

# LOW INCIDENCE EQUIPMENT AND SERVICES

## **Legal Requirements**

Commencing with the 1985-86 fiscal year, and for each fiscal year thereafter, funds to support specialized books, materials and equipment as required under the IEP for each student with low incidence disabilities (hearing, visually and orthopedically impaired), shall be determined by dividing the total number of students 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.

The per-student entitlement shall be multiplied by the number of students with low incidence disabilities in each SELPA to determine the total funds available for each local plan.

The superintendent shall apportion the amount determined to the SELPA for purposes of purchasing and coordinating the use of specialized books, materials and equipment.

As a condition of receiving these funds, the SELPA shall ensure that the appropriate books, materials and equipment are purchased, that the use of the equipment is coordinated as necessary and that the books, materials and equipment are reassigned to local educational agencies within the SELPA once the agency that originally received the books, materials and equipment no longer needs them.

It is the intent of the Legislature that SELPAs share unused specialized books, materials and equipment with neighboring SELPAs.

As a part of the local plan submitted pursuant to § 56205, 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 students in isolated sites and maximizes the opportunities to serve students in the least restrictive environments (LRE).

## **Legal Reference**

EC 56206; EC 56836.22

## **Local Procedures**

The SELPA receives special funding each year for the purchase of books, materials and equipment for students with low incidence disabilities. Districts may request funding from the SELPA to purchase specialized books, materials and equipment for their students with low incidence disabilities. Low incidence disability means students with hearing impairments, vision impairments and severe orthopedic impairments, or any combination thereof. For purposes of this definition, vision impairments do not include disabilities within the function of visual perception.

### *Criteria Assessment*

The need for specialized books, materials and equipment must be documented in an appropriate assessment completed within the past calendar year. The assessment must be conducted by persons knowledgeable of the disability. Special attention shall be given to the student's unique educational needs, including, but not limited to, skills and the need for specialized services, materials and equipment consistent with guidelines established by the CDE. (EC 56320(g)) In addition to low incidence staff, knowledgeable persons include doctors and therapists from the medical therapy unit and special evaluations provided through the Regional Center.

The personnel who assess the student shall prepare a written report, as appropriate, of the results of each assessment. The report shall address the student's need for specialized services, materials and equipment consistent with guidelines established by the CDE. (EC 56327(h))

### IEP Content

The need for specialized books, materials, equipment or services must be clearly documented in the student's current IEP. Documentation may appear in one or more of the following sections in the IEP:

1. Special Factors.
2. Goals and Objectives.
3. Accommodations/Modifications to the General Education Environment
4. IEP Notes/Comments.

The IEP should identify the need for specialized books, materials and equipment in terms of the function that the item serves, not by brand name or model. For example, rather than saying that the student needs a specific communication device, the IEP might indicate that the student needs an assistive form of communication that will allow the student to express basic needs, that can be easily transported from class to class and that can accommodate up to XXX number of messages.

This type of information allows low incidence staff to experiment with various types of communication systems and devices from low tech to high tech and purchase the one that works the best. Identifying a particular piece of equipment by brand and model in the IEP can result in the purchase of a piece of equipment that proves to be ineffective for the student.

### Limitations

The use of low incidence funds is limited, "for purchase, repair and inventory maintenance" for equipment, materials and specialized books used by students with low incidence disabilities. Purchases must relate to the unique educational needs resulting from a student's low incidence disability. Low incidence funds may not be used to:

1. Support staff development.
2. Purchase medical therapy units for California Children's Services.
3. Purchase medical equipment.
4. Construct or alter facilities or acquire storage units.
5. Supplant books, materials and equipment provided by other agencies.

### Request Procedures

Requests for low incidence funds must be submitted to the SELPA on the appropriate SELPA form and be accompanied by a copy of the most recent assessment and/or current IEP and a completed HCOE or DNCOE requisition form.

### Approval

Requests for low incidence funds will be reviewed and approved/disapproved by the SELPA Administrator. The SELPA Administrator will evaluate requests based on the requirements and limitations outlined by the CDE.

### Purchase

All low incidence books, materials and equipment will be purchased and maintained by the SELPA.

## Local Forms

Low Incident Equipment Request form (available on the SEIS website- Reference Materials)  
Low Incidence Policy. APPENDIX J

## FAQs

Can low incidence funds be used to purchase a computer for the classroom?

*Probably not, low incidence funds may only be used for one student and must be used for a specialized piece of equipment. A computer, unless there is something unique and specialized about it, is a generic piece of equipment found in most classrooms.*

Who can decide that a student needs low incidence books, materials or equipment?

*The determination must be made by a person knowledgeable about the disability, preferably a properly credentialed low incidence teacher employed by SELPA and/or the COE.*

### REMINDERS

- Low incidence funds may only be used for low incidence students – hearing, visually, or orthopedically impaired.
- Low incidence funds may only be used to purchase specialized books, materials or equipment.
- The need for low incidence books, materials or equipment must be documented in an assessment and/or IEP.
- Low incidence books, materials and equipment must be documented in terms of needs – not brand names or models.
- Low incidence books, materials and equipment must be requested by an appropriately credentialed low incidence teacher.