

LOW INCIDENCE PURCHASING

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LOW INCIDENCE FUNDING GUIDELINES

As part of the Local Plan submitted to the State, each SELPA shall describe how specialized books, materials, equipment and services will be distributed within the SELPA. This policy has been developed to provide a summary of legal and local requirements and guidelines for students with low incidence disabilities. In addition to this policy, all requirements outlined under the Annual State Low Incidence Funding Update will be observed.

13.1 SUMMARY OF LEGAL REQUIREMENTS

Education Code Section 56836.22 provides for funds to purchase “specialized” books, materials and equipment as required under the student’s Individualized Education Program (IEP) for students with low incidence disabilities as defined in Section 56026.5 (hard of hearing, deaf, deaf-blind, visually impairment, or severe orthopedic impairments, or any combination thereof).

As a condition of receiving these funds, the SELPA shall ensure that:

- The appropriate books, materials and equipment are purchased;
- The use of items is coordinated as necessary; and
- The books, materials and equipment are reassigned within the SELPA once the student that originally received the items no longer needs them.

Special supplies and equipment purchased with State funds are the property of the State and shall be available for use by individuals with exceptional needs throughout the State. The Clearinghouse for Specialized Media and Technology (CSMT) is available to facilitate the distribution of unused materials and equipment.

In addition to the equipment fund, annually, the State Budget Act may appropriate funds which shall be used to provide specialized services to pupils with low incidence disabilities.

13.2 RESPONSIBILITY

Low Incidence funding is legally the responsibility of the SELPA, including accountability of how the funds are used and reassignment of specialized books, materials and equipment within the SELPA and sharing with other SELPAs. To meet this responsibility, a Low Incidence Committee has been established which is comprised of educators knowledgeable about low incidence disabilities. The North Santa Cruz County SELPA Low Incidence Committee has established procedures and guidelines for purchases through the Low Incidence fund.

The Low Incidence Committee may include:

Specialist for the Visually Impaired
Specialist for the Orthopedically Impaired
Specialist for the Hard of Hearing or Deaf
Speech/Language Pathologist
Audiologist
Teacher or Specialist knowledgeable in assistive technology
SELPA Administrator

13.3 ELIGIBILITY

Funds may be used for all students with the Low Incidence disabilities as defined in law, for both primary and secondary eligibilities. Some students counted as having an orthopedic impairment may not be eligible because they do not have a “**severe** orthopedic impairment” as per the definition of Low Incidence disabilities in Education Code 56026.5. Students who have severe orthopedic impairments require highly specialized services, equipment and materials per Education Code Section 5600.5(b).

Education Code Section 56320(g) requires that persons knowledgeable of that disability shall conduct the assessment of a pupil with a suspected low incidence disability. A low incidence disability does not guarantee the use of low incidence funds. The IEP team reviews assessment data and determines the most appropriate items or services needed to address the student’s unique educational needs. These items or services may, or may not be “specialized.” Items, which are found in most classrooms, would not be acquired through low incidence funds.

LOW INCIDENCE GUIDELINES

These guidelines were developed for LEAs serving students with severe low incidence disabilities who require specialized services and/or equipment and specialized materials to benefit from education. These students have the potential to pursue the LEA's general, parallel, or adapted course of study.

A. Low Incidence Funding Parameters

1. Prior to requesting purchase of new equipment the district/program should check other sources such as the Clearinghouse for Specialized Media and Technology, and SELPA office for any availability.
2. Since Low Incidence funds are limited to expenditures on books, materials, and equipment, for students with low incidence disabilities, the purchase must relate to the unique educational needs resulting from the low incidence disability as indicated in the IEP of eligible students.
3. Requests for individual items that are under \$50.00 should not be submitted for low incidence funding and are district or program responsibility unless the items comprise parts of a single piece of equipment from the same vendor for an individual student that totals at or above \$50.
4. Equipment purchased with LI funds is the property of the State of California and is managed by the North Santa Cruz County SELPA.

