

Riverside County Special Education Local Plan Area (SELPA)
Low Incidence Policy, Procedures and Guidelines

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Introduction

“Low incidence disability” means a severe disabling condition with an expected incidence rate of less than one percent of the total statewide enrollment in special education. For purposes of this definition, severe disabling conditions are:

- ✓ Hearing impairments (hard of hearing, deaf)
- ✓ Vision impairments
- ✓ Severe orthopedic impairments
- ✓ Any combination thereof (e.g. deaf-blind)
 - Excludes visual perception problems specified in EC Section 56338.

The legal requirements, California Special Education Management Information System (CASEMIS), low incidence funding model, SELPA Allocation Plan language, SELPA procedures for low incidence equipment, and recommended individualized education program (IEP) language are included herein.

Legal Requirements

EC § 56320(g) requires that: "The assessment of a pupil, including the assessment of a pupil with a suspected low incidence disability, shall be conducted by persons knowledgeable of that

disability. Special attention shall be given to the unique educational needs, including, but not limited to, skills and the need for specialized services, materials, and equipment consistent with guidelines established pursuant to § 56136."

EC § 56327(h) states, the personnel who assess the pupil shall prepare a written report, as appropriate, of the results of each assessment. The report shall include, but not be limited to, all of the following: "The need for specialized services, materials, and equipment for pupils with low incidence disabilities consistent with guidelines established pursuant to § 56136."

Per *EC § 56345(b)(5)* "when appropriate, the IEPs for pupils with low incidence disabilities shall also include specialized services, materials, and equipment, consistent with guidelines established. "As appropriate, the team is required to consider Braille instruction for students who are blind or visually impaired, and language and communication needs for students who are deaf or hard of hearing."

EC § 56363.1 states a local educational agency (LEA) is not required to purchase medical equipment for an individual pupil. However, the LEA is responsible for providing other specialized equipment for use at school that is needed to implement the IEP. For example, *EC § 56345(d)(5)* states, "each public agency shall ensure that hearing aids worn in school by children with hearing impairments, including deafness, are functioning properly". In addition, the Individuals with Disabilities Education Act (IDEA) requires that the IEP team consider whether the child requires assistive technology devices and services for all students with disabilities.

EC § 56136 requires the Superintendent of Public Instruction to "develop guidelines for each low incidence disability area and provide technical assistance to parents, teachers, and administrators regarding the implementation of the guidelines." NOTE: These documents are available at the Riverside County SELPA Office.

EC § 56206 states, "As a part of the local plan submitted pursuant to § 56200, each SELPA shall describe how specialized equipment and services will be distributed within the local plan area in a manner that minimizes the necessity to serve pupils in isolated sites and maximizes the opportunities to serve pupils in the least restrictive environment."

EC § 56363 clarifies that the term "designated instruction and services" means "related services". The term "related services" means transportation, and such developmental, corrective, and other supportive services as may be required to assist an individual with exceptional needs to benefit from special education, and includes the early identification and assessment of disabling conditions in children. These services may include, but are not limited to, the following:

- (1) language and speech development and remediation, (2) audiological services, (3) orientation and mobility services, (4) instruction in the home or hospital, (5) adapted physical education, (6) physical and occupational therapy, (7) vision services, (8) specialized driver training instruction, (9) counseling and guidance services (including rehabilitation counseling), (10) psychological services other than assessment and development of the individualized education program, (11) parent counseling and training, (12) health and nursing services (including school nurse services designed to enable an individual with exceptional needs to receive a FAPE as described in the IEP), (13) social worker services, (14) specially designed vocational education and career development, (15) recreation services, (16) specialized services for low-incidence disabilities (such as readers, transcribers, and vision and hearing services), (17) interpreting services, and (18) medical services (except that such medical services shall be for diagnostic and evaluation purposes only).

It is therefore important that specialized teachers who are credentialed to serve students with specific low incidence disabilities be involved in the team assessment process and attend the IEP meetings so that books, materials and equipment considered for purchase and the offer of services are related directly to the unique educational needs resulting from a low incidence disability.

