



Welcome to:

# A Guide to IEPs and the Special Education Process for Parents and Professionals



4440 N. First St. Fresno, CA 93726  
(559) 229-2000 TOLLFREE: (844) 445-0305  
[www.epuchildren.org](http://www.epuchildren.org)

## In this training you will learn about:

- Laws that protect students with disabilities
- 6 Core Principles of Special Education (IDEA) law
- Cycle of Special Education
- Skills in advocating
- Options when parents & schools disagree



These are the laws that protect students with disabilities:

### Child Find

Serves ALL STUDENTS with the goal of identifying students in need of assistance

**FERPA: Family Educational Rights & Privacy Act**  
Right to inspect and review “any and all” records the district keeps

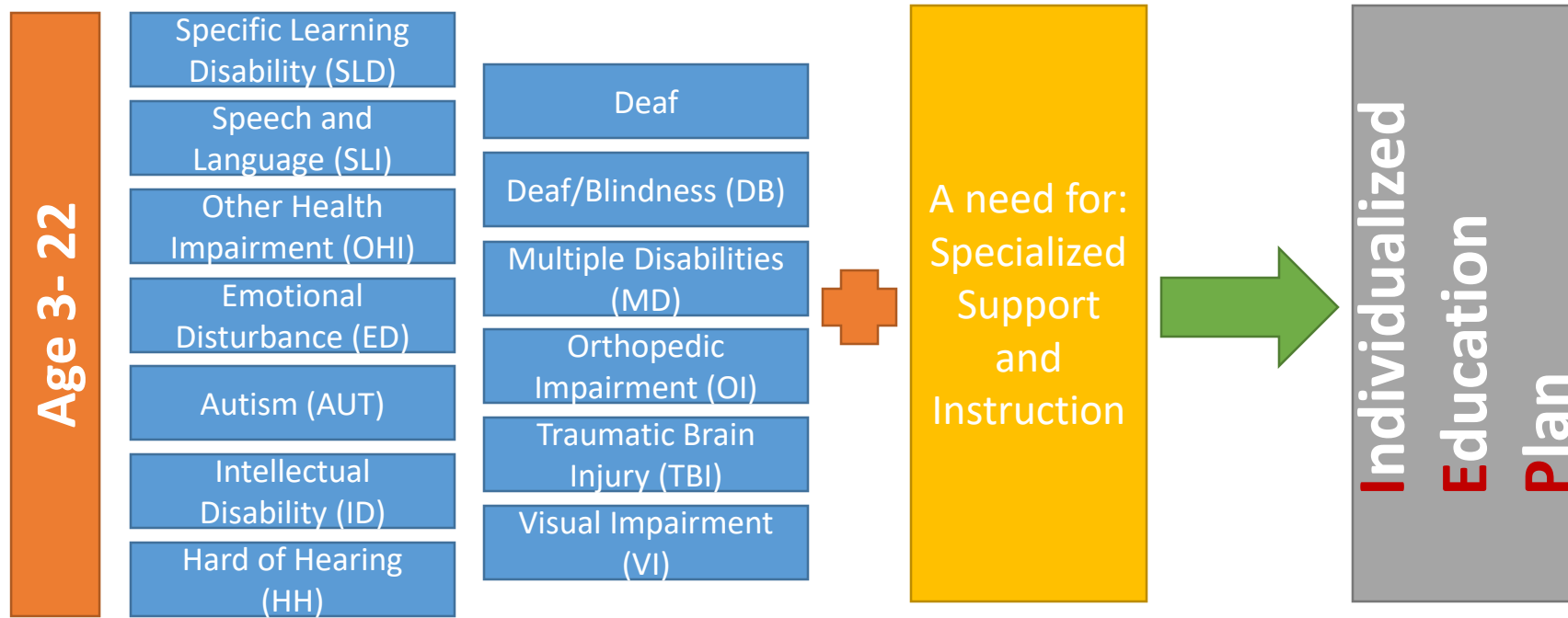
These are the laws that protect students with disabilities:

