

Special Education Parent Handbook

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INTRODUCTION

Special education is defined by Federal (Individuals with Disabilities Education Act, I.D.E.A. 2004.) link to Disabilities Education Act and State Law (Education Code) link to California Department of Special Education as specially designed instruction, at no cost to the parents, to meet the unique needs of the individual with exceptional needs. When a child's identified disability is so severe that it significantly impacts his/her educational performance, the student may be found eligible for special education services.

What is special education – it is not a place; it is a process of determining appropriate supports and services via a written plan...the Individualized Education Program (IEP). Everyone has relative learning strengths and weaknesses. Special education can provide some supports for a short time or more supports over the entire career of a student. Special education decisions are team based and support data based decision making, supporting access to the least restrictive environment (LRE).

This handbook has been prepared for the parent/guardians of children with disabilities. We hope this handbook will help you understand more about the process of obtaining appropriate educational services for your child. Parent/guardians and educators are partners in planning for the exceptional needs of each child. As a parent/guardian, it is important to:

1. Be active in the entire planning process
2. Know your rights and those of your child
3. Ask questions
4. Learn about your child's exceptional needs
5. Ask for help if you need it
6. Be active in your child's education program
7. Be a confident advocate for your child

The questions answered in this booklet are the questions parent/guardians ask most often. If you have questions which are not answered here or you need clarification of an answer, feel free to call or visit your special education district director or program specialist at 916-630-2232 or call the Special Education Local Plan Area (SELPA) office at 530-889-8020.

This handbook is truly the product of a team effort--the same kind of teamwork we want to practice every day as parent/guardians and school personnel who work together to assure quality education for our children with exceptional needs throughout Rocklin Unified School District.

We hope you use this handbook as a handy source of information and find it helpful.

SPECIAL EDUCATION

1. Who may receive special education services?

In order to be eligible for special education, the student must exhibit one or more of the following disabling conditions.

Children and Youth Aged 3 Through 21

IDEA lists 13 different disability categories under which 3 through 21 year olds may be eligible for services. The disability categories listed in IDEA are;

- autism;
- deaf-blindness;
- deafness;
- emotional disturbance;
- hearing impairment;
- intellectual disability;
- multiple disabilities;
- orthopedic impairment;
- other health impairment;
- specific learning disability;
- speech or language impairment;
- traumatic brain injury; or
- visual impairment (including blindness).

Under IDEA, a child may not be identified as a “child with a disability” primarily because he or she speaks a language other than English and does not speak or understand English well. A child may also not be identified as having a disability just because he or she has not had enough appropriate instruction in math or reading.

Children and Youth Aged 3 Through 9

It is important to know that, under IDEA, states and local education agencies (LEAs) can use the term “developmental delay” with children aged 3 through 9:

If they experience developmental delays in one or more of the following areas:

- physical development;
- cognitive development;
- communication development;
- social or emotional development; or
- adaptive development

2. What are other general terms which may refer to children with these disabling conditions?

Students with one or more of these disabling conditions may also be referred to by using terms such as:

- Individuals with Exceptional Needs (IWENS)
- Exceptional Children
- Students with disabilities (SWD)
- Children with Exceptional Needs

3. Do different agencies use different terms and guidelines?

Yes. Since various state and federal agencies operate under different laws and guidelines, the eligibility criteria may differ significantly. The same term may also be used by various state and local agencies with different meanings. This can be very frustrating and confusing to parent/guardians seeking assistance for their child. Therefore, parent/guardians should ask for clarification of terms from any agency providing services.

4. Do all students with an identified disability require special education?

No. Special education is not for all children with exceptional needs. Many are able to and should attend school without any change in the classroom program. Special education is only appropriate when modifications in the regular classroom are not sufficient to meet the child's educational needs. If, through assessment, special education supports and services are determined necessary for your child, an Individualized Education Program (IEP) will be developed to specify goals.

5. What is an IEP?

The IEP (Individualized Education Program) is a written statement designed during an IEP team meeting. Some of the items the IEP include:

1. The present level of academic achievement and functional performance.
2. Goals (and objectives for students taking the CAA) which include criteria for evaluation.
3. Specific special education instruction and/or related services to be provided.
4. The extent your child will be able to participate in the regular program.
5. Projected date for initiation and the anticipated duration and location of services.
6. Offer of FAPE.

6. Who are the members of the IEP Team?

There are 4 required members of the IEP team: parent, general education teacher, special educator, administrative designee.

1. One or both of the student's parent/guardians
2. Not less than one general education teacher of the student, if the student is, or may be, participating in the general education environment
3. Not less than one special education teacher of the student, or if appropriate, not less than one special education service provider of the student
4. A representative of the local educational agency (administrator designee is usually the site principal, but this can be a psychologist or a program specialist, or other designated staff) who meets all of the following:
 - a) Is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of individuals with exceptional needs
 - b) Is knowledgeable about the general education curriculum
 - c) Is knowledgeable about the availability of resources of the local educational agency. (Note: This person may serve a dual role. For example, he or she may also be a special education teacher if he or she has been given these two roles by school administration)
5. An individual who can interpret the instructional implications of the assessment results. The individual may also serve a dual role (For example, school psychologist and administrator designee)
6. At the discretion of the parent/guardians, or the local educational agency, other individuals who have knowledge or special expertise regarding the student, including related services personnel, such as speech therapists or occupational therapists, as appropriate.
7. Whenever appropriate, the individual with exceptional needs
[Link to Roles & Responsibilities](#)

7. When and how is the Individualized Education Program (IEP) implemented?

You must first give your written permission for assessment and then again for the initial IEP before any services can be implemented. As soon as possible thereafter, the program as developed in the IEP will be provided. Generally you will be asked to sign permission at the end of the IEP meeting. You may take a copy home for review prior to signing if you desire. No services will begin, however, until your written permission is provided to the district. [Link to legal timelines](#). IEP meetings are typically held one time per year. Every three years a Triennial IEP must be held to determine on-going eligibility. Parent/guardians may request additional IEP meetings. An IEP meeting must be held within 30 days of a parent/guardian's written request.

