The continuum of service delivery options available in Contra Costa SELPA offers a range for consideration by Individualized Education Plan (IEP) teams to address the individual needs of students with disabilities. Each public agency must ensure that a continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services (34 CFR 300.115).

It is the responsibility of education to provide eligible students with disabilities a free appropriate public education (FAPE) in the least restrictive environment consisting of special education and related services with the use of supplementary aids and services based on the individual needs of the student. Options should include attending the neighborhood school, with age appropriate peers, with curriculum accommodations and modifications as appropriate.

Assignment to special classes, special schools or other removal of the individual from the general education environment shall occur only when the nature and severity of the disability is such that education in general classes, with the use of supplementary aids and services, cannot be achieved satisfactorily and justification for placement has been written (EC 56303). Students receiving special education will be educated with general education students to the maximum extent appropriate as determined by the IEP team.

Special education is specialized instruction and related services that are designed to meet the unique needs of a child with a disability. It is individually developed to address a specific child’s needs that result from his or her disability and is individualized for each child. Therefore, program titles considered in service delivery options are used to communicate the structures present in a particular setting and are not intended to limit or restrict the flexibility that staff have in providing a set of services to meet the needs of an individual student.

**Individualized Education Program (IEP)**

Service delivery in the IEP is designed by the IEP team so the student will:
- Benefit from the instructional program,
- Have the opportunity to be educated with non-disabled peers, to the greatest extent appropriate,
- Have a reasonable opportunity to access the curriculum and make progress toward appropriate annual goals and that instruction and services are appropriate, considering the individual student’s needs and strengths.
Program titles contained in policy shall be used for purposes of reporting to the California Department of Education (CDE) through the SELPA’s Annual Service Delivery Plan, writing IEPs for students, recording student data for the special education pupil count and reporting for program certification. The Governance Council shall present the Annual Service Delivery Plan in a public hearing before reporting to the State. The purpose is to inform the public of the services available in Contra Costa SELPA.

### Service Delivery Options Available Include:

- General Education Classroom
- Resource Specialist Program
- Instructional Support Program
- Related Services
- Special Day Classes and Centers
- Nonpublic, Nonsectarian Day School
- State Special Schools
- Home and Hospital
- Residential Placement
- Instruction in settings other than classrooms
- Combinations of support services to meet student need

### General Education Classroom

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

The general education classroom offers non-academic benefit of social interaction for all students. General education classrooms, with the use of supplementary aids and services, provide the most contact with general education students and access to general education curriculum.

Authorization for service is provided by general education credentials. Caseload guidelines should take into consideration the other duties assigned to the staff person. Other considerations for serving students with disabilities in the general education classroom include the impact on general education students, as well as, the special education student being served.

All of the following factors shall be considered by the IEP team in determining the appropriateness of placement in a general education classroom:

1) The educational benefits available to the student with disabilities in a general education classroom, supplemented by appropriate aids and services, as compared with the educational benefits of a special education classroom,

2) The non-academic benefits of interaction with students who are not disabled,
3) The effect of the student's presence on the teacher and other students in the classroom,
4) The cost of mainstreaming the student in the general education classroom.

**Resource Specialist Program**

Students receive resource specialist services as determined by the IEP team. The majority of resource specialists are assigned instructional assistants to the program. Resource specialist services cover a range of disabilities and can be provided within the general education classroom and/or special education settings. Law to a maximum of twenty-eight (28) students limits resource specialists’ caseloads. The service provider must have a Resource Specialist Certification or Mild to Moderate Credential.

The primary focus of instruction is in the core academic curriculum with expanded instructional methodologies to augment those offered in general education classrooms. Special education staff should be focused on accommodating the student in the general education setting and/or remedial activities that would prepare a student to have the skills necessary to be successful in the core academic curriculum in a general education setting.

Students receiving such services should be accessing the core academic curriculum in the general education setting in all areas in which they are receiving special education services. Special education services are not to be used to provide a parallel program but rather arranged to provide supplementary support to what is already being accessed in the general education program including intervention and categorical programs available to all students. Scheduling of all service needs is to be considered. It is particularly important to consider the delivery location of services in order to allow full participation in all core curriculum areas.

