



Community Advisory Committee Division of Special Education Report February 2022



Status on Individualized Education Program (IEP) Team Meetings

During this global pandemic, LAUSD and the Division of Special Education continues its commitment to holding IEP team meetings in a timely manner. As of 1/31/2021, LAUSD has conducted approximately 58,906 IEP team meetings during the 2021-22 school year. Parents are encouraged to participate in IEP team meetings, in-person, virtually and/or via telephone, and if there are any questions on how to do so, they are encouraged to reach out to their child's case carrier or the school administrator. The District is continuing to send text message reminders to parents regarding scheduled IEP team meetings and reminders on returning the IEP consent page (either in agreement or disagreements to all or part of the IEP). Parents can use Adobe Sign to electronically sign IEP documents such as the IEP consent page and notification to participate in IEP team meeting form. In addition, the "Virtual IEP Team Meeting Informational Video for Parents" is available in English and Spanish on the Division of Special Education – Parents webpage at <https://achieve.lausd.net/spedParents>

Nominate an Outstanding Educator for Teacher of the Year 2022

Los Angeles Unified extends the opportunity to all stakeholders to nominate teachers for the Los Angeles Unified Teacher of the Year Program. The Teacher of the Year Program honors teachers with a strong commitment to their students, school and community. The program spotlights positive aspects of education and pays tribute to our richly diverse teaching force.

Who can submit a nomination? Any Los Angeles Unified employee, parent or student may submit a nomination and are encouraged to do so.

Who is eligible? To be eligible, the teacher must have at least 8 years of teaching experience (five of which must be in Los Angeles Unified) and meet the following criteria:

- Fully credentialed teachers who teach pre-kindergarten through grade twelve
- Teacher of adults who provide instruction in the same curriculum as those who teach in elementary and secondary grades
- Teachers who have some administrative responsibilities, but for whom teaching students is a primary responsibility
- Teachers who are available to fulfill ambassadorial duties during the year

To Nominate a teacher- Please access the attached [Los Angeles Unified Teacher of the Year Nomination link](#).

Division of Special Education Parent Trainings

The Division of Special Education developed a series of trainings to provide families and the school community with information about special education, the Individualized Education Program (IEP) team meeting and an overview on parents' rights. The upcoming online parent training will be held via Zoom in both a morning and evening session. Translation services will be available.

Parent Participation at IEP Team Meetings

Date: Thursday, February 24, 2022

Time: 10:00 AM-11:00 AM and 6:00 PM-7:00 PM

Meeting ID: **853 3948 8574**

Login Link: <https://lausd.zoom.us/j/85339488574>

Presentation materials of previous trainings may be accessed on the Division of Special Education - Parent webpage at <https://achieve.lausd.net/spedParents>.



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Extended School Year (ESY) (June 27, 2022 to July 22, 2022)

California Code of Regulations, Title 5, Section 3043(d) states: “ESY services shall be provided, in accordance with 34 C.F.R. section 300.106, for each individual with exceptional needs who has unique needs and requires special education and related services in excess of the regular academic year. Such individuals shall have disabilities which are likely to continue indefinitely or for a prolonged period, and interruption of the pupil's educational programming may cause regression, when coupled with limited recoupment capacity, rendering it impossible or unlikely that the pupil will attain the level of self-sufficiency and independence that would otherwise be expected in view of his or her disabling condition.”

The ESY Student Enrollment window is from February 22nd – June 1st. Parents may enroll on the Parent Portal. Please refer to the ESY webpage of more information, including the ESY brochure and [ESY Student Enrollment flyer](#). The ESY webpage is updated regularly. Please visit <https://achieve.lausd.net/spedESY>.

Save the Date Announcement – California’s Institute on Secondary Transition, Bridge to the Future Conference

Interested families, administrators, community collaborators and educators of pre-kindergarten – age 22 students who are committed to support all students be prepared for the future are invited to save the date for the California’s Institute on Secondary Transition, Bridge to the Future Conference V: Spanning the Transition Landscape; “The Times They Are a Changing” is scheduled for March 7–9, 2022. More information is forthcoming.

