

# **Guidelines for Low Incidence Services**

**Adopted by OSC June 23, 2000  
Revised, OSC, May 6, 2020**

## **Marin SELPA**

### **Guidelines for Low Incidence Services**

California Code of Regulations, Title 4, 3051.16 states: "Specialized services for low incidence disabilities may include:

- A. Specially designed instruction related to the unique needs of pupils with low incidence disabilities provided by teachers credentialed pursuant to Ed. Code 44265.
- B. Specialized services related to the unique needs of pupils with low incidence disabilities provided by qualified individuals such as interpreters, note takers, readers, transcribers, and other individuals who provide specialized materials and equipment.

IDEA now includes the requirement that the IEP team shall "consider whether the child requires assistive technology devices and services" for all students with disabilities, as well as other requirements including the need for "...Braille" for students who are "blind or visually impaired" and "language and communications needs..." for students who are deaf and hard of hearing."

### **Funding for Specialized Services**

The Marin SELPA receives low incidence service dollars, which must be expended during the current school year, as funds may NOT be carried over. Also, service dollars may not be commingled with other low incidence funding and must be accounted for separately.

### **Criteria**

Key criteria summarizing the legal requirements, guidelines, and other information intended to serve as a general guide for determining the appropriate use of low incidence funding:

1. Each student for whom a service is purchased has a "low incidence disability" (i.e., deaf-blind, deaf, hard of hearing, severe orthopedic impairment, and/or visual impairment).
2. The service is "specialized" (i.e., it relates to a need(s) resulting from the low incidence disability, as indicated in the comprehensive assessment in all areas related to the student's disability, involving staff who are credentialed/knowledgeable to the low incidence disability areas(s).
3. The service is "required for the student with a disability to benefit from special education" (i.e., it meets the legal definition of a related service).
4. Low incidence funds are used to "supplement," not to "supplant" existing services (i.e., funds are to be used for additional services beyond those provided through

special education funds, the base program or by another agency). The service(s) must be new for this year or for a new student (i.e., The student has an interpreter for the school day and this year the student will be attending the prom and will require an interpreter for this event.)

5. The service is considered a "support service" (i.e., it is provided by non-credentialed staff).

### **How to Apply for Low Incidence Service Funding**

1. The IEP team recommends the specialized services.
2. The district of special education accountability (DSEA) purchases the services.
3. The following packet is compiled and submitted to the Marin SELPA for consideration:
  - Completed form "Reimbursement for Low Incidence Services" signed by district superintendent or special education administrator.
  - Invoice for services purchased.
  - A copy of the IEP recommending specialized services
  - A copy of the current SERVE form indicating handicapping condition (must be low incidence)
4. Requests for reimbursement will be accepted by the Marin SELPA until June 1<sup>st</sup> of the current year. Requests received after June 1<sup>st</sup> will be rolled over to the next fiscal year.
5. The Marin SELPA Low Incidence Review Committee will meet regularly (between October and June) to review requests to assure that expenditures meet the criteria outlined in current sections of the Education Code and as required by this procedure. The Low Incidence Review Committee may include:
  - Specialist for the visually impaired
  - Specialist for the orthopedically impaired
  - Specialist for the hard of hearing or deaf
  - Speech and language pathologist
  - Teacher or specialist knowledgeable in assistive technology
  - Member of the Advisory Steering Committee
  - SELPA administrator
6. Requests recommended for reimbursement by the Low Incidence Committee will be forwarded in June of the current year to ASC for review and OSC for approval.
7. The Marin SELPA will reimburse the school districts for expenditure approved by OSC by August 31<sup>st</sup>. In the event OSC approved requests exceed the monies available in the Low Incidence Services Fund, districts will be reimbursed on a prorated

amount (i.e., if the OSC approved requests total \$20,000 and \$10,000 is available in the Low Incidence Services Fund, each request will be reimbursed at 50% of the expenditure.)