Note: Parent/guardians can meet or talk with teachers and other IEP team members without an IEP meeting if the question or concern can be addressed without change in the IEP.

CHILD FIND AND REFERRAL

School personnel and other concerned parties are responsible for identifying children who are having difficulty in school and may need special education services. Teachers usually contact a parent/guardian and discuss these concerns. Others, who are in contact with children including parent/guardians, doctors, child care workers, etc., may also recognize that a child is having difficulties with some aspect of development. (Ed Code Section 56300)

8. How do I know if my infant or preschooler might need special education?

If you suspect your child is having difficulty learning and is an infant, ages birth through two years eleven months, or preschool age, 3 years through 4 years 9 months, contact Rocklin Unified School District Special Education Services at 916-624-2428.

9. How do I know if my school-age child might need special education?

If your child has exhibited problems that prevent functioning effectively in a regular school program without special assistance, then your child may need special education supports and services. Special education is one kind of specialized support services and programs. Public schools also have other programs available to assist students who need help, such as programs for students with limited English ability, LCAPP 504 plan, and other multi-tiered systems of support. ([Link here to MTSS](#))

10. Whom do I contact if I have a concern?

General education teachers can provide accommodations such as home/school communication, behavior contracts and behavior plan without an IEP. Your child's teacher may have suggestions that will help your child be more successful at school. First, contact your child's teacher. If you are not able to resolve the problem, then speak to the principal. He/she may be able to suggest other school programs or modifications to help your child. School sites often have other staff, such as a school psychologist, administrator or counselor, to talk to you about your concerns. If you don't feel your concerns are being addressed, call the school district office and talk to someone in the Special Education Department.

11. What happens before a referral to special education?

Before the school refers a student for a special education assessment, certain modifications of the student's current program must have been considered and, where appropriate, utilized. **(Parents should have been made aware of concerns prior to being invited to a meeting).** The first step is usually the referral to the Student Study Team (SST). The SST is made up of teachers, school administrators, and other specialists, such as school psychologist, speech-language pathologist, and counselors. The purpose of the SST is to identify concerns and develop positive strategies to address these concerns in the general education setting. This may include providing increasing intensive interventions to help the student make appropriate progress. Students should be referred to special education only after all other school resources have been considered and appropriately used in a general classroom experience. Parent/guardians are strongly urged to utilize the general education intervention process before referring to special education. If a parent requests a special education assessment in writing, the district must respond to this request. If the response is an SST meeting then the parent must agree to implement the SST prior to any formal assessment. Parents/guardians are critical team members in the SST process. ([Link to Special Ed. Communication Agreement](#)). Not all concerns about your student need to be resolved by assessing for special education, but if you suspect your child is disabled, work closely with your school to ensure appropriate steps are taken.

12. What are some of the program modifications the school might consider and utilize?

The Student Study Team may consider many options to assist the student. These options include but are not limited to:

- a) Classroom modifications/accommodations
- b) Other general education programs such as reading & math, and behavioral intervention programs
- c) Behavior Contracts
- d) Counseling
- e) Schedule Changes
- f) Modified Day
- g) Independent Study
- h) Suggestions for strategies/supports to implement at home
- i) Referral to other agencies or medical professionals

13. Why is the Student Study Team process necessary?

The use of the SST assists regular classroom teachers in modifying instruction for students having difficulty in their classrooms.

The SST also assists in documenting that modifications in the regular classroom have been implemented and whether these modifications/accommodations meet the student's educational needs. Documentation that the classroom modification cannot meet student's needs is a necessary part in determining that the student may require special education programs and services. When the members of the SST believe that all reasonable alternatives have been tried and are not sufficient, a referral should be initiated for special education assessment.

14. Does someone contact me if special education services are being considered?

Parent/guardians have the right to be a part of the Student Study Team process and will know of the referral for assessment by participating at the SST meeting. If the parent/guardians are not in attendance they can attempt to reconvene the meeting or contact the parent/guardians to discuss the recommendation that will be made. Parents/guardians should discuss the Assessment Plan with the student's teacher, psychologist, or other specialist who is conducting the assessment to ensure understanding of the process.

15. What is a referral for special education assessment?

A formal referral is a written request for assessment to determine whether the student requires special education services. Within 15 days of receipt of the referral, an assessment plan may be submitted to the parent/guardians for written permission to begin the evaluation or the district may choose to discuss the need for an assessment through an SST meeting. An initial assessment may not begin without written parent/guardian permission. This permission is given by signing an Assessment Plan.

16. Who can make a referral?

In addition to the SST, a formal written referral for assessment can be made directly to the school site or district administrator by parent/guardians; school personnel; public or private agency; student; or other interested persons. Individual assessment, as described in the Assessment Plan, cannot be conducted without parent permission.

However, the district will encourage the referring party to utilize the SST process since a direct referral does not eliminate the need for documentation of general education modifications. Parent/guardians are notified if anyone other than parent/guardians make a referral. The district may determine if an assessment is unwarranted, such as in cases where students exhibit no academic, behavioral or social-emotional difficulties at school. If an assessment is to be conducted, the parent/guardians will receive a Prior Written Notice and an Assessment Plan. If the district does not think an assessment is appropriate, the parent/guardians will be informed in writing the reasons for this decision, in accordance with Individuals with Disabilities Education Act, Section 1415 (b)(3) and (4) and (c)(1) of Title 20 of the United States Code. Part of that process may include other options for the parent/guardians and the school to employ in support of the student.