**504: Section 504 of the Rehabilitation Act(1973)**  
**Removes barriers to learning and educational opportunity**

**IDEA: Individuals with Disabilities Education Act (1975)**  
**Provides an IEP: special education plan**

# Individuals with Disabilities Education Act

## ➔ Federal Education Law





Free &  
Appropriate  
Public Education

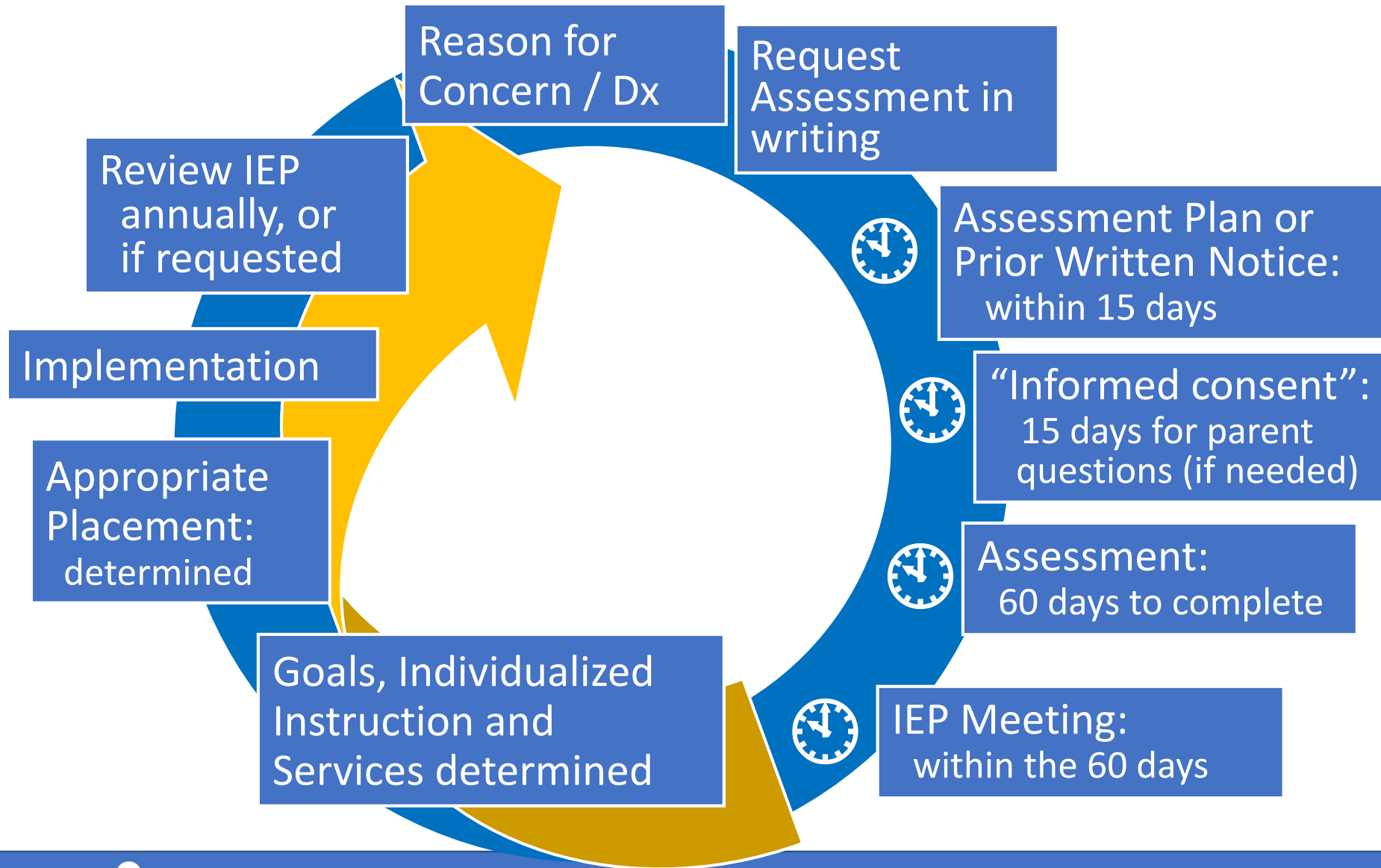
Appropriate  
Assessment


Individualized  
Education Plan

Student &  
Parent  
Participation

Least Restrictive  
Environment

Procedures to  
Safeguard Rights



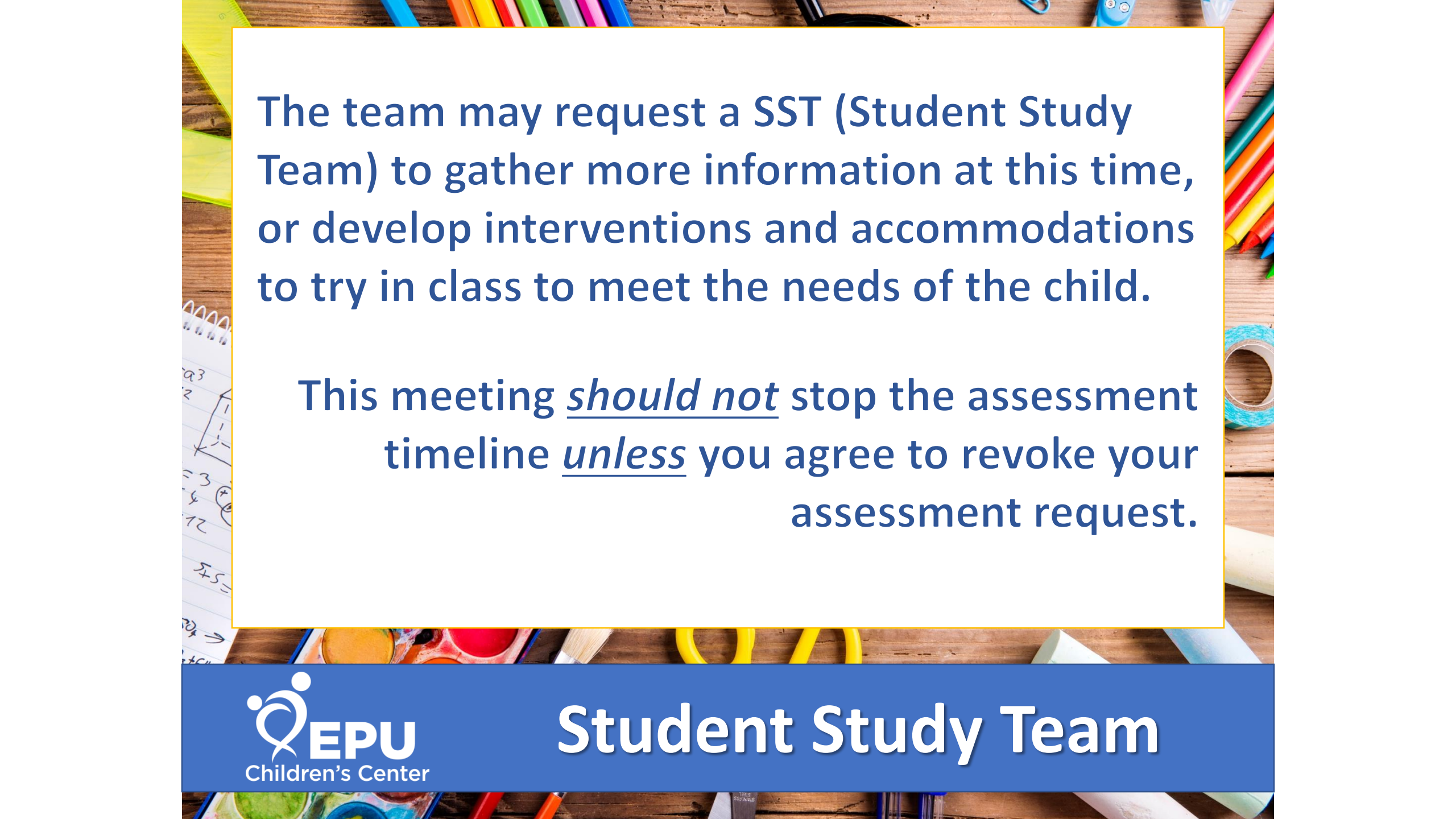


# How to request a Special Education Assessment to determine the need for Special Education Services



- Request in writing to assess all areas of suspected disability.
- Sample letters are available.
- You may ask verbally, and the district is obligated to help put the request in writing.
- Assessment requires consent





