

Welcome to:

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



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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

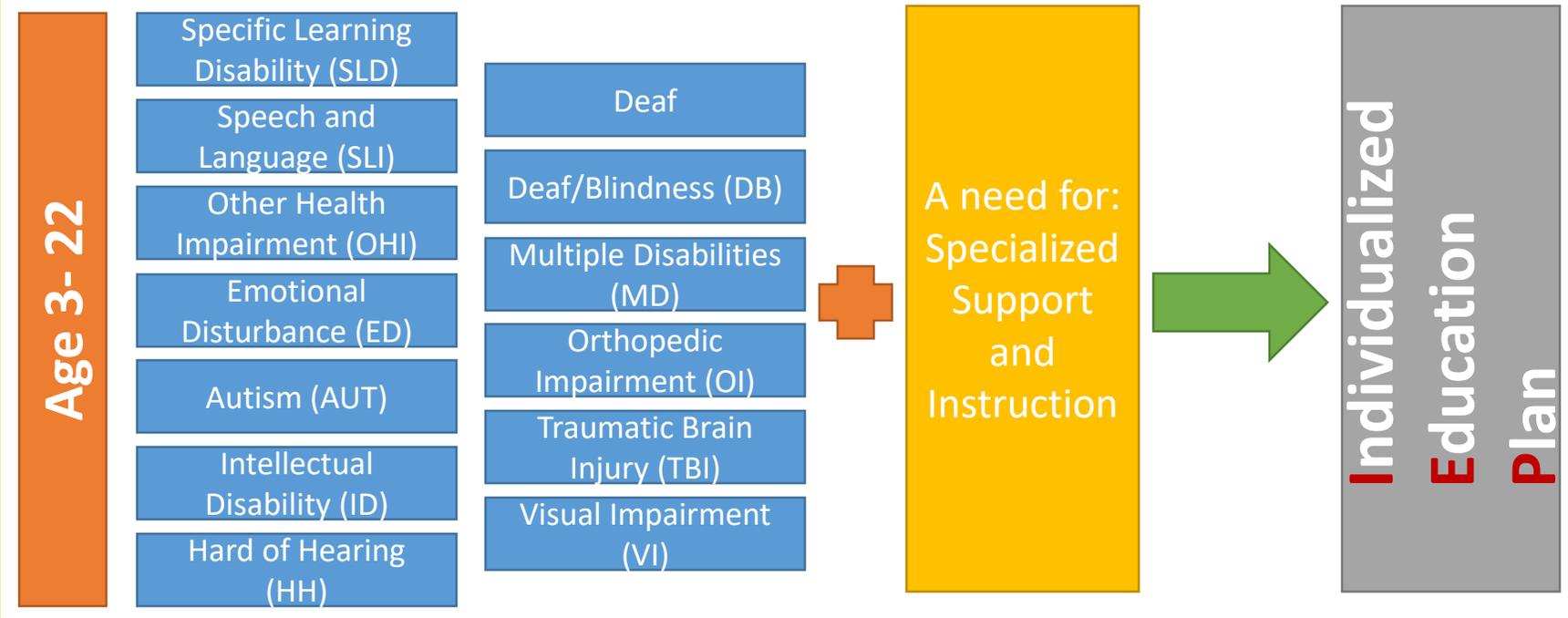
These are the laws that protect students with disabilities:

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

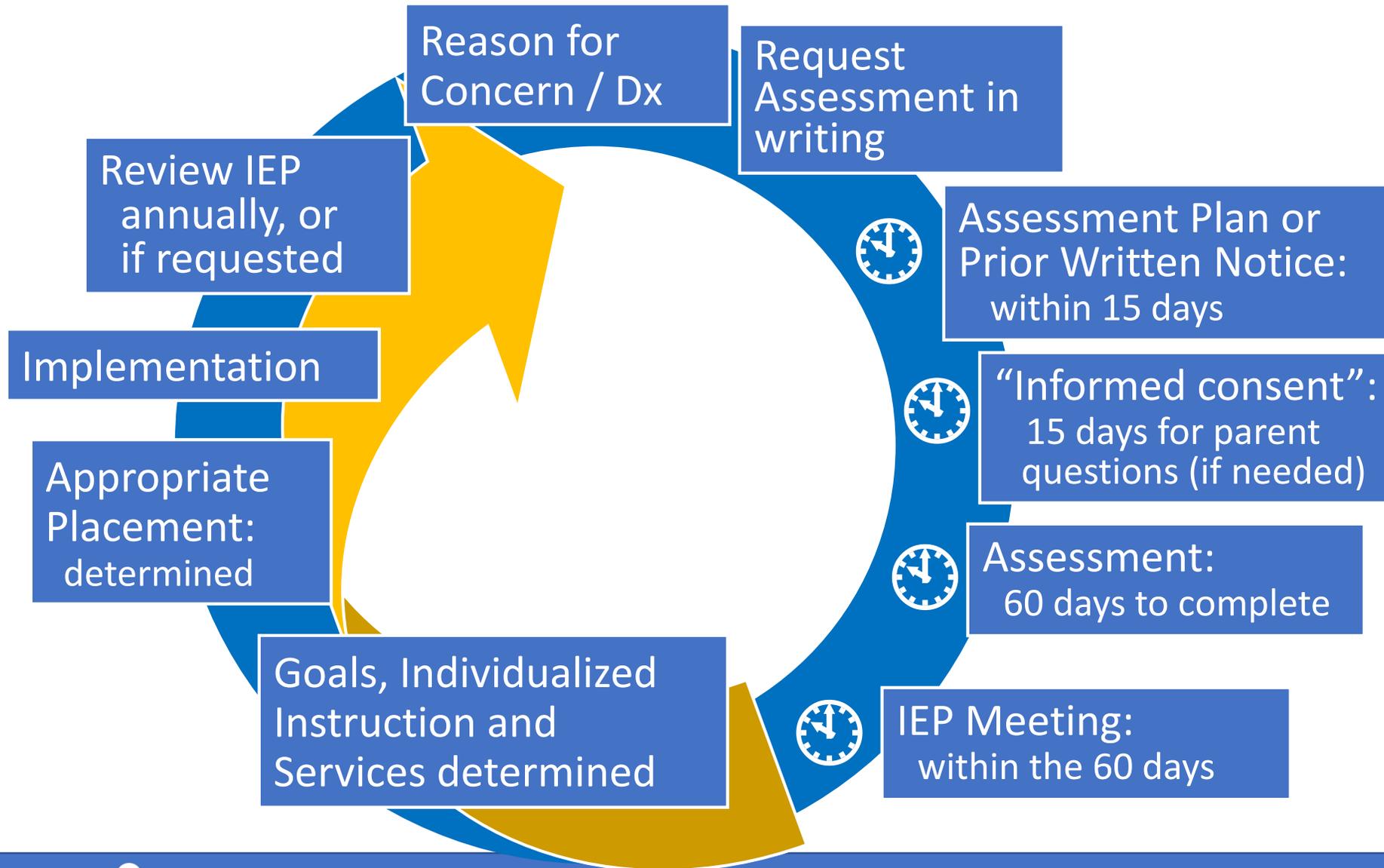
Appropriate
Assessment

Individualized
Education Plan

Student &
Parent
Participation

Least Restrictive
Environment

Procedures to
Safeguard Rights



The background of the slide is a top-down view of a wooden desk cluttered with various school supplies. On the left, there's a yellow ruler and a spiral notebook with some handwritten notes and a diagram. In the center, there are several colorful markers (red, yellow, green, blue) and a pair of yellow-handled scissors. On the right, there's a roll of blue tape and more markers. The overall scene is bright and organized, representing a classroom or office environment.

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.**



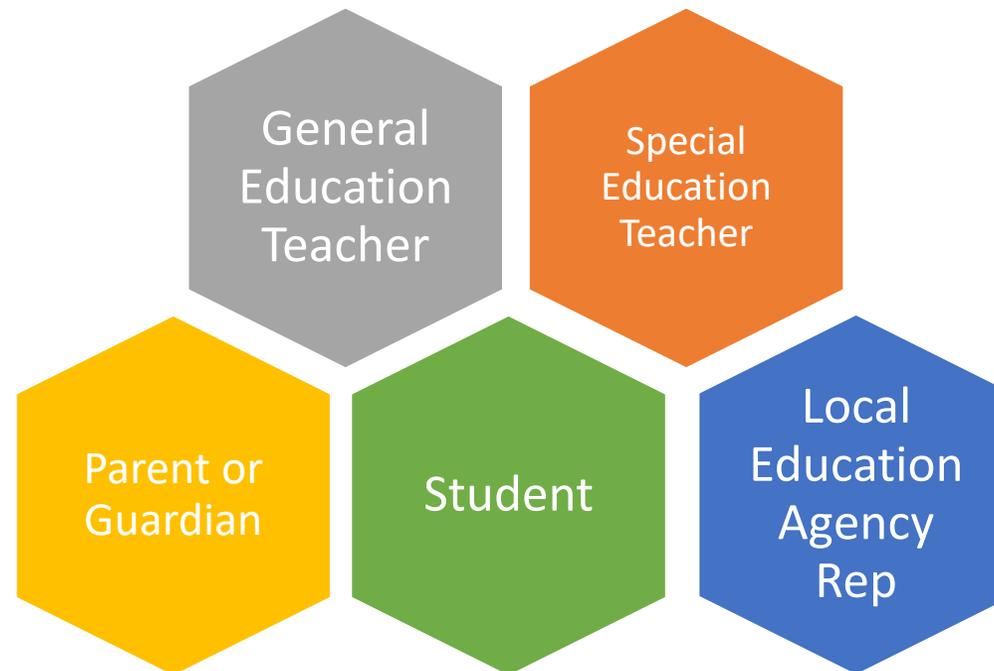
Annual IEP
review of goals and
creation of new plan
yearly