17. What is 504?

A 504 plan is a plan developed by the 504 team for students with disabilities to ensure academic success. It is **not**, however, a part of special education law. It is a section of the Rehabilitation Act of 1973. Section 504 prohibits discrimination against handicapped persons, including both students and staff members, by school districts receiving federal financial assistance. All individuals who have exceptional needs under the Individuals with Disabilities Education Act (IDEA) are also considered to be handicapped and therefore protected under Section 504. However, all individuals who have been determined to be handicapped under Section 504 may not have exceptional needs under IDEA. The IDEA defines as eligible only students who have certain specified types of disabilities and who, because of one of those conditions, need special education (specially designed instruction). Section 504, on the other hand, protects all handicapped students, defined as those having any physical or mental impairment that substantially limits one or more major life activities (including learning). Section 504 covers all students who meet this definition, even if they do not fall within the IDEA enumerated categories and even if they do not need to be in a special education program. A 504 Plan is a protection for students who may need accommodations in the general education program but are not eligible for IDEA special education services. A student does not need both a 504 Plan and an IEP. An IEP contains the information that is contained in a 504 Plan; including accommodation necessary for a student to access the curriculum in the general education setting, as well as other supports necessary for the student to receive a Free and Appropriate Public Education (FAPE). (A FAPE is the plan required for a student to advance from grade to grade, make progress on goals, and allow access to general education peers to the greatest extent possible.)

An IEP covers students from age 3-22. Some students who have been eligible for and IEP may become ineligible because they do not need the supports and services of an IEP. If the student continues to be considered a student with a disability and need accommodations to continue to be successful, then the student may be eligible for a 504 plan. ([Link to information about 504 and college](#)).

UNDERSTANDING TESTS AND ASSESSMENTS

An assessment is a comprehensive evaluation by a team of specialists that evaluates how a child is functioning in all areas related to his/her suspected disability.

Evaluation may include intellectual, academic, physical, motor, health, assistive technology, adaptive speech/language, and social-emotional development. The assessment team may include the school psychologist, language/speech and hearing specialist, special education teacher, school nurse, general education teacher, and/or others, depending on the individual student's needs. The specific areas to be evaluated will be specified on your child's Assessment Plan.

The purpose of the assessment is to determine eligibility for special education. If the assessment demonstrates the need for special education services, then it should be used to help develop the initial IEP. The assessment can identify areas of need, present levels of performance, and baselines for goals, and help the team discuss necessary supports and services. IEP teams use information including strengths, weaknesses and areas of need to develop your student's IEP.

There are many different assessments used in special education, so it is important for parents/guardians to ask questions and be involved in the process, to ensure understanding of their use and meaning. Parents/guardians may need to talk with more than one assessor, because frequently a team of specialists will be assessing a student. If after reading this you have additional questions, please feel free to contact the Special Education Department.

18. What happens when I sign the Assessment Plan form?

THE ASSESSMENT PROCESS

Prior to Referral for Assessment: Consultation and General Education Interventions should be completed by the Student Study Team process. If interventions are not enough to meet your child's needs in general education, a special education Assessment Plan will be developed. Parent/guardians may at any time refer a student, in writing, for an assessment to determine eligibility for special education.

1. Parent/guardian signs Assessment Plan

_____ Date

Your child cannot be initially assessed without your permission. Assessments must be completed and an Individualized Education Program (IEP) developed if the student meets the eligibility requirements. This must be completed within 60 days of the date the signed assessment form is received by the district, not counting days of major school holidays and breaks between school sessions or terms of more than 5 school days.

2. Student is assessed by the appropriate school staff, for example, psychologist, special ed, teacher, speech pathologist, or others as needed.

Assessments may be conducted by one or more special education specialists. You may be contacted regarding your child's health & developmental history, your concerns, and other issues.

3. A meeting is held with parent/guardians to go over assessment results on or before:

_____ Date

You will be asked to come to school for a meeting. If you request and the school staff agrees, you may participate by conference call. You will find out the results of the assessment. You may request a copy of the assessment for review prior to the meeting. A list of your child's strengths and needs should be discussed at this meeting. You may bring someone with you to the meeting (See question #31, "May I bring someone to the meeting").

4. If assessments show student needs special help and the IEP Team determined the student is eligible for special education, the parent/guardian will be asked to help develop the IEP. This meeting will be held on or before:

_____ Date

If the IEP determines your child has a disability as defined by law and requires instruction/services that cannot be provided with modification or the general education school programs, an IEP will be developed. You will receive a copy of the IEP and all reports. Your child cannot receive special education services without your permission (signature on IEP).

5. Student receives special education

Your child will then receive services from special education teachers and/or other specialists as needed.

6. Progress Reports

will be sent home at the same frequency as school report cards

7. A review meeting with parent/guardians is held at school.

After your child has been in a special education program for one year, or sometimes sooner, you will be asked to come to a meeting so you and the IEP Team can review your child's progress and revise the IEP. This is known as your child's Annual Review. However, you have the right as parent/guardians to request a review of the IEP at anytime.

. ****Call 916-624-2428 if you have questions****

Progress Reports regarding goals (and objectives, if appropriate)

19. Who shall I contact if I have questions about the Assessment Plan?

The name and telephone number of a contact person will be listed on the Assessment Plan. If for some reason there is no name and number, contact the school principal or the special education office.

20. How will the assessment be conducted?

Assessment information may be gathered in different ways: tests; observations; discussions with classroom teachers and parent/guardians; review of student work; and a review of previous records and educational or medical records from other agencies (with parent/guardians permission). A child must be assessed in all areas related to the suspected disability and no single test may be used to determine eligibility for special education.