Parent Portal

As a friendly reminder, we highly encourage all parents to access the Parent Portal where various special education documents (i.e., IEP document) and reports (i.e., service delivery) are available. To access the Parent Portal, visit: <https://parentportalapp.lausd.net/parentaccess/>

New Recoupment Webpage Now Available

The Division of Special Education developed a new webpage to answer frequently asked questions regarding recoupment. The webpage is now available and will be updated as additional resources become available. Please visit this new webpage at <https://achieve.lausd.net/Page/17665>.

Phone Numbers

LAUSD General Hotline: 213-431-4300
 Division of Special Education School and Family Support Services: 213-241-6701
 LAUSD School Mental Health Hotline: 213-241-3840
 Technology Access: 213-443-1300

Local District Special Education Offices

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|---------------------------|-------------------------|-----------------------------|
| LD Central (213) 241-1378 | LD West (310) 235-3700 | LD Northeast (818) 686-4400 |
| LD East (323) 224-3300 | LD South (310) 354-3431 | LD Northwest (818) 654-5001 |

Websites

Division of Special Education: <https://achieve.lausd.net/sped>
 General Resources Welcome Back to School: <https://achieve.lausd.net/resources>
 Office of Parent and Community Services (PCS): <https://achieve.lausd.net/pcss>
 Safe Steps to Safe Schools (COVID-19): <https://achieve.lausd.net/covidtestingappt>



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Request for Feedback and Input: CAC Guide 5th Edition

A review and revision committee has updated the original sections of the “CAC Community Advisory Committee Guidelines” Fourth Edition 2011 and are now seeking additional input and feedback from CAC members, SELPA, CDE, Parent Centers, and related partners. Information you share is important and will enhance the collaborative effort of creating the California Special Education Local Plan Area (SELPA) Community Advisory Committee Guide, 5th Ed. (2021). For your convenience, please access this attached [California CAC Handbook Version 4th edition](#).

SELPA/CDE Information

Assembly Bill 130 Independent Study FAQs

What are the changes to independent study that have occurred through Assembly Bill (AB) 130?

Information concerning changes to independent study under AB 130 is provided in the following notifications and information from the State Superintendent of Public Instruction and the California Department of Education (CDE):

AB 130 Changes to Independent Study Requirements

Independent Study Notice Pertaining to AB 130 and Alternative Schools and Programs of Choice

2021–22 Attendance Accounting and Instructional Time Independent Study FAQs

Is independent study available for students with disabilities (SWD)?

Education Code 51745(c) states that if the Individualized Education Program (IEP) team determines it is appropriate, a student with a disability can participate in independent study. Education Code 51745(a)(3) does not say otherwise. That section states that “[e]ducational opportunities offered through independent study may include, but shall not be limited to, the following . . . (3) Individualized alternative education designed to teach the knowledge and skills of the core curriculum. Independent study shall not be provided as an alternative curriculum.”

The California Department of Education does not interpret this language to preclude any students with disabilities from being placed in independent study, because Education Code Section 51745(c) says they can. Nothing in federal or state law precludes a student with an IEP from participating in independent study with any supports or modifications the IEP team determines to be appropriate and necessary to provide Free Appropriate Public Education (FAPE).

The longstanding reference to an “alternative curriculum” in Education Code 51745(a)(3) simply states that local educational agencies (LEAs) may not provide independent study as an alternative curriculum. When a student is placed in an independent study program, they should receive access to the same curriculum they received when participating in in-person instruction, not an alternative curriculum to the curriculum they were receiving when participating in in-person instruction.

Are there any changes through AB 130 specific to special education?

Local Educational Agencies (LEAs) are required to offer independent study to all students upon request, including SWDs as determined appropriate by the IEP Team.



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The EC 51745(c) states:

An individual with exceptional needs, as defined in Section 56026, shall not participate in independent study, unless the pupil's individualized education program developed pursuant to Article 3 (commencing with Section 56340) of Chapter 4 of Part 30 specifically provides for that participation.

EC 51747(g)(7) requires that written agreements for each independent study pupil include:

A statement detailing the academic and other supports that will be provided to address the needs of pupils who are not performing at grade level, or need support in other areas, such as English learners, individuals with exceptional needs in order to be consistent with the pupil's individualized education program or plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794), pupils in foster care or experiencing homelessness, and pupils requiring mental health supports.

What should I do if I think independent study is right for my child or if my child is in quarantine? What are the steps?