CASEMIS Requirements

CASEMIS is the state’s method of capturing the many required data points needed for reporting and analyzing information about special education. This information is pulled from the SELPA’s Special Education Information System (SEIS) wherein providers develop, affirm and attest to the accuracy of the individualized education program (IEP) data.

Disability Codes

Per the CASEMIS Technical Assistance Guide, low incidence disabilities should be reported as follows.

- Disability 1 is the main disability of the student contributing to his/her eligibility for special education and related services.
- If a student has more than one type of disability, the student shall be reported under multiple disabilities (MD).
- When one or more of the disabilities is a low-incidence disability (Hard of hearing, Deaf, Deaf-Blind, Orthopedic Impairment, or Visual Impairment) ...
 - Field A-38, DISABIL1, should indicate MD
 - Field A-39, DISABIL2 should indicate the most prominent low-incidence disability.

Code	Disability Category
220	Hard of Hearing (HH): Hard of Hearing means hearing, impairment, whether permanent or fluctuating, that adversely affects a child's educational performance, but that is not included under the definition of "deaf" in this section.
230	Deafness (DEAF): Deafness means a hearing impairment that is so severe that the child is impaired in processing linguistic information through hearing, with or without amplification, which adversely affects educational performance. (34 CFR §300.7(c)(3)) Hearing Impairment (HI): Hearing Impairment is a federal category of disability, which includes both hard of hearing and deaf individuals as defined above.
250	Visual Impairment (VI): Visually Impaired, including blindness, means impairment in vision that, even with correction, adversely affects a child's educational performance. The term includes both partially seeing and blind children. (34 CFR §300.7(c)(13)).
270	Orthopedic Impairment (OI): Orthopedic Impairment means a severe orthopedic impairment that adversely affects a child's educational performance. The term includes impairments caused by congenital anomaly (e.g., clubfoot, absence of some member, etc.); impairments caused by disease (e.g., poliomyelitis, bone tuberculosis, etc.); and impairments from other causes (e.g., cerebral palsy, amputations, and fractures or burns which cause contractures). (34 CFR §. 300.7(b) and 300.7(c)(8))
300	Deaf-Blindness (DB): Deaf-Blindness means concomitant hearing and visual impairments, the combination of which causes such severe communication and other developmental and educational needs that they cannot be accommodated in special education programs solely for children with deafness or children with blindness. (34 CFR §. 300.7(c)(2)).

310	Multiple Disabilities (MD): Multiple Disabilities means concomitant impairments such as intellectual disabilities/mental retardation and blindness or intellectual disabilities/mental retardation and orthopedic impairment, the combination of which causes such severe educational needs that needs cannot be accommodated in special education programs solely for one of the impairments. Multiple disabilities does not include deaf-blindness (34 CFR §300.7(c)(7)).
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Service Codes

An infant with a low incidence disability will receive a service code in the 200 series as documented in an Individualized Family Service Plan (IFSP). An infant (ages birth through two) who has a solely low-incidence disability (HH, DEAF, VI, OI, and/or DB) identified in Field A-38 and is not eligible for regional center services shall be identified under CASEMIS Code A-40.

CASEMIS service codes for preschoolers through age 21 are determined by the IEP team. A student must have a service code appropriate to service being provided (i.e., 330 Specialized Academic Instruction) and age (i.e., 16+ year olds required to have at least one 800 transition service code).

CASEMIS Code 610 provides a generic description that can help IEP teams to record supplemental aides and services in the student's IEP such as consultation provided to the teacher, staff and parents, or supplementary supports to the student, including frequency and duration of the services.