The team may request a SST (Student Study Team) to gather more information at this time, or develop interventions and accommodations to try in class to meet the needs of the child.

This meeting should not stop the assessment timeline unless you agree to revoke your assessment request.

An appropriate assessment must use a variety of methods such as:

## Assessment

Teacher/Parent  
Observations

Attendance  
Records

Standardized  
Tests

Behavior  
Charting

Grades

Work  
Samples



## Some of your assessments rights are:

Assessed in Primary  
Language

Outside Assessments  
considered

Request Further  
Assessments

Reports Translated  
when *feasible*

Request to Review  
Results in Advance

**Remember:**  
**Assessments determine  
need for services.**

**Assessments should be  
done before any service  
is given or taken away.**





**Annual IEP**  
review of goals and  
creation of new plan  
yearly

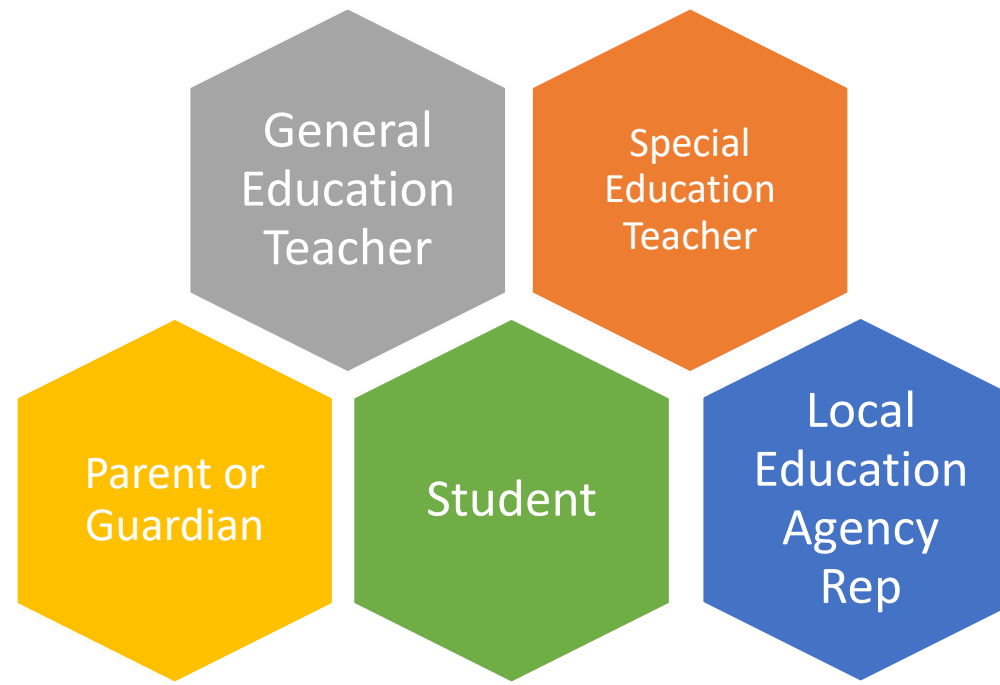
**Triennial IEP**  
re-evaluation every  
three years