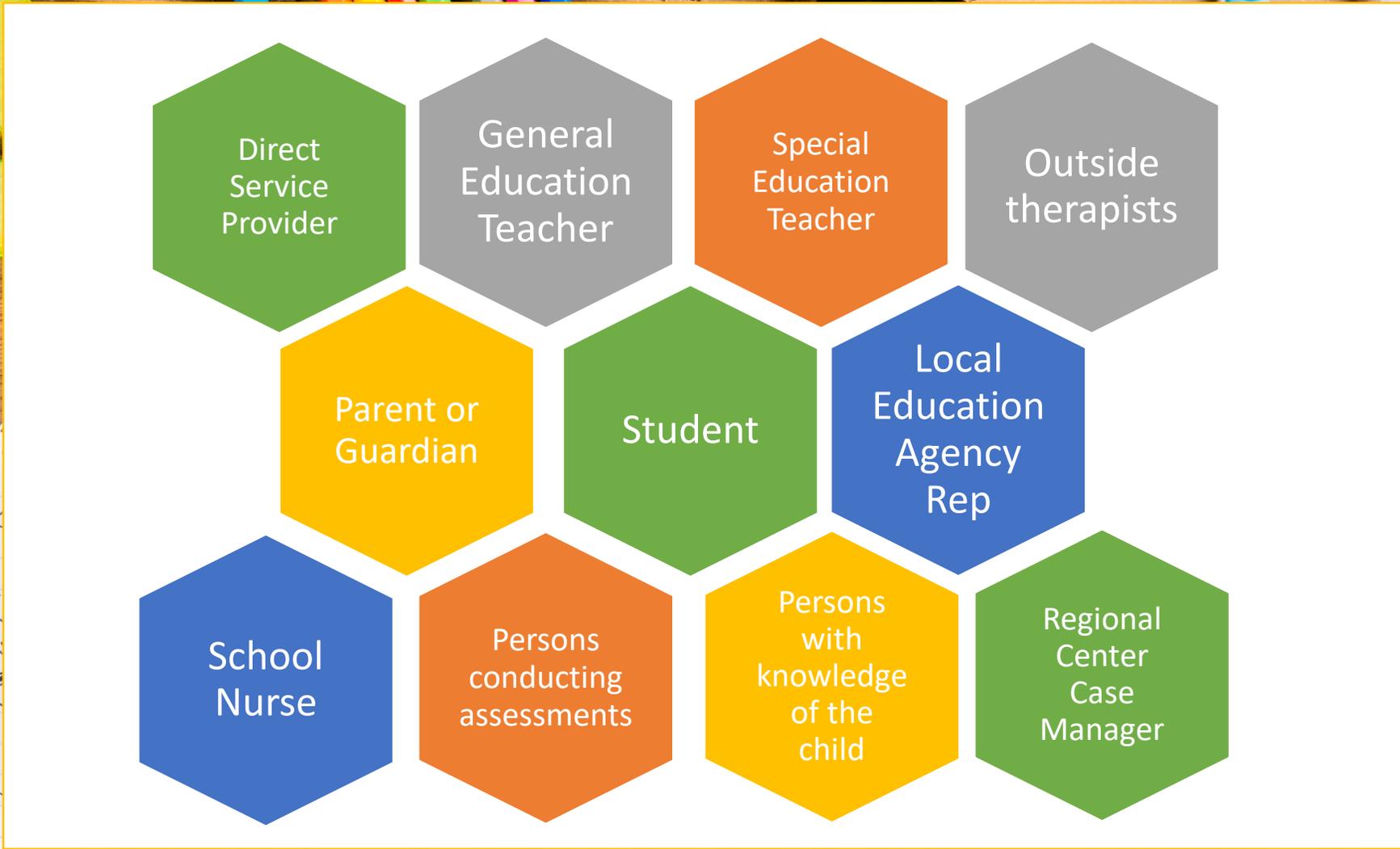
Triennial IEP
re-evaluation every
three years