**Instructional Support Program**

Instructional Support Programs or services serve students requiring special education during their school day. Instructional Support may be provided to students within their general education classroom or in a special education setting. Instructional support programs are designed to meet the needs of students based on IEP goals and objectives.

General Education teachers, Resource Specialists, Special Day Class teachers, Speech and Language Clinicians, Instructional Assistants, and/or other support staff may provide instructional support services. Authorization is provided through any credential, which authorizes the provision of instruction and the ability to deliver what is required as described in the IEP. Caseloads are determined by each local educational agency.

The primary focus of instruction is in the core academic curriculum with expanded instructional methodologies beyond those offered in general education classrooms. An example of this would be co-teaching to provide support to special needs and at risk students. Special education staff works in collaboration with all staff (especially general education teachers) in learning and implementing various assessment strategies and in the coordination of differentiated instruction, services, and supports. Through Instructional Support Program leadership the educational team should be focused on accommodating the student in the general education setting and/or in research-based strategies, interventions, and activities that would prepare a student to achieve the skills necessary to be successful in the core academic curriculum in a general education setting.
There will be times when Instructional Support Program intervention is provided on a short-term basis.

Students receiving such services should be accessing the core academic curriculum in the general education setting in all areas in which they are receiving special education services. Special education services are not to be used to provide a parallel program but rather arranged to provide supplementary support to what is already being accessed in the general education program including intervention and categorical programs available to all students. The scheduling of all services must consider location for delivery of service to allow full participation in all core curriculum areas.

Related Services (Designated Instructional Service)

Related services mean supportive services that are required to assist a child with a disability to benefit from special education. Related Services are designed to address specific, specialized intervention when required for a student to benefit from his or her instructional program. Related services can include but are not limited to:

- Speech and Language Services
- Audiological Services/Aural Habilitation
- Orientation and Mobility
- Adaptive Physical Education
- Occupational Therapy
- Vision Services
- Counseling and Guidance
- Vocational Education and Career Development
- Augmentative and Alternative Communication
- Assistive Technology
- Physical Therapy

Services shall be provided by a credentialed or licensed specialists and provided in general education classrooms or special education settings. Services may be provided in conjunction with general or special education services. Service may also be provided by a specifically trained instructional aide or other certificated staff under the direction of the credentialed or licensed specialist.

Special Day Classes and Schools

Special day classes and schools provide services to students who have more intensive needs. Students are assigned for a majority of the school day in special day classes and are grouped according to age and instructional needs. Special day class teachers work cooperatively with general education classroom teachers and IEP personnel, helping identify, assess, and plan programs for students with disabilities, and providing classroom instruction. Most often the restrictive nature of a Special Day Class does not allow access to the same instruction, standards, and expectations. Special education credentials meet the federal and state standards for “highly qualified” teachers for the delivery of special education. However, these credentials, in an of
themselves, may not meet the “highly qualified” criteria for delivery of course content to meet the standards for completion of high school course credits or assure content areas will be covered to prepare a student for college entrance or placement examinations. Attainment of a high school diploma from a Special Day Class placement is unusual and usually does not occur with only four years of high school.

The primary focus of instruction is on the unique needs of the student based on their age, disability, or severity of the disability as described in the student’s IEP. Often the curriculum offers an alternate pathway because of the needs of a student. Special education continues to provide instruction in life skills areas and independent living. Generally assistance is provided that leads to completion of an alternate program and a certificate of completion rather than a high school diploma.

Authorization is provided through credentials that address service to students within the moderate to severe specialty area. Caseload guidelines vary based on the age of the students, type of disability or severity of the disability to be served in the class. Caseloads are determined by each local educational agency.

**Nonpublic/Nonsectarian Schools**

Placements at nonpublic, nonsectarian schools are available to individuals with exceptional needs when the local school district determines that an appropriate education program which is the least restrictive environment is not available through the public school systems in the Contra Costa Special Education Local Plan Area (SELPA) or adjacent areas. Only state-certified nonpublic schools may be considered. The LEAs should contact the SELPA office to verify that a nonpublic school has a current state license, master contract and established rates. The SELPA is responsible for the master contract process. Each LEA is responsible for the Individual Service Agreement, which assigns IEP-authorized services.

