Post-Vention Resolution Process

(This is a form to be used for TEAM use ONLY, not to be placed in student's file.)

To be completed by involved staff members after a physical intervention was implemented as the "Tension Reduction" stage of the crisis prevention model.

Date of Incident: _____ Time: _____

Date of Post-vention Resolution Meeting: _____ Time: _____

TEAM MEMBERS INVOLVED

Name	Position	Signature

PATTERN

Identify patterns of response by team members:

_____

_____

_____

_____

INVESTIGATE/NEGOTIATE

Identify alternative methods of team response that may be appropriate:

_____

_____

_____

_____

GIVE

Document positive support to involved crisis intervention team members:

_____

_____

_____

_____

The use and distribution of this form is intended for employees of the public schools within the Butte County Special Education Local Plan Area (SELPA).

Approved by Coordinators:

CALIFORNIA DEPARTMENT OF EDUCATION

TOM TORLAKSON
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

1430 N STREET, SACRAMENTO, CA 95814-5901 • 916-319-0800 • WWW.CDE.CA.GOV

December 24, 2018

Dear County and District Superintendents, Charter School Administrators, Special Education Local Plan Area Directors, Special Education Administrators of County Offices of Education, Nonpublic School Administrators, State Diagnostic Center Directors, and Local Educational Agency Special Education Directors:

New Law Regarding the Use of Restraint and Seclusion for Students in California

Assembly Bill (AB) 2657, Statutes of 2018, Chapter 998, will go into effect on January 1, 2019. The bill added sections 49005–49006.4 to California's *Education Code* regarding the use of restraint and seclusion with students receiving both general education and special education. The following information highlights certain passages of the new law, but educators are encouraged to read the entirety of the legislation at https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB2657.

Education Code Section 49005 contains legislative findings and declarations. Subsection (a) says that "While it is appropriate to intervene in an emergency to prevent a student from imminent risk of serious physical self-harm or harm of others, restraint and seclusion are dangerous interventions, with certain known practices posing a great risk to child health and safety." Subsection (i) confirms "This article is intended to be read to be consistent with, and does not change any requirements, limitations, or protections in, existing law pertaining to students with exceptional needs."

Education Code Section 49005.1 provides a series of definitions pertinent to the law's implementation. Subsection (a) says "'Behavioral restraint' means 'mechanical restraint' or 'physical restraint,' as defined in this section, used as an intervention when a pupil presents an immediate danger to self or to others." Subsection (d)(1) defines **mechanical restraint** as "the use of a device or equipment to restrict a pupil's freedom of movement." **Physical restraint** is defined as "a personal restriction that immobilizes or reduces the ability of a pupil to move his or her torso, arms, legs, or head freely" (*Education Code* Section 49005.1[f][1]). **Prone restraint** "means the application of a behavioral restraint on a pupil in a facedown position" (*Education Code* Section 49005.1[g]). **Seclusion** is defined as "the involuntary confinement of a pupil alone in a room or area from which the pupil is physically prevented from leaving (*Education Code* Section 49005.1[i]).

The new law says that a pupil "has the right to be free from the use of seclusion and behavioral restraints of any form imposed as a means of coercion, discipline,

convenience, or retaliation by staff" (*Education Code* Section 49005.2). Seclusion or a behavioral restraint may be used "only to control behavior that poses a clear and present danger of serious physical harm to the pupil or others that cannot be immediately prevented by a response that is less restrictive" (*Education Code* Section 49005.4).

Several prohibitions regarding the use of restraint and seclusion are listed in *Education Code* Section 49005.8:

> (a) An educational provider shall not do any of the following:
>
> (1) Use seclusion or a behavioral restraint for the purpose of coercion, discipline, convenience, or retaliation.
>
> (2) Use locked seclusion, unless it is in a facility otherwise licensed or permitted by state law to use a locked room.
>
> (3) Use a physical restraint technique that obstructs a pupil's respiratory airway or impairs the pupil's breathing or respiratory capacity, including techniques in which a staff member places pressure on a pupil's back or places his or her body weight against the pupil's torso or back.
>
> (4) Use a behavioral restraint technique that restricts breathing, including, but not limited to, using a pillow, blanket, carpet, mat, or other item to cover a pupil's face.
>
> (5) Place a pupil in a facedown position with the pupil's hands held or restrained behind the pupil's back.
>
> (6) Use a behavioral restraint for longer than is necessary to contain the behavior that poses a clear and present danger of serious physical harm to the pupil or others.

Educational providers, as defined, must also adhere to new requirements. For example, they "shall keep constant, direct observation of a pupil who is in seclusion, which may be through observation of the pupil through a window, or another barrier, through which the educational provider is able to make direct eye contact with the pupil. The observation required pursuant to this subdivision shall not be through indirect means, including through a security camera or a closed-circuit television" (*Education Code* Section 49005.8[b]).

This section also mandates that an "educational provider shall afford to pupils who are restrained the least restrictive alternative and the maximum freedom of movement, and shall use the least number of restraint points, while ensuring the physical safety of the pupil and others. If prone restraint techniques are used, a staff member shall observe the pupil for any signs of physical distress throughout the use of prone restraint. Whenever possible, the staff member monitoring the pupil shall not be involved in restraining the pupil" (*Education Code* Section 49005.8[c] and [d]).

The new law requires local educational agencies to collect and report annually to the California Department of Education data on the number of times and the number of students on which mechanical restraints, physical restraints, and seclusion are used. The data must be disaggregated for students who have Section 504 plans, students who have individualized education programs, and students who do not have either plan. The California Department of Education is mandated to post the data on its Internet website (*Education Code* Section 49006).

Finally, the new law notes that for "an individual with exceptional needs, if a behavioral restraint or seclusion is used, the procedures for follow-up contained in subdivisions (e), (f), (g) and (h) of Section 56521.1 shall also apply" (*Education Code* Section 49006.4). These existing sections of code pertain to behavioral emergency reporting. The existing statute is accessible at https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=56521.1.

If you have any questions regarding this subject, please contact Allison Smith, Special Education Consultant, Special Education Division, at 916-319-0377 or asmith@cde.ca.gov.

Sincerely,

Tom Torlakson

Tom Torlakson

TT:kw
2018-08091

Assembly Bill No. 2657

CHAPTER 998

An act to add Article 5.2 (commencing with Section 49005) to Chapter 6 of Part 27 of Division 4 of Title 2 of the Education Code, relating to pupil discipline.

[Approved by Governor September 30, 2018. Filed with Secretary of State September 30, 2018.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2657, Weber. Pupil discipline: restraint and seclusion.

Existing law prohibits a person employed by or engaged in a public school to inflict, or cause to be inflicted, corporal punishment upon a pupil.

This bill would authorize an educational provider, as defined, to use behavioral restraints, which includes physical and mechanical restraints, or seclusion, as defined, only to control behavior that poses a clear and present danger of serious physical harm to the pupil or others that cannot be immediately prevented by a response that is less restrictive, and if other specified conditions are met. The bill would prohibit an educational provider from using a behavioral restraint or seclusion in certain circumstances, including, but not limited to, using seclusion or a behavioral restraint for the purpose of coercion, discipline, convenience, or retaliation, and would prohibit the use of certain restraint and seclusion techniques. The bill would require a local educational agency that meets a specified federal definition to collect and, no later than 3 months after the end of a school year, report to the State Department of Education annually on the use of behavioral restraints and seclusion for pupils enrolled in or served by the local educational agency for all or part of the prior school year, as specified. The bill would require that the data collection and reporting requirements be conducted in compliance with specified federal law, and would prohibit those requirements from being construed to impose a new program or higher level of service on local educational agencies or nonpublic schools or agencies.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The people of the State of California do enact as follows:

SECTION 1. Article 5.2 (commencing with Section 49005) is added to Chapter 6 of Part 27 of Division 4 of Title 2 of the Education Code, to read:

Article 5.2. Restraint and Seclusion

49005. The Legislature finds and declares all of the following:

(a) While it is appropriate to intervene in an emergency to prevent a student from imminent risk of serious physical self-harm or harm of others, restraint and seclusion are dangerous interventions, with certain known practices posing a great risk to child health and safety.

(b) United States Department of Education guidelines specify that the use of restraint and seclusion must be consistent with the child's right to be treated with dignity and to be free from abuse.

(c) Restraint and seclusion should only be used as a safety measure of last resort, and should never be used as punishment or discipline or for staff convenience.

(d) Restraint and seclusion may cause serious injury or long lasting trauma and death, even when done safely and correctly.

(e) There is no evidence that restraint or seclusion is effective in reducing the problem behaviors that frequently precipitate the use of those techniques.

(f) Students with disabilities and students of color, especially African American boys, are disproportionately subject to restraint and seclusion.

(g) Well-established California law already regulates restraint techniques in a number of settings, including general acute care hospitals, acute psychiatric hospitals, psychiatric health facilities, crisis stabilization units, community treatment facilities, group homes, skilled nursing facilities, intermediate care facilities, community care facilities, and mental health rehabilitation centers. These minimal protections should be provided to all students in schools.

(h) It is the intent of the Legislature to ensure that schools foster learning in a safe and healthy environment and provide adequate safeguards to prevent harm, and even death, to children in school.

(i) This article is intended to be read to be consistent with, and does not change any requirements, limitations, or protections in, existing law pertaining to students with exceptional needs.

(j) It is the intent of the Legislature to prohibit dangerous practices. Restraint and seclusion, as described in this article, do not further a child's education. At the same time, the Legislature recognizes that if an emergency situation arises, the ability of education personnel to act in that emergency to safeguard a student or others from imminent physical harm should not be restricted.

49005.1. The following definitions apply to this article:

(a) "Behavioral restraint" means "mechanical restraint" or "physical restraint," as defined in this section, used as an intervention when a pupil

presents an immediate danger to self or to others. "Behavioral restraint" does not include postural restraints or devices used to improve a pupil's mobility and independent functioning rather than to restrict movement.

(b) "Educational provider" means a person who provides educational or related services, support, or other assistance to a pupil enrolled in an educational program provided by a local educational agency or a nonpublic school or agency.

(c) "Local educational agency" means a school district, county office of education, charter school, the California Schools for the Deaf, and the California School for the Blind.

(d) (1) "Mechanical restraint" means the use of a device or equipment to restrict a pupil's freedom of movement.

(2) (A) "Mechanical restraint" does not include the use of devices by peace officers or security personnel for detention or for public safety purposes.

(B) "Mechanical restraint" does not include the use of devices by trained school personnel, or by a pupil, prescribed by an appropriate medical or related services professional, if the device is used for the specific and approved purpose for which the device or equipment was prescribed, which shall include, but not be limited to, all of the following:

(1) Adaptive devices or mechanical supports used to achieve proper body position, balance, or alignment to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports.

(2) Vehicle safety restraints when used as intended during the transport of a pupil in a moving vehicle.

(3) Restraints for medical immobilization.

(4) Orthopedically prescribed devices that permit a pupil to participate in activities without risk of harm.

(e) "Nonpublic school or agency" means any nonpublic school or nonpublic agency, including both in-state and out-of-state nonpublic schools and nonpublic agencies.

(f) (1) "Physical restraint" means a personal restriction that immobilizes or reduces the ability of a pupil to move his or her torso, arms, legs, or head freely. "Physical restraint" does not include a physical escort, which means a temporary touching or holding of the hand, wrist, arm, shoulder, or back for the purpose of inducing a pupil who is acting out to walk to a safe location.

(2) "Physical restraint" does not include the use of force by peace officers or security personnel for detention or for public safety purposes.

(g) "Prone restraint" means the application of a behavioral restraint on a pupil in a facedown position.

(h) "Pupil" means a pupil enrolled in preschool, kindergarten, or any of grades 1 to 12, inclusive, and receiving educational services from an educational provider.

(i) "Seclusion" means the involuntary confinement of a pupil alone in a room or area from which the pupil is physically prevented from leaving. "Seclusion" does not include a timeout, which is a behavior management

technique that is part of an approved program, that involves the monitored separation of the pupil in a nonlocked setting, and is implemented for the purpose of calming.

49005.2. A pupil has the right to be free from the use of seclusion and behavioral restraints of any form imposed as a means of coercion, discipline, convenience, or retaliation by staff. This right includes, but is not limited to, the right to be free from the use of a drug administered to the pupil in order to control the pupil's behavior or to restrict the pupil's freedom of movement, if that drug is not a standard treatment for the pupil's medical or psychiatric condition.

49005.4. An educational provider may use seclusion or a behavioral restraint only to control behavior that poses a clear and present danger of serious physical harm to the pupil or others that cannot be immediately prevented by a response that is less restrictive.

49005.6. An educational provider shall avoid, whenever possible, the use of seclusion or behavioral restraint techniques.

49005.8. (a) An educational provider shall not do any of the following:

(1) Use seclusion or a behavioral restraint for the purpose of coercion, discipline, convenience, or retaliation.

(2) Use locked seclusion, unless it is in a facility otherwise licensed or permitted by state law to use a locked room.

(3) Use a physical restraint technique that obstructs a pupil's respiratory airway or impairs the pupil's breathing or respiratory capacity, including techniques in which a staff member places pressure on a pupil's back or places his or her body weight against the pupil's torso or back.

(4) Use a behavioral restraint technique that restricts breathing, including, but not limited to, using a pillow, blanket, carpet, mat, or other item to cover a pupil's face.

(5) Place a pupil in a facedown position with the pupil's hands held or restrained behind the pupil's back.

(6) Use a behavioral restraint for longer than is necessary to contain the behavior that poses a clear and present danger of serious physical harm to the pupil or others.

(b) An educational provider shall keep constant, direct observation of a pupil who is in seclusion, which may be through observation of the pupil through a window, or another barrier, through which the educational provider is able to make direct eye contact with the pupil. The observation required pursuant to this subdivision shall not be through indirect means, including through a security camera or a closed-circuit television.