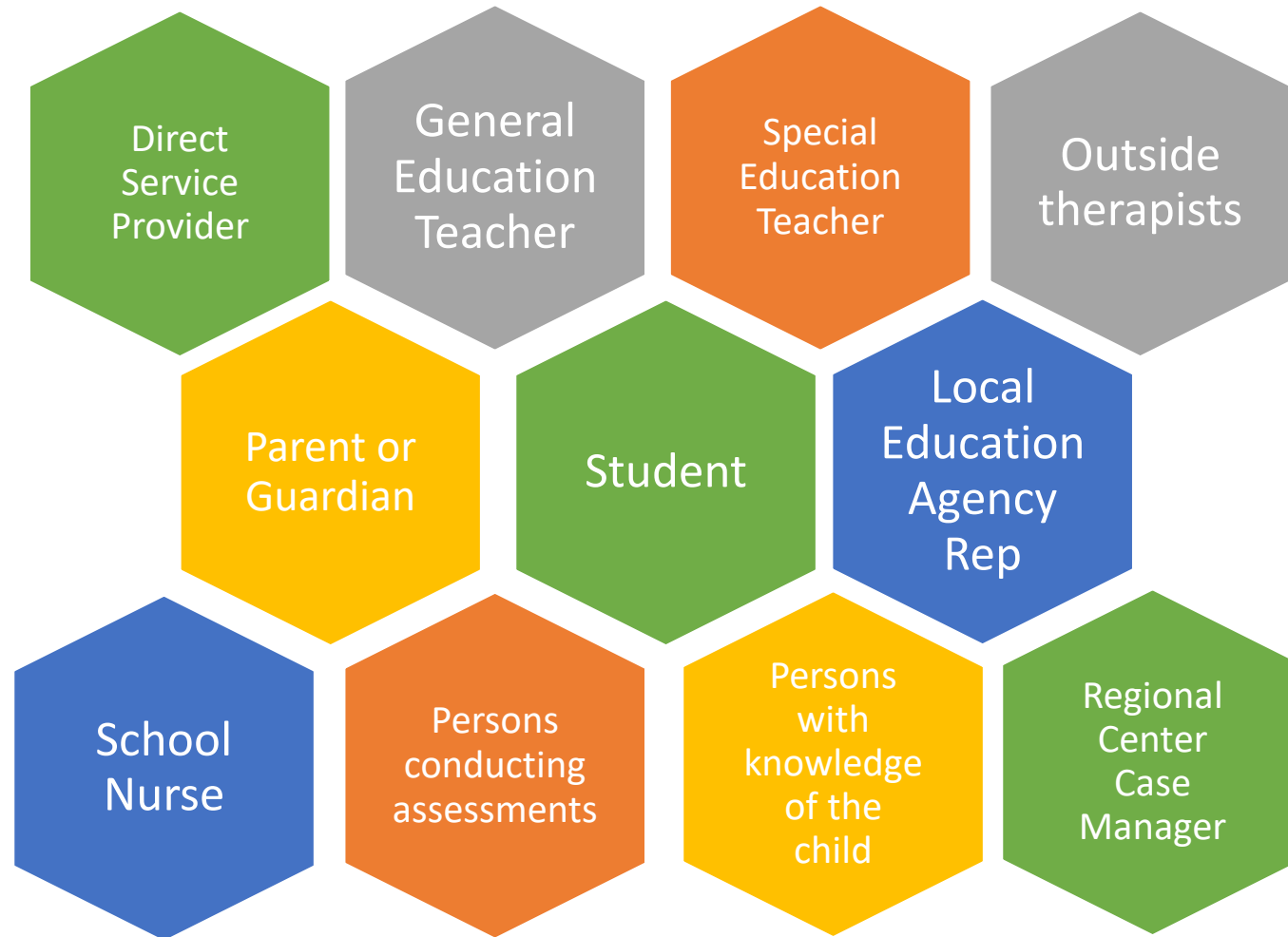




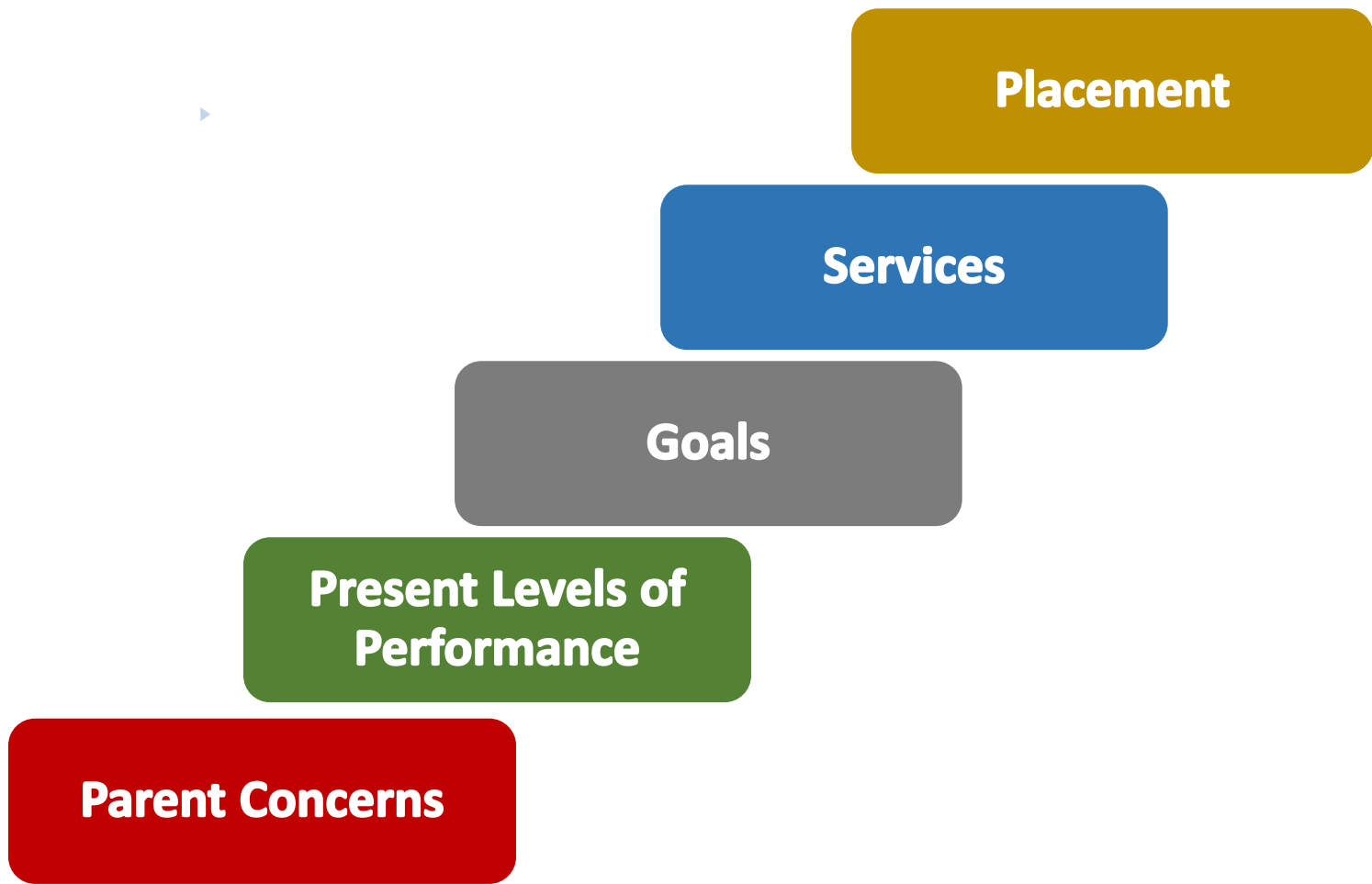
# The IEP Process

- District must provide WRITTEN NOTICE of IEP meeting. (date, time allotted & participants)
- Let district know ASAP if you need another date/time. “Mutually agreeable”
- Let district know what team members you need there.
- Provide WRITTEN notice at least 24 hours in advance:
  - to audio record IEP meeting.
  - to bring an attorney.
- You may request/remind district to provide assessment reports prior to the IEP meeting.









- Contains your child's current skills:
  - using specific and measurable statements