If you believe that independent study is an appropriate placement for your student, you should contact your student's IEP team to inform them that you are requesting independent study. You may wish to request an IEP amendment to document independent study as the appropriate placement for your student, or that an IEP meeting be held to discuss this option if the LEA does not agree to amend the IEP without a meeting.

If your student is in quarantine, you should work with your student's teachers and IEP team to determine the best way to support your student's access to the general education curriculum and to continue working on their goals. Your student's IEP should contain a description of the means by which the IEP will be provided under emergency conditions, such as an epidemic, if the instruction or services cannot be provided to the pupil, either at the school or in person for more than 10 school days.

Is independent study a change of placement for a special education student?

Yes, enrollment in independent study is considered a change in placement for a special education student. This requires an agreement of the parent/guardian and LEA in an IEP meeting, or via amendment without a meeting.

Can the local educational agency and parent/guardian agree to make a change in placement via an IEP amendment?

Yes. AB 130 has not changed the ability to amend an IEP without a meeting. A parent/guardian and LEA may agree not to convene an IEP team meeting to make changes to a child's IEP and may instead develop a written document to amend or modify the current IEP (34 Code of Federal Regulations [CFR] 300.324[a][4]). If the parent/guardian and the LEA agree on an independent study placement then this change can be made via an IEP amendment, but if there is disagreement or further discussion is needed then the team should hold an IEP meeting to determine an appropriate placement.

Are students required to complete work independently to qualify for independent study?

No. Nothing in the statute supports imposing such a condition on participation in independent study. The written policies that must be adopted and implemented for independent study focus on ability to make satisfactory educational progress and provision of independent study content, aligned to grade level standards, that is substantially equivalent to in-person instruction (EC 51747[b] & [c]). As with services in classroom-based settings, students who require adult assistance or support may be able to make satisfactory educational progress and to receive substantially equivalent content with such assistance and support. Accordingly, students with exceptional needs may participate in independent study only if the student's individualized education program provides for such participation (EC 51745[c]). Such determination should,



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consistent with state and federal requirements, be based on an individualized determination about whether a student can be provided FAPE and otherwise make satisfactory educational progress under their IEP, including provision of special education and related services, which may include adult assistance or support as appropriate.

If a parent/guardian of a student with special needs requests independent study, may a local educational agency make an offer of FAPE without considering whether FAPE can be provided via the independent study program?

No. EC 51745(a)(6) provides that, for the 2021–22 school year, a school district shall offer independent study if a parent or guardian determines that in-person instruction would put a student’s health at risk. Although the statute provides that SWDs needs may participate in independent study only if the student’s individualized education program provides for such participation (EC 51745[c]), this does not authorize a school district to refuse to consider providing independent study to a student solely on the basis of the student’s disability. Rather, consistent with state and federal requirements for special education, such determinations should include an individualized determination about the ability to provide FAPE in an independent study setting. A school district is required to provide prior written notice (PWN) when it refuses to change the placement for a student with a disability.

What are the options when a parent/guardian and the local educational agency disagree about a student’s placement?

The LEA and parents/guardians should continue to work together to find an agreeable solution. While the LEA and the parents/guardians are working to find the best option, the student needs to be receiving services as indicated on the operative IEP, and the LEA needs to ensure that services are being provided pursuant to that IEP. If an LEA and parents/guardians cannot come to an agreement regarding a student’s placement, the parties can utilize the dispute resolution processes. Information on alternative dispute resolution (ADR) options can be located by contacting the LEA or the special education local plan area. In December of 2020 the Director of Special Education, Heather Calomese, provided an informational letter explaining COVID-19 and Special Education Dispute Resolution, state mediation and complaints. Parents/Guardians may wish to contact their local Parent Training and Information Center, or Family Empowerment Centers for additional information and support.

Is independent study available for preschoolers or 18–22-year-olds receiving special education supports and services?

AB 130 does not include the offer of independent study for preschool services for SWDs. The LEA should collaborate with their preschool program to address concerns regarding appropriate placements.

AB 130 does not preclude students 18–22 from participating in independent study as appropriate.

Questions: Special Education Division | SEInfo@cde.ca.gov | 916-445-4613

Last Reviewed: Thursday, January 27, 2022