## On-site NPS Monitoring Options 2020-2021

The document was created by the State SELPA NPS/NPA/RTC Committee to address options for LEAs to comply with the requirement to conduct onsite NPS Monitoring Visits beginning in 2020-2021.

### The Requirement

EC 56366.1(e)(3), in pertinent part:

(A) An onsite visit to the nonpublic, nonsectarian school before placement of a pupil if the local educational agency does not have any pupils enrolled at the school at the time of placement.

(B) At least one onsite monitoring visit during each school year to the nonpublic, nonsectarian school at which the local educational agency has a pupil attending and with which it maintains a master contract.

### Methodology to Complete Monitoring

<table>
<thead>
<tr>
<th>Option 1</th>
<th>Option 2</th>
<th>Option 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Comply with the code as written</td>
<td>File for a State Waiver</td>
<td>Conduct virtual (or mixed virtual and onsite as possible) monitoring</td>
</tr>
<tr>
<td>Low Risk</td>
<td>Low Risk</td>
<td>Increased Risk</td>
</tr>
<tr>
<td>A conservative approach to maintain compliance</td>
<td>A conservative approach to maintain compliance</td>
<td>If challenged, or called upon to defend the practice in the event of a claim, this option does not provide as much protection</td>
</tr>
</tbody>
</table>

### Rationale for Risk Level

- **Option 1**: No new steps, proceed to monitoring process below
- **Option 2**: Complete the state board waiver process to strike the word "onsite" from EC 56366.1(e)(3).
  - The application is online and you will need to create a profile to start the process which must be completed in one sitting so prepare the information you'll need in advance.
  - CDE info is here
  - Sample waiver info is here
- **Option 3**: Review this option with your legal counsel to discuss risk.

### Steps to be take if you choose this option

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<tr>
<td>No new steps, proceed to monitoring process below</td>
<td>Complete one onsite monitoring visit per student. Maintain documentation for your records. No requirement to submit documentation to CDE</td>
<td>Virtually or onsite, as determined by the LEA in consultation with counsel. Maintain documentation for your records. No requirement to submit documentation to CDE</td>
</tr>
</tbody>
</table>

### Process to Conduct Preplacement Visit (56366.1(3)(A))

- **Option 1**: Complete one onsite monitoring visit per student. Maintain documentation for your records. No requirement to submit documentation to CDE
- **Option 2**: Complete a virtual or onsite monitoring visit as determined by the LEA. Maintain documentation for your records. No requirement to submit documentation to CDE
- **Option 3**: Virtually or onsite, as determined by the LEA in consultation with counsel. Maintain documentation for your records. No requirement to submit documentation to CDE

### Process to conduct Annual Monitoring Visit (56366.1(3)(B))

- **Option 1**: Complete one onsite monitoring visit per student and submit the form you selected to CDE
- **Option 2**: Complete a virtual or onsite monitoring visit as determined by the LEA
- **Option 3**: Virtually or onsite, as determined by the LEA in consultation with counsel.

### Annual Monitoring Visit Required Components

- The review must include:
  1. A review of services provided to the pupil through the individual service agreement,
  2. A review of progress the pupil is making toward the goals set forth in the pupil’s individualized education program,
  3. A review of progress the pupil is making toward the goals set forth in the pupil’s behavioral intervention plan, if applicable,
  4. An observation of the pupil during instruction, and
  5. A walkthrough of the facility.

### Submission of the Annual Monitoring Visit Form

- Email the completed form to the Nonpublic Schools Unit at: npsa@cde.ca.gov within 60 days of the monitoring visit.