

Ivy Campus
2000 E Ivy Hill Ln,
Orange, CA 92867
(714)637-1489



Chapman Campus
20001 E Chapman Ave,
Orange, CA 92869
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Notice of Procedural Safeguards

Special Education Rights of Parents and Children

Under the Individuals with Disabilities Education Act, Part B, and the California Education Code

This information provides you as parents, legal guardians, and surrogate parents of children with disabilities who have been enrolled in ECE 4 Autism specialized Non Public School.

The Notice of Procedural Safeguards is required under the Individuals with Disabilities Education Act (in English, referred to as IDEA) and must be provided to you:

- When you ask for a copy
- The first time your child is referred for a special education assessment
- Each time you are given an assessment plan to evaluate your child
- Upon receipt of the first state or due process complaint in a school year, and
- When the decision is made to make a removal that constitutes a change of placement (20 USC 1415[d]; 34 CFR 300.504; EC 56301[d] [2], EC 56321, and 56341.1[g] [1])

What is the Individuals with Disabilities Education Act (IDEA)?

IDEA is a federal law that requires school districts to provide a “free appropriate public education” (in English, referred to as FAPE) to eligible children with disabilities. A free appropriate public education means that special education and related services are to be provided as described in an individualized education program (in English, known as IEP) and under public supervision to your child at no cost to you.

May I participate in decisions about my child’s education and their IEP?

You must be given opportunities to participate in any decision-making meeting regarding your child’s special education program. You have the right to participate in IEP team meetings about the identification (eligibility), assessment, or educational placement of your child and other matters relating to your child’s FAPE. (20 USC 1414[d] [1]B–[d][1][D]; 34 CFR 300.321; EC 56341[b], 56343[c])

The parent or guardian, or the local educational agency (LEA), has the right to participate in the development of the IEP and to initiate their intent to electronically audiotape the proceedings of the IEP team meetings. At least 24 hours prior to the meeting, the parent or guardian shall notify the members of the IEP team of their intent to record a meeting. If the parent or guardian does not consent to the LEA audiotape recording an IEP meeting, the meeting shall not be recorded on an audiotape recorder.

Your rights include information about the availability of FAPE, including all program options, and all available alternative programs, both public and nonpublic. (20 USC 1401[3], 1412[a][3]; 34 CFR 300.111; EC 56301, 56341.1[g][1], and 56506)

Parents whose child have been placed at ECE 4 Autism have the right to bring individuals who have knowledge or special expertise regarding your child to an IEP meeting. Our specialized staff will present and will do assessments for these meetings, independent of those conducted by the school district.

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Federal and state law requires that the first IEP to be in effect beginning at age sixteen include a statement of the transition service needs of the child and that the IEP be updated annually thereafter. Beginning at age sixteen or younger, if determined appropriate by the IEP Team, appropriate and measurable postsecondary goals related to training, education, employment, and where appropriate, independent living skills, a statement of needed transition services for the child, including, when appropriate, a statement of the interagency responsibilities or linkages between the agencies is required. Beginning at least one year before the child reaches age eighteen, a statement must be included in the IEP that the child has been informed of his or her rights that will transfer to the child on reaching the age of majority. Under California Law, when a child turns age eighteen, her or she is considered an adult and unless the parent obtains a conservatorship or guardianship over the child through court proceedings, the child may make decisions regarding his or her education.

In developing an IEP for your child, the IEP Team, including those from ECE 4 Autism, must include Positive Behavioral Intervention strategies and supports in cases where the student's behavior prevents the student from learning and consider, when appropriate, strategies, including positive behavior intervention plans. The special education teacher, the administrator at ECE 4 Autism, as a member of the IEP team must to the extent appropriate, participate in the development of the IEP of your child, including the determination of supplementary services, program modifications and support for the school personal as well as student.

Placement of your child at ECE 4 Autism

Students enrolled in our Nonpublic School (NPS) may receive equitable special education services as determined through consultation with private school and parents. In order to receive such equitable services, a "service plan" must be developed for the private school student and consented to by the parents. The Orange Unified School District, the District of Location, is responsible for developing and implementing the Service Plan.

Access to Educational Records

All Parents of a child enrolled in our program have the right to inspect records under the FERPA. Under the federal and state law, parents of a child with disabilities are presumed to and have the right to inspect and review all education records regarding your child, and to receive an explanation and interpretation of the records without unnecessary delay, including prior to a meeting regarding your child's IEP. Under California statutes, parents have the right to review and to receive copies of educational records. These rights transfer to a pupil who is eighteen years old unless the pupil has had a conservator appointed by a court to assume the educational rights of the pupil.