21. Where and when will the assessment take place?

The assessment will be conducted during the school day. A student will be observed in class, and possibly on the playground, and may be taken to a quiet room for part of the assessment. Infants and preschoolers may be assessed in the home or at school. The assessor can answer extra questions about how long the testing and observations will take.

22. How long does the assessment take?

Assessments are completed within sixty (60) days after written parent/guardian consent to the Assessment Plan is received by the district when the assessment is completed, a written report will be developed and explained to the parent/guardians. Not all children who are referred and assessed are found eligible for special education. Parents can ask questions about assessments prior to an initial IEP team meeting, however, results from assessments will be reviewed at the initial IEP meeting to allow for team input.

The determination of whether or not your child is eligible for special education and appropriate services is made by the Individualized Education Program (IEP) Team.

23. What will the report(s) include?

Although the particular components may vary, generally the assessment report(s) will include:

- a) Background information, including developmental, health, and school history
- b) Summary and interpretation of actual test results
- c) Recommendations for educational needs for the IEP Team to discuss and consider
- d) Relevant behavior and relationship of observed behavior to student's academic and social functioning
- e) For pupils with learning disabilities, whether there is such a discrepancy between achievement and ability that it cannot be corrected without special education and related services
- f) A determination concerning the effects of environmental, cultural, or economic disadvantage, where appropriate
- g) The need for specialized services, materials, and equipment for pupils with low incidence disabilities

24. Are there additional components required in the report depending on the suspected areas of disability?

Yes. For example, additional components might include a vision report for the blind or visually impaired, a current audiogram for students who are hard of hearing or deaf, and a medical report for students who have orthopedic impairments or traumatic brain injury.

25. How often will these assessments be conducted?

A full evaluation must be completed prior to the student's initial enrollment in special education.

At least every 3 years, a determination is made of what, if any, assessments will be conducted to determine the student's continued eligibility for special education and his or her educational needs. This every third year assessment and IEP is called the triennial IEP, and involves a re-evaluation of the student to ensure that services continue to meet their needs.

Evaluations may be performed more frequently if school staff determines that additional assessment information is needed or if the parent/guardian or teacher requests a re-evaluation. Both the parent/guardians and an administrative representative must agree to evaluations conducted more often than once per year.

Disagreements about assessments should be resolved between the parent, case manager and school site if possible. When there is a disagreement, parent/guardians can explain why they are disagreeing and school staff can give clear options for how to address parent concerns. If the parent/guardians and the case manager and site cannot agree, then the parent, case manager or site should contact the program specialist.

26. What does the Diagnostic Center of Northern California provide?

The Diagnostic Centers of Northern California are the California Department of Education's primary provider of direct services and assistance to California school districts and their special education students. They provide comprehensive assessments, research-based interventions, quality professional development, and a continuum of technical assistance. The decision to refer a student to the Diagnostic Center of Northern California originates from the student's IEP Team after the district has implemented school intervention and finds the team needs further information to help the district design services.

27. When will I receive assessment results?

[Link to Best Practices for Meaningful Parent Participations - coming soon!](#)

INDIVIDUALIZED EDUCATION PROGRAM MEETING (IEP MEETING)

The IEP Team Meeting is designed to give parent/guardians, the teacher(s), specialists, and the school administrator the opportunity to come together and review the present level of functioning of the child and then to plan an appropriate program, including goals and services. If assessments were administered, they will be reviewed and interpreted.

28. What happens after the assessment is completed?

An IEP Team meeting will be held. You are a member of this team and must be invited, in writing, to attend the meeting. Attempts must be made to schedule the meeting on a date and time convenient to both you and the school personnel.

The invitation will tell you the purpose of the meeting, date, time, place, and who will be in attendance. If you cannot meet at the time scheduled, contact the person listed on the meeting notice as soon as possible to reschedule. Parent/guardians shall be notified of the Individualized Education Program meeting early enough to ensure an opportunity to attend.

29. What is the purpose of this meeting?

The purpose of this meeting is to review the assessment findings, determine if your child is eligible for special education, and, if eligible and in need of special education services, develop the Individualized Education Program (IEP). If an IEP is developed, the team will discuss your child's strengths and needs, parent/guardian's concerns, and determine appropriate goals, transitional goals, supports, services, and offer of FAPE that will enable your child to progress in the general education curriculum in the least restrictive environment

Required components to the IEP documents include [E.C. 56345 (a)(1)-(7)]:

1. The present levels of the student's academic achievement and functional performance, including the following:
 - For a school-age child, how the student's disability affects the student's involvement and progress in the general curriculum; and
 - For a preschool-age child, as appropriate, how the disability affects the child's participation in appropriate activities.
2. Measurable annual goals that show a direct relationship to the results of any evaluations, the present levels of academic achievement and functional performance, and the educational services to be provided. These goals should be designed to:
 - Enable the student to be involved in and progress in the general education curriculum; and
 - Meet each of the student's other educational needs that result from the student's disability.
3. A description of the manner in which progress of the student toward meeting the annual goals will be measured and when periodic reports on the student's progress will be provided (such as through quarterly or other periodic reports, concurrent with the issuance of report cards).