A student with a specified low incidence disability typically has one or more of the following as noted in the samples below:

- Deaf/Hard of Hearing = 710, 715, 720
- Orthopedically Impaired = 610, 740
- Visually Impaired = 725, 730, 735

Code	Service Descriptor
610	Specialized Services for Low Incidence Disabilities: Low incidence services are defined as those provided to the student population of orthopedically impaired (OI), visually impaired (VI), deaf, hard of hearing (HH), or deaf-blind (DB). Typically, services are provided in education settings by an itinerant teacher or the itinerant teacher/specialist. Consultation is provided to the teacher, staff and parents as needed. These services must be clearly written in the student's IEP, including frequency and duration of the services to the student. (CCR Title 5 §3051.16 & 3051.18).
710	Specialized Deaf and Hard of Hearing Services: These services include speech therapy, speech reading, auditory training and/or instruction in the student's mode of communication. Rehabilitative and educational services; adapting curricula, methods, and the learning environment; and special consultation to students, parents, teachers, and other school personnel may also be included. (CCR Title 5 §3051.16 and 3051.18).
715	Interpreter Services: Sign language interpretation of spoken language to individuals, whose communication is normally sign language, by a qualified sign language interpreter. This includes conveying information through the sign system of the student or consumer and tutoring students regarding class content through the sign system of the student. (CCR Title 5, §3051.16).

720	Audiological Services: These services include measurements of acuity, monitoring amplification, and frequency modulation system use. Consultation services with teachers, parents or speech pathologists must be identified in the IEP as to reason, frequency and duration of contact; infrequent contact is considered assistance and would not be included. (CCR Title 5 §3051.2).
725	Specialized Vision Services: This is a broad category of services provided to students with visual impairments. It includes assessment of functional vision; curriculum modifications necessary to meet the student's educational needs, including Braille, large type, and aural media; instruction in areas of need; concept development and academic skills; communication skills (including alternative modes of reading and writing); social, emotional, career, vocational, and independent living skills. It may include coordination of other personnel providing services to the students (such as transcribers, readers, counselors, orientation and mobility specialists, career/vocational staff, and others) and collaboration with the student's classroom teacher. (CAC Title 5 §3030(d), EC 56364.1).
730	Orientation and Mobility: Students with identified visual impairments are trained in body awareness and to understand how to move. Students are trained to develop skills to enable them to travel safely and independently around the school and in the community. It may include consultation services to parents regarding their children requiring such services according to an IEP.
735	Braille Transcription: Any transcription services to convert materials from print to Braille. It may include textbooks, tests, worksheets, or anything necessary for instruction. The transcriber should be qualified in English Braille as well as Nemeth Code (mathematics) and be certified by appropriate agency.
740	Specialized Orthopedic Services: Specially designed instruction related to the unique needs of students with orthopedic disabilities, including specialized materials and equipment (CAC Title 5, §3030(e) & 3051.16)
745	Reader Services:
750	Note Taking Services: Any specialized assistance given to the student for the purpose of taking notes when the student is unable to do so independently. This may include, but is not limited to, copies of notes taken by another student, transcription of tape-recorded information from a class, or aide designated to take notes. This does not include instruction in the process of learning how to take notes.
755	Transcription Services: Any transcription service to convert materials from print to a mode of communication suitable for the student. This may also include dictation services as it may pertain to textbooks, tests, worksheets, or anything necessary for instruction.

Recommended IEP Language

Now that CASEMIS disability and service codes are clarified, here is some language about what and where to note information within an IEP.

Deaf and Hard of Hearing

For audiological: Indicate annual audiological assessment in both the services and assessment area – Remember this requires AP/PWN. If audiological equipment needs regular fitting or adjusting, write a goal and indicate this as a direct service on the service page, with details in the summary notes. If only consultation (with parent, teacher, Related Service provider, and/or doctor) is to be provided, indicate this under supplemental aids and services, including frequency, duration and location.

For DHH Itinerant: Since consultation (w/teachers, Related Service provider) is embedded in the CASEMIS services description, it can be coded under services – Remember it must be specific in frequency, duration and location. Consultation (with whom; for what) can also be cited under supplementary aides and services. Direct service with student must be cited in services with minimum frequency. Include descriptors individualized for each child in the Comment Continuation page (ie: services will include A, B, C).