(c) An educational provider shall afford to pupils who are restrained the least restrictive alternative and the maximum freedom of movement, and shall use the least number of restraint points, while ensuring the physical safety of the pupil and others.

(d) If prone restraint techniques are used, a staff member shall observe the pupil for any signs of physical distress throughout the use of prone restraint. Whenever possible, the staff member monitoring the pupil shall not be involved in restraining the pupil.

49006. (a) A local educational agency that meets the definition of a "local educational agency" specified in Section 300.28 of Title 34 of the Code of Federal Regulations shall collect and, no later than three months after the end of a school year, report to the department annually on the use of behavioral restraints and seclusion for pupils enrolled in or served by the local educational agency for all or part of the prior school year.

(b) The report required pursuant to subdivision (a) shall include all of the following information, disaggregated by race or ethnicity, and gender:

(1) The number of pupils subjected to mechanical restraint, with separate counts for pupils with a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794), pupils with an individualized education program, and pupils who do not have a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794) or an individualized education program.

(2) The number of pupils subjected to physical restraint, with separate counts for pupils with a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794), pupils with an individualized education program, and pupils who do not have a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794) or an individualized education program.

(3) The number of pupils subjected to seclusion, with separate counts for pupils with a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794), pupils with an individualized education program, and pupils who do not have a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794) or an individualized education program.

(4) The number of times mechanical restraint was used on pupils, with separate counts for the number of times mechanical restraint was used on pupils with a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794), pupils with an individualized education program, and pupils who do not have a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794) or an individualized education program.

(5) The number of times physical restraint was used on pupils, with separate counts for the number of times physical restraint was used on pupils with a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794), pupils with an individualized education program, and pupils who do not have a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794) or an individualized education program.

(6) The number of times seclusion was used on pupils, with separate counts for the number of times seclusion was used on pupils with a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794), pupils with an individualized education program, and pupils who do not have a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794) or an individualized education program.

(c) Notwithstanding any other law, the data collected and reported pursuant to this section shall be available as a public record pursuant to Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code.

(d) No later than three months after the report is due to the department pursuant to subdivision (a), the department shall post the data from the report annually on its Internet Web site.

49006.2. Notwithstanding Section 49006, the data collection and reporting requirements contained in this article shall be conducted in compliance with the requirements of the Civil Rights Data Collection of the United States Department of Education's Office for Civil Rights imposed pursuant to Sections 100.6(b) and 104.61 of Title 34 of the Code of Federal Regulations, and shall not be construed to impose a new program or higher level of service on local educational agencies or nonpublic schools or agencies.

49006.4. (a) This article applies with regard to all pupils, including individuals with exceptional needs. For an individual with exceptional needs, if a behavioral restraint or seclusion is used, the procedures for follow-up contained in subdivisions (e), (f), (g) and (h) of Section 56521.1 shall also apply.

(b) For purposes of this section, "individual with exceptional needs" has the same meaning specified in Section 56026.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because this act implements a federal law or regulation and results in costs mandated by the federal government, within the meaning of Section 17556 of the Government Code.

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Behavior Intervention Plan (BIP) Policy for Special Education Students

LEGAL REQUIREMENTS

When a student exhibits behavior that impedes his or her learning and/or the learning of others, the IEP team must consider the use of positive behavioral interventions, supports, and strategies to address that behavior (E.C. § 56520(b)(1); 20 U.S.C. § 1414 (d)(3)(B)(i); and 20 U.S.C. § 1414(d)(4)). The IEP Team shall consider these matters when reviewing an IEP. The IEP Team may address the behavior through annual goals in the IEP, program modifications, support for teachers, and any related services necessary to achieve behavioral goals in the IEP.

A functional behavioral assessment shall be conducted under the following circumstances:

1. The student's behavior has resulted in disciplinary suspension beyond 10 cumulative days in a school year.
2. An interim alternative educational setting or involuntary change in placement is being considered in a disciplinary context.
3. A manifestation determination in response to a violation of a rule or code of conduct is occurring. (See SELPA Procedures Manual for more information on manifestation determination timelines and procedures).

LOCAL PROCEDURES

An IEP Team shall facilitate and supervise all assessment, intervention, and evaluation activities related to a student's behavioral intervention plan (BIP).

Behavioral plans shall be used to substitute acceptable behavior for specified maladaptive behaviors, be based on functional behavior assessment, and be used in a systematic manner.

The following behavioral interventions are prohibited from use under any circumstances:

- Interventions designed to, or likely to, cause pain or trauma;
- Locked seclusion;
- Devices, materials, or objects that simultaneously immobilize all four extremities;
- Release of noxious, toxic or unpleasant sprays in proximity to the individual's face;
- Denial of sleep, food, water, shelter, bedding, physical comfort, or bathroom facilities;
- Use of verbal abuse, ridicule, humiliation;
- Denial of adequate supervision;
- Deprivation of his or her senses.

FUNCTIONAL BEHAVIOR ASSESSMENT

A functional behavior assessment (FBA) shall gather information from multiple sources, which may include: direct observation, interviews and record reviews. Prior to conducting the assessment, parent notice shall be given and parental consent obtained.

The FBA may include:

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- A systematic observation of the occurrence of the targeted behavior across all school settings;
- A systematic observation and analysis of the antecedent events;
- A systematic observation and analysis of the consequences of the behavior to determine the function of the behavior;
- An ecological analysis of the environment in which the behavior occurs;
- A review of the health and medical records;
- A review of the history of the behavior; and
- A determination of possible reinforcers.

FUNCTIONAL BEHAVIOR ASSESSMENT REPORT

A FBA report may include the following (see Recommended Forms below):

- A description of the nature and severity of the targeted behaviors in objective and measurable terms;
- A description of the targeted behavior that includes baseline data and an analysis of the antecedents and consequences that maintain the targeted behavior;
- A description of the hypothesized function of the targeted behavior;
- A description of the rate of alternative behaviors including the antecedent and consequences that maintain the alternative behaviors;
- Recommendations for consideration by the IEP team which may include
    - No BIP required (implement positive classroom supports)
    - A behavioral intervention plan
    - Complete a Direct Treatment Protocol (if it is determined the behavior is emotionally driven)

Positive programming for behavioral intervention may include the following:

- Altering the antecedent events to prevent the occurrence of the behavior;
- Teaching alternative replacement behaviors that serve the same function as the targeted behavior;
- Teaching adaptive behaviors to prevent inappropriate behaviors;
- Manipulating the consequences in order to have the alternative behaviors produce the desired outcome;
- Other positive interventions and supports and/or strategies to address behavior.

An IEP team meeting shall be held upon completion of the functional behavior assessment for the purpose of reviewing the assessment results and recommendations. A behavioral intervention plan may be developed by the IEP team. Behavior intervention plans and/or positive behavioral programming/goals shall become part of the student's individual education plan.

Evaluation of the effectiveness of the plan shall be determined by:

- Comparison of baseline measure of frequency, duration, and intensity of targeted behavior and of measures of frequency, duration and intensity of the targeted behavior after utilizing the plan;

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- Documentation of implementation of the plan;
- Documentation of skill acquisition of the functionally equivalent replacement behavior.

The effectiveness of the plan shall be reviewed by the IEP team at scheduled intervals determined at the IEP meeting. The IEP team shall collect additional data and, based on the outcomes, may propose changes to the behavioral intervention plan. The IEP team may develop the behavior plan to include provisions for altering specified procedures without the necessity for reconvening the IEP team.

EMERGENCY INTERVENTIONS

The Butte County SELPA approves only those Behavior Emergency Interventions that comport with the language of Education Code § 56121.1 and Education Code § 49005 and § 49006, pursuant to the passage of Assembly Bill 2657, which became effective January, 2019.

Emergency interventions may be used only to control unpredictable, spontaneous behavior which poses clear and present danger of serious physical harm to the individual or others which cannot be immediately prevented by a less restrictive response.

Emergency interventions shall not substitute for behavioral intervention plans and may consist only of those approved by the Butte County SELPA.

No emergency intervention shall be employed for longer than is necessary to contain the behavior. If the situation requires prolonged use of an emergency intervention, or the safety of both staff and students cannot be effectively maintained, staff shall seek the assistance of the school site administrator or law enforcement agency as appropriate.

Emergency interventions may not include:

- Locked seclusion;
- Any device, materials or objects to immobilize all four extremities;
- Force that exceeds that which is necessary.

Emergency interventions may include:

- SELPA-approved physical intervention containment strategies by a trained individual;
- Intervention by the police;
- Intervention by Butte County Behavioral Health;
- Physical intervention containment strategies by staff on hand only sufficient to prevent harm to self or others in the absence of other alternatives noted;
- Removal from classroom or school by staff or parent as many be appropriate to protect student, other students, and staff.

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Pursuant to Education Code § 49005.8, which applies to general and special education students, an educational provider shall not do any of the following:

(1) Use seclusion or a behavioral restraint for the purpose of coercion, discipline, convenience, or retaliation.

(2) Use locked seclusion, unless it is in a facility otherwise licensed or permitted by state law to use a locked room.

(3) Use a physical restraint technique that obstructs a pupil's respiratory airway or impairs the pupil's breathing or respiratory capacity, including techniques in which a staff member places pressure on a pupil's back or places his or her body weight against the pupil's torso or back.

(4) Use a behavioral restraint technique that restricts breathing, including, but not limited to, using a pillow, blanket, carpet, mat, or other item to cover a pupil's face.

(5) Place a pupil in a facedown position with the pupil's hands held or restrained behind the pupil's back.

(6) Use a behavioral restraint for longer than is necessary to contain the behavior that poses a clear and present danger of serious physical harm to the pupil or others.

(b) An educational provider shall keep constant, direct observation of a pupil who is in seclusion, which may be through observation of the pupil through a window, or another barrier, through which the educational provider is able to make direct eye contact with the pupil. The observation required pursuant to this subdivision shall not be through indirect means, including through a security camera or a closed-circuit television.

(c) An educational provider shall afford to pupils who are restrained the least restrictive alternative and the maximum freedom of movement, and shall use the least number of restraint points, while ensuring the physical safety of the pupil and others.

(d) If prone restraint techniques are used, a staff member shall observe the pupil for any signs of physical distress throughout the use of prone restraint. Whenever possible, the staff member monitoring the pupil shall not be involved in restraining the pupil.

To prevent emergency interventions from being used in lieu of planned, systematic behavioral interventions, the parent or care provider shall be notified within one school day whenever an emergency intervention is used or serious property damage occurs.

A Behavioral Emergency Report shall be completed when an emergency intervention is used and shall be maintained in the student's file. The report shall include:

- The name and age of the student;
- The setting and location of the incident;
- The name of the staff or other persons involved;
- A description of the incident and the emergency intervention used;
- Whether there is a current behavior intervention plan for the student;
- Description of any injuries sustained by the student, other students, the staff or others.

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Behavior Intervention Plan (BIP) Policy for Special Education Students

All Behavior Emergency Reports shall be immediately forwarded to and reviewed by a responsible administrator. If the student does not have a current behavior intervention plan, the administrator shall schedule, within two days, an IEP meeting to review the emergency report, to determine the need for a functional behavior assessment, and to determine the necessity for an interim behavior intervention plan. In the case of the student who has a behavior intervention plan, if the emergency involved a previously unseen serious behavior or where the behavior plan is not effective, the administrator will initiate an IEP meeting to review the current plan and the need for additional assessment.

Prior to the passage of AB 86, SELPAs were required to include procedures governing the systematic use of behavioral interventions and emergency interventions in the SELPA local plan (5 CCR 3052(j), repealed). Upon the passage of AB 86, these elements are no longer required to be included in the SELPA local plan and not required.

Deleted: Prior to the passage of AB 86, SELPAs were required to include procedures governing the systematic use of behavioral interventions and emergency interventions in the SELPA local plan (5 *CCR* 3052(j), repealed). Upon the passage of AB 86, these elements are no longer required to be included in the SELPA local plan and not required.

TIMELINES

- Within 60 days of receipt of signed assessment plan an IEP will be held to review results of the FBA.
- Within 48 hours of a Behavior Emergency Report (if there is not a current BIP) team will hold an IEP and determine the need for FBA/BIP.
- At scheduled intervals determined by the IEP team, review progress and plan effectiveness.

RECOMMENDED FORMS

- Data Collection Documentation Form
- Functional Behavior Assessment Report
- Functional Assessment Observation Form
- Environmental Analysis Summary of Observations
- See also Section 3: Forms in the BIP Desk Reference (PENT)
- BER Instructions and Forms Packet

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Special Circumstances Instructional Assistance Policy

DRAFT

The Individuals with Disabilities Education Act affords students the right to attend school in the Least Restrictive Environment. This means that, to the maximum extent appropriate, school districts must educate students with disabilities in the regular classroom with appropriate aids and supports, referred to as "supplementary aids and services, " along with their nondisabled peers in the school they would attend if not disabled, unless a student's IEP requires some other arrangement.

It adds that, “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 is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

IDEA further defines related services as the utilization of aids, services, and other supports that are provided in regular education classes or other education-related settings to enable children with disabilities to be educated with non-disabled children to the maximum extent appropriate. This applies to any general education program or special education program in which the student may participate (34 CFR § 300.550-300.556).

Every school district or charter LEA within the Butte County SELPA is required to provide a full continuum of placement options for students with identified disabilities who are receiving special education services. Districts must provide a full continuum of alternative placements to ensure that students receive services in the least restrictive environment. This includes the following:

(1) Regular class placement;
(2) Regular class with resource or itinerant instructional services;
(3) Regular class with special education related services;
(4) Special classes or special schools (either of which often also involve the provision of related services);
(5) Nonpublic schools;
(6) State schools for students with “low incidence” disabilities; &
(7) Instruction in settings other than classrooms (such as in homes or hospitals). (34 CFR § 300.551(b)(1)).