4. The specific special educational instruction, related services, and supplementary aids and services, based upon peer reviewed research to the extent practicable, to be provided to the student, or on behalf of the student, and a statement of the program modifications or supports for school personnel that will be provided for the student to:
 - Advance appropriately toward attaining the annual goals;
 - Be involved and progress in the general curriculum and to participate in extracurricular and other nonacademic activities.
5. An explanation of the extent, if any, to which the student will not participate with non-disabled students in the general education class and extracurricular and nonacademic activities.
6. The individual modifications in the administration of state or district-wide assessments of student achievement that are needed for the student to participate in the assessment.
7. If the IEP team determines that the student will not participate in a particular state or district-wide assessment of student achievement (or part of an assessment), a statement of the following:
 - Why that assessment is not appropriate for the student;
 - How the student will be assessed and the reason that the alternative assessment is appropriate.
8. The projected date to begin the services and modifications described in the IEP, and the anticipated frequency, location, and duration of those services and modifications.
9. It is required that all special education students have a Transition Plan as stated in IDEA:
 - Beginning no later than the first IEP to be in effect when the child is 16 and updated annually thereafter.
 - Appropriate measurable postsecondary goals based upon age appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills. These are contained in the IEP in a separate section called Transition Plan.
 - The transition services (including courses of study) needed to assist the child in reaching those goals.

30. Who will be at the meeting?

The administrator/designee who is knowledgeable about resources and curriculum a special education teacher or service provider a general education teacher (when appropriate); someone who can interpret evaluation results; you and your child (if appropriate) and others who have information about your child (see Question #6 for more in-depth description of the IEP Team members).

31. May I bring someone with me to the meeting?

Yes. You may bring anyone you wish with you to the meeting, such as an advocate or friend that is a helpful resource support for you, your child's regional center worker or social services worker. Be sure to notify him/her of the date, time, and location of the meeting. If you cannot attend the meeting, you may have someone attend in your place and speak for you. However, you must ultimately give your written permission for your child's placement in special education.

You should notify the school of whether or not you will attend or if someone will be attending for you. You are encouraged to bring your child to the meeting if you feel he/she will benefit from the discussion. You may also request an interpreter to be present at the meeting.

It is also an option to request that you participate in the meeting via conference call. The school agency must agree to have a conference call IEP if one is requested.

32. May I tape record the meeting?

Yes. The parent/guardians, district, special education local plan area, or county office shall have the right to record electronically the proceedings of IEP Team meetings on an audiotape recorder and shall notify the members of the IEP Team of their intent to record a meeting at least 24 hours prior to the meeting. If the parent/guardians objects or refuses to attend the meeting because it will be tape recorded, then the meeting shall not be recorded on an audiotape recorder. It is the parent/guardian's responsibility to record the meeting if he or she chooses. Recording is beneficial for review purposes. IEP meetings contain a lot of information presented in a relatively short period of time.

33. How do I prepare?

You may want to review your child's past records for clues to any information which may assist the IEP team. Be sure to request records in advance of the time you want to see them. School records must be requested at least five days in advance. You may provide any information you want considered at the IEP meeting.

34. As the assessment results are shared, what is my role as parent/guardian?

You will be given a full explanation of the assessment findings. During this process you may present any additional information you have about your child, ask any questions you may have about the assessment or findings, and/or request the school to provide additional assessment if necessary. A copy of the written assessment report will be given to you. The assessment report, the IEP, and the meeting will be interpreted in your native language if requested.

35. If I need time to think about what is presented, may I request a second meeting at a later time?

Yes. The meeting may be continued or tabled so you may consider the results and recommendations and you may request a second meeting.

36. What do I do if I do not agree with the school's assessment findings?

If you disagree with an assessment by the school district, also referred to as the Local Education Agency (LEA), please first share your concerns with the IEP team. You may, however, be entitled to an independent educational assessment at District expense. [Link to SELPA IEE Guidelines.](#)

37. What do I do if I want my child assessed by someone outside the local education agency?

You may obtain an independent assessment of your child at any time. Independent assessments not requested by the school district are at the parent/guardian's or other agency's expense, and are not provided at the public school's expense. Independent assessments must be considered in the decision-making processes along with school assessments.

38. What do I do if the IEP team finds that my child is not eligible for special

education?

If you, as part of the team, agree with the team's decision:

Sign the form indicating you agree. Discuss with the school staff any other plans or classroom accommodations or supports (behavior plan, contracts, etc), for your child's education program.

If you, as part of the team, do not agree with the team decision; contact the IEP team or special education representative from the district office to discuss your concerns. Ask for more information about why your child is not eligible. If you still disagree, the IEP team may need to be reconvened to discuss your concerns, including the site principal. If this is the case, you or the site may contact your program specialist for assistance.

39. What happens if the IEP team finds my child eligible for special education?

You and the team will meet and develop an Individualized Education Program (IEP) specifically tailored to your child. The team may bring a draft of some of the goals (and objectives, if appropriate) being considered for your child to the meeting and send to parents ahead of the meeting. Remember, these are drafts and can be changed. The drafts can be helpful in giving everyone something to look at and discuss.

40. What is an IEP?

The IEP is a written legal document ideally developed in a collaborative and cooperative effort between parent/guardians and school personnel that describes the exceptional child's disabilities and needs and prescribes the placement and services designed to meet the child's unique needs. The IEP will include:

- a) The present level of educational performance
- b) Goals (and objectives) as appropriate which include criteria for evaluation
- c) Specific special education instruction and/or related services to be provided including, when and student group size
- d) An explanation of the extent your child will be able to participate in the regular program
- e) Projected date for initiation and the anticipated duration and location of services
- f) Participation in state and district wide tests
- g) How progress will be measured and how parent/guardians will be informed
- h) Transition service needs
- i) Age of majority-at age 18 student gains adult status for decision making
- j) Offer of FAPE

When appropriate, the IEP should also include:

- a) Extended school year services (IEP team should discuss the eligibility criteria for ESY services)
- b) Provisions for transition into the regular program
- c) Access to Assistive Technology
- d) Specialized equipment, materials and services for deaf, blind, and severely orthopedically impaired students
- e) Pre-vocational or vocational education
- f) Linguistically appropriate goals for students whose native language is other than English
- g) Special transportation arrangements when required.

