

Teacher's Right to Request Review of Class Assignment (SSDA 33e)

Intent of Policy

The intent of this policy is ensure proper placement of special education students by providing regular education and special education teachers the right to request a District 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 a District 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 the Superintendent or designee. The request shall state the name of the student and the specific concerns regarding the student's placement;
2. Upon receiving the request, the Superintendent or designee will commence the review of the placement of the student. The person conducting the review may consult with other District staff members (school psychologist, SLP, OT, etc.) whose expertise and/or knowledge of the specific student will assist in the review;
3. The District's review and written findings shall be completed within 30 school days of receiving the teacher's written request;
4. The District's written findings will include, at minimum, the following:
 - a. A determination on whether the student's placement is acceptable or whether the District review indicates that the District 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, the District 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).)