



Antelope Valley Special Education Planning Area (AVSELPA)

Interim Placement Procedures – AV 402

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Appendices

Antelope Valley SELPA Interim Placement Form

AVSELPA Regionalized Services Referral Form

The *Interim Placement Form* (Appendix 1) is to be completed by administrator or designee whenever a student with a current individualized education program (IEP) transfers into the local educational agency (LEA). If the new district of residence (DOR) has insufficient information to determine eligibility and placement, a phone call should be made to the previous LEA to get the information required to complete the *Interim Placement Form*

A separate *Authorization for Use and/or Disclosure of Information* or other LEA-approved release of information form may be sent to the student’s former District of Special Education Accountability (DSEA).

These Interim Placement Procedures have been updated to provide information on how to address (a) enrollment in district special education program, (b) interim placement for regionally operated programs, (c) interim placement for nonpublic school, (d) request for records, and (e) legal timelines. These procedures apply to all Antelope Valley SELPA LEA members.

Enrollment in Special Education Program

Whenever a pupil with an IEP transfers into a district, the local educational agency shall provide the pupil with a free appropriate public education, including services comparable to those described in the previously approved individualized education program, in consultation with the parents to the extent possible within existing resources, for a period not to exceed 30 days, by which time the local education agency shall adopt the previously approved individualized education program or shall develop, adopt, and implement a new individualized education program that is consistent with federal and state law (EC 56325). ***The new LEA does have an obligation to implement the student’s last IEP, but the new placement does not have to exactly replicate the prior placement*** (*Mrs. S. ex rel G. v. Vashon Island Sch. Dist. 337 F.3d 1115 (9th Cir. 2003)*). If the student’s goals can be met in a less restrictive environment (i.e., LEA program versus



nonpublic school), and the parent/guardian agrees, the LEA can convene an IEP meeting to offer this alternative.

Most students moving into the LEA live with their parent. Parent means:

- A biological or adoptive parent unless the biological or adoptive parent does not have legal authority to make educational decisions for the child;
- A guardian generally authorized to act as the child's parent or authorized to make educational decisions for the child;
- An individual acting in place of a biological or adoptive parent, including a grandparent, stepparent, or other relative with whom the child lives; or
- An individual who is legally responsible for the child's welfare if the authority of the biological or adoptive parent to make educational decisions on the child's behalf has been specifically limited by court order (i.e., a court appointed surrogate advocate [CASA], a surrogate parent or a foster parent).

Some of the students may become residents of the LEA by being placed in a short-term residential treatment placement (STRTP), foster family home or agency (FFH/A), or an adult care facility (ACF). In such cases, the residential support personnel typically register the student with the DSEA on the day following placement. At the time of enrollment, the personnel should present one or more of the following: parent name(s) and address(es), a copy of the court order stating the name of the individual who holds educational rights, or notification of need for a surrogate parent. An interim placement is to be completed and signed by DSEA upon presentation or verification of a current IEP and psychological evaluation. The student is enrolled immediately upon registration. This section addresses enrollment in a district program from outside of the SELPA, from within the SELPA, and from outside of the state.

New to LEA from Outside of SELPA

When a student with a disability who has an IEP transfers into a LEA from a LEA not operating programs under the same SELPA local plan within the same academic year, the LEA shall provide the pupil with a free appropriate public education (FAPE), including services comparable to those described in the previously approved IEP, in consultation with the parents, for a period not to exceed 30 days. During this time the LEA shall develop, adopt, and implement a new IEP that is consistent with federal and state law.

The following steps need to be followed by the student's DSEA for updating information in SEIS. Specific assignment of responsibility to personnel will depend on LEA individual processes.

- Personnel at the school or district site complete the Interim Placement form and obtain parent/guardian/adult student signature, submit a request to add student in SEIS per LEA process.

SEIS LEA-Administrative level user (LEA Special Education CALPADS and Data managers) needs to:

- Research in SEIS if the student has an existing record and request transfer if need be.
- If no record in SEIS exists, a new student record shall be created.



- Verify or input the student's first and last name, date of birth, SSID number and district ID number.
- Assign a Case Manager and Service Providers.
- The team develops a complete IEP on SEIS within 30 days, with the affirm and attest process completed within 7 days after the offer of FAPE is made.

New to LEA from Within the Same SELPA

When a student with a disability who has an IEP and transfers into a LEA from a LEA operating programs under the same SELPA in which he or she was last enrolled within the same academic year, the new LEA shall continue, without delay, to provide services comparable to those described in the existing approved IEP, unless the parent and the LEA agree to develop, adopt, and implement a new IEP.

The following steps need to be completed by the student's district of residence (DSEA) for updating information in SEIS. Specific assignment of responsibility to personnel will depend on LEA individual processes

- Interim Placement form needs to be completed.

SEIS LEA-Administrative level user (LEA Special Education CALPADS and Data managers) needs to:

- Research in SEIS if the student has an existing record and, either transfer the existing record, or create a new student record in SEIS.
- Assign a Case Manager and Service Providers
 - Continue annual and triennial review dates as indicated in SEIS, even if a 30 day review meeting is held.