B. Procedures

1. **Determine Eligibility:** The IEP team determines eligibility for a low incidence disability. The Low Incidence eligibility must be documented on the IEP as a primary or secondary disability.
2. **Determine Student Needs:** The IEP team determines the student's educational needs for item(s) through educational assessments and/or documentation.
 - a. **Educational Assessment**
The personnel who assess the student shall prepare a written report, or reports as appropriate, of the results of each assessment. The report shall include, but not be limited to, the need for specialized services, materials, and equipment for students with low incidence disabilities consistent with guidelines established pursuant to §56136..

- b. IEP Documentation: The requirements must be written into the IEP but are not limited to the following:
- How the item will assist the student’s instruction in accordance with the IEP.
 - How often the item will be used or is needed.
 - How the item facilitates participation in the classroom.
 - Specific projected student outcomes.
 - Justification statement that is related to the student’s unique educational needs as identified in the assessment information. (See IEP Team’s Rationale on Request Form)
 - Assessment, goals and objectives that are correlated to the justification statement of need.
 - Present level that reflects assessment information and need for support.
 - Identification of personnel who will provide support to student and will monitor and inventory adapted equipment and FM System (List name & position).
3. **Submission to LI Committee:** Complete the “Low Incidence Request” Forms: The LEA or SCCOE Early Start Special Education Director must sign the request form. Include accurate ordering information including tax and shipping.
4. **Attach Relevant Current Annual IEP Forms:** IEP must be signed and legible. Attach amendment IEPs as appropriate. The minimum IEP forms that should include:
- Info/Eligibility
 - Special Factors
 - Related Goal/s
 - Any additional documentation relative to support this request
5. **Send the Request Packet:** Request packet must be sent to the SELPA office for presentation to the Low Incidence Committee for review. The SELPA Administrator signs approval. After approval, the request packet will be processed for ordering by the SELPA office. Keep a copy of the request form for your records.

If LI request has been denied, the decision can be appealed by meeting with the SE SELPA director to provide additional justification for the LI request.

C. Cautions:

1. Do not list specific items in the student’s IEP using specialized brand names. Goals/Special Factors should be addressed generically. What the IEP must show is that the student has a unique educational need directly related to the low incidence disability and that this need can only be met with specialized books, materials, equipment and

services. Goals must be written to address the unique educational needs, not the desired items or service.

2. If the annual IEP goals do not specifically address this educational need, then an amendment IEP with goals that reflect the need for specialized books, materials, and equipment must be written and submitted.
3. There is no guarantee of approval by the Low Incidence Committee. Once specific items are listed on the IEP, the district is ultimately responsible for purchasing the equipment.

D. Low Incidence Committee Approval Process

1. Dates of Review: The Low Incidence Committee will meet regularly to review the low incidence requests. All requests must be submitted to the SELPA office one week prior to the meeting dates.
2. The district/program will receive an approval or denial response after the meeting. Notation of discussion or reason for denial will be made.
3. Purchasing the LI Item: Once approval is granted, the SELPA will process the purchase order. An *inventory tag* must be attached to equipment by designated district/county personnel. Low Incidence inventory will be recorded by personnel on an annual spreadsheet.
4. Reimbursement: If an LEA purchases equipment prior to accessing the Low Incidence Committee, then a reimbursement request may be made. The committee will consider the request on its own merit. The fact that it was already purchased will have no bearing on the approval or denial of the request. It is important that all documentation is included with the request. Use Reimbursement for LIF Equipment form for this purpose.

E. Student Movement

1. Student Moves Into the SELPA: When a student moves into the LEA with low incidence equipment already purchased for the student in their last placement, it is the responsibility of the LEA of attendance to secure and document that the equipment be transferred.

If equipment is sent with the student, an inventory form should be completed and sent to the SELPA so it can be put into the Low Incidence Inventory database.