School Discipline and Placement Procedures for Students with Disabilities

The administrator of ECE 4 Autism may suspend your child if he or she violates a code of conduct for not more than two days. If the administrator needs to suspend a student more than once in a school year for separate incidents, the administrator will determine if the behavior that gave rise to the violation of the code of student conduct is a manifestation of your child's disability. If determination is made that the behavior is not a manifestation of your child's disability, the director may excuse your child from our program.

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Your child may also be suspended or dismissed from the program if (1) your child carries or possesses a weapon to or at school, on school premises, or to or at a school activity, (2) you child knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance while at school or activity, (3) you child inflicts serious bodily injury upon another person while at school or school activity. Given that placement with in this program is completely voluntary and on a private campus, there is no due process hearing that would be held. However, you may request a due process from your local school district to determine if a behavioral assessment is needed.

ECE 4 Autism complies with the requirements of Education Code sections 49005 et seq., 56520 et seq. and applicable provisions of Title 5 of the California Code of Regulations regarding positive behavior interventions including, but not limited to: the completion of functional behavioral assessments, the development, implementation, monitoring, supervision, modification, and evaluation of behavior intervention plans; emergency interventions and the prohibitions on the use of restraints and seclusion. Ece 4 Autism shall notify the parent/guardian, residential care provider (if appropriate) and LEA within one (1) school day of any behavior incident including when an emergency intervention is used or serious property damage occurs as well as provide LEA with a copy of the behavioral emergency report. If a Positive Behavior Plan is in place for student, it shall be reviewed to ensure all strategies are being utilized and were in effect. If a Positive Behavior Plan is not in place, the district and ECE 4 Autism will hold an emergency IEP meeting to implement a plan in response to the behavior.

ECE 4 Autism shall maintain a written policy in compliance with Education Code section 56520 et seq. and applicable provisions of Title 5 of the California Code of Regulations regarding emergency interventions and behavioral emergency reports. Evidence of such training shall be submitted to the LEA at the beginning of the school year and within thirty (30) days of any new hire.

ECE 4 Autism ensures that all of its staff members are trained annually in crisis intervention, emergency procedures, and evidenced-based practices and interventions specific to the unique behavioral needs of the student population. The training shall be provided within 30 days of employment to new staff who have any contact or interaction with pupils during the school day, and annually to all staff who have any contact or interaction with pupils during the school day. ECE 4 Autism shall select and conduct the training in accordance with California Education Code section 56366.1. ECE 4 Autism maintains written records of such trainings and provide written verification of the trainings annually to LEA and upon request.

ECE 4 Autism shall not authorize, order, consent to, or pay for any of the following prohibited interventions, or any other intervention similar to or like the following: (a) any intervention that is designed to, or likely to, cause physical pain, including but not limited to, electric shock; (b) releasing noxious, toxic, or otherwise unpleasant sprays, mists, or substances in proximity to the student's face; (c) any intervention which denies adequate sleep, food, water, shelter, bedding, physical comfort, or access to bathroom facilities; (d) any intervention which is designed to subject, used to subject, or likely to subject student to verbal abuse, ridicule, or humiliation, or which can be expected to cause excessive emotional trauma; (e) restrictive interventions which employ a device, material, or objects that simultaneously immobilize all four extremities, including the procedure known as prone containment, except that prone containment or similar techniques may be used as a limited emergency intervention by trained and qualified personnel as allowable by applicable law and regulations; (f) locked seclusion except as allowable by applicable law and regulations; (g) any intervention that precludes adequate supervision of the student; and (h) any intervention which deprives the student of one or more of his or her senses, pursuant to Education Code section 56521.2.

In the event ECE 4 Autism places a student in seclusion as defined in Education Code section 49005.1, staff will keep constant, direct observation of a student who is in seclusion as set forth in Education Code section 49005.8. ECE 4 Autism also complies with all requirements of Education Code section 49005 et seq., in the event a restraint or prone containment is used on a student. ECE 4 Autism also comply with the reporting requirements set forth in Education Code

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section 49006 regarding the reporting of the use of restraints and seclusion of pupils using forms developed by the California Department of Education as well as immediate notification of parent or guardian.