The IEP team may, but is not required to, complete an IEP or IEP Amendment in SEIS within 30 days.

New to District from Outside the State of California

When a student with a disability transfers from an educational agency located outside the State of California to a LEA within California within the same academic year, the LEA shall provide the pupil with a FAPE, including services comparable to those described in the previously approved IEP, in consultation with the parents, until the LEA conducts an assessment, if determined to be necessary by the LEA, and develops a new IEP consistent with federal and state law.

SEIS LEA-Administrative level user (LEA Special Education CALPADS and Data managers) needs to:

- Research in SEIS if the student has an existing record and request transfer if need be.
- If no record in SEIS exists, a new student record shall be created.
- Verify or input the student's first and last name, date of birth, SSID number and district ID number.
- Assign a Case Manager and Service Providers.
- The team develops a complete IEP on SEIS within 30 days, with the affirm and attest process completed within 7 days after the offer of FAPE is made.



Interim Placement for Regionally Operated Programs

When a student moves into a LEA and has an IEP requiring a regionally operated program and such a class is not operated by the LEA, the LEA can make an interim placement into a program operated by an AVSELPA Regionalized Program. The LEA special education administrator/designee must complete the AVSELPA *Interim Placement Forms* as well as the following procedures to help expedite the placement in a timely manner.

1. Review and consider the IEP goals/objectives more closely than the eligibility for special education services in making a decision to refer the student to a regionalized program.
2. Call the Regionalized Program Special Education Administrator for the program being considered for consult. If they are not available by phone leave a message and/or email regarding the referral and continue with the referral process.
3. Complete the *AVSELPA Parallel Placement Form* (Appendix 2) form with all relevant information on the student, parent/guardian, previous placement, and program compatibility. A LEA Special Education Administrator/designee must sign this form.
4. Fax or scan the following **REQUIRED** forms to the Regionalized Program Administrator for the program being considered:
 - *Regionalized Services Referral Form*
 - *AV SELPA Interim Placement Form*
 - IEP
 - Multidisciplinary Report (as appropriate or required)
 - And any additionally required forms identified by the regionalized program/services

NOTE: Students will not be accepted by regionalized program without all of this documentation.

5. Ensure that the parent/guardian understands the process and is provided with name and contact information of recommended regionalized program for follow up.
7. Call regionalized program Special Education Office Secretary to ensure that the referral was received.
8. DSEA needs to create a LEA special education pupil file.
9. District of Service (DOS) will be responsible for enrolling student in their Student Information System and requesting or creating the SEIS record.
10. Be aware, the 30-Day Timeline begins when the *Interim Placement Form* is generated. Upon receipt of the *Regionalized Services Referral Form* along with other required documentation, regionalized services should be provided **immediately** as per EC 56325(a). The parent should be offered the option of transporting the child to and from school while transportation is being arranged.

NOTE: The DSEA remains responsible for making an offer of FAPE to students, including meeting legal timelines, even if the regionalized LEA becomes the DOS-.



Interim Placement-Nonpublic School Residential Placement

IEP Driven Residential Placements

If a student from outside the SELPA is placed in a nonpublic school residential setting through the IEP process in a prior school district, that student's education, including corresponding costs, remains the responsibility of the former LEA/SELPA through the extended school year session (EC 56325(c)).

In such cases, **DO NOT SIGN THE *INTERIM PLACEMENT FORM***. The student's program and placement still belong to the other district. Do not compromise the district's status by completing and signing this form and putting in the student's file. Keep it in a "tickler" file in your office for future reference. Contact the previous district to let them know that the student has moved to your district and that you will be available for an IEP team meeting to shift the responsibility for the student's IEP to your district following the extended school year session. Notify the SELPA Mental Health Coordinator for additional support.

If a student from within the AV SELPA who is placed in a nonpublic school residential setting through the IEP process and his/her parent moves into a new LEA within the SELPA, the new LEA should complete an Interim Placement and notify the SELPA Mental Health Coordinator for additional support.

Signature of Consent and LEA Representative

It is necessary for the parent to sign the proposed *Interim Placement Form* acknowledging the offer of FAPE during the 30-day Interim. There will be times that programs or services that were provided in the former district are not in place in the new LEA at the time of enrollment. In such cases, an alternative program within the LEA, a referral to a program operated by another agency, or placement in a nonpublic school may be necessary. The law allows a district to address the IEP within the existing programs and services during the 30-day placement. The parent must give consent for placement in a program that is not in conformity with the current IEP.

The *Interim Placement Form* is to be signed by a school or district administrator. The parent/guardian should be given a copy of the *Interim Placement Form*. The original should be placed in the student's special education pupil file and a copy given to the teacher.

Request for Records

To facilitate the transition for an individual with exceptional needs, the new school in which the individual with exceptional needs enrolls shall take reasonable steps to promptly obtain the pupil's records, including the individualized education program and supporting documents and any other records relating to the provision of special education and related services to the pupil, from the previous school in which the pupil was enrolled. The previous school in which the individual with exceptional needs was enrolled shall send the pupil's special education records, or a copy thereof, within five working days. (CCR 3024)

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