

## Instruction

AR 6159

## INDIVIDUALIZED EDUCATION PROGRAM

## Individualized Education Program (IEP) Team

The IEP team for any student shall include at least the following members: (Education Code 56341; 34 CFR 300.344)

1. An administrator, program specialist or other specialist who is knowledgeable of program options appropriate for the student and qualified to provide or supervise the provision of special education.
2. The student's present teacher. If the student does not presently have a teacher, this member shall be:
  - a. The teacher with the most recent and complete knowledge of the student, one who has also observed the student's performance in an appropriate setting.
  - b. If the teacher described in #a above is not available, a regular classroom teacher or a special education teacher qualified to teach at the student's age level.
3. One or both of the student's parents/guardians and/or a representative chosen by the parent/guardian pursuant to the Code of Federal Regulations, Title 34, Part 300.345.

When appropriate, the IEP team also shall include: (Education Code 56341; 34 CFR 300.344)

4. The student with disability.
5. Other individuals at the discretion of the parent/guardian, district SELPA or county office of education.

For a student who has been evaluated for the purpose of developing, reviewing or revising the IEP, a member of the evaluation team shall be present, or at least one of the persons present shall be knowledgeable about the evaluation (assessment) procedures, familiar with the results of the student's previous assessment, if any, and qualified to interpret the results of the assessment which are significant to development of the student's IEP. (Education Code 56341; 34 CFR 300.344)

For students with suspected learning disabilities, at least one member of the IEP team shall be a person other than the student's regular I

teacher who has observed the student's educational performance in an appropriate setting. If the child is younger than five years or not

enrolled in school, a team member shall observe the child in an appropriate environment. (Education Code 56341)

Any of the following may participate, as appropriate:

1. A regular teacher of the student whenever the student is transferred to a regular class or when the services of a regular teacher are included as part of the student's IEP.

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## INDIVIDUALIZED EDUCATION PROGRAM {continued}

2. The program specialist, school psychologist, school nurse, school social worker, counselor, or other student services worker who has conducted an assessment of the student, when the assessment is significant to the development of the IEP.
3. Any other person whose competence is needed because of the nature and extent of the student's disability.
4. A public agency representative fluent in the student's primary language.

**Individualized Education Program (IEP)**

The IEP shall be a written statement determined in a meeting of the IEP team. It shall include at least the following: {Education Code 56345, 34 CFR 300346}

1. The present levels of the student's educational performance.
2. Annual goals, including short-term instructional objectives.
3. The specific special education instruction and related services required by the student.  
(*cf. 3541.2 -Transportation for Students with Disabilities*)
4. The extent to which the student will be able to participate in regular education programs.
5. The projected date for initiation and anticipated duration of such programs and services.
6. Appropriate objective criteria, evaluation procedures and schedules for determining, on at least an annual basis, whether short-term instructional objectives are being achieved.
7. The IEP team's determination as to whether differential proficiency standards shall be developed for the student. When developed, these standards shall be included in the IEP.
8. A plan to transition the student into post-school activities for all students 16 years of age, and for all students 14 years of age whose IEP team deems it appropriate on an individual basis. (Education Code 56345.1, 20 U.S.C. 1401)

Where appropriate, the IEP shall also include: {Education Code 56345}

1. Prevocational career education for students in grades K-6 or students of comparable chronological age.
2. Vocational education, career education or work experience education in preparation for remunerative employment, including independent living skill training, for students in grades 7-12 or of comparable chronological age who require differential proficiency standards.
3. For students in grades 7-12, any alternative means and modes necessary for the student to complete the district's prescribed course of study "and to meet or exceed proficiency standards required for graduation.

**(*cf. 6146.4 -Differential Graduation and Competency Standards for Individuals with Exceptional Needs*)**

4. Linguistically appropriate goals, objectives, programs and services for students whose primary

language is not English.

5. Extended school year services when needed, as determined by the IEP team.

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**INDIVIDUALIZED EDUCATION PROGRAM (continued)**

6. Provision for transition into the regular education program if the student is to be transferred from a special class or center, or nonpublic, nonsectarian school, into a regular education program in a public school for any part of the school day.