Each school district and/or charter LEA is comprised of highly qualified employees to service student with special education needs. Individual LEA Board Policies determine conditions for employee's duties, hours and contractual agreements.

There may be special circumstances when a student may need additional adult support in order to be successful in his/her educational placement. When this occurs, staff shall refer to this Board Policy to assist them in making decisions for allocating additional staff support, which in Butte County SELPA is termed, "Special Circumstance Instructional Assistance," or "SCIA" support.

The Butte County SELPA Procedures will provide guidance to staff in assessing and determining the need for SCIA support, although the final determination of what will be required as part of the assessment may be specialized by each LEA. When assessing student need for SCIA support, staff will utilize best practices, which should include a review of student's current program and academic and behavioral record, interviews with staff and parents, observations of the student in the environment(s) of concern, and appropriate assessment measures.

SCIA staff may be utilized to provide support services to a special education student who is placed in a less restrictive educational environment who may need support transitioning into a new classroom placement. SCIA support services may include monitoring of attending behaviors including cueing, maximizing social interaction, daily toileting and classroom participation per the IEP. Additionally, SCIA support can assist with specific behavior management of targeted behaviors consistent with IEP goals and/or a behavior intervention plan. Finally, SCIA staff can provide specialized health care procedures as documented in the IEP and authorized by a physician.

The Butte County SELPA's believes that it is important for staff and parents to understand the following:

1. A goal for any student with special needs is to encourage, promote, and maximize independence. The Individualized Education Plan (IEP) team is responsible for developing and implementing a program that promotes that independence. Natural supports and existing staff supports should be used whenever possible.
2. Additional support services or personnel are valuable resources for the educational community and some students; however, educational/behavioral support personnel are not a replacement for the teacher in providing direct instruction.
3. Additional support staff shall not become the communication link between school and home.

Prior to making a referral, each member of the IEP team should consider whether (1) the additional support staff interfere with the typical peer-to-peer process of interaction and/or communication; (2) the use of the additional support staff will be a barrier to the pupil receiving direct instruction from the teacher; (3) the approach used by the additional support staff increase the pupil's dependency, including over-reliance on prompting and redirecting of attention; and (4) the original need for additional support staff has changed and a re-evaluation of the assignment appropriate.

Legal References:

United States Code, Title 20 Sec 1400-1482, Individuals with Disabilities Education Act
Education Code § 56195.8 Adoption of policies for programs and services
Education Code § 56300-56381 Identification and referral, assessment, instructional planning, implementation, and review
CCR, Title 5, § 3000-3089
34 CFR § 300.550-300.556
34 CFR § 300.551(b)(1)

Approved By SELPA Governing Board:

Draft Form

SPECIAL CIRCUMSTANCE INSTRUCTIONAL ASSISTANCE (SCIA)
Referral Procedures Packet

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Draft Form

SPECIAL CIRCUMSTANCE INSTRUCTIONAL ASSISTANCE (SCIA)
Instructions and Forms

I. Introduction

The purpose of this document is serve as a **guideline** for school districts in determining the need for SCIA support.

Every school district or charter LEA within the Butte County SELPA is required to provide a full continuum of placement options for students with identified disabilities who are receiving special education services. The Individuals with Disabilities Education Act (IDEA) and California laws and regulations describe a continuum of placement such as instruction in general education classes, special education classes, special schools, home instruction, and instruction in hospitals and institutions (34 CFR § 300.551(b)(1)).

Each school district and/or charter LEA is comprised of highly qualified employees to service student with special education needs. Board Policies determine conditions for employee's duties, hours and contractual agreements. The following is information to assist districts when making decisions for allocating additional staff support, or what we term "Special Circumstance Instructional Assistance," or "SCIA" support.

The IDEA defines related services as the utilization of aids, services, and other supports that are provided in regular education classes or other education-related settings to enable children with disabilities to be educated with non-disabled children to the

maximum extent appropriate. This applies to any general education program or special education program in which the student may participate (34 CFR § 300.550-300.556). There may be special circumstances when a student may need additional support in order to be successful in his/her educational placement.

II. Considerations

If the IEP team is considering Special Circumstance Instructional Assistance (SCIA) as a support for the classroom staff, the team must determine:

1. Natural supports and/or existing staff supports are not adequate for the student to participate and progress in the general education program;
2. Additional support is necessary to assist existing staff in facilitating the student in
    a. making adequate progress toward the annual goals and/or;
    b. involvement in and progress in the general curriculum and/or;
    c. participation in extracurricular and other nonacademic activities and/or;
    d. participation with other disabled and non-disabled students
3. How the support can be faded and develop a method for systematic evaluation toward independence and more natural supports.

Other program supports must be considered as alternatives to additional staffing supports. Program supports must be implemented a minimum of 6 (six) weeks and be supported by documentation specifying what was successful and unsuccessful. Documentation must indicate which program supports were attempted with the student why those supports did not provide the level of assistance needed.

The following program supports, if appropriate, MUST always first be considered:

- ❑ **Development of additional goals/benchmarks to address concerns**
- ❑ **Change in instructional approach or strategy**
- ❑ **Development of Behavior Contract or Behavior Intervention Plan**
- ❑ **Additional assessment**
- ❑ **Change in classroom schedule, including when related services (Speech and Language, Adaptive Physical Education, etc.) are provided**
- ❑ **Change in related services (speech, IBI, counseling)**
- ❑ **Change in placement (RSP to SDC, general education to Learning Center, blended RSP/SDC program)**

III. Determination of Need

In some cases, especially for health or personal care assistance, the need for SCIA support can be determined using existing data. Most often, it is anticipated that an

Assessment Plan will need to be developed in order to allow the IEP Team the necessary time to evaluate and collect all data to be considered. Once the Assessment Plan is signed by the Parent or Guardian, the assessment team should begin completing the appropriate documents.

NOTE: If you are looking to get started, a quick summary of all the Required Documentation is found at Page 11 of this packet.

At regular intervals, designated members of the IEP team should use tools to collect data to determine the level of assistance needed and continue to monitor to determine if the service continues to be needed. As the student's level of independence or ability to use natural supports increases, behavior improves or the make-up of the class changes, the assistance should be faded.

It is important that the team consider each type of assistance listed below in order to determine if the student needs assistance from the SCIA with a particular activity and to estimate the amount of time that will be needed.

1. Health/Personal Care
    a. Self-help and bathroom needs
    b. Assistance with feeding during snack and lunch
    c. Specialized physical health care or assistance with medical needs (district should consider doctor's recommendations)
2. Behavior
    a. Implementation of behavior intervention plan
    b. Collect A-B-C data related to the behavior intervention plan
3. Instruction
    a. Curriculum adaptations under the direction of the teacher
    b. Support to stay on-task or provide follow-up instruction
4. Inclusion
    a. Recess (maintain safety, facilitate social interaction)
    b. Assistance with transition
    c. Assistance with a particular classroom activity or subject matter

The following forms may assist the team in determining the need for SCIA support:

1. **Pre-Referral Considerations Checklist**
2. **More Interventions and Considerations information**
3. **Rubric to Determine Need for Special Circumstance Instructional Assistance**
4. **School Day Description and Assistance Needed**

IV. Documenting the Purpose of the Support

1. If the IEP team agrees that SCIA support is needed for a particular student, the team should specify areas of need that will be supported in the notes page.
2. For each area in which SCIA support is being provided due to lack of skill or independence, the IEP team should write a goal. Some areas, such as health/personal care need may not be appropriate for goals.
3. If the additional SCIA support is required as a result of a child's behavior difficulties, the child's IEP should include a Behavioral Intervention Plan.
4. For areas in which increased independence is attainable (which should be most cases), note the means for evaluating where the SCIA support continues to be needed on the notes page. In these cases, it is suggested the team write a systematic plan to address how the support will be monitored and faded as independence increases.
5. When a SCIA is provided to assist a child on a short-term basis (i.e. transition to a new program), the written plan should specify the level of independence to be achieved before the SCIA is faded/removed, or a date when the SCIA is discontinued.

The following forms and resources may assist the team in determining the specific purposes for SCIA support:

1. **Rubric to Determine Need for Special Circumstance Instructional Assistance**
2. **School Day Description and Assistance Needed**
3. **Behavior Inventory**
4. **Classroom Observations (two to three recommended)**

V. Evaluation, Monitoring, Fading

The student's case manager is responsible for monitoring and fading of the SCIA. When it is appropriate to begin fading SCIA support, the IEP team should develop a fading plan that is included in the student's IEP. A professional, usually the case manager, should develop a system for data collection, review the data and provide the SCIA with strategies for fading and promoting increased student independence and goal attainment. The data should be reviewed on a regular basis, make adjustments to the plan and determine when criteria for fading have been met. Major changes to the plan would require an IEP Addendum.

If there is a goal which reflects the area in which SCIA support is being provided, then data collection on progress toward that goal would be sufficient.

VI. Guidelines for the IEP

- Develop goals and objectives that contain reduced levels of support and prompting to be used as measures of the need for SCIA support.
- Include specific plan for reinforcement of Behavior Intervention Plan
- Specify accommodations/modifications to be provided as needed or as requested by the student.
- Specify criteria for fading measures to be used, who will review and how often in the plan for fading on the notes page.

The following forms and resources may assist the team in developing a plan to reintegrate the student or to fade SCIA support:

1. **IEP Goals and Objectives Charting**
2. **Task Analysis Data**
3. **Techniques to Promote Independence**
4. **Sample Goals for Independence**
5. **Overview of Research on Impact of SCIA Support**

Pre-Referral Considerations Checklist

1. **Classroom schedule:**
   - **a.** Is the classroom schedule posted? ❑ yes ❑ no
   - **b.** The following elements are included in the classroom schedule:
     - ❑ times
     - ❑ students
     - ❑ activities
     - ❑ locations
     - ❑ staff names
2. **Schedule for individual student:**
   - **a.** Is there an individual student schedule? ❑ yes ❑ no
   - **b.** Student uses the following format for individualized schedule:
     - ❑ object
     - ❑ icon
     - ❑ photograph
     - ❑ word
     - ❑ picture
     - ❑ planner
   - **c.** Student 's ability to follow the schedule:
     - ❑ independent
     - ❑ with physical prompts
     - ❑ with verbal prompts
     - ❑ inconsistent
     - ❑ with gesture prompts
   - d. Student use of the schedule:
     - ❑ student carries schedule
     - ❑ student uses transition cards
     - ❑ student goes to schedule board
     - ❑ teacher carries and shows schedule
     - ❑ inconsistent
   - e. Room is arranged with structure to correlate with tasks on schedule:
     - ❑ areas for one-to-one work
     - ❑ area for group work
     - ❑ area for independent work
     - ❑ area for leisure
     - ❑ not applicable
3. **Curriculum and instruction:**
   - a. Are materials and activities differentiated for student's:
     - ❑ Chronological age? Describe:_____
       _____
     - ❑ Ability level? Describe:_____
       _____
     - ❑ Interest level? Describe:_____
       _____
   - b. List equipment or devices used/available that may relate to the need for assistance:_____
     _____
     _____

4. **Behavior Support:**
    a. Are there problem behaviors interfering with learning? ❑ yes ❑ no
    b. Does the student have a Behavior Intervention Plan? ❑ yes ❑ no
    c. Is the Behavior plan based on a Functional Behavior Analysis (FBA) or other behavioral assessment:
    ❑ yes ❑ no ❑ in process ❑ need to initiate
    d. What are the target behaviors in the BIP?
    _____
    _____
    _____
    e. Are all necessary staff implementing the Behavior Intervention Plan? ❑ yes ❑ no
    f. How effective is the plan in addressing the student's needs?
    ❑ very ❑ moderately ❑ mildly ❑ not at all
    g. Describe anticipated level of support to implement plan (i.e. frequency of reinforcement, prompting, redirection):_____
    h. What supports exist for implementing the plan? (i.e. self-monitoring, staff support):_____
    i. Does the BIP need to be:
    ❑ Developed ❑ Revised ❑ Implemented Consistently
    j. Is additional training needed so that the BIP can be implemented successfully?
    ❑ yes ❑ no

5. **Current data systems and collection of data:**
    a. Is there current data on each IEP goal and/or behavior plan? ❑ yes ❑ no
    b. Data records include:
    ❑ date ❑ level of independence
    ❑ task ❑ level of progress
    c. Data is collected:
    ❑ daily ❑ other:_____
    ❑ weekly ❑ monthly
    Number of settings:_____
    d. Describe how the data is analyzed and used to inform decisions:_____
    _____
    e. How is the data shared with IEP members including parents?_____
    _____

6. **Check and describe other supports currently provided:**
    ❑ training for instructional staff:_____
    ❑ consultation for the classroom staff:_____
    ❑ in-class coaching:_____
    ❑ other:_____

More Interventions and Considerations Prior to Referral for SCIA Support

- Increased supervision on the playground or during unstructured times.
- Social skills groups
- Accommodations for work
- Presentation
- Response
- Timing and Scheduling
- Seating
- Modifications to assignments
- Daily classroom modifications
- Staff schedule modifications
- Multiple reinforcement systems
- Differential instruction
- Behavior Intervention Plan
- Staff support during transitions
- Timing considerations (e.g., delayed transitions)
- Preview and rehearsal of changes to schedule
- Use of support staff (e.g., RST, SDC)
- Regular teaching of school behavior expectations
- Consistent recognition for demonstration of school behavior expectations
- Daily positive regard by adults and peers
- Positive praise at a ratio of 4:1 positive to negative or greater
- School wide initiatives such as Virtues, Healthy Kids, etc.
- Social skills teaching
- Active supervision and monitoring
- Positive reinforcement systems
- Firm, fair, and corrective discipline
- Effective classroom management
- establishing, teaching, reinforcing classroom expectations
- predictable routines
- instruction that matches the learners ability
- meaningful activities with varied materials and themes
- authoritative vs. authoritarian teacher-style
- Data based decision making
- Targeted social skills teaching
- Self-management programs
- Adult mentors
- Peer buddies
- Check-in/ Check-out
- Daily Report Card
- Self-monitoring

- Increased academic support
- Function-based interventions
- Behavior goals
    - -increase in adaptive behaviors
    - -decrease in behavior excesses
- Teaching pro-social communication for how to protest and how to self-advocate
- Visually mediated strategies such as schedules, work-systems, reminders, etc.
- Instruction in basic study skills
- Cognitive behavioral visual strategies for decision making, evaluating own
- behavior, prioritizing and other executive functioning skills
- Clear rules and procedures
- Systematic reinforcement
- Systematic use of behavior modification techniques
- Behavioral contracting
- Modeling and rehearsal of difficult or unusual events

Required Documentation by Area of Need*

*NOTE: Forms in the TOP LEFT (BLUE) are all mandatory. BOLD forms are for mandatory completion, collection, and consideration in the course of the SCIA assessment. Those not BOLD may be useful but don't have an associated form in this packet to complete. Your District Coordinator will determine which forms not in BOLD should be mandatory in your organization.