2. Student moves out of SELPA: Per CDE FAQs about LIF funds: “if the books, materials and equipment are still needed by other students with low incidence disabilities in your SELPA, there is no requirement to send it with the student who moved. Providing these

resources is the responsibility of the SELPA where the student now resides. If, however, books, materials and equipment purchased with low incidence funds are unused, SELPAs are encouraged to make arrangements with other SELPAs to share the unused equipment, books and materials. The California Department of Education may be contacted for assistance in locating another SELPA that has need of the unused equipment, books or materials.”

3. Student graduates from high school: A graduating high school student who has a low incidence disability cannot use the specialized equipment purchased for him by his SELPA through low incidence funds in college. To do so would be a gift of public funds which is a violation of law. Pursuant to Education Code 56822 “Books, materials and equipment purchased with low incidence funds remain the property of the state. Since the student has graduated from high school, he is no longer eligible to receive special education services from your SELPA. If your SELPA no longer has use for the books, equipment or materials the California Department of Education should be notified so that we can find another SELPA that has need of these resources. If the student needs similar equipment upon graduating or aging out, he/she should contact the Department of Rehabilitation or Golden Gate Regional Center.

F. Equipment

1. Lost or stolen equipment will not be replaced using low incidence funds. The LEA is responsible for replacement of equipment. Reimbursement to districts for costs of replacing lost or stolen equipment can be requested if money is available at end of year.
2. Item No Longer Needed: If the item(s) has been purchased for one student and is no longer being used by that student, notify the SELPA office. The item can be reassigned to another student who is LI eligible. The IEP for that student must indicate the need for LI equipment. Use Transfer of Low Incidence Equipment/Materials form. Notify the SELPA of any action taken with LIF equipment.
3. IEP teams may want to recommend a trial basis on a piece of equipment. This can be accomplished through a lease agreement with the vendor prior to purchase.

G. Management Information Documentation:

An IEP team member will ensure that the student is listed with a Low Incidence disability on the Management Information System (MIS which is currently SEIS) through SELPA.

H. Definition of Low Incidence Disabilities

Visual Impairment

To be eligible for special education, a “pupil has a visual impairment which, even with correction, adversely affects a pupil’s educational performance.”

When an assessment of a student with a visual impairment determines that he or she has educational needs that cannot be met without special education and related services, the student is provided with instruction, specialized services and materials and equipment in accordance with his or individualized education program (IEP).

The term *visual impairment* includes, for educational purposes:

- Students who have functional blindness (who rely basically on senses other than vision as their major channels for learning).
- Students with low vision (who use vision as a major channel for learning).
- A visual impairment that does not include perceptual or visual motor dysfunction resulting solely from a learning disability.

Severe Orthopedic Impairment

The term orthopedic impairment includes those impairments caused by congenital anomalies, diseases, and other conditions.

Conditions resulting in severe orthopedic impairments include, but are not limited to: cerebral palsy, muscular dystrophy, spinal bifida, spinal cord injuries, head traumas, juvenile rheumatoid arthritis, and tumors.

- These conditions may improve, remain stable, or deteriorate; and changes in characteristics may occur at varying rates.
- A severe orthopedic impairment is persistent and significantly restricts an individual’s normal physical development, movement, and activities of daily living.

As a result, this impairment may affect the pupil’s educational performance. Accompanying sensory, intellectual, behavioral, learning, and medical problems often occur that may affect the pupil’s school performance.

Hearing Impairment

The student with a hearing impairment is one whose hearing loss adversely affects his or her developmental growth or educational performance, or both, to such an extent that special education and related services are required. Hearing impairment is defined as an impairment which is permanent that adversely affect an individual’s:

- Expressive and/or receptive communication.
- Developmental growth, and or educational performance and makes it difficult, but does not preclude, the processing for linguistic information through hearing, with or without amplification.

**NORTH SANTA CRUZ COUNTY SELPA
LOW INCIDENCE FUNDING COMMITTEE GUIDELINES**

Low Incidence Fund EquipmentDocumentation needed:

Appropriate required documents (see forms) submitted including current assessment/screening report by specialist knowledgeable in the specific Low Incidence disability with recommendation for equipment.