Ask questions about recommendations: how they were created, how services will be provided,

and what the services look like. A parent/guardian has the right to refuse services after the initial assessment and Free and Appropriate Education (FAPE) has been offered at the initial IEP meeting. The district may not file a request for due process.

41. What do I do if I agree with some parts of the initial IEP but not all of it?

If for the initial IEP you agree that services should be provided, sign the IEP Signature and Parent/guardians Consent page with exceptions, listing the areas to which you do not agree. This way the student can receive services while you and the district members take time to work out the areas of non-agreement. Parent/guardians also may choose not to sign the IEP until all areas of the IEP are agreed upon, but keep in mind that without signature, none of the services will be implemented. If the parent/guardians of a child who is an individual with exceptional needs refuses all services in the IEP after having consented to those services in the past, but does not revoke consent to special education, the local educational agency may file a request for due process.

42. What do I do if I have a concern about the initial or other IEP?

The IEP team may need to reconvene to discuss your concerns. Ask your case manager or site principal if this is necessary. In some cases, your concerns can be addressed without reconvening the IEP team. For example, parents may have concerns about the IEP meeting notes. Changes to the IEP that correct errors such as typos or inaccuracies, that do not change the Offer of FAPE, may be handled by the case manager. Disagreements can be put in writing and added to the student's file.

If you have not consented to all or part of the IEP and you have concerns about the note pages or other pages of the IEP, you and the case manager and school site staff work to resolve any disagreements or misunderstandings. This may involve reconvening another IEP meeting to clear up your concerns about your students IEP.

43. How often must the school review my child's special education placement and IEP?

Every special education student must have his or her progress and Individualized Education Program (IEP) reviewed at least once each year. Teachers, however, will be monitoring each student's progress regularly throughout the school year. Progress toward annual goals will be reported to you in writing at least as often as students receive report cards in general education. Parent/guardians may request an IEP review at any time. The district will set a meeting within 30 days (not counting school breaks) of a written request. There is not an Emergency IEP meeting. If you have concerns that must be addressed immediately, contact your case manager or site administrator to see if they can address your concerns until an IEP meeting can be convened. Link to [Manifestation Determination](#).

44. Can the IEP be transferred to another school district?

If you move to another district, take a copy of your child's annual IEP and most recent assessment to your new school district. The new district will implement your child's IEP with comparable services for 30 days as an administrative placement. Prior to the end of the 30-day administrative placement, an IEP meeting will be convened to review your child's IEP, revise if necessary, and specify the provision of services in your new district.

45. What happens if I want to drop my child from services after they have been

receiving special education services?

If at any time subsequent to the initial provision of special education and related services, the parent/guardians of a child revokes consent in writing for the continued provision of special education and related services, the public agency may not continue to provide special education and related services to the child, but must provide Prior Written Notice in accordance with 34 CFR Section before ceasing such services.

46. Questions to ask about your students IEP at the IEP meeting?

- How will I know my student is making progress?
- How often do we meet?
- How often is my child assessed?
- What happens if my child doesn't make progress?
- Who should I talk to about concerns?
- What kind of concerns can be resolved without a meeting?
- When do I need to ask for an IEP meeting?

PROGRAM OPTIONS

Special education is provided in the least restrictive environment (LRE) through a continuum of services and placement. Most students are served in less restrictive environments, fewer students in more restrictive environments. A student's placement on the continuum may change as his/her needs change.

47. What is the least restrictive environment (LRE)?

The least restrictive environment for a student is the placement that realizes a match between the learning needs of the student and the conditions of the educational environment, while providing the student with the maximum integration with typical age peers.

The Code of Federal Regulations, Title 34 states:

"Each public agency shall insure that to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are not disabled, and that special classes, separate schooling or other removal of children with disabilities from the regular education environment occurs only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily."

48. What is the continuum of services and placements?

1. **General Education (with or without supports)**
2. **Itinerant instruction (co-teaching) in the general education classrooms (co-teaching occurs when a special education teacher and a general education teacher teach the same group of students)**
3. **Resource Specialist Program (RSP)**
4. **Special Day Class (SDC)**
5. **Instruction in settings other than classrooms where specially designed instruction may occur**
6. **Related Services**
7. **Instruction in the home, hospital or other institution as required**
8. **Non-Public School (NPS)**
9. **Residential**

49. What is Itinerant Instruction?

Itinerant instruction refers to a specialist providing instruction in classrooms, resource rooms, and settings other than classrooms where specially designed instruction may occur. This includes: speech/language therapist, occupational therapists and physical therapists.

50. What is the Resource Specialist Program (RSP)?

Students in the Resource Specialist Program are assigned to their regular classrooms for the majority of the school day, but receive special education instruction and/or consultation services from the resource specialist. Services may be provided directly to the student in the regular classroom and/or in the resource room. Consultation services may also be provided to the general education teachers by the resource specialist. Resource specialists have a caseload of 28 or fewer students.

51. What are Special Day Classes (SDC)?

Special Day Class placements serve students with similar and more intensive educational needs. The Special Day Classes may enroll students only when the nature or severity of the disability of the individual with exceptional needs is such that education in the regular classes with the use of supplementary aids and services, including curriculum modification and behavior support, cannot be achieved satisfactorily. The classes are smaller than general education classes and can range from as few as 6 to as many as 8 students or more.

52. What is Specially Designed Instruction?

Adapting, as appropriate, to the needs of the child with a disability, the content, methodology, or delivery of instruction to ensure access of the child to the general curriculum, so that he or she can meet the educational standards within the jurisdiction of the public agency that apply to all children (34 CFR 300.39 (b)(3)). If you have questions about the instruction your child will be receiving, ask your student's special education teacher for information about why they are using the curriculum and instruction strategies with your student.