Blind/Visually Impaired

For example, there are many apps on iPad/Chromebook for VI. Use of a “Braille Note” may be an exception to a need for an Assistive Technology (AT) assessment when the use of Braille is predetermined. The assessor must identify the student’s needs and make recommendations in a written report to the student’s district of residence. Any expenditure for low incidence AT equipment and/or services needs to be authorized by the student’s district of residence. AT equipment can then be identified in the special factors section of an IEP and/or in the appropriate low incidence consideration box, with specifics included in the notes page.

Since consultation (i.e., with teachers about instructional materials and books) is embedded in the CASEMIS services description, it can be coded under services – it must be specific in frequency, duration and location. Consultation (with whom; for what) can also be cited under supplementary aides and services. Direct service with a VI student must be cited in services with minimum frequency (i.e., Braille instruction may be daily whereas large print books may be adjusted each semester). Include descriptors individualized for each child in the Comment/Continuation page (i.e., services will include A, B, C).

Orthopedic Impairment (OI)

When a child has been identified with multiple-handicapped as the primary disability, support from an OI Specialist is not required. When OI is the designated disability, an evaluation is needed to determine what level of support is required. Remember to always use the Assessment Plan and Prior Written Notice and create a written report for LEA.

On the services page, consultation (with teacher, parent, and/or campus personnel) goes under supplementary aids services with specific frequency duration and location. Direct services to student could be OI equipment (4 times a year) or direct positioning (can put specifics in notes that allow for variance in time as training on equipment reduces).

Low Incidence Funding Model

The 2013-14 state budget includes an allocation to provide special education and related services to students with low-incidence disabilities pursuant to their IEPs. Of this amount, a proportion is to be used for career technical education for services for students with low-incidence disabilities. These funds may be utilized to purchase or pay for specialized instructional materials, equipment, and/or services to students with low incidence disabilities.

The budget language clearly states how the funding will be allocated per *Education Code (EC) Section (§) 56836.22*

- (a) Commencing with the 1985-86 fiscal year, and for each fiscal year thereafter, funds to support special education and related services as required under an IEP for each pupil with low-incidence disabilities, as defined in EC § 56026.5, shall be determined by dividing the total number of pupils with low-incidence disabilities in the state, as reported on December 1 of the prior fiscal year, into the annual appropriation provided for this purpose in the Budget Act.

- (b) The per-pupil entitlement determined pursuant to subdivision (a) shall be multiplied by the number of pupils with low-incidence disabilities in each special education local plan area (SELPA) to determine the total funds available for each local plan.
- (c) The Superintendent shall apportion the amount determined pursuant to subdivision (b) to the SELPA for purposes of providing special education and related services as required under an IEP for each pupil with low-incidence disabilities.
 - a. Students with low-incidence disabilities with IEPs enrolled in non-public and private schools by the public school, or served in the student's home when required under the IEP may have access to the funds for special education and related services.
 - b. Each SELPA has the flexibility to consider several factors as decisions are made about the use of the funds and these are described in the Riverside County SELPA Allocation Plan.

SELPA Allocation Plan Language

Low incidence (LI) funding for the purchase of equipment and materials and services for students with a low incidence disability is combined at the state level prior to distribution to the SELPAs. These funds can be carried over from year to year. The 2013-14 funds included a designated per pupil allocation for career technical education and services that the SELPA calculated per each LEA's prior year December 1 pupil count of students with low incidence disabilities in grade 10. These funds must be used for that purpose. This separation of how funds can be used is no longer in place as of 2014-15. Low Incidence funds are generated by each district of residence based upon students identified with a low incidence disability as the primary or secondary condition on the individualized education program (IEP) document.

To allocate \$50,000 off the top of the amount received by SELPA to support salary and benefit costs of the Riverside County Office of Education (RCOE) Braille Transcriber for regionalized support of visually impaired students. The amount will be adjusted by cost of living adjustments (COLA) in future years.

The current amount apportioned to the SELPA by the California Department of Education, minus the allocation for RCOE Braille Transcriber, is utilized to calculate funds allocated per LEA. The funds generated by infants (birth to age 3) will be distributed to the district of service. The remaining funds are distributed to the student's district of residence effective July 1, 2014.

The district of service is defined as the LEA in which the student spends the majority of their classroom instruction (e.g., district of residence or contracted provider). The district of residence is responsible for purchasing low incidence equipment, materials and supplies. Upon consent, the service provider will purchase the needed equipment, materials and/or supplies and invoice the district of residence.

- For orthopedically impaired students, the district of residence is solely responsible.
- For deaf or hard of hearing (DHH) students receiving DHH itinerant support, the district of residence counts the student in CASEMIS, collects low incidence funding, and is responsible for ordering and maintaining equipment, materials and supplies needed by the student for educational benefit. It is recommended that the district consult with the DHH Specialist on potential vendors, models, and prices. The district of residence has the option of issuing a maintenance agreement as appropriate either directly with the vendor or via RCOE under a contract for warranty and repair services (separate from the special education program services contract).

- For visually impaired (VI) students, RCOE will maintain the VI Repository and purchase instructional materials (e.g., consumables, Braille or large print books, materials, magnifiers). VI materials may be purchased with low incidence funds following district guidelines, obtained for free from the American Printing House, and/or borrowed from and returned to the state. The district of residence as recorded in CASEMIS shall be responsible for borrowing or purchasing equipment, materials and supplies for VI itinerant students (e.g., large print books, specialized calculator, Closed Caption TV, Braille Note, or Pocket Viewer). Such equipment, materials or supplies may be borrowed from the VI Repository or purchased from low incidence funding generated by the district's CASEMIS pupil count. If borrowed, the equipment, materials and/or supplies must be returned to the VI Repository.
- If equipment is purchased with low incidence funds, it is to follow the student if he/she moves within the SELPA. If the student moves outside the SELPA or no longer needs the equipment, the district of residence may reassign the equipment to another student in the district or store it until needed by another SELPA member.

In all cases, the district of residence is required to maintain an inventory of low incidence expenditures and where the equipment is currently housed (e.g., at ABC School with Student A.B.). SELPA is responsible for maintaining a low incidence equipment inventory for purchases of \$500 or more. LEAs are responsible for providing such information to the SELPA per the approved *“Low Incidence Policy, Procedures, and Guidelines”*.

SELPA Procedures for Low Incidence Equipment

This section clarifies LEA responsibilities, procedures for ordering, tagging procedures, requirements for low incidence inventory management, scenarios for transfer of equipment, and steps for handling surplus items.

Clarifying LEA Responsibilities

To facilitate a smooth transfer of funds and receipt of goods, the following procedures need to be established within each SELPA member/LEA.

1. Set up an account within the special education budget dedicated to low incidence purchases. The low incidence revenue will be transferred to the LEA using the same code that is used for apportionment and will reference low incidence funds in the description. The LEA will need to create an account string based on how the LEA sets up accounts.
2. Identify who in the LEA will be responsible for processing all orders (e.g., Special Education Office Secretary).
3. Identify who in the LEA will have authority to approve low incidence purchase requests (e.g., Director of Special Education).
4. Establish written procedures for low incidence requests if the LEA has not done so already. For example,
 - a. An IEP team determines a student meets eligibility for a low incidence disability (“hearing impairments, vision impairments, severe orthopedic impairments, or any combination thereof”).
 - b. An evaluation is completed to determine need for specialized books, materials, and/or equipment.
 - c. An IEP team member researches where the purchase can be made (vendor) and projected cost.

- d. An IEP team member discusses this with the designated person in the central office with authority to approve purchases prior to the IEP team meeting.
 - e. An IEP team meeting is held to discuss and document the student's need for specialized books, materials, and/or equipment.
 - f. A copy of the IEP, vendor information, and a completed Low Incidence Equipment and Material Order Form (Appendix 1) is submitted to [the designated person] for processing.
5. The Purchasing Department needs to know that all orders for low incidence books, materials, and equipment will be processed through their office.
 6. Advise LEA staff members of the procedures for requesting and processing low incidence purchases.
 7. Designate someone in the LEA responsible for maintaining an inventory of low incidence books, materials, and equipment purchased via an excel spread sheet.
 8. Upon receipt of goods, send a copy of each completed Low Incidence Equipment and Material Order Form (Appendix 1), the Purchase Order, and packing slip to the Riverside County SELPA.
 9. If the value of the purchase is \$500+, an inventory tag number will be assigned by SELPA. The tag number(s) will be recorded on the Low Incidence Equipment and Material Order Form and the tags will be sent to the LEA.
 10. Identify a person in the LEA responsible for putting the inventory tag(s) on the specialized equipment within 5 days of receipt.

Inventory Management

The LEA is responsible for maintaining an inventory of ALL books, materials and equipment purchased with low incidence funding. The LEA needs to track what was purchased, the purchase order number, the amount of funding spent, and the date. It is advisable to indicate when items ordered are consumable so that the need for replacement can be considered. In addition, the LEA must track the name of the student that required the purchase, his/her date of birth, grade, and school of attendance.

The SELPA is responsible for tracking low incidence purchases above \$500. The only way this can be done effectively is when the LEA submits the necessary forms to the SELPA in a timely manner. (See Appendix 1)

The inventories will be tracked by the California Department of Education Special Education Division during the fiscal monitoring process of a special education self review and/or verification review.

Transfer of Low Incidence Purchases

Should the student for whom the books, materials, or equipment was purchased outgrow the need for the items, the LEA may transfer the items ordered to another LEA student and record such action on the inventory tracking sheet. Should the student for whom the books, materials, or equipment was purchased change schools within the LEA, the LEA must transfer the items ordered to the new LEA and record such action on the inventory tracking sheet. Should the student for whom the books, materials, or equipment was purchased move within the SELPA, the LEA must transfer the items ordered to the new LEA and record such action on the inventory tracking sheet. Should the student for whom the books, materials, or equipment was

purchased move outside the SELPA, the LEA maintains and can transfer the items ordered to another student and record such action on the inventory tracking sheet.

When a LEA has books, materials, or equipment purchases that are surplus (no longer needed), the LEA is to provide notice of such surplus for possible transfer within the SELPA. If no LEA needs the surplus, the SELPA will notify other SELPAs of the surplus and arrange for transfer of said items with the recipient. If the surplus items are not needed anywhere, the LEA is responsible for disposing of them as done with other LEA surplus items. A list of LEA contacts is available in the SELPA Office.

NOTES about Low Incidence Services, Equipment and/or Materials

- It is important that each LEA determine which person or position will serve as the case manager when a student receives contracted DHH or VI or OI itinerant services only (i.e., program specialist, RSP/SAI teacher, related service provider).
- The SELPA has a written process for purchasing and monitoring low incidence equipment and services (see www.rcselpa.org policies and procedures section).
- The LEA is responsible for purchasing LI equipment (e.g. ear molds, amplifier, etc. – not hearing aids). RCOE personnel give recommendations and draft purchase order to LEA.
- Leave LEA purchases at school – do not send home.

Updated: September 2014

Riverside County SELPA
Low Incidence Equipment and Material Order Form
*Required

*District:	
*Requestor Name:	
*Requestor Phone:	
*Date of Request:	
*Student Name:	
*School Site:	
* Authorizing Signature:	

Comments:

NOTE: Submit 1 form per student per \$500 Low Incidence Purchase
NOTE: Submit 2 pages from student IEP ~ page 1 & Special Factors page ~ Do Not Submit entire IEP

Brief Description of Equipment/Materials Purchased:

Name of Vendor: (Submit one order per Vendor)		
SELPA Tracking		
*Send copy of PO	*PO #	
*SELPA Inventory	*Tag #	