The IEP shall include descriptions of activities intended to:

- a. Integrate the student into the regular education program, including indications of the nature of each activity and the time spent on the activity each day or week.
  - b. Support the transition of the student from the special education program into the regular education program.
7. Specialized services, materials and equipment for students with low incidence disabilities, consistent with the guidelines of Education Code 56136.

To meet the unique needs of a deaf or hard-of-hearing student in the least restrictive environment, the IEP team shall also consider services and program options that provide the student with an equal opportunity for communication access. The IEP team shall discuss:

1. The student's primary language mode and language, which may include the use of spoken language with or without visual cues, and/or the use of sign language.
2. The availability of a sufficient number of age, cognitive and language peers of similar abilities.
3. Appropriate, direct and ongoing language access to special education teachers and other specialists who are proficient in the student's primary language mode and language. Services necessary to ensure communication-accessible academic instructions, school services and extracurricular activities.

**Due Process/Mediation**

All parts of the IEP to which the parent/guardian has consented in writing shall be implemented without delay. If the Superintendent or designee determines that a part of the proposed IEP to which the parent/guardian does not consent is necessary in order to provide a free and appropriate public education to the student, he/she shall either initiate a due process hearing or a prehearing mediation conference with the state pursuant to Education Code 56500.3. While the due process hearing or prehearing mediation conference is pending, the student shall remain in his/her current placement unless the parent/guardian and the Superintendent or designee agree otherwise. (Education Code 56346)

While a due process hearing is pending, the Superintendent or designee may choose to meet informally with the parent/guardian pursuant to Education Code 56502 or may hold a mediation conference pursuant to Education Code 56503. If a due process hearing is held, the hearing decision shall be the final administrative determination and shall be binding upon the parties. (Education Code 56346)

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## INDIVIDUALIZED EDUCATION PROGRAM (continued)

**IEP Team Meetings**

The IEP team shall meet: (Education Code 56343)

1. Whenever a student has received an initial formal assessment. The team may meet when a student receives any subsequent formal assessment
2. Whenever the student demonstrates a lack of anticipated progress.
3. Whenever the parent/guardian or teacher requests a meeting to develop, review, or revise the IEP.
4. At least annually, to review the student's progress, the IEP, and the appropriateness of placement; and to make any necessary revisions. The IEP team shall conduct this review. Others may participate if they have essential expertise or knowledge.

When a parent/guardian requests an IEP team meeting to review the IEP, the team shall meet within 30 days of receiving the parent/guardian's written request, not counting days in July and August. (Education Code 56343.5)

A regular education or special education teacher may request a review of the classroom assignment of a special education student by submitting a written request to the Superintendent or designee. The Superintendent or designee shall consider the request within 20 days of receiving it, not counting days in July and August. If his/her review indicates a change in the student's placement, instruction and/or related services, the Superintendent or designee shall convene an IEP meeting, which shall be held within 30 days of the Superintendent or designee's review, not counting days in July or August, unless the student's parent/guardian consents to an extension of time.

At each IEP meeting convened by the district, the district administrator or specialist on the team shall inform the parent/guardian and student of the federal and state procedural safeguards included in the notice of parental rights provided pursuant to Education Code 56321.

Parents/guardians and the district shall have the right to audiotape the proceedings of IEP meetings, provided members of the IEP team are notified of this intent at least 24 hours before the meeting. If the district gives notice of intent to audiotape a meeting, and if the parent/guardian objects or refuses to attend because the meeting would be audiotaped, the meeting shall not be audiotaped. Parents/guardians also have the following rights: {Education Code 56341)

1. To inspect and review the audiotapes.
2. To request that the audiotapes be amended if the parent/guardian believes they contain information that is inaccurate, misleading, or in violation of the student's privacy rights or other rights.
3. To challenge, in a hearing, information that the parent/ guardian believes is inaccurate, misleading, or in violation of the student's privacy rights or other rights.

Regulation  
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CULVER CITY UNIFIED SCHOOL DISTRICT  
Culver City, California