53. What are Related Services (previously known as Designated Instruction and Services (DIS))?

Developmental corrective and other supportive services designed to enable an individual with exceptional needs to receive FAPE, as described in the IEP. Related services include speech and language therapy, OT, PT, adapted physical education, itinerant services for the hard of hearing or visually impaired, counseling and other specific types of instruction required for the student to benefit from special education. The child generally receives these services at school during the

regular school day.

54. What is a non-public school?

If the IEP team determines that no public school program in the student's district of residence or neighboring districts can meet the student's extraordinary needs, a private program certified by the state may be an option.

55. When is a residential program required to meet the student's special education needs?

A very small minority of children with disabilities have educational needs so extensive that they require out-of-home programs to meet their educational needs. These students generally require a very highly structured, 24-hour program, which cannot be provided by school staff and parent/guardians. Usually, residential program placements for students with exceptional needs are made in conjunction with other state agencies, such as Mental Health or Regional Center.

RIGHTS AND RESPONSIBILITIES

The provision of special education services is governed by state and federal laws. It is also required that local districts establish their own procedures to implement these laws. Students with identified disabilities have the right to free appropriate public education (FAPE) services in the least restrictive environment (LRE). Parent/guardians/adult students and the local school district have responsibilities, as well as rights, to ensure identification, placement, and services for individuals with exceptional needs. These laws protect the rights of parent/guardians/adult students to be fully informed and to participate in all planning and decision-making about their child's or their own education.

56. How are these rights protected?

RUSD wants to provide the appropriate educational services for all students. In doing this, certain procedures are followed. The law requires that the school districts establish guidelines and procedures to protect the rights of students with disabilities and their parent/guardians; these practices are called Procedural Safeguards and are described throughout this booklet as they pertain to the different topics discussed. Parent/guardians' rights are in the RUSD [Procedural Safeguards](#) on the website.

57. How do I request records?

The program administrator of the program to which a child is being enrolled shall notify a parent of this and other rights pertaining to pupil records upon the date of the pupil's initial enrollment, and thereafter on an annual basis.

[E.C.49063-49077]

The district shall provide records no later than five (5) business days following the date of the written request. Whenever a parent requests a copy of any pupil record, the district may charge the parent in an amount not to exceed the actual cost of furnishing copies. When making a request for records, parents should be specific about what records they are requesting.

BEHAVIOR

58. What if my child has a serious behavior problem?

When behavior problems are considered to be interfering with the student's learning, or the learning of others, the IEP team will propose behavior goals to be added to the IEP, as well as positive behavioral intervention strategies and supports. Positive behavior supports that support work completion, pro-social behavior, and independence can all be addressed through the IEP process. Positive behavior supports include reinforcement that is meaningful to the child and results in improved behavior.

59. When would there be a mandated referral for Functional Behavioral Assessment?

A referral for a Functional Behavioral Assessment (FBA) and subsequent IEP Team meeting at which a Behavioral Intervention Plan (BIP) may be updated is mandated whenever the IEP Team finds that instructional/behavioral approaches specified in the student's IEP have been ineffective, or the IEP Team determines at an IEP meeting the necessity for a Functional Behavioral Assessment. This occurs after any Behavioral Emergency Report has been written regarding an individual who does not have a behavior plan as described above.

60. What is a Functional Behavioral Assessment (FBA)?

It is an assessment of behavior and then the development of a Behavior Intervention Plan looking specifically at data (measurable and observable), function of behavior, the environment, replacement behavior, positive programming, reinforcement, reactive strategies, emergency interventions and follow-up. This process is more formal than most initial Behavior Plans used to address less serious behaviors. The Functional Behavior Assessment must be conducted by, or under the supervision of, a person who has documented training in behavior analysis with an emphasis on positive behavioral interventions and is authorized by the SELPA.

61. What should I expect if my child is suspended?

➤ **Less Than 10 Days**

- Disciplinary Action: Disabled student may be disciplined in the same manner as a non-disabled student. 34 C.F.R. § 300.530(d)
- Educational Services: School district need only provide educational services to a disabled student if the services are offered to non-disabled students. 34 C.F.R. § 300.530(d)

➤ **More Than 10 Cumulative Days – No Change in Placement**

- Disciplinary Action: Disabled student may be disciplined in the same manner as a nondisabled student.
- Educational Services: On the 11th day of removal, school personnel must consult with at least one of the student's teachers to determine the extent to which special education services must be provided to enable the student to continue to participate in general education curriculum (although in a different setting) and progress toward meeting the goals delineated in the student's IEP. 34 C.F.R. § 300.530(d)(4)

➤ **More Than 10 Cumulative Days – Change in Placement OR More Than 10 Consecutive Days**

- Disciplinary Action:
 1. If the behavior is not a manifestation of the student’s disability, the student may be disciplined as a general education student. 20 U.S.C. § 1415(k)(1)(C); 34 C.F.R. § 300.530(c).
 2. If the behavior is a manifestation of the student’s disability, the school district must conduct a functional behavioral assessment and implement a behavioral intervention plan (provided that the school district had not conducted such assessment prior to the determination before the behavior resulted in a change of placement), and return the student to the previous placement unless the school district and parent agree to a change of placement or the student is placed in an interim alternative educational setting. If student already has a behavioral intervention plan, the IEP team must review and modify it, as necessary, to address the behavior. 20 U.S.C. § 1415 (k)(1)(F); 34 C.F.R. § 300.530(f)
- Educational Services: On the 11th day of removal, the IEP team must decide on services to:
 1. Enable the student to continue to participate in general education curriculum
 2. Progress toward the IEP goals, and
 3. Receive a functional behavioral assessment, as appropriate, and behavioral intervention services and modifications. 20 U.S.C. § 1415 (K)(1)(D); 34 C.F.R. § 300.350(b)(2)

62. What is Manifestation Determination?

The evaluation of the relationship between a student's disability and act of misconduct that must be undertaken when a district proposes to take specified serious disciplinary actions. The same review is required under Section 504 (34 CFR 104.35) in connection with disciplinary actions that constitute a significant change in educational placement.