  - gathered by teacher/parent
- Each area of need should include:
  - Parent input or student input if appropriate
  - Several statements about each skill, not just test scores but also statements about what the student is seen doing in school.

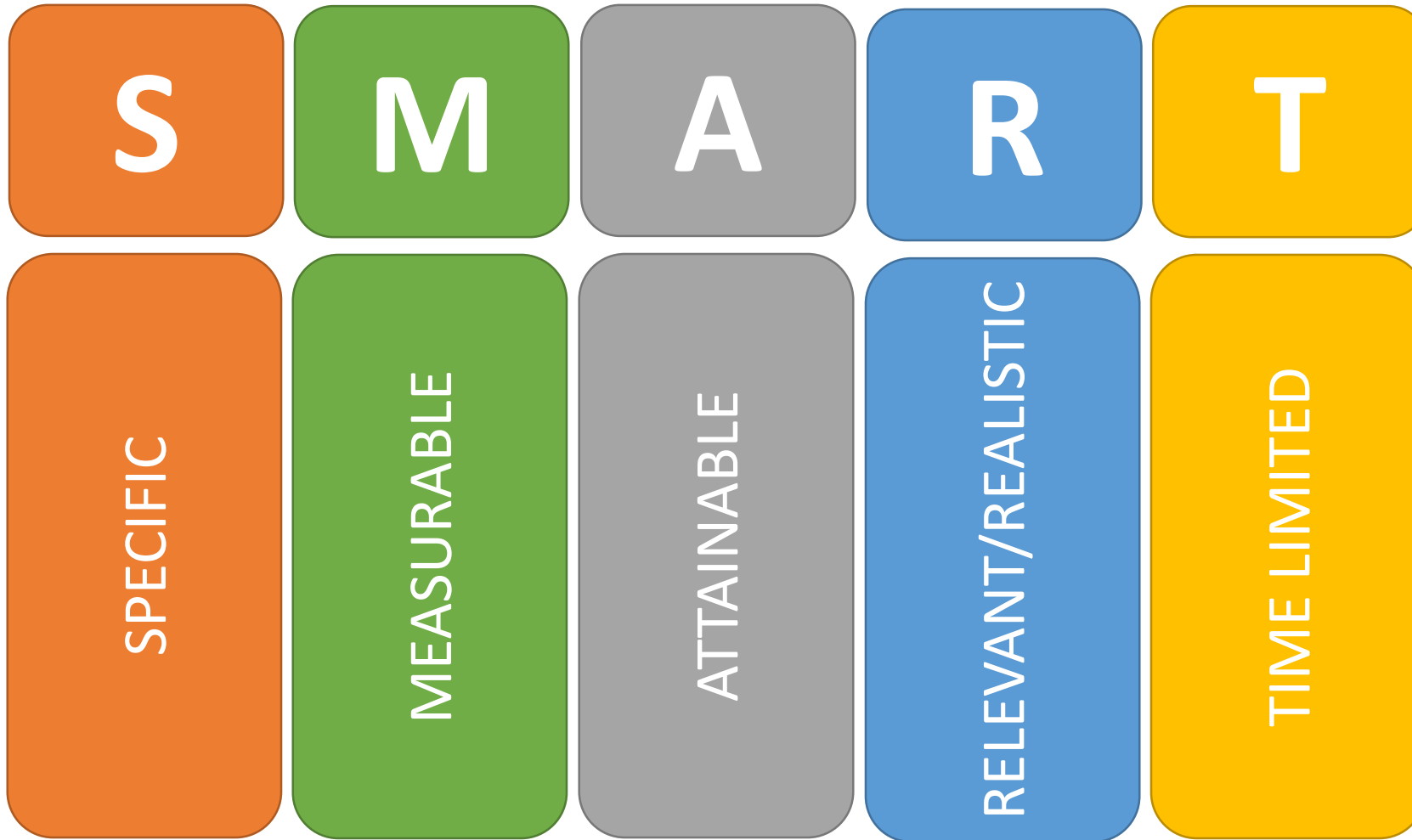
- Describe how the disability affects being part of the general education program
- Can include any academic or non-academic area  
any area the disability impacts that is related to being part of the learning at school
- Are the starting point from which to measure progress on the goal





Goals are the **MAJOR FACTOR** in determining IEP services and placement.