All SCIA Referral packets must contain:

(a) SCIA Referral Form (which includes Parent and Teacher Interviews)
(b) 2-3 Classroom Observations
(c) Recommendations Page with 3 signatures, and
(d) the contents of one other area on this page, based on need

BEHAVIOR

- ❑ **Pre-referral Activities Checklist**
- ❑ **SCIA Rubric**
- ❑ Student Schedule
- ❑ Psychoeducational Reports
- ❑ Progress Reports on IEP goals
- ❑ Behavior Intervention Plan
- ❑ Behavior/discipline Data
- ❑ **Behavior Inventory to be scored**
- ❑ **School Day Description**

INSTRUCTION

- ❑ **Pre-referral Activities Checklist**
- ❑ **SCIA Rubric**
- ❑ Student Schedule
- ❑ Psychoeducational Reports
- ❑ Progress Reports on IEP goals
- ❑ Academic progress assessments
- ❑ Behavior Inventory to be scored
- ❑ School Day Description

INCLUSION

- ❑ **Pre-referral Activities Checklist**
- ❑ **SCIA Rubric**
- ❑ Student Schedule
- ❑ Psychoeducational Reports
- ❑ Progress Reports on IEP goals
- ❑ Academic progress assessments
- ❑ Behavior Intervention Plan
- ❑ Behavioral Data
- ❑ Discipline Referrals
- ❑ Health Records
- ❑ **School Day Description**

FADE/REINTEGRATION

- ❑ Pre-referral Activities Checklist
- ❑ SCIA Rubric
- ❑ Student Schedule
- ❑ Psychoeducational Reports
- ❑ IEP Goals and Objectives Charting
- ❑ Task Analysis Data
- ❑ Progress Reports on IEP goals
- ❑ Academic progress assessments
- ❑ School Day Description

HEALTH/SELF-CARE

- ❑ **SCIA Rubric**
- ❑ Student Schedule
- ❑ Health Records
- ❑ Specialized Health Care Plan
- ❑ Psychoeducational Reports for Adaptive Living and Self-Care info
- ❑ **School Day Description**

SCIA Referral Form

PLEASE NOTE: This entire packet may be copied and provided to parent upon request.

Date: _____ Pupil: _____

DOB: _____ School: _____

Requestor: _____

Name: _____ Position: _____ Phone: _____

Brief Reason For Request:

_____
_____
_____
_____
_____
_____
_____

Please indicate which of the following program supports, if appropriate, have been considered **prior** to completing this packet:

- □ Development of additional goals/benchmarks to address concerns
- □ Change in instructional approach or strategy
- □ Development of Behavior Support Plan or Behavior Intervention Plan
- □ Additional assessment
- □ Change in classroom schedule, including when related services (Speech and Language, Adaptive Physical Education, etc.) are provided
- □ Change in related services (speech, IBI, counseling)
- □ Change in placement (RSP to SDC, general education to RSP/Learning Center, blended RSP/SDC program)

Teacher Interview:

1. Describe Behavior(s)/concerns/needs requiring additional support:

_____
_____
_____
_____
_____

2. Does pupil have Behavior Intervention Plan? _____ Yes _____ No

3. What do you see as the role of any additional support staff that might be assigned to the student?

_____

_____

_____

_____

_____

_____

4. Other Comments:

_____

_____

_____

_____

_____

_____

Parent Interview (Complete for Parent-Requested Assessments):

1. Describe parents' concerns/issues/reasons for request:

_____

_____

_____

_____

_____

_____

2. Describe the student's behavior in the home setting (e.g. transitions, tantrums, aggression, independence, self - help, etc.):

_____

_____

_____

_____

_____

3. How are behavior problems handled within the home (loss of privileges, rewards, etc.)

_____
_____
_____
_____
_____
_____

4. What does the parent feel is the purpose of the additional support staff (what will be gained)?

_____
_____
_____
_____
_____
_____

5. Other comments:

_____
_____
_____
_____
_____
_____

School/Classroom Observation Documentation

SCHOOL PSYCHOLOGIST or COUNSELOR

Date(s) of observation: _____

Observation Instructions:

- Student should be observed in classroom 3 times total, preferably in different environments
- Minimum 30-minute intervals
- Review daily schedule
- Please include in your observations the following:
  - What is going on for all students?
  - What is student doing?
  - What is teacher/student response?

_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____

Observer Name: _____ Title _____ Date: _____

School/Classroom Observation Documentation

SITE ADMINISTRATOR

Date(s) of observation: _____

Observation Instructions:

- Student should be observed in classroom 3 times total, preferably in different environments
- Minimum 30-minute intervals
- Review daily schedule
- Please include in your observations the following:
  - What is going on for all students?
  - What is student doing?
  - What is teacher/student response?

_____
_____
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_____
_____
_____

Observer Name: _____ Title _____ Date: _____

School/Classroom Observation Documentation

OTHER CERTIFICATED STAFF MEMBER

Date(s) of observation: _____

Observation Instructions:

- Student should be observed in classroom 3 times total, preferably in different environments
- Minimum 30-minute intervals
- Review daily schedule
- Please include in your observations the following:
  - What is going on for all students?
  - What is student doing?
  - What is teacher/student response?

_____
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_____

Observer Name: _____ Title _____ Date: _____

Team Recommendations

_____

_____

_____

_____

_____

_____

_____

_____

_____

Summary of Support Needed:

Student requires (Check one) ___ **individual** aide support OR ___ **shared** aide support

Student requires support for the following subjects or activities:

___ Language Arts	___ Recess	___ During DIS services
___ Math	___ Lunch	___ During RSP time
___ Social Science	___ Toileting routines	___ Music/Art/Elective
___ Science	___ Mobility	___ Physical Education

Three signatures required:

Site Administrator*: _____ Date: _____

Psychologist*: _____ Date: _____

General Education Teacher: _____ Date :_____

Special Education Teacher: _____ Date: _____

Speech/Language Pathologist: _____ Date: _____

Other: _____ Title: _____ Date:_____

Other: _____ Title: _____ Date:_____

Other: _____ Title: _____ Date:_____

**Required*

Rubric to Determine Need for Special Circumstance Instructional Assistance

Student:_____ **DOB:**_____ **Eligibility:**_____ **Date:**_____

Teacher:_____ **Program/School:**_____

Completed by:_____ **Title:**_____

	Health/Personal Care	Behavior	Instruction	Inclusion
0	General good health. No specialized health care, or procedure, or medications taken. Independently maintains all "age appropriate" personal care. ☐	Follows adult directions without frequent prompts or class supervision. Handles change and redirection. Usually gets along with peers and adults. Seeks out friends. ☐	Participates full in whole class instruction. Stays on task during typical instruction activity. Follows directions with a few to no additional prompts. ☐	Participates in some core curriculum within general education class and requires few modifications. Can find classroom. Usually socializes well with peers. ☐
1	Mild or occasional health concerns. Allergies or other chronic health conditions. No specialized health care procedure. Medication administration takes less than 10 minutes time. Needs reminders to complete "age appropriate" personal care activities. ☐	Follows adult direction but occasionally requires additional encouragement and prompts. Occasional difficulty with peers or adults. Does not always seek out friends but plays if invited. ☐	Participates in groups at instructional level but may require additional prompts, cues, or reinforcement. Requires reminders to stay on task, follow directions, and to remain engaged in learning. ☐	Participates with modification and accommodation. Needs occasional reminders of room and schedule. Requires some additional support to finish work and be responsible. Needs some social cueing to interact with peers appropriately. ☐
2	Chronic health issues, generic health care procedure. Takes medication. Health care intervention for 10-15 minutes daily (diet, blood sugar, medication). Requires reminders and additional prompts or limited hands on assistance for washing hands, using bathroom, wiping mouth, shoes, buttons, zippers, etc. Occasional toileting accidents. ☐	Has problems following directions and behaving appropriately. Can be managed adequately with a classroom behavior intervention plan, but unable to experience much success without behavior intervention plan implementation. ☐	Cannot always participate in whole class instruction. Requires smaller groups and frequent verbal prompts, cues, or reinforcement. On task about 50% of the time with support. Requires more verbal prompts to follow directions. Requires signing 50%-70% of the time. ☐	Participates with visual supervision and occasional verbal prompts. Requires visual shadowing to get to class. Needs modifications and accommodations to benefit from class activities. Regular socialization may require adult facilitation. ☐
3	Specialized health care procedure and medication. Limited mobility. Physical limitations requiring assistance (stander, walker, gait trainer or wheelchair). Special food prep or feeding. Health or sensory interventions 15-45 min. daily. Frequent physical prompts and direction assistance for person care. Requires toilet schedule, training, direct help, diapering. ☐	Serious behavior problems almost daily. Defiant and/or prone to physical aggression which may be harmful to self or others. Requires a Behavior Intervention Plan (BIP) and behavior goals and objectives on the IEP. Requires close visual supervision to implement BIP. ☐	Difficulty participating in a large group. Requires low student/staff ratio, close adult proximity, and prompts including physical assistance to stay on task. Primarily complies only with 1:1 directions and monitoring. Abilities and skills require strategies/adaptations not typical for class as a whole, such as: Discrete Trial, ABA, Structured Teaching, PECS or Assistive Technology. Requires signing over 80% of time. ☐	Does not participate without staff in close proximity for direct instruction, safety, mobility, or behavior monitoring. Requires adult to facilitate social interaction with peers and remain in close proximity at all times. Difficulty following school routines & schedules. Needs direct support to get to & from class. ☐
4	Very specialized health care procedure requiring care by specially trained employee (G tube, tracheotomy, catheterization). Takes medication, requires positioning or bracing multiple times daily. Health or sensory related interventions 45 min. or more daily. Direct assistance with most person care. Requires two-person lift. Direct 1:1 assistance 45 min or more daily. ☐	Serious behavior problems with potential for injury to self and others, runs away or aggressive on a daily basis. FAA or FBA has been completed and the student has a well-developed BIP that must be implemented to allow the student to safely attend school. Staff has been trained in the management of assaultive behaviors. ☐	Does not participate in a group without constant 1:1 support. Requires constant verbal and physical prompting to stay on task and follow directions. Regularly requires specific 1:1 instructional strategies to benefit from the IEP. Cognitive abilities and skills require significant accommodation and modification not typical for the class group. Requires signing 100% o f the time. ☐	Participation may require additional staff for direct instructional and behavioral support. Requires direct supervision going to and from class. Always requires modifications and accommodations for class work. Rarely interacts with or is interested in peers. ☐

School Day Description and Assistance Needed

Describe the school day, the assistance now provided, and the assistance needed.

Student:_____Grade:_____Teacher:_____Observer:_____Date of observation:_____

Teacher to complete columns 1-4 for the entire school day. Return to administrator when completed. Objective observer to complete column 5 during observation.

Classroom Schedule: Time/Activity List duration and general schedule of activities per day.	**Group Size** How many students are in the group or class during this time.	**Primary Need** Briefly describe the student's primary need during this time-- any specific IEP goals being worked on?	**Description of Current Staff Support** Number of staff available, roles & responsibilities during this time. What are they doing to support student during this time?	**Observation by Objective** Observer Be specific describing activities and support required by student.

IEP GOALS AND OBJECTIVES CHARTING

Student:_____ **School Year:**_____

Levels of Assistance

1 = Independent
2 = Gesture/Non-Verbal Cue
3 = Verbal Cue
4 = Model
5 = Physical Prompt

	Dates								
Goals/Objectives									

Comments:_____
_____
_____

TASK ANALYSIS DATA

Goal:_____

Levels of Assistance

1 = Independent
2 = Gesture/Non-Verbal Cue
3 = Verbal Cue
4 = Model
5 = Physical Prompt
N/A = Not Applicable

Steps	Dates								

Comments:_____
_____
_____

Behavior Inventory

(for Instructional or Behavior Services Referral)

Child's Name: _____ **Today's Date** _____ **Birthdate:** _____

Below is a list of items describing the child's behavior. For each item, please circle the 2 if the item is very true or often true. Circle the 1 if the item is somewhat or sometimes true. If the item does not apply to the child, circle 0. Please answer all items, even if they do not seem to apply. Do not write in the Column marked "Score."