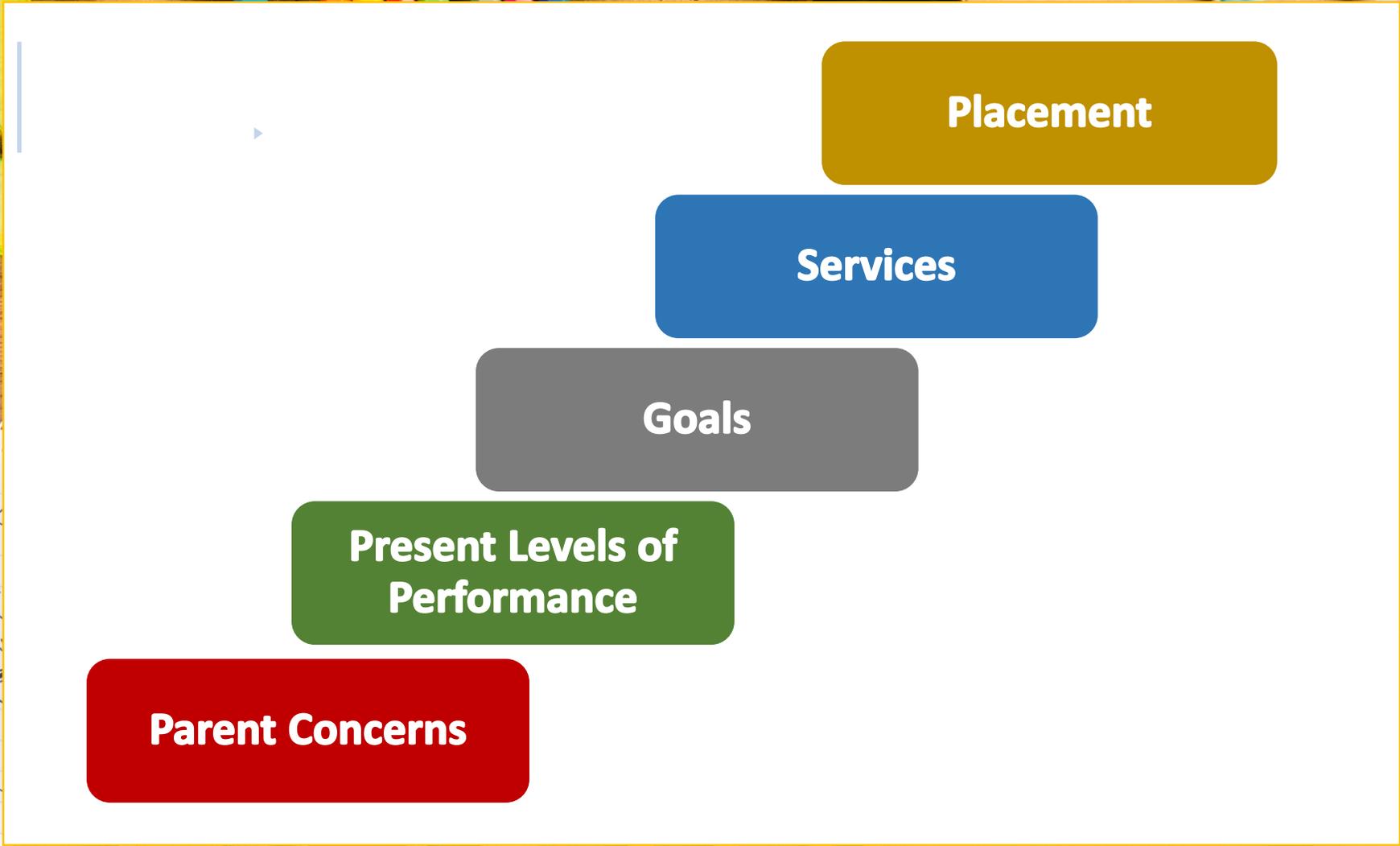


The IEP Process

- 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.







