

Teachers Right to Request Review of Class Assignment

Intent of Policy

The intent of this policy is ensuring proper placement of special education students by providing regular education and special education teachers the right to request an Encore review of the assignment of a special education student to their class.

Classroom Teacher Participation in IEP Placement Decisions

In order to ensure proper placement of special education students, the Board believes that the regular or special education teacher should actively participate in any decision-making process that might result in a student being placed in that teacher's classroom.

This policy does not require the attendance of any teachers at an IEP meeting beyond what is required by applicable law.

Teacher's Right to Request Review of the Classroom Assignment

Regular education teachers and special education teachers have the right to request an Encore review of the assignment of a special education student to their class.

When a teacher has a concern regarding a special education student assigned to his/her class, the following procedures shall be followed:

1. The teacher shall submit a written request for review to his/her supervisor and/or the CEO. The request shall state the name of the student and the specific concerns regarding the student's placement;
2. Upon receiving the request, the CEO/special education director/designee will commence the review of the placement of the student. The person conducting the review may consult with other Encore staff members (school psychologist, SLP, OT, etc.) whose expertise and/or knowledge of the specific student will assist in the review;
3. Encore's review and written findings shall be completed within 30 school days of receiving the teacher's written request;
4. Encore's written findings will include, at minimum, the following:
 - a. A determination on whether the student's placement is acceptable or whether the Encore review indicates that the Encore must convene an IEP team meeting for the purpose of reviewing the teacher's concerns, the results of the review, whether any changes are needed to the student's placement, instruction, related services, or any combination thereof;
 - b. A brief description of the basis for the findings; and



- c. A description of any recommended corrective actions or changes to the classroom, teaching environment, etc. which do not require the approval of the IEP team;
5. If the review recommends referral to the IEP team, Encore shall immediately initiate the process for convening an IEP meeting.

This policy does not alter any of the statutory time frames for requesting an IEP meeting.

(Ed. Code § 56195.8(b)(2).)