Interpersonal Behaviors

#	Rating		Score
1	0 1 2	Complies with requests of adults in authority	
2	0 1 2	Follows classroom rules and rules of safety	
3	0 1 2	Responds to teasing etc. with verbal aggression	
4	0 1 2	Responds to teasing etc. with physical aggression	
5	0 1 2	Hits peers when angry	
6	0 1 2	Hits adults when angry	
7	0 1 2	Verbally aggressive when reprimanded or criticized	
8	0 1 2	Physically aggressive when reprimanded or criticized	
9	0 1 2	Gains teacher's attention by calling out	
10	0 1 2	Gains attention from peers in inappropriate ways	
11	0 1 2	Poor eye contact	
12	0 1 2	Refuses to help when asked	
13	0 1 2	Fails to respond when greeted	
14	0 1 2	Laughs at peers in trouble or having difficulty	
15	0 1 2	Out of seat often without a reason	
16	0 1 2	Climbs under desk or chair	
17	0 1 2	Talks in an inappropriate tone / uses profanity	
18	0 1 2	Interrupts others constantly	
19	0 1 2	Fails to follow rules when playing games	
10	0 1 2	Does not wait his turn	
21	0 1 2	Aggressive in competitive games	
22	0 1 2	Poor sportsmanship	

23	0	1	2	Aggressive on the playground	
24	0	1	2	Intolerant of differences in others (race, special needs etc.)	
25	0	1	2	Plays alone	
26	0	1	2	Does not share	
27	0	1	2	Inflexible when playing resulting in tantrums/aggression	
28	0	1	2	Uncooperative in group play situations	
29	0	1	2	Does not distinguish between own property and that of others	
30	0	1	2	Takes other's belongings without permission	

Self - Related Behaviors

#	Rating				Score
1	0	1	2	Cannot accept consequences resulting in tantrums/aggression	
2	0	1	2	Lies to get out of trouble	
3	0	1	2	Refuses to apologize	
4	0	1	2	Cannot use words when frustrated or angry/ acts out	
5	0	1	2	Easily led by peers	
6	0	1	2	Cannot identify consequences of behaviors	
7	0	1	2	Cannot recognize or label moods feeling of others	
8	0	1	2	Refuses to participate in class	
9	0	1	2	Refuses to have work displayed	
10	0	1	2	Makes negative statements about self	
11	0	1	2	Refuses to try new thing	
12	0	1	2	Cannot follow classroom routine	
13	0	1	2	Cannot maintain materials or possessions	
14	0	1	2	Cannot use toilet facilities independently	
15	0	1	2	Cannot dress self without assistance	
16	0	1	2	Unaware of safety hazards	
17	0	1	2	Cannot identify familiar people	

18	0 1 2	Eats things that are not food	

Health/Personal Care

#	Rating		Score
1	0 1 2	Engages in self injurious behaviors	
2	0 1 2	Requires G-tube feeding	
3	0 1 2	Takes medication at school	
4	0 1 2	Requires suctioning	
5	0 1 2	Special food preparation (blending etc)	
6	0 1 2	Diaper changing	
7	0 1 2	Feeding (requires full support)	
8	0 1 2	Seizures	
9	0 1 2	Lifting/transfers	
10	0 1 2	Limited mobility or physical limitation requiring assistance	
11	0 1 2	Non - ambulatory	

Task-Related Behaviors

#	Rating		Score
1	0 1 2	Refuses to answer when questioned by teachers	
2	0 1 2	Asks inappropriate questions in class	
3	0 1 2	Cannot watch presentations quietly	
4	0 1 2	Cannot listen to speakers in class	
5	0 1 2	Perseverates on topics of interest/cannot be redirected	
6	0 1 2	Cannot begin classroom work without prompting	
7	0 1 2	Cannot complete classroom assignments without one to one assistance	
8	0 1 2	Off task for greater than 50% of independent work	
9	0 1 2	Cannot complete tasks within required time	
10	0 1 2	Cannot manage homework/assignment book	
11	0 1 2	Cannot follow verbal directions	
12	0 1 2	Cannot follow written directions	

13	0	1	2	Cannot share work materials	
14	0	1	2	Cannot work with a partner	
15	0	1	2	Other children refuse to work with the child	
16	0	1	2	Cannot accept group ideas or ideas different from his own	
17	0	1	2	Creates a disturbance while waiting for assistance	
18	0	1	2	Creates a disturbance during free time or classroom transitions	
19	0	1	2	Cannot handle changes in classroom routine	
20	0	2	1	Is loud or disruptive during assemblies/guest speakers	
20	0	1	2	Uses classroom chairs/desks inappropriately	
22	0	1	2	Cannot sustain attention to task for independent work	
23	0	1	2	Distracts peers when working	
24	0	1	2	Act out when distracted by peers.	
25	0	1	2	Is easily distracted in classroom	
26	0	1	2	Has difficulty transitioning within the classroom	
27	0	1	2	Has difficulty transitioning from playground to classroom	
28	0	1	2	Significantly behind peers in academic work	
29	0	1	2	Requires scribe support to get thoughts on paper	
30	0	1	2	Requires individual teaching/re-teaching in one subject area	
31	0	1	2	Requires individual teaching/re-teaching in several subject areas	
32	0	1	2	Requires individual teaching/re-teaching in all subject areas	
33	0	1	2	Uses a communication device	
34	0	1	2	Cannot communicate needs/ wants with words	
35	0	1	2	Uses sign language	
36	0	1	2	Uses visual assistive technology devices	
37	0	1	2	Uses visual communication system	
38	0	1	2	Cannot imitate simple adult movements such as clapping hands or waving goodbye	

39	0 1 2	Does not use a pencil crayon or chalk on an appropriate writing surface	
40	0 1 2	Cannot open/close scissors with one hand	

Areas of Need **	**Time/Days**

NOTE * Score this inventory using the Scoring Guide provided at training. For each area of need in which further independence is possible (e.g. not medical condition), develop an IEP goal and a plan for frequent monitoring for the purpose of fading support. Other ongoing supports should be noted on the accommodations page of the IEP. The above information should also be used to help determine the required level/times/type of support required.

TECHNIQUES TO PROMOTE INDEPENDENCE

1. Watch before assisting. Can the student ask for help from the teacher or a peer? Can the student problem solve on his/her own?
2. Give the student extra time to process and respond before assisting.
3. Have high expectations as to what the student understands or can do independently.
4. Provide consistent classroom schedule (posted, visual, at desk if needed, reinforcement periods included.) Teach the student how to use it.
5. Start with the least intrusive prompts to get the student to respond:
    a. Gestural, hand or facial signals
    b. Timer
    c. Verbal
    d. Light /Partial Physical
    e. Hand over Hand
6. Prompt, then back away to allow independent time.
7. Use strengths and weakness, likes and dislikes to motivate student participation and interest.
8. Model; guide (watch and assist); check (leave and check back)
9. Teach independence skills (raising hand, asking for help, modeling other students.)
10. Praise for independent attempts.
11. Direct the student to answer to the teacher.
12. Prompt the student to listen to the teacher's instructions. Repeat only when necessary.
13. Encourage age appropriate work habits. See what other students are doing.
14. Be aware of proximity. Sit with the student only when necessary.
15. Encourage peer assistance and partnering. Teach peers how to help, not enable.
16. Utilize self-monitoring checklists for the student.
17. Color code materials to assist with organization.
18. Use transition objects to help student anticipate/complete transition (i.e., head phones for listening center).
19. Break big tasks into steps.
20. Use backward chaining (i.e., leave the last portion of the cutting task for the student, then gradually lengthen the task).
21. Assist in encouraging a means for independent communication (i.e., PECS).
22. Provide positive feedback (Be specific to the situation).
23. Ask facilitative questions ("What comes next?" "What are other students doing?" What does the schedule say?" "What did the teacher say?"
24. Give choices.
25. Maintain a log to track independence and need for assistance.
26. Establish teacher/SCIA signal to cue the SCIA to intervene.
27. Make sure the class perceives you are there to help everyone, not just one student.

SPECIAL CIRCUMSTANCE INSTRUCTIONAL ASSISTANCE
SAMPLE GOALS AND OBJECTIVES

Health/Personal Care

By_____ when being fed via a "G-tube", student will cooperate with staff to complete the Health procedure by not pushing staff or objects away two times a day with only one verbal prompt per day for 5 consecutive days as measured by data.

1. By_____when being fed via a "G-tube", student will cooperate with staff to complete the Health procedure by not pushing staff or objects away two times a day with physical and verbal prompts for 5 consecutive days as measured by data.
2. By_____when being fed via a "G-tube", student will cooperate with staff to complete the Health procedure by not pushing staff or objects away two times a day with only two verbal prompts per day for 5 consecutive days as measured by data.

By_____when being fed and food has been scooped with hand over hand prompting, student will lift spoon to mouth and put food into mouth, chew food and swallow food and return spoon to plate with no physical prompt for at least 6 times per session for 4 out of 5 consecutive days as measured by data.

1. By_____when being fed and food has been scooped with hand over hand prompting, student will lift spoon to mouth and put food into mouth, chew food and swallow food and return spoon to plate with no physical prompt for at least 2 times per session for 4 out of 5 consecutive days.
2. By_____when being fed and food has been scooped with hand over hand prompting, student will lift spoon to mouth and put food into mouth, chew food and swallow food and return spoon to plate with no physical prompt for at least 4 times per session for 4 out of 5 consecutive days.

By _____when being toilet trained, student will participate in the toileting routine (pull pants down, sit/stand at toilet, use toilet paper, pull pants up, flush, wash hands) and remain dry throughout the day for 4 out of 5 trial days as measured by staff data.

1. By _____when being toilet trained, student will participate in the toileting routine (pull pants down, sit/stand at toilet, use toilet paper, pull pants up, flush, wash hands) and remain dry throughout the day for 2 out of 5 trial days as measured by staff data.
2. By _____when being toilet trained, student will participate in the toileting routine (pull pants down, sit/stand at toilet, use toilet paper, pull pants up, flush, wash hands) and remain dry throughout the day for 3 out of 5 trial days as measured by staff data.

Behavior

By _____when in a conflict situation, student will request staff assistance to solve the problem without name calling or hitting others 4 out of 5 occasions over 5 consecutive trial days as measured by data.

1. By _____when in a conflict situation, student will request staff assistance to solve the problem without name calling or hitting others 2 out of 5 occasions over 5 consecutive trial days as measured by data.
2. By _____when in a conflict situation, student will request staff assistance to solve the problem without name calling or hitting others 3 out of 5 occasions over 5 consecutive trial days as measured by data.

By _____when given a direction, student will follow that direction within 30 seconds without protest or complaining 4 out of 5 requests for 5 consecutive trail days as measured by staff.

1. By _____when given a direction, student will follow that direction within 30 seconds with no more than 3 protests or complaints 4 out of 5 requests for 5 consecutive trail days as measured by staff.
2. By _____when given a direction, student will follow that direction within 30 seconds with no more than 1 protest or complaint 4 out of 5 requests for 5 consecutive trail days as measured by staff.

By _____during unstructured time, student will keep hands and feel to self and refrain from negative comments to others with at least 20 points earned for behavior for 5 consecutive days as measured by staff data records.

1. By _____during unstructured time, student will keep hands and feel to self with at least 20 points earned for behavior for 5 consecutive days as measured by staff data records.
2. By _____during unstructured time, student will refrain from negative comments to others with at least 20 points earned for behavior for 5 consecutive days as measured by staff data records.

By _____when work becomes difficult or tiring the student will ask for adult help to complete school tasks instead of verbal outbursts on 4 out of 5 situations over 5 trial days as measured by staff data.

1. By _____when work becomes difficult or tiring the student will ask for adult help to complete school tasks instead of verbal outbursts on 4 out of 5 situations over 5 trial days as measured by staff data.

2. By _____when work becomes difficult or tiring the student will ask for adult help to complete school tasks instead of verbal outbursts on 4 out of 5 situations over 5 trial days as measured by staff data.

Instruction

By_____student will compose/write a complete sentence including correct grammar, syntax and spelling with 80% accuracy for 5 consecutive trial days as measured by work samples.

1. By_____student will compose/write a complete sentence including correct grammar and syntax spelling with 80% accuracy for 5 consecutive trial days as measured by work samples.
2. By_____student will compose/write a complete sentence including correct spelling with 80% accuracy for 5 consecutive trial days as measured by work samples.

By_____student will improve comprehension skills by answering questions on main idea and specific details following reading of short stories within his reading level with 75% accuracy for 5 consecutive trial days as measured by test results.

1. By_____student will improve comprehension skills by answering questions on main idea following reading of short stories within his reading level with 75% accuracy for 5 consecutive trial days as measured by test results.
2. By_____student will improve comprehension skills by answering questions on specific details following reading of short stories within his reading level with 75% accuracy for 5 consecutive trial days as measured by test results.

By _____when given two objects that are same as the staff's, student will match the like object 4 out of 5 times for 5 consecutive trial days as measured by staff data.

1. By _____when given two objects that are same as the staff's, student will match the like object 4 out of 5 times for 5 consecutive trial days as measured by staff data.
2. By _____when given two objects that are same as the staff's, student will match the like object 4 out of 5 times for 5 consecutive trial days as measured by staff data.

By_____when given a matching work task with at least 10 items to be sorted, student will sort items into two different categories with 8 out of 10 correct for 5 consecutive trial days as measured by staff data.

1. By_____when given a matching work task with at least 10 items to be sorted, student will sort items into two different categories with 8 out of 10 correct for 5 consecutive trial days as measured by staff data.
2. By_____when given a matching work task with at least 10 items to be sorted, student will sort items into two different categories with 8 out of 10 correct for 5 consecutive trial days as measured by staff data.

Inclusion

By_____student will participate in a general education kindergarten class by following directions given to whole class, with no prompts, 4 of 5 times on 5 consecutive trial days as measured and recorded by staff.