TRANSITION

63. What are required transitions for students with disabilities?

Some children need to have a plan to move from one program to another. This may occur when the child is going from the infant program to the preschool program and from preschool to kindergarten. It is also important at the high school level when the student is preparing to enter the world of work or when the student is exiting special education. An IEP meeting is required when a student with disabilities transitions to the district at age 3 and then again before kindergarten. Transition plans are developed with the parent/guardians and the student through the IEP process, and involve other agencies as appropriate, for example, Regional Center, Department of Rehabilitation, etc.

It is required that all special education students have a Transition Plan as stated in IDEA:

- a) Beginning no later than the first IEP, to be in effect when the child is 16 and updated annually thereafter.
- b) Appropriate measurable postsecondary goals based upon age appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills. These are contained in the IEP in a separate section called Transition Plan.
- c) The transition services (including courses of study) needed to assist the child in reaching those goals.

64. What happens when my child leaves special education?

Students are exited from special education when they no longer meet the eligibility criteria and/or when the IEP Team recommends exit from service and parent/guardian agrees, or when the student reaches the age of 22. The student is returned to full participation in the general education program. There is usually a period of transition from special education to full general education participation. Most often, this process includes phasing out direct services and shifting to a consultation model, between the specialist and the general education program teacher.

Students may need to remain in special education until they graduate from high school or until the semester of their 22nd birthday. See Diploma vs. Certificate of Completion below.

DIPLOMA vs CERTIFICATE OF COMPLETION

<u>High School Diploma</u>		<u>Certificate of Completion</u>	
Document that states the student has met state and district graduation requirements		Document that states the student has completed 4 years of high school	
Requirements			
	complete 250 credits in required subjects		complete 250 credits in IEP team agreed upon courses to meet IEP goals
	complete 25 hours community service		complete 25 hours community service
	pass Integrated 1 and integrated 2 as agreed upon in IEP		
Access to HS Senior Activities			
	participate in all senior activities		participate in all senior activities
	participate in graduation ceremony		participate in graduation ceremony
Post-Secondary Options			
	full time employment		full time employment
	junior college (Sierra, AR, ...)		junior college (Sierra, AR, ...)
	university		
	military		
			Continued Education in RUSD Transition Program
			<ul style="list-style-type: none"> ● independent living skills
			<ul style="list-style-type: none"> ● job skills and workability
			<ul style="list-style-type: none"> ● enrollment in Sierra College for 1 or more classes
			<ul style="list-style-type: none"> ● mobility training
			<ul style="list-style-type: none"> ● functional academics
			<ul style="list-style-type: none"> ● collaboration with ALTA / Department of Rehab for support after 22

IEP teams can individualize a student's program to support either a diploma or certificate of completion in order to meet the requirement listed above.

At the time of exit from high school, due to a student's graduation with a regular high school diploma, certificate of completion, or when he or she reaches the maximum age for eligibility, the parent/guardian/guardians will receive a written form, "Summary of the Student's Academic Achievement and Functional Performance - Part 1 and Part 2."

PARENT/GUARDIAN INVOLVEMENT

One of the most critical aspects of your student's education is your involvement in the IEP process and regular communication with your child's classroom teacher.

65. How can I help my child succeed at school?

Listed below are some of the ways that you can be involved in your child's education while being sensitive to the teacher's work hours and work day yet keeping the lines of communication open with your child's classroom teacher.

- Communicating by telephone with your child's teacher, after or before instructional time.
- Sending and receiving notes from your child's teacher.
- Talking briefly with the teacher while dropping off or picking up your child.
- Receiving progress reports from the teacher.
- Attending IEP meetings and teacher conferences.
- Making materials for your child's classroom.
- Sending a small notebook back and forth to school for communication with the teacher.
- Observing your child in his/her classroom.
- Volunteering to work in the classroom on a regular basis.
- Responding positively to staff suggestions for home visits.
- Serving on district or community advisory committees.
- Participating in parent/guardian support groups.
- Supplying your child with organizational materials (notebook, backpack, pencil).
- Ask for help to understand and navigate the school's homework/assignments system such as Schoology.
- Explore thoroughly the school site's website; many websites have information about how to help your student.

66. Are there parent/guardian organizations in which I can participate?

Some districts have active local advisory councils that serve as both support groups for parent/guardians and in an advisory capacity to the district.

All parent/guardians may be involved with the Special Education Local Plan Area's (SELPA) Community Advisory Committee (CAC) which is concerned with the development and review of our special education programs. By law, the committee is composed of a majority of parent/guardians of special education students. Others on the committee may include parent/guardians of general education students, special education teachers, administrative personnel, representatives of other public agencies, and students with disabilities.

67. What is the purpose of the CAC?

The primary purpose of the CAC is to provide input into the local plan (the document that describes services in the region.) However, at meetings, the CAC members may see demonstrations and share information about special programs. As a member, when you come to a CAC meeting, you can ask questions, get information, express your opinions, and get to know the people who make decisions in the Special Education Departments.

68. Where do meetings take place and how do I find out about them?

Meetings may take place at various sites around the region. For more information, contact the SELPA office at 530-889-8020.

[Links: Parent Rights](#)