Goals should be written for all needs identified by assessment and present levels.



Special Education & Related Services  
and any other individualized supports and services  
the student NEEDS to be able to:

Make progress toward annual goals.

Make progress in the General Ed curriculum.

Participate in extracurricular and non-academic  
activities.

Be educated & participate with ALL children.

Not enough to benefit from a service.

It must be needed to provide FAPE.



# Free Appropriate Public Education



Free  
At no cost to families  
Appropriate  
Able to meet the  
child's unique needs  
Public

Provided by or paid for  
by the school system  
Education

Services identified as necessary  
for the child to benefit

- Audiology/Interpreter Services
- Braille
- Counseling Services
- Early Identification & Assessment of Disabilities
- Medical Services (To determine eligibility)
- School Health Services (for health-related needs)
- Occupational Therapy
- Orientation & Mobility Services
- Parent Counseling & Training
- Physical Therapy
- Psychological Services
- Recreation
- Rehabilitation Counseling Services
- Social Work Services in School
- Speech/Language Pathology Services
- Transportation
- Interpreter Services
- Transition Specialist
- Vocational Trainer/Counselor
- ...& others as needed

“This is not an exhaustive list.” — US Dept. of Education IDEA and IDEA regulations

SCHOOL DISTRICT  
Offer of FAPE  
SERVICES

IEP Date: \_\_\_\_\_

Name \_\_\_\_\_  
Service Options considered (In selecting LRE, consideration is given to any harmful effect on the child or quality of services that the child needs)  
Considered:

Chosen: General Education and Autism Inclusion program  
Primary Program Placement:

☐ SDC ☐ RSP ☐ Dis Only  
SDC Autism

Transportation ☐ No ☐ Yes (If yes must indicate reason)

SUPPLEMENTARY AIDS, SERVICES & OTHER SUPPORTS FOR SCHOOL PERSONNEL, OR FOR STUDENT OR ON BEHALF OF THE STUDENT					
Aids, Services, Program Accommodations/Modifications, and/or Supports		Start/End Date	Duration	Frequency	Location
<input type="checkbox"/> Student					
<input type="checkbox"/> Personnel					
<input type="checkbox"/> Student					
<input type="checkbox"/> Personnel					
<input type="checkbox"/> Student					
<input type="checkbox"/> Personnel					

SPECIAL EDUCATION and RELATED SERVICES

Service:

Start Date: \_\_\_\_\_ End Date: \_\_\_\_\_

Provider: \_\_\_\_\_ ☐ Ind ☐ Grp ☐ Sec Transition

Duration/Freq: \_\_\_\_ min x \_\_\_\_ Totalling: \_\_\_\_ min served \_\_\_\_

Location: \_\_\_\_\_

Comments:

Service:

Start Date: \_\_\_\_\_ End Date: \_\_\_\_\_

Provider: \_\_\_\_\_ ☐ Ind ☐ Grp ☐ Sec Transition

Duration/Freq: \_\_\_\_ min x \_\_\_\_ Totalling: \_\_\_\_ min served \_\_\_\_

Location: \_\_\_\_\_

Comments:

Service:

Start Date: \_\_\_\_\_ End Date: \_\_\_\_\_

Provider: \_\_\_\_\_ ☐ Ind ☐ Grp ☐ Sec Transition

Duration/Freq: \_\_\_\_ min x \_\_\_\_ Totalling: \_\_\_\_ min served \_\_\_\_

Location: \_\_\_\_\_



# Specialized instruction & Services

[Defined with frequency, location, duration]

Example: SLP, 2x/45 min/week, push-in, group social skills.

- Pay close attention to the “Service Page”
- The terms “up to” and “as needed” should be clarified
- Check start and end dates
- Where will the service be provided? Why?
- How: Individual, group, or consult?
- Appropriate people providing?
- Remember: IEP GOALS should drive the services.

**Specialized Instruction & Services  
beyond typical school year  
if necessary.**

**Data or assessment shows child  
will regress without such services.**

**Beyond the normal school year:  
Extended School Year (ESY)**

## Accommodations and Modifications INDIVIDUALIZED for State and District standardized tests.

**Accommodations** ➡ remove barriers but do not alter what is being tested.

Example: frequent breaks, math problems read aloud

**Modifications** ➡ alter what is being tested.

Example: calculator on math test

If Alternate Assessment is needed, team must define why.

(Ex: CAA California Alternate Assessment for student w/severe disability)



**Individualized**

**Create  
Equal Access**

**Remove  
Barriers**

**Time limited**

More time to  
complete  
assignments

Frequent Breaks

**Environmental**

Quiet setting

Preferred  
Seating

**Health**

Frequent  
restroom access

Nut-free lunch  
table

**Assistive  
Technology**

Computer access

Audiobooks

Modifications **change** the grade-level curriculum standard or what a test is supposed to measure.

Example: allowing a student to use a calculator in a math test when other students are not allowed to do so, or using a lower grade level text or test.

Note: If a student needs modifications in high school this should be discussed as a team, as it may result in the student not getting a high school diploma.

# LRE Placement

## Video: ARC on LRE



Students should be educated as much as possible with peers who do not have disabilities.

### ➡ General Education

Students should be provided supports in their LRE before moving to a separate or more restrictive setting.