1. By_____student will participate in a general education kindergarten class by following directions given to whole class, with verbal prompts, 4 of 5 times on 5 consecutive trial days as measured and recorded by staff.

2. By_____student will participate in a general education kindergarten class by following directions given to whole class, with gestural or indirect prompts, 4 of 5 times on 5 consecutive trial days as measured and recorded by staff.

By_____student will participate in a general education 3rd grade class by completing the modified classwork, as developed by the teacher and instructional assistant with 75% accuracy over 5 consecutive trial days as measured by student work.

1. By_____student will participate in a general education 3rd grade class by completing the modified classwork, as developed by the teacher and instructional assistant with 75% accuracy over 2 consecutive trial days as measured by student work.
2. By_____student will participate in a general education 3rd grade class by completing the modified classwork, as developed by the teacher and instructional assistant with 75% accuracy over 4 consecutive trial days as measured by student work.

More Sample Annual Goals for Independence

1. By (DATE), (STUDENT) will be able to attend to one full day's worth of classroom routines with minimal prompting from the classroom teacher over 5 consecutive days as measured by data collection.

2. By (DATE), (STUDENT) will be able to independently walk into a store, select an item, and make the purchase without aide assistance in 3 out of 3 trials as measured by data collection.

3. By (DATE), when given a copy of their class schedule, (STUDENT) will demonstrate the ability to follow their schedule and arrive to every class on time without aide assistance for five consecutive days.

4. By (DATE), when given a classroom assignment at his/her ability level, (STUDENT) will independently complete the assignment with no more than two prompts from the classroom teacher on three out of three trials as measured by teacher observation and data collection.

5. By (DATE) during center activities, (STUDENT) will transition from work center to work center with no more than 1 verbal prompt per center; with 90% accuracy 3 out of 4 trials as measured by teacher and staff observation and data collection.

6. By (DATE), during a general education classroom academic or nonacademic lesson period lasting no more than 30 minutes, (STUDENT) will attempt required student tasks and follow class rules with no more than 1 prompt from the teacher, in 4 out of 5 lessons, for 4 out of 5 days, as measured by teacher observation and data collection.

7. By (DATE), given a daily classroom routine such as lining up at the appropriate time, walking in line, or transitioning to the correct table during center time, (STUDENT)will be able to independently look around at his/her peers (without adult reminders) and correctly model their given behavior on 70% of given opportunities in 4/5 documented occasions.

8. By (DATE), given free time such as recess or lunch, (STUDENT)will be able to interact with his/her peers following appropriate game rules such as turn taking and interacting with peers by speaking to them or replying at least 3 times during the given game with minimal adult prompting on 4/5 documented trials.

9. By (DATE), (STUDENT) will independently respond appropriately to greetings and will be able to initiate greeting/communication with peers and adults in the classroom during a structured activity without cues in 4 of 5 trials with 70% accuracy as measured by observation.

10. By (DATE), (STUDENT) will increase his/her ability to initiate difficult tasks by transitioning to and completing the tasks without additional prompts from another person on 80% of the given opportunities across three consecutive days as measured by instructor/provider evaluation.

11. By (DATE), (STUDENT) will increase his/her ability to identify and gather all of the materials needed to complete a task by filling in a graphic organizer with 6 needed items/materials with 80% accuracy in three of four trials as measured by observation and charting.

12. By (DATE), (STUDENT) will increase the ability to initiate difficult tasks by transitioning to and completing the tasks with no more than one prompt with 80% accuracy in three of four situations as measured by observation and charting.

13. By (DATE), when in a classroom setting, (STUDENT) will complete at least three tasks daily without teacher or staff prompt/cue with 100% as measured by teacher via observation and data collection.

14. By (DATE), when given all assignments and test dates, (STUDENT) will independently maintain a calendar, prioritize tasks and seek help as needed to turn in completed assignment by the designated date assigned 90% of the time as measured by mentor teacher anecdotal records and Fall and Spring Sample Week packets.

Specific IEP Language for SCIA Involvement

(Using SEIS IEP Forms)

Where to Write the Services of Special Circumstances Instructional Assistance
SCI Assistance should NOT be written as a related service because "special circumstances instructional assistance" is not listed as a related service in California Education Code (EC56363(a)). Some people have held that fading SCI Assistance could be viewed as a "change of placement." This could be true if SCI Assistance is listed as a service. No changes should be made to the related services without an IEP meeting. However, SCI Assistance is more correctly written on the *Accommodations* page, the *Special Factors* page under "supplementary aids and services to be provided to or on behalf of the student," and in the *Meeting Notes* pages. In this section, include clarifying the use for the SCI Assistance, for which areas of need and at which times of day.

Sample language on the *Special Factors* page under "supplementary aids and services to be provided to or on behalf of the student" might state: *SCI Assistance will be provided in the classroom setting for XX hours each day.* Sample language on the IEP Team Meeting Notes might state: In addition to natural supports and existing staff support in the classroom, additional special circumstances instructional assistance will be provided for (student's name) as follows… Indicate how SCI Assistance will be utilized including hours per day, educational settings (e.g., RSP/SDC vs. regular education classroom), and specific tasks (e.g., toileting, feeding/eating, academics, mobility, at recess to promote appropriate social behavior on the playground, during individual reading instruction).

Writing a Fading Plan on the IEP Team Meeting Notes
A plan for fading should be specifically written on the IEP Team Meeting Notes, which is clearly understood by the entire team and is very exact. It is important that everyone, especially the parent(s), understand the fading schedule.

Example 1: In order to promote and maximize student independence, special circumstances instructional assistance will be discontinued when (list the level of independence achieved, skills acquired, or certain conditions met that would indicate SCI Assistance no longer needed).

Example 2: Short-term special circumstances instructional assistance not to exceed weeks. (Use this statement when SCI Assistance is needed for a specific period of time, such as for a special project, or for a temporary medical condition, etc.)

Example 3: By (date), support staff will decrease direct proximity (standing next to the student) by 40% as documented on a daily log and by (2 months later) direct support will be faded by 60%. When not in direct proximity to the student, the additional support staff will be in the same classroom, working with other students or other tasks in order to be available, if necessary, for (student). An IEP meeting will be scheduled for (within 3-6 months) to review the effectiveness of the additional special circumstances instructional assistance. (Name/Title of staff member) will complete the "Observational Review to Determine Continued Need for SCI Assistance" form, and this information will be reviewed at the next IEP meeting.

Example 4: (Student) will receive special circumstances instructional assistance for six periods beginning in September, and decreasing one period per month, for a three month period.

Suggested IEP Language When SCIA Support is Not Recommended

Indicate in the *IEP Team Meeting Notes* what IS working in the current program. Address natural supports that are in place and effective. Specify accommodations and/or modifications that are already meeting the student's needs. Indicate in the *IEP Team Meeting Notes* any additional supports to be provided such as accommodations and/or modifications, *Behavior Intervention Plan*, and/or natural supports that are available in the environment. Consider adding IEP goals to address student independence.

Example 1 *(for a student with academic concerns only)*: (Student) is receiving the following services and supports: reading intervention instruction twice weekly for 30 minutes each session, classroom aide assigned to the regular education class during reading instruction, RSP collaboration daily for 55 minutes, cross-age tutoring once weekly for 30 minutes, homework club four times a week for 60 minutes, appropriate reading goals on IEP, and access to computerized reading software. In considering current SCI Assistance evaluation results and the services and supports that are being provided, the IEP team agrees (or the IEP team agrees, with the exception of the parents,) that (student) is receiving adequate support at the present time to make satisfactory progress toward all goals.

Example 2 *(for a student with behavioral and/or social issues)*: (Student) is receiving the following services and supports: visual schedule, sensory integration services (related services OT), related services Speech and Language services, school-based counseling, assigned peer buddy during transitions and in social situations, high staff/student ratio in all school settings including lunch and recess, consultation with Autism Specialist bi-weekly 60 minutes per session, behavior Intervention plan (or BIP) which has decreased targeted maladaptive behavior by 50% in the last two months. In considering current SCI Assistance evaluation results and the services and supports that are being provided, the IEP team agrees (or the IEP team agrees, with the exception of the parents,) that (student) is receiving adequate support at the present time to make satisfactory progress toward all goals.

When the school staff makes a determination about whether or not SCI Assistance is required in order for the student to benefit from his or her education, and the parent declines to sign the IEP, the district special education administrator or designee should send a *prior written notice*. The notice should clearly specify what the district is offering and why, and address all the legally required components of parent notices. A copy of the district *Notice of Procedural Safeguards* should be included.

Special Circumstances Instructional Assistance
Sample Evaluation Report Template

Student:	ID#:	Date:
Age:	Grade:	Disability:
DOB:	Gen Ed Teacher:	Placement:
School:	Sp Ed Teacher:	Contact Phone:
Case Mgr:	Psychologist:	Contact Phone:
Evaluation Report Prepared By:		

I. Reason for Referral

II. **Background Information and Educational Setting**
(summarize special education and related services history; educational history, including academic progress/assessments and progress on IEP goals; results of previous evaluations, if applicable; previous interventions and outcomes; educationally relevant health, developmental, and medical findings; review of BIP; and disciplinary referral information)

III. **Evaluation Procedures** *(include information regarding administration of tests in primary language of student by qualified personnel; validity of the evaluation; validity of tests for the purpose for which they were used)*

IV. **Summary of Interviews, Rubric, and Observations** *(summarize results of the parent/teacher/student interviews and the rubric; include information regarding relevant behavior noted during observation of the student)*

V. **Summary of Standardized and/or Curriculum-Based Assessments** *(if applicable)*

VI. **Recommendations** *(include information regarding the need for specialized services, materials, and equipment; indicate if the student's needs can be met in the regular education classroom with the current level of support)*

Respectfully Submitted,

Overview of Research Regarding Impact of Instructional Assistance on Student Progress

- Many instructional assistants are thrust into positions where they have little or no training (Wallace, Shin, Bartholomay, Stahl, 2001)

- Individual one-on-one assistance can have far-reaching effects on the following:
  - Classroom teacher's ability to assume ownership for the student
  - The frequency and types of peer interaction
  - The student's ability to become an independent learner (Giangreco, Edelman, Luiselli, & Macfarland, 1997 and Marks, Schrader & Levine, 1999, Mueller & Murphy, 2001)

- Teacher role becomes clouded:
  - Teachers may not take responsibility for the student
  - Teachers may not know how to adapt the curriculum for special needs
  - Curriculum modification and adaptation may be left up to the paraprofessional
  - Assistant may be viewed as the "expert" in understanding student needs (Marks, Schrader, Levine, 1999; Giangreco, Edelman, Luiselli, & Macfarland,1999)

- Social Skills Development:
  - Parapros may separate the student from classmates
  - Hovering assistants interfere with natural supports and peer supports
  - Parapro interaction with sp.ed. student may interfere with general ed student's attention and concentration
  - Loss of gender identity--opposite gender (student's gender secondary to that of the parapro), bathroom, class activities)
  - Loss of privacy (Giangreco, Edelman, Luiselli, MacFarland,1999)

- Lack of Independent Functioning
  - Assistants may do too much for the student
  - Little evidence of fading of prompts (Giangreco, Edelman, Luiselli, MacFarland, 1999)

- Assistants perceive their job as helping the student not to be a "bother" to the teacher (Marks, Schrader, Levine,1999)

- Assistants may have little or no planning time with the teacher (Marks, Schrader, Levine, 1999)

Resources

“Analysis of state standards for paraprofessionals,” by Elizabeth W. Beale, *Journal of Instructional Psychology*, December, 2001.

“Considering Paraeducator Training, Roles, and Responsibilities,” by Diane Carroll, *Council for Exceptional Children*, Vol. 34, No. 2, pp. 60-64, 2001.

“Cooperative Learning and Strategies for Inclusion: Celebrating Diversity in the Classroom, Second Edition (Putnam), Brookes Publishing.com

Council for Exceptional Children Professional Standards for Special Education Paraeducators, 1999. Web site: cedprof@ced.sped.org

“Determining When a Student Requires Paraeducator Support,” by Patricia Mueller and Francis V. Murphy, *The Council for Exceptional Children*, 2001, Vol. 33 No. 6, pp 22-27.

“Enhancing Skills of Paraeducators: A Video-assisted Program,” TRI-SPED Projects, Department of Special Education and Rehabilitation, Utah State University, Logan UT, 84321-9981 or email: www.trisped.org

“Guidelines for Working with One-To-One Aides” by David F. Freschi, *The Council for Exceptional Children*, April 1999.

“Guide for Effective Paraeducator Practices in Iowa,” Iowa Department of Education, Division of Early Childhood, Elementary and Secondary Education, January 1998.

“Helping or Hovering? Effects of Instructional Assistant Proximity on Students with Disabilities,” Michael F. Giangreco, Susan W. Edelman, Tracy Evans Luiselli and Stephanie Z. Macfarland, *The Council for Exceptional Children*, Fall 1999, Vol. 64, Issue 1, pp. 7-17.

How to Be a Para PRO: A Comprehensive Training Manual for Paraprofessionals, by Diane Twachtman-Cullen, Ph.D. Starfish Specialty Press, 2000. P.O. Box 799, Higganum, CT 06441-0799 or email: www.starfishpress.com

“Identifying Paraprofessional Competencies for Early Intervention and Early Childhood Special Education,” by John Killoran, Torry Piazza Templeman, Joyce Peters, Tom Udell, Council for Exceptional Children, Vol. 34, No. 1, pp. 68-73.

“Knowledge and Skills for Teachers Supervising the Work of Paraprofessionals,” by Teri Wallace, Jongho Shin, Tom Bartholomay, Barbara J. Stahl, *The Council for Exceptional Children*, 2001, Vol. 67, No. 4, pp. 520-533.