Equipment Covered:

Current inventory of equipment not currently in use will be considered first
Equipment must meet the unique needs of the student and be adaptive and specialized

Equipment not covered:

Lost or stolen equipment will not be replaced, but will be considered for reimbursement if there are funds at the end of the year.

Unused funds:

Reimbursement to districts for costs of replacing lost or stolen equipment if money is available at end of year.

Unused funds will be rolled into the next fiscal year.

Low Incidence Service FundDocumentation needed:

Appropriate required documents (see forms) submitted including current assessment/screening report by specialist knowledgeable in the specific Low Incidence disability with recommendation for services

Services Covered:

Repair of Audiological equipment

Reimbursement for Repair of previously purchased LIF Equipment (with the exception of Audiological equipment). Districts are required to repair LIF equipment and then seek reimbursement from LIF Service Fund.

Direct services to the LIF student such as interpreters, note takers, readers, transcribers, and others in accordance with Ed.Code Section 56026.5 will be considered at the end of the year if money is available

Warranty Renewal

Replacement of batteries on previously purchased LIF equipment

Services not covered:

- Assessments
- Assistive Technology services

Low Incidence Equipment Property Loan Guidelines

Home Use of Low Incidence Equipment

In some cases Low Incidence Equipment may need to be used in the home for the student to receive free appropriate public education. If equipment will be used in the home it is important to complete the *Low Incidence Property Loan* form.

If home use of the equipment/material is deemed appropriate, the IEP team must document on the IEP meeting notes the rationale of equipment/material use in the home. Also, the parents must agree in writing to:

1. Secure the equipment and supervise proper use, ensuring that there will be no modifications of or additions to equipment, existing programs or software.
2. Provide necessary and safe transportation of the equipment between home and school.
3. Acknowledge that the equipment was purchased for student use with state funds and remains the property of the State of California.
4. Agree that equipment will not be used by other members of the family or by friends.
5. Assume responsibility for the replacement or repair of equipment if lost or damaged while at home.
6. Receive training in the use of the equipment before it can be sent home.
7. Acknowledge that the equipment may be required to be returned to school at any time it is determined that the equipment is not being used properly, or when the IEP team determines that use at home and/or use at school is no longer required for student to access curriculum.
8. Return the equipment to the school district (LEA) should the student move out of the district in order to arrange for transfer of the equipment to the new district of the student or to another student in the same LEA.



**NORTH SANTA CRUZ COUNTY
SPECIAL EDUCATION LOCAL PLAN AREA**

LOW INCIDENCE EXPENDITURE REQUEST FORM

Instructions:

1. Complete this form for materials/equipment only, e.g., computer, monitor, printer. Do not include general instructional materials or consumable supplies.
2. Include order form from company that purchase will be made from.
3. If the request is for a specific student, the following IEP pages must be attached.
 - a. Info/Eligibility
 - b. Special Factors
 - c. Related Goal/s
 - d. Any additional documentation relative to support request
4. Program related requests must be accompanied by a rationale.
5. Forward completed form(s) to the responsible LEA Special Education Director.
6. Approved forms must be submitted to SELPA.

Submitted by: _____ School/Site and Teacher _____ Contact Information: _____ Program: _____
 LEA _____ Date _____ Check one: Pupil Request Program Request

Please CIRCLE one: **5710 – Infant 0-2 years** **5730 – Preschool 3- 5 years** **5750 – Severely Disabled 5 (K) – 22**
 Please CIRCLE one: **1110 – SDC** **1130 – Supplemental Aids and Services in Regular Classrooms**

Quantity	Description	Est. Cost	Extension	Invoice Amount

Subtotal _____
 Shipping _____
 Tax _____
 Total _____

Shipping _____
 Tax _____
 Total Cost _____

Student's Name: _____
 Justification: _____
 (Attach more sheets _____
 if necessary) _____

Urgent **Priority Level 1** **Priority Level 2** **Priority Level 3**

Recommendation: **Approved** **Denied**

Comments: _____

LEA Special Education Director _____
 Signature/Date _____

Program Specialist/Low Incidence Committee Recommendation: **Approved** **Denied**
 SELPA Director _____ **Approved** **Denied** Date _____