# Least Restrictive Environment

## Inclusion: Where in General Education can your child be included?

- Field trips
- Lunch
- Recess
- Sports
- Band
- PE
- Music
- Art
- Library
- School jobs
- Reverse inclusion
- Classroom party



The Least Restrictive Environment  
is a concept, **not a place**

➔ Appropriate placement is one in  
which the student has a reasonable  
expectation of achieving IEP goals.

**Ask for OBSERVATIONS**

How can parents consent to  
placement without observation?





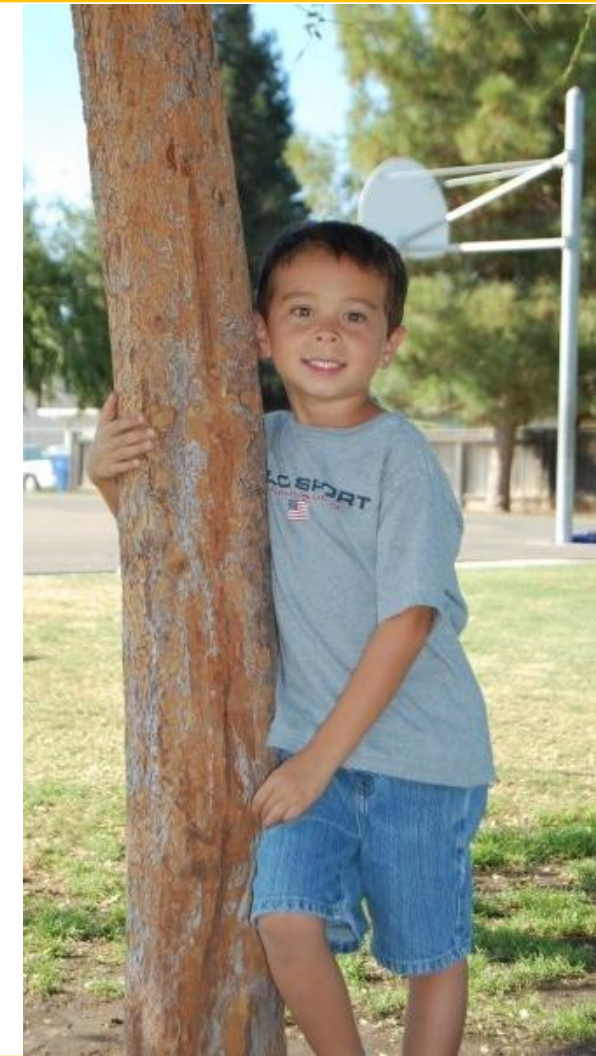
The extent to which the student will learn with and participate in school with students without disabilities.

% in GenEd / % removed from GenEd

IDEA law presumes that students with disabilities learn with Non-Disabled peers.

- ☐ Home school site      ☐ Typical classes
- ☐ General Education Setting

ASK: Where is the data that supports removal from typical learning environment?





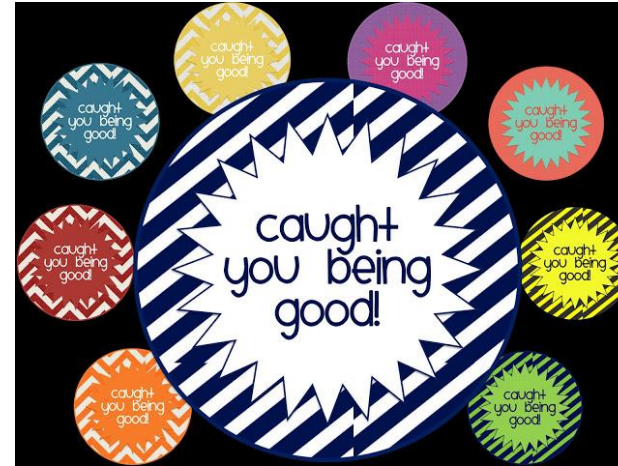
# Other Components that might be included in your child's IEP

**When the behavior of a student with an IEP gets in the way of his or her learning or that of others, the IEP team must develop: behavior goals, supports & services, or a behavior plan.**





**Tier 1: Behavior Supports  
offered are part of a  
School Wide Plan.**



**Some schools integrate  
Positive Behavior  
Systems to encourage  
positive behavior outcomes.**

**Tier 2: A Behavior Plan is created.  
Behavior plans are not punitive.**

**Behavior plans are  
positive plans describing  
how the school will support  
positive behavior through  
instruction or changing  
the environment.**





## Tier 3 Behavioral Supports:

A Functional Behavior Assessment (FBA) is completed.  
A FBA is not a list of misbehaviors, but an effort to determine why a behavior occurs.







AT is any technology that can assist your student to access their general education.

AT helps your child go around or bypass a problem.

This includes devices, software, and hardware, for example:

- ☐ Audiobooks
- ☐ Speech-to-text technology
- ☐ Noise-cancelling headphones
- ☐ Slant board
- ☐ Pencil grip
- ☐ Auditory Trainer

**Special consideration of the needs of children who have limited English proficiency, have special communication needs, or are blind or visually impaired.**



**All assessments should be conducted in the child's primary language.**





Transition  
planning must  
be in effect  
when the  
student turns  
16.



# Reviewing the IEP

**A core part of Special Education law is parents being involved and agreeing to the plan.**

**If a parent doesn't agree with their child's IEP, or a part of it, there are methods to resolve disagreement.**



There are three places on the form where the school district would like your signature.