National Resource Center for Paraprofessionals: A Paraeducator Training Program and Mentoring System, web site: http://www.nrcpara.org/articles/Atricle1.htm

“Paraeducator Experiences in Inclusive Settings: Helping, Hovering, or Holding Their Own?” by Susan Unok Marks, Carl Schrader, and Mark Levine, *The Council for Exceptional Children*, 1999, Vol 63, No. 3, pp.315-328.

Peer-Assisted Learning Strategies: Strategies for Successful Learning, web site: PALS@vanderbilt.edu or contact PALS Outreach, Box 328 Peabody, Vanderbilt University, Nashville, TN 37203-5701, 615-343-4782.

"Respect, Appreciation, and Acknowledgment of Paraprofessionals Who Support Students with Disabilities," by Michael F. Giangreco, Susan W. Edelman, Stephen M. Broer, University of Vermont, Exceptional Children, Vol. 67, No. 4. pp. 485-498, 2001.

"Restructuring Schools for all the Kids," California Department of Education (free video shows special education students receiving natural peer supports and interacting in inclusive settings without individual paraprofessional assistance), dmeind@wested.org or request from LRE Resources Project at (FAX) 916-492-4008.

Social Relationships and Peer Support: Teachers' Guides to Inclusive Practices by Martha E. Snell and Rachel Janney, BrookesPublishing.com

"Supervising Paraprofessionals: A Survey of Teacher Practices," by Nancy K. French, *Journal of Special Education*, Spring, 2001.

"The Paraprofessional's Role in Inclusive Classrooms: Support Manual, accompanies Video by California Department of Education, e-mail: ceitan@wested.org or call Dona Meinders at 916-492-9999 for free Video and support manual.

"Training Basic Teaching Skills to Paraeducators of Students with Severe Disabilities by Marsha B. Parson and Dennis H. Reid, The Council for Exceptional Children, March 1999.

Compiled by: Vicki Butler, Coordinator, Riverside County SELPA

BCOE PRESENTS

SEIS

TRAINING

SEIS
Special Education
Information System

January 28, 2019

Cost: FREE

Trainer: Dominic Manfredi

Location: BCOE Boardroom 1859 Bird St. Oroville, CA

Training Options #1: 12:30-3:00 PM **Register https://bcoe.k12oms.org/2224-159023**

Training Option #2 3:10-5:40 PM **Register https://bcoe.k12oms.org/2224-159025**

Both training options will be the same training, just offered at different times. The training will focusing on the basics (inputting information, progress reports, transition plan, goal writing, some services, invitations, etc) and some tips/tricks.

Please, bring your own device to connect to SEIS.

For information on registration contact Carla Geyer at cgeyer@bcoe.org.

For information on the training contact Maggie Daugherty mdaugher@bcoe.org or (530) 532-5888.

BUTTE COUNTY SELPA AND CDS PRESENT:

POSITIVE ALTERNATIVES TO SCHOOL EXCLUSION

KEEP KIDS IN SCHOOL WITH POSITIVE ALTERNATIVE APPROACHES

How do you handle chronic misbehavior? Over the past two decades, educators have begun to adopt proven, research-based alternatives to harsh school removal practices. In this training, participants will explore proven alternative approaches that help create environments for students to be successful both behaviorally and social/emotionally while maintaining consistent and equitable accountability for their actions.

FEBRUARY 6, 2019

LOCATION:
BCOE BOARDROOM
1859 BIRD STREET
OROVILLE, CA 95965

COST: $10
CHECKS/PO:
ATTN: JENNY DOLAN
1870 BIRD STREET
OROVILLE, CA 95965

TIME:
8:00 - 8:30 CHECK-IN
8:30 - 3:00 TRAINING
LUNCH ON YOUR OWN!

QUESTIONS:
LILY CHANG:
livang@bcoe org
(530) 532-5915

PRESENTERS:
LILY CHANG
JENNIFER GARCIA
SANDRA AZEVEDO
SHERI HANNI

REGISTER AT:
https://bcoe.k12oms.org/2224-158944

Butte County Office of Education
"WHERE CHILDREN COME FIRST"

DECONSTRUCTING EMOTIONAL DISTURBANCE ELIGIBILITY

Distinguishing ED from Conduct and Behavior to Avoid Over-Identification and Disproportionality

Presented by:

Aaron Benton * Elizabeth Edgington * Sarah Sutherland * Matt Darlington

Identification under "emotional disturbance" (ED) can be tricky, especially when it comes to discerning conduct and behavior from a true emotional disturbance under IDEA and Education Code. Combining an analysis of Butte County data, state guidelines, and case law decisions addressing ED, trainers will provide a thorough coverage of the topic that will ensure school teams will utilize best practices in school psychology in ED assessment and decision-making.

FEBRUARY 27, 2018

LOCATION:
BCOE BOARDROOM
1850 Bird Street
Oroville, CA 95965

AUDIENCE: Administrators, psychologists, clinicians, other interested professionals.

TIME OPTIONS:
MORNING: 8:30 - 11:30
AFTERNOON: 12:30 - 3:30
Check-in is 30 minutes prior to training.

QUESTIONS:
Aaron Benton (530) 532-5621
abenton@bcoe.org

COST: $10
CHECK/PO:
Attn: Jenny Dolan
1870 Bird Street
Oroville, CA 95965

REGISTER AT:

MORNING: https://bcoe.k12oms.org/2224-159919

AFTERNOON: https://bcoe.k12oms.org/2224-159923

Butte County SELPA
Butte County Special Education Local Plan Area

http://selpa.bcoe.org/

LEARNING THE R.O.P.E.S FOR IMPROVED EXECUTIVE FUNCTIONING*

*** NEW MATERIAL ADDED FROM STUDY SKILLS COMPANION BOOK**

Participants will identify how problems commonly associated with executive dysfunction present in children with ASD (Autism Spectrum Disorders) and other behavioral and learning disorders. Strategies for improving recall, organization and planning skills, priority setting and goal directed behavior, time management, evaluation skills and self-management will be provided through the comprehensive curriculum Learning the R.O.P.E.S. for Improved Executive Function. The curriculum provides a framework for teaching strategies, providing appropriate structure and supports to assist individuals at gaining greater independence with these critical skills. NEW content/lessons from study skills companion book.

R.O.P.E.S

Training Location: BCOE Board Room, 1859 Bird St. Oroville

Training Days and Times: March 6, 2019 8:30-4:30 (lunch provided)

Participants: Limited to 40

Training Fee: Free for Parents of Butte County students (limited to the first 7 registered)

$125 for school staff working in Butte County

$150 outside of Butte County SELPA *preference given to parents and school employees in Butte County

Includes: Choice of book #1 R.O.P.E.S book with companion forms CD. #2 The Study Skills Curriculum: Developing Organized Successful Students Elementary-High School

Participant Outcomes:

- An understanding of executive dysfunction in children with high functioning autism and Asperger Syndrome
- Strategies to address the behavior excesses and deficits typically associated with these disorders
- Step by step instruction on teaching the skills necessary for overcoming many deficits of executive functioning including:
  - Recall
  - Organization and planning
  - Prioritizing and goals setting
  - Evaluation and critical thinking skills
  - Self management
- Strategies to provide the necessary structure and support while these skills are being acquired

To registration: Go to https://bcoe.k12oms.org/2224-162286

Registration deadline: March 1, 2019

Questions?: Contact Carla Geyer (530)532-5922 or cgeyer@bcoe.org

*****To Submit Payment*****

Send checks or purchase orders (payable to Butte County SELPA) to:

Butte SELPA, Attn: Jenny Dolan, 1870 Bird St., Oroville, CA 95965

Purchase Orders may also be emailed to jdolan@bcoe.org

Presented by: Patricia Schetter, M.A., B.C.B.A from Autism and Behavior Training Associates (ABTA)

Facilitated by: Butte County SELPA

Butte County SELPA
Sutter County SELPA
Yuba County SELPA

Multi-SELPA Legal Professional Development Series

Thursday – MARCH 28, 2019

8:30 – 3:30 P.M.

SUTTER COUNTY SUPERINTENDENT OF SCHOOLS – Boyd Hall

970 Klamath Lane, Yuba City, CA 95993

Space is limited to 120 participants

Priority will be given to educational stakeholders within Butte, Sutter, and Yuba County SELPAs.

Developing Trauma-Informed IEPs
&
Effective Strategies for Addressing Trauma

Presenter: Heather M. Edwards, Attorney at Law

Girard, Edwards, Stevens & Tucker LLP

This training will provide focus on developing IEPs that address the impact of trauma on overall student achievement. With a clear focus on building a Multi-Tiered System of Support (MTSS) through collaborative and inclusive practices, Ms. Edwards will help superintendents of districts and county offices, school district administrators, board members, service providers, community partners and families understand current legal trends changing how support students with disabilities impacted by trauma. School-based mental health staff will share effective strategies in addressing trauma through the IEP.

To Register: CLICK HERE

Sponsored by: Alternate Dispute Resolution Grants of Butte, Sutter, and Yuba County SELPAs

Butte County SELPA
Sutter County SELPA
Yuba County SELPA

Multi-SELPA Legal Professional Development Series

Thursday – MARCH 21, 2019

8:30 – 3:30 P.M.

YUBA COUNTY ONE STOP – BECKWOURTH ROOM (2nd FLOOR)

1114 Yuba Street, Marysville, CA 95901

Space is limited to 75 participants

Priority will be given to educational stakeholders within Butte, Sutter, and Yuba County SELPAs.

The Collision of ESSA, ADA, and IDEA: Considerations for MTSS Implementation

Presenter: Jan E. Tomsky, Attorney at Law

Fagen Freidman & Fulfrost LLP

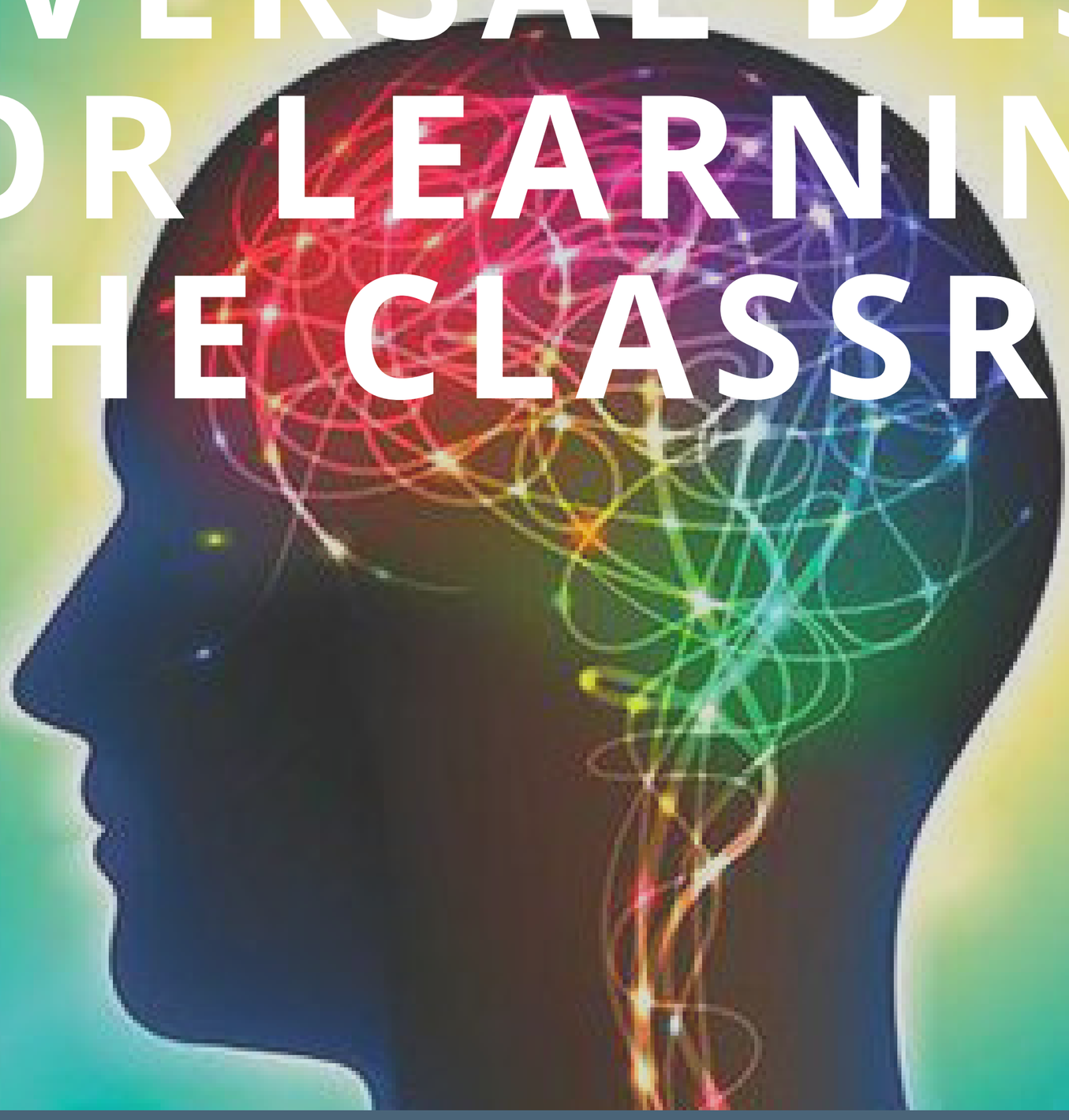
In California, ALL means ALL. This training will provide focus on where current case law supports collaborative, equitable, and inclusive educational practices based on ESSA, ADA, and IDEA for ALL students. With a clear focus on building a Multi-Tiered System of Supports (MTSS) through collaborative and inclusive practices, Ms. Tomsky will help superintendents of districts and county offices, school district administrators, board members, service providers, community partners and families understand current legal trends changing how stakeholder groups are working to design the delivery of educational supports and services in school environments that will meet the legal educational, behavioral, and social-emotional needs of ALL students. MTSS has highlighted the opportunity for ALL students to be educated in equitable, accessible and inclusive environments not only in schools; but also the workplace.