Special Education administrators should carefully consider the credentials, staffing patterns, curriculum, instruction, and student patterns before making a selection of a Non-public School or Agency. The primary focus of instruction is not on the core academic curriculum rather on the age, disability, or severity of the disability as described in the student’s IEP. Often the curriculum offers an alternate pathway because of the needs of a student. Special education continues to provide remedial instruction in life skills areas and independent living. Assistance is provided that leads to completion of an alternate program and in some instances a high school diploma.

**State Special Schools**

Special programs operated by the State of California for the deaf and blind students are available for serving the educational needs of students in day or residential programs. The IEP team will make a recommendation to the state school for determination of the appropriateness of possible placement in day or residential programs. The State Special Schools Division sets the curriculum and high school graduation standards.
Home and Hospital
Specialized services may be provided for students eligible for special education who have a temporary illnesses, disabling injury, or acute health problem. A temporary illness or disability does not include a disability for which a student is identified as an individual with exceptional needs pursuant to California Education Code (EC) Section 56026. Home and hospital services may include individual consultation, home or hospital instruction and other instructional methods including advanced communication technology. Students with or without IEPs who are hospitalized are the responsibility of the district where the hospital is geographically located.

It is the primary responsibility of the parent or guardian of a student with a temporary disability to notify the school district in which the student is deemed to reside of the student’s presence in a qualifying hospital. Within five working days following notification from the parent or guardian, the school district shall determine whether the student will be able to receive individualized instruction, and, if the determination is positive, when the individualized instruction may begin. Individualized instruction shall start no later than five working days after the positive determination has been made (EC Section 48208).

When recommending placement for home instruction, the IEP team shall have in the assessment information such as a medical report from the attending physician and surgeon or the report of the psychologist, as appropriate, stating the diagnosed condition and certifying that the severity of the condition preventing the pupil from attending a less restrictive placement. The report shall include a projected calendar date for the pupil’s return to school. For those students with exceptional needs with a medical condition such as those related to surgery, accidents, short-term illness or medical treatment for a chronic illness, the individualized education program team shall review, and revise, if appropriate, the IEP whenever there is a significant change in the pupil’s current medical condition (5 C.C.R. 3051.4 (c) (d)).

The primary outcome of Home and Hospital Instruction is to maintain a student at the student’s former level of performance while recovering from the temporary disability so as not to jeopardize the student’s future performance upon returning to school.

The teacher providing the home instruction shall contact the pupil’s previous school and teacher to determine:

- The coursework to be covered,
- The books and materials to be used,
- Who is responsible for issuing grades and promoting the pupil when appropriate,
- For pupils in grades 7 to 12, the teacher shall confer with the school guidance counselor (or appropriate party) to determine the hours the pupil has earned toward semester course credit for each subject included in the IEP, and the grades as of the last day of attendance as well as who is responsible for issuing credits and a diploma if the pupils is to graduate.

Residential Placement
Children with disabilities are entitled to a free, appropriate public education (FAPE), including placement at residential programs when necessary. A residential program is a placement at which a child is placed away from his or her home, whether it is an educational placement is the core question in most cases. Generally, to determine whether a residential placement under the
IDEA is necessary to provide a student a FAPE, the analysis focuses on whether the residential placement is necessary for educational purposes, or merely a response to medical, social, or emotional problems separate from the learning process.

In some cases, the student may need to leave his or her home state to attend school at a residential program; while in others the student is able to—or even entitled to—placement closer to his or her home. This placement is determined through an individualized educational program (IEP). Some children’s challenges are severe enough that they attend intensive programs while continuing to live at home but in other cases the only way a child has access to his or her education is through an educational placement at a residential facility that in some cases will be located out of state.

Like all other related support and services in special education, the local education agency must provide services in a placement that is the LRE. “To the maximum extent appropriate,” children with disabilities should be educated in regular classes with their nondisabled peers in a comprehensive school. Residential placements are among the most restrictive educational placements available.

See the attached Residency and Responsibility Chart: Residential Placements for Individuals with Exceptional Needs Pursuant to Education Code Section 56026 (When FAPE is Not at Issue) Fagen, Friedman & Fulfrost 2012.

EC 56026, 56100(a)(i), 56001, 56363(b)(4)
California Code of Regulations 3042, 3051.4, 3051.17