- Attendance/Participation ➡
- **Agreement**  
In whole  
In part ➡
- Medi-Cal release ➡

SCHOOL DISTRICT  
SIGNATURE AND PARENT CONSENT

Student Name \_\_\_\_\_ Date of Birth \_\_\_\_\_ IEP Date \_\_\_\_\_

IEP Meeting Participants

Signature	Date	Signature	Date
Parent/Guardian/Surrogate	_____	General Education Teacher	_____
Student/Adult Student	_____	Special Education Specialist	_____
LEA Representative/Admin. Designee	_____	Additional Participant/Title	_____
Additional Participant/Title	_____	Additional Participant/Title	_____
Additional Participant/Title	_____	Additional Participant/Title	_____
Additional Participant/Title	_____	Additional Participant/Title	_____

CONSENT

☐ I agree to all parts of the IEP.  
☐ I agree with the IEP, with the exception of \_\_\_\_\_.  
☐ I decline the offer of initiation of special education.  
☐ I understand that my child is not eligible for special education.  
☐ I understand that my child is no longer eligible for special education.

As a means of improving services and results for your child did the school facilitate parent involvement?  
☐ Yes ☐ No ☐ No Response

Signature below is to authorize and approve the IEP.

Signature \_\_\_\_\_ Date \_\_\_\_\_  
☐ Parent ☐ Guardian ☐ Surrogate ☐ Adult Student

Signature \_\_\_\_\_ Date \_\_\_\_\_  
☐ Parent ☐ Guardian ☐ Surrogate ☐ Adult Student

If my child is or may become eligible for public benefits (Medi-Cal): I authorize the LEA/district to release student information for the limited purpose of billing Medi-Cal/Medicaid and to access Medi-Cal health insurance benefits for applicable services.

Signature \_\_\_\_\_  
☐ Parent ☐ Guardian ☐ Surrogate ☐ Adult Student

☐ Parent/Adult Student has received a copy of the Procedural Safeguards  
☐ Parent/Adult Student has received a copy of assessment report (if applicable)  
☐ Parent/Adult Student has received a copy of the Individualized Education Plan (IEP)  
☐ Parent/Adult Student has received written notification of protections available to parents when LEA requests to access Medi-Cal benefits  
☐ Student enrolled in private school by their parents. Refer to Individual Service Plan, if appropriate.



The IEP is a legally binding document.  
“Would I sign any other legally-binding document without adequate time for a thorough review?”

Sign in that you are an IEP participant, but...

Before consenting (agreeing to sign) the IEP:

- ☒ Ask for copies of the IEP & other documents
- ☒ You may take these copies home for careful review

Your signature is as valuable as **GOLD**

# When the school district and family disagree

**Procedural Safeguards make sure that parent's and student's rights are protected in the process when a child receives special education.**

- **Procedural safeguards**
- **Prior Written Notice**
- **Access to All Records**



**Prior written notice** must be provided whenever the school proposes or refuses to initiate or change any of the following:

- ☐ Identification
- ☐ Evaluation
- ☐ Educational Placement
- ☐ Provision of FAPE to the student



## An IEE is an Independent Educational Evaluation and occurs at public expense

- Right to disagree with district assessment(s).
- Parent sends WRITTEN notice of disagreement, or request, for IEE at public expense.
- Without unnecessary delay district must:
  1. Say YES and pay for the IEE [or]
  2. Say NO by filing for a Due Process hearing to prove district assessment was appropriate. Judge decides.
- Independent Educational Evaluations **MUST** be considered, no matter who paid.
- Qualified evaluator is necessary.
- NO requirement to pick from district list.

## **Due Process:**

Legal resolution to resolve disagreements about amount, type, intensity, frequency, or location of Special Education Services

## **Compliance Complaint:**

An allegation that a Special Education Law is not being followed



# Alternative Dispute Resolution provides ways to resolve disagreements and follows certain steps.

Mediation...



- ☐ Facilitated IEP
- ☐ Mediation



If the issues fail to be resolved, the party who requested the conference has the option for filing for a Due Process Hearing.

# More information:

If you would like more information regarding your parental and student rights and responsibilities, please contact:



California Department of Education, Special Education Division, Procedural Safeguards Referral Service, Attn: PSRS intake 1430 N Street, Sacramento, CA 95814 Attention: Toll free: 800-926-0648



**Office of  
Administrative Hearings : 916-263-0880**



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Office of Special Education Programs  
U.S. Department of Education

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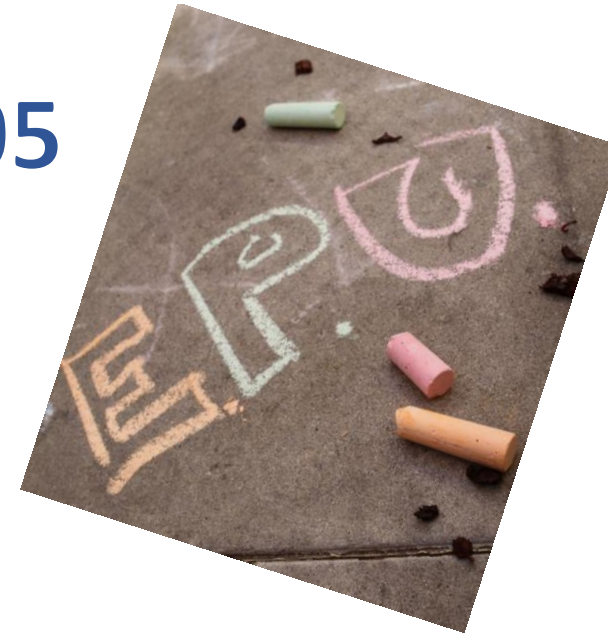


# EPU Children's Center

(559) 229-2000

Toll free: (844) 455-0305

[www.epuchildren.org](http://www.epuchildren.org)



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# Questions?

Thank you for  
coming!

Don't forget to fill out  
an evaluation before  
you leave



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