To Register: CLICK HERE

Sponsored by: Alternate Dispute Resolution Grants of Butte, Sutter, and Yuba County SELPAs

Dr. Katie Novak
Author of *UDL Now* Presents

UNIVERSAL DESIGN FOR LEARNING IN THE CLASSROOM



APRIL 2, 2019 | 8:30-4:00 PM
CHICO STATE UNIVERSITY BMU ROOM 210

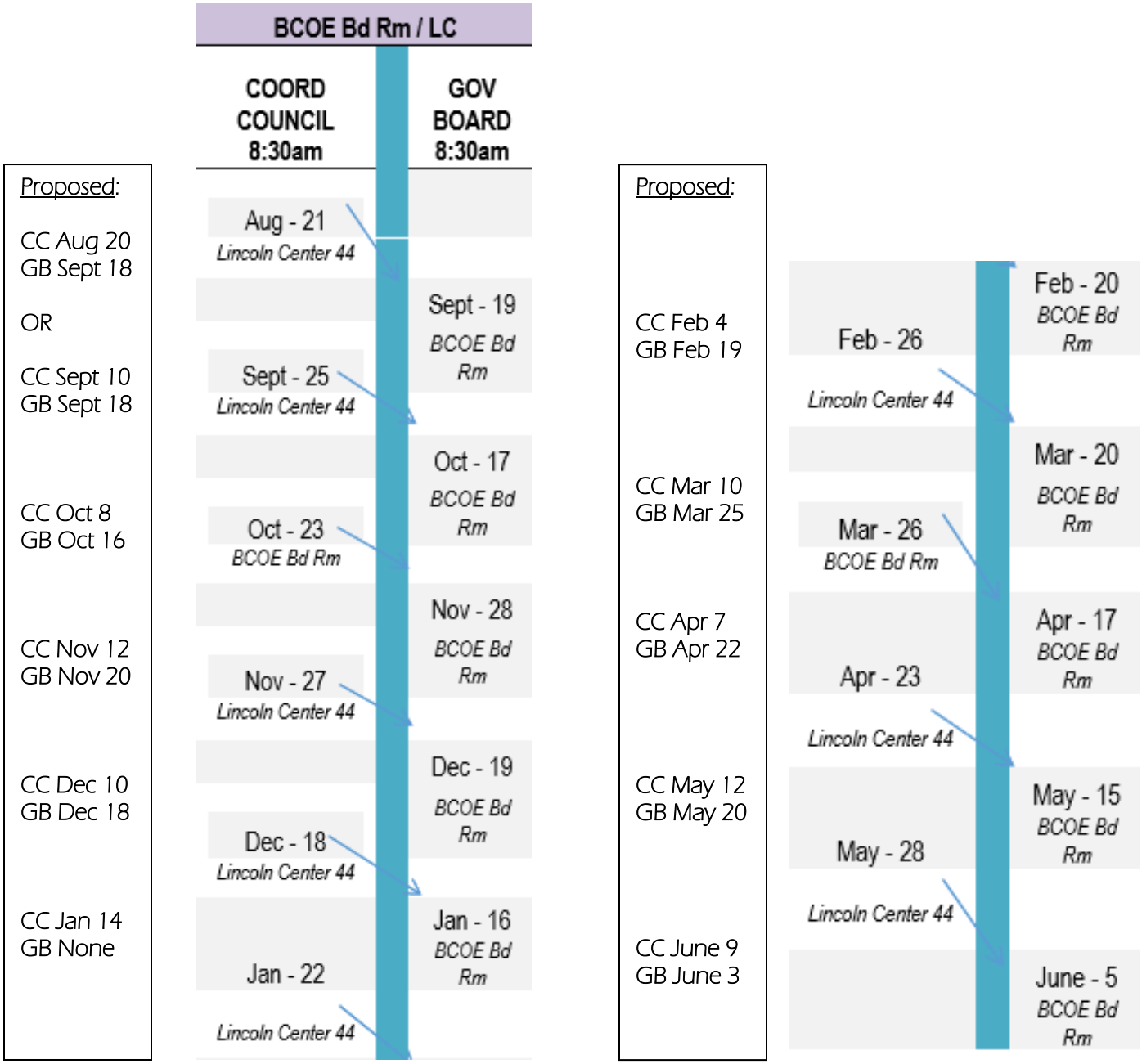
TEACHERS WILL LEARN STRATEGIES TO MAKE INCLUSION SUCCESSFUL FOR ALL LEARNERS! DON'T MISS THIS DYNAMIC PRESENTATION ON HOW TO CREATE AN ENGAGING LEARNING ENVIRONMENT BASED ON BRAIN RESEARCH & THE PRINCIPLES OF UDL! THIS TRAINING IS FOR ALL EDUCATORS & SUPPORTS A MULTI-TIERED SYSTEM OF SUPPORT (MTSS).

COST: $120 PER PERSON (COFFEE/TEA & LUNCH INCLUDED)
REGISTRATION/CANCELLATION DEADLINE: MARCH 26, 2019
REGISTER @ HTTPS://BCOE.K12OMS.ORG/2224-154964

CHECKS/PO TO:
BUTTE COUNTY SELPA, JENNY DOLAN
1870 BIRD ST OROVILLE, CA 95965
QUESTIONS: CGEYER@BCOE.ORG

SPONSORED BY BUTTE COUNTY SELPA

Discussion on SELPA 2019-2020 Dates



Questions for the group: Do you want to have a meeting or retreat June 9 or August 20?

Do you want to keep an August and September meeting?

School Services of California INC.
An Employee-Owned Company

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•
Suite 1060
•
Sacramento
•
California 95814
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TEL: 916 . 446 . 7517
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FAX: 916 . 446 . 2011
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www.sscal.com

MEMORANDUM

January 11, 2019

To: Members, Coalition for Adequate Funding for Special Education

From: Michelle McKay Underwood and Debbie Fry
School Services of California, Inc.

Re: Governor's 2019-20 State Budget Proposal

On Thursday, January 10, 2019, Governor Gavin Newsom unveiled his first proposed State Budget for the upcoming 2019-20 fiscal year. Governor Newsom enjoys a much more positive financial and economic environment at the release of his first State Budget than his predecessor. Governor Newsom inherits a state that is enjoying a strong economy and an historic budget surplus due primarily to the prudent policies of Governor Jerry Brown.

In Governor Newsom's first State Budget proposal we see a continued commitment to the Local Control Funding Formula (LCFF) by providing the statutory cost-of-living adjustment (COLA), but nothing more like we saw during the gap closure years and this year's augmented COLA.

Over the last several years, Proposition 98 has provided significant gains to schools as funding cuts endured through the Great Recession have been restored. Proposition 98 minimum guarantee has declined from the 2018 Budget Act for both 2017-18 and 2018-19 due to lower-than-anticipated average daily attendance (ADA) and a year-over-year decline in General Fund revenue growth from 2017-18 to 2018-19. For 2019-20, the Governor's Budget proposes a Proposition 98 guarantee of $80.7 billion, an increase of $2.8 billion year over year.

Statewide, ADA is expected to continue declining—from 5.935 million in 2018-19 to 5.928 million in 2019-20.

The estimated statutory COLA for K-12 education programs in 2019-20 is 3.46%, and is applied to the LCFF base grant targets, as well as other educational programs, including Special Education. The Governor's 2019-20 State Budget proposal includes an increase of $2 billion in Proposition 98 for the LCFF reflecting the 3.46% COLA. This brings LCFF funding to $63 billion.

Special Education

Governor Newsom proposes $576 million (of which $186 million is one-time) to support expanded services and school readiness supports at local educational agencies (LEAs) with high percentages of both students with disabilities and unduplicated students. These funds would be provided directly to eligible LEAs, which may use the grants to fund supplemental services not currently included in an individualized education program for a student with disabilities and for preventative services that may reduce the need for additional services in future years.

Noting that school districts were most likely to be identified as needing support because of poor performance on outcome indicators for students with disabilities, this funding can also be used to adopt strategies to improve Special Education student outcomes identified through the statewide system of support and/or other activities to build upon or expand local multi-tiered systems of support efforts.

Finally, the Administration intends to pursue policy changes to improve coordination regarding Medi-Cal billing to better leverage available federal funding for medically related Special Education costs.

The focus on students with disabilities is welcome news from the first State Budget proposal of Governor Newsom. There are many unknowns to this proposal as the Administration is still crafting the details, which will be laid out when trailer bill language is released in the beginning of February. We look forward to working with the Administration and the Legislature to target new Special Education resources where there is greatest need.

The 3.46% COLA on the Assembly Bill (AB) 602 formula is estimated at $18.672914, bringing the statewide target to $558.352514. (This is our best estimate at this time since an official 2018-19 AB 602 Statewide Target Rate has not yet been released by the California Department of Education [CDE].)

Early Childhood Education: Child Care, Preschool, and Kindergarten

Governor Newsom's first State Budget includes significant new investments in children and young learners as a critical part of his "California for All" vision. Many of his proposals leverage one-time funding as a way to ensure that the state does not overcommit itself while building the essential components of the early care and education (ECE) infrastructure. Governor Newsom's ECE budget includes the following key investments:

- Universal Preschool: The Budget proposes instituting universal preschool for all low-income four-year-olds in California over a three-year period, and includes a first-year investment of $124.9 million in non-Proposition 98 funding for new full-day preschool slots for community-based providers. The Budget also proposes to shift $297.1 million in non- LEAs part-day slots from Proposition 98 to the non-Proposition 98 portion of the Budget to enable community-based providers greater flexibility to draw down full-day, full-year funding for state preschool slots. Finally, the Budget proposes to remove a barrier for families to access full-day wraparound services under the State Preschool Program by eliminating the requirement to demonstrate that the need for care stems from employment or postsecondary enrollment.

- Full-Day Kindergarten: To incentivize the provision of full-day kindergarten throughout the state for which facilities constraints are viewed as a barrier, the Governor's Budget invests $750 million in one-time (non-Proposition 98) funding to build new kindergarten facilities, which LEAs have

identified as the biggest barrier to providing full-day programs. This investment builds upon the 2018 Budget Act's $100 million investment for the same purpose and administered by the Office of Public School Construction (OPSC).

- Birth to Three: The Governor proposes to spend over $200 million in state and federal funds on home visiting programs and child developmental and health screenings as a way to bridge the child readiness gap and ensure positive health and life outcomes for all children.

- Child Care: The State Budget proposes $490 million in one-time funding (non-Proposition 98) for child care facilities ($245 million) and the professional development of child care workers ($245 million—non-Proposition 98) to improve the overall quality of child care.

- As part of long-term visioning, the Governor proposes to invest $10 million to develop a child care and universal preschool roadmap for California. The roadmap will address systems capacity issues, workforce development needs, and identify funding options. Additionally, the roadmap may contemplate changes to Transitional Kindergarten due to its intersection with universal preschool. This work will augment California's federal preschool development grant for which the CDE is conducting state needs analysis.

Systems of Support

The new Administration is committed to continuing the evolving accountability system that has been implemented as part of the LCFF. With the latest release of the California School Dashboard in December 2018, 374 school districts have been identified for differentiated assistance. The proposed 2019-20 State Budget provides $20.2 million in additional funding for county offices of education to work with these identified districts as required by statute. These funds will be distributed consistent with the formula adopted in the 2018-19 State Budget.

Longitudinal Data System

Governor Newsom is proposing $10 million one-time non-Proposition 98 to plan for and develop a longitudinal data system that would connect student data from early education providers, K-12 schools, higher education institutions, employers, other workforce entities, and health and human services agencies. The funding would be used for initial planning purposes and the initial stages of implementation, once an implementation plan is adopted by the Administration and the Legislature.

CalSTRS Payments

Governor Newsom's proposed State Budget recognizes the growing burden of pension rate increases that LEAs face. A total of $3 billion in one-time non-Proposition 98 funds will be used to buy down California State Teachers' Retirement System (CalSTRS) employer contribution rates in 2019-20 and beyond and to reduce employers' long-term unfunded liability. Based on current assumptions, a $700 million investment would be used to decrease the statutory CalSTRS employer contributions in 2019-20 of 18.13% to 17.1% and in 2020-21 from 19.1% to 18.1%. The remaining $2.3 billion would be applied toward employers' long-term unfunded liability (which is expected to translate to an estimated reduction in the employer contributions beyond 2020-21 of approximately half a percentage point).

The proposed State Budget also includes additional payments to address the state's share of the CalSTRS liability. In addition to the statutorily required $3.3 billion state CalSTRS contribution,

$1.1 billion will go toward the state's share of the CalSTRS Defined Benefit Program. This is expected to be the first installment of an estimated $2.9 billion to be paid to CalSTRS through 2022-23.

Next Steps

Yesterday's proposal kicks off the months-long State Budget process. The first legislative hearings on the State Budget—which will inevitably be a very high-level overview—are scheduled for January 17, 2019, in the Senate and January 29, 2019, in the Assembly.

Over the next several months, the Legislature will delve into the proposal and discuss their own funding priorities. Generally, minor policy and funding decisions are made prior to the May Revision, at which time the Governor revises his proposals based on stakeholder feedback and new economic projections. Governor Newsom will negotiate with members of the Legislature and we will likely see many changes to the 2019-20 State Budget before the June 15 constitutional deadline.