Comments: _____

For Office Use Only



Priority Levels URGENT I, II, and III are described as:

Urgent - EQUIPMENT IS REQUIRED FOR THE STUDENT TO ATTEND SCHOOL SAFELY (e.g standing tables)

Level I – EQUIPMENT IS REQUIRED FOR THE STUDENT TO PARTICIPATE IN EDUCATIONAL PROGRAM (e.g. Phonak Ear, Mobility Equipment, Brailer, Augmentative Communication Devices)

Level II – EQUIPMENT WHICH AUGMENTS THE PROGRAM OF THE STUDENT AND ASSISTS PARTICIPATION IN CLASSROOM ACTIVITIES (e.g. modified or adapted equipment or furniture)

Level III – EQUIPMENT WHICH IS USEFUL BUT NON-ESSENTIAL (e.g. toys)

**North Santa Cruz County Special Education Local Plan Area
Low Incidence Movement/Reassignment/Repair Form**

Student: _____ FHI: _____ School: _____
District/LEA: _____ Contact Person: _____ Date Submitted: _____
Phone: _____ Email: _____
Item 1) _____ ID# _____
Item 2) _____ ID# _____
Activity Requested: Movement/Reassignment Repair Other (Keep a copy of this form for your files)

Movement/Reassignment

- 1) Item remains with the student, however location has changed
Previous location:
Site: _____ Teacher: _____ Phone: _____
Move to Location:
Site: _____ Teacher: _____ Phone: _____
- 2) Student no longer needs equipment and will be reassigned to another Low Incidence student
Based on IEP need, reassigned to:
Student: _____ Site: _____ District: _____
Teacher: _____ Phone: _____ FHI: _____
Date of Reassignment: _____
Other student information as necessary: _____

- 3) Student no longer needs equipment and is being returned to the LI committee
- 4) Student has moved out of the North Santa Cruz SELPA and equipment is being reassigned to another Low Incidence qualifying student(s) in the North Santa Cruz SELPA.
- 5) Student has moved out of the SELPA. Address of new district if known.
C/O Person: _____
Address: _____

Phone: _____

Repair Request

Send the material or equipment to the North Santa Cruz SELPA office along with this form. Describe repair needed. Please be specific and detailed as to the problem. Attach a copy of any warranty or repair information that may come with the item.

Description of repair needed:

Company: _____
Address: _____

Phone: _____ Web Address: _____
Email: _____

■ Lost ■ Stolen

Comments: _____

**North Santa Cruz County SELPA
Low Incidence Equipment Property Loan Form**

Student Name: _____ Current School: _____

Teacher: _____

Service provider who monitors the equipment:
Name: _____ Phone: _____

Date equipment loaned: _____ Return due date: _____

Description of Equipment: _____

Serial Number: _____

Condition of equipment upon loan: _____ (picture if possible)

Condition of equipment upon return: _____ (picture if possible)

Return equipment to: Name _____ Location: _____

Rationale for home use (documented in the IEP): _____

PARENT RESPONSIBILITY

As the parent/guardian of _____, I agree to:

1. Assume responsibility for the loss or damage of equipment.
2. Secure the equipment and supervise proper use.
3. Provide necessary and safe transportation of the equipment between home and school.
4. Acknowledge that the equipment was purchased for student use with State funds and the State retains ownership of the equipment.
5. Receive training in the use of the equipment before it can be sent home.
6. Return the equipment promptly as identified on the agreement.
7. Acknowledge that the equipment may be called back at any time it is no longer needed or that it is not being used properly.
8. Acknowledge that the equipment may be called back for maintenance or calibration if necessary.
9. Return the equipment to the identified service provider should the student move out of the district.

Parent/Guardian signature

Date

Address (Street City Zip)

Telephone

Email:

LOCAL AGENCY AUTHORIZATION:

Signature of Director of Special Education of Designee

Date

Copies to: District, service provider, parent/guardian, NSCC SELPA Low Incidence Committee
Updated: 3/31/2010/cknox