



Special Circumstance Independence Assessment for Students with Disabilities SP:L-13

RATIONALE:

Every school district within the Antelope Valley Special Education Local Plan Area (AV SELPA) is required to provide full continuum of placement options for students with identified disabilities who are receiving special education services. The Individuals with Disabilities Education Act (IDEA '97) and California laws and regulations describe a continuum of alternative placements such as instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions (CFR 300.551 (b) (1)). Both federal and state laws also contain provisions to ensure that students with disabilities are educated to the maximum extent possible with students who are **not** disabled, and that students are removed from the regular education environment **only** when the nature and severity of the disability is such that education in the regular classroom cannot be satisfactorily achieved with the use of related services.

By law, special education and related services to students with disabilities must be provided in the “least restrictive environment.” When an Individualized Educational Program Team is considering special circumstance independence (SCI) assistance support for a student, all aspects of the student’s program must be considered, with the intent of maximizing student independence. The IEP Team is responsible for the design of the student’s program and, if necessary, designating personnel to implement the program. The classified staff person(s) providing the additional personnel support will work under the direction of certificated staff. IEP Teams need to do a careful analysis to ensure that the IEP offers a free appropriate public education (FAPE) in the least restrictive environment (LRE) when addressing the need for special circumstance independence assistant (SCA) support.

FACTORS FOR CONSIDERATION:

The goal for any student with a disability is to encourage, promote, and maximize independence; therefore, other options should be considered before adding additional supports to a student’s services. A student’s educational program must be carefully evaluated to determine where support is indicated. Natural support and existing staff support should be used whenever possible to promote the least restrictive environment.

The general categories to be considered for the SCIA are:

1. Health/Personal Care Needs
2. Behavior
3. Instruction
4. Inclusion/Least Restrictive Environment (LRE)

RELATED SERVICES AND SCIA

IDEA 2004 defines Related Services as the utilization of aids, services, and other supports that are provided in regular education classes or other education-related settings to enable children with disabilities to be educated with non-disabled children to the maximum extent appropriate. This applies to any general education program or special education program in which the student may participate (34 CFR Part 300.550-300.556). The goal for any student with special needs is to develop maximum independence. The Individualized Education Program (IEP) team is responsible for developing and implementing a program that promotes that independence. Natural supports and existing staff supports should be used whenever possible.

1. IEP Teams need to identify the need for related services (i.e., SCI supports) based on appropriate documentation and assessment. If the IEP Team recommends such services, the following statements must be included in the IEP document.
 - a. The related service (i.e., SCI supports) is necessary for the student to benefit from his/her special education program.
 - b. The program modifications or supports for school personnel are necessary to assist the student, and
 - c. The related service (i.e., SCI supports) will assist the student to:
 - Advance appropriately toward the annual goals;
 - Be involved in the progress in the general curriculum;
 - Participate in extracurricular and other non-academic activities; and,
 - Be educated and participate with other disabled and non-disabled students
2. The IEP Team shall address the means for evaluating whether the related service (SCA support) assists the student to advance toward goals.
3. The IEP needs to address the duration of services. A short-term aide support could be used for an evaluation period, if required for safety/medical considerations based on district policies, however, not to exceed eight weeks.
4. The IEP must also include a statement of the anticipated frequency and duration for the services and modifications. 20 U.S.C. §1414(d)(1)(A)(VII).
5. When additional personnel support is required, the IEP Team needs to periodically review the effectiveness of this additional support. A systematic, written plan needs to address how additional personnel support will be monitored and what interventions will be implemented in order to address the need for additional personnel.
6. For services requiring additional personnel support as a result of a student's behavioral difficulties, the student's IEP needs to include appropriate goals and objectives. In addition, a

behavioral plan should be developed, or if appropriate, a Behavioral Intervention Plan (BIP) should be developed in accordance with California Code of Regulations (CCR) 56521.1, 56521.2, 56341. The behavior plan needs to include a provision describing how and when support, including personnel, will be utilized to implement the plan, and when the plan will be reviewed and modified.

7. When determining a need for additional personnel support due to an Instructional need, the IEP team must utilize appropriate assessment information to support this recommendation. The ***SCI Assessment Report and Independence Plan*** must be developed by the assessment team in conjunction with a regular and/or special education teacher specifying how the additional personnel will be utilized to support the teacher in implementing the student's goals and objectives and what attempts will be made to transition to the other available classroom resources and supports.
8. When a need for additional support is due to health/medical needs, a ***Specialized Health Care Plan*** will need to be developed.
9. The IEP Team is responsible for determining the need for specialized transportation. Any additional personnel needed to support special education students receiving specialized transportation shall be documented and, if recommended by the IEP Team, reviewed to determine if the increase in support personnel can be modified, based on appropriate alternatives available.
10. When additional personnel support is being considered for a student placed in an AV SELPA Regional Program, a District of Residence representative shall be required to participate in the decision-making process of the IEP Meeting.

Special Circumstance Independence Assessment for Students with Disabilities AR:13a

A. Determining the Need for Special Circumstance Independence Assistants:

If after completing the *SCI Assessment Report and Independence Plan* form, the team finds there is a need for additional personnel support, an IEP meeting needs to be scheduled (Refer to flowchart for determining the need for special circumstance independence assistance requiring the special assignment of an aide or instructional assistant). The IEP needs to include the following:

1. Goals and objectives that address the skills that need to be taught in order for the special circumstance assistance to be faded. If the decision is to increase Special Circumstance Assistant (SCA) support, it is written on the IEP with specific goals and objectives monitoring strategies, fading strategies, and review dates.
2. The recommended schedule for review of the student's program, which leads to the fading of the special circumstance support, is that the team meets within 3 to 6 months, except for the cases of extreme medical needs. Best practice is to schedule review date at time of IEP initiating the related service (i.e., SCI supports). The IEP Team should utilize the *Review to Determine Continued Need* form.
3. In the case of health and safety emergencies, administrators can approve immediate additional support.

B. Planning

Students require different levels of support and a *SCI Assessment Report and Independence Plan* must be developed and monitored in accordance with the individual's unique needs and the particular setting. It is important for the *SCI Assessment Report and Independence Plan* to specify the conditions and circumstances under which special circumstance support appears appropriate for the student. Regardless of the circumstances, which may indicate the need for special circumstance support, it is imperative for every *SCI Assessment Report and Independence Plan* to address:

1. The skills that need to be taught in order for special circumstance support be faded.
2. A regularly scheduled review of student's program, which will lead to the fading of the special circumstance support.
3. Definition of the role of the SCA as well as the role of the teacher and any other adult interfacing with the student in the educational setting.

School teams need to be thoughtful and creative in using natural supports to the maximum extent possible. Team members and IEP implementers need to share ideas, expertise, and resources in planning as well as in carrying out the needed support(s) for the identified students with special needs.