

<b>TULARE COUNTY/DISTRICT SELPA</b>	<b>POLICY #</b>	<b>9010</b>
<b>SPECIAL EDUCATION – SERVICES– MISC. SRP</b>	<b>Adopted:</b>	<b>7/11/07</b>
	<b>Revised:</b>	<b>5/13/2020</b>

## **Low Incidence Disabilities and Access to Instructional Materials**

The Tulare County/District SELPA serves all students, ages 0-22, inclusive, who are identified as individuals with exceptional needs, including those identified as having "low incidence disabilities." It is the policy of the Tulare County SELPA to follow all federal and state laws related to low incidence disabilities.

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"Low incidence disabilities" means a severe disabling condition with an expected incidence rate of less than one percent of the total statewide enrollment in kindergarten through grade 12. The severe disabling conditions relate to the following: hearing impairments (deaf or hard of hearing), vision impairments (blind or visually impaired), and severe orthopedic impairments, or any combination thereof that adversely impact educational performance.

For purposes of low incidents disabilities, visual impairments do not include disabilities within the function of vision related to visual perception or visual motor dysfunction.

The Superintendent of each District shall develop guidelines for each low incidence disability and provide technical assistance to parents, teachers, and administrators regarding the implementation of the guidelines. The guidelines shall clarify the identification, assessment, planning of, and the provision of, specialize services to pupils with low incidents disabilities. The Superintendent shall consider the State guidelines when monitoring programs services students with low incidence disabilities.

Students with low incidence disabilities may receive all or a portion of their instruction in the regular classroom and may also be enrolled in special classes taught by appropriately credentialed teachers who serve these students at one or more school sites. The instruction shall be provided in a manner which is consistent with the guidelines described above and in accordance with the student's IEP.

Specialized services for low incidence students may, but is not limited to, include:

- Specially designed instruction related to the unique needs of the student, provided by credentialed teachers.

- Specialized services related to the unique needs of the student, provided by qualified individuals and interpreters, notetakers, readers, transcribers, and other individuals who provide specialized materials and equipment.

"Educational interpreter" means a person who provides communication facilitation between students who are deaf or hard of hearing, and others, in the classroom, and for other school related activities, including extracurricular activities, as designated in the student's IEP.

An educational interpreter shall be certified by the national Registry of Interpreters (RID), or an equivalent; in lieu of RID certification or equivalent, an educational interpreter must have achieved a score of 4.0 or above on the Educational Interpreter Performance Assessment (EIPA), the Educational Sign Skills Evaluation-Interpreter and Receptive (ESSA-I/R) or the National Association of the Deaf/American Consortium of Certified Interpreters (NAD/ACCI). If providing Cued Language transliteration, a transliterator shall possess Testing/Evaluation and Certification Unit (TECUnit) certification, or have achieved a score of 4.0 or above on the EIPA – Cued Speech.

Specialized services for students with low incidence disabilities shall be provided only by personnel who possess a credential that authorizes services in special education or clinical rehabilitation services in the appropriate area of disability.

The District is not required to purchase medical equipment for an individual student. However, the District is responsible for providing other specialized equipment for use at school that is needed to implement the IEP. For purposes of this section, "medical equipment" does not include assistive technology.

"Specialized Equipment" may mean, but is not limited to, items necessary for the functioning of a particular facility as a facility for the provision of educational services, including items such as instructional equipment and necessary furniture; printed, published and audio-visual instructional materials; telecommunications, sensory, and other technological aids and devices; books, periodicals, documents, and other related materials. Specialized equipment does not include medical equipment.

"Assistive Technology" means any item, piece of equipment, or product system, whether acquired commercially or off the shelf, modified, or customized, that is used to increase, maintain, or improve functional capabilities of a child with a disability. "Assistive technology" does not include a medical device that is surgically implanted, or the replacement of such device.

The District must ensure that assistive technology devices and/or services are made available to individuals with exceptional needs required as part of the child's special education, related services, and/or as supplementary aids and services.

On a case by case basis, the use of school purchased assistive technology devices in a child's home or in other settings is required if the child's IEP team

determines that the child needs extended access to those devices in order to receive a FAPE.

Beginning January 1, 2020, the District shall continue to provide assistive technology devices for students use following the student's departure from the District, if the student's IEP team determines that it is necessary for the student to receive a FAPE. Where deemed necessary by a student's IEP team, the District shall ensure that the student has continued access to his or her assistive technology device until alternative arrangements can be made or for up to two months after disenrollment, whichever comes first. For students who disenroll from the District and take the assistive technology device to another school district, the device must be returned to the original school district by a designated date.

Parents are responsible for the cost of any damage to the assistive technology device in the home or in other settings, and if the student enrolls in another school district.

When the IEP team recommends the placement and use of specialized educational equipment or instructional materials for a special education student, the IEP team, including parents/guardians of the child, shall review District policy regarding the appropriate use of the equipment/materials and the responsibility for replacement of lost or damaged equipment/materials.

**References:**

**EC 56026.5**

**EC 56040.3**

**EC 56136**

EC 56206 EC 56205

EC 56364.1

Title 5 C.C.R. 3051.16

20 U.S.C. 1412

Title 34 C.F.R. 300.5

Title 34 C.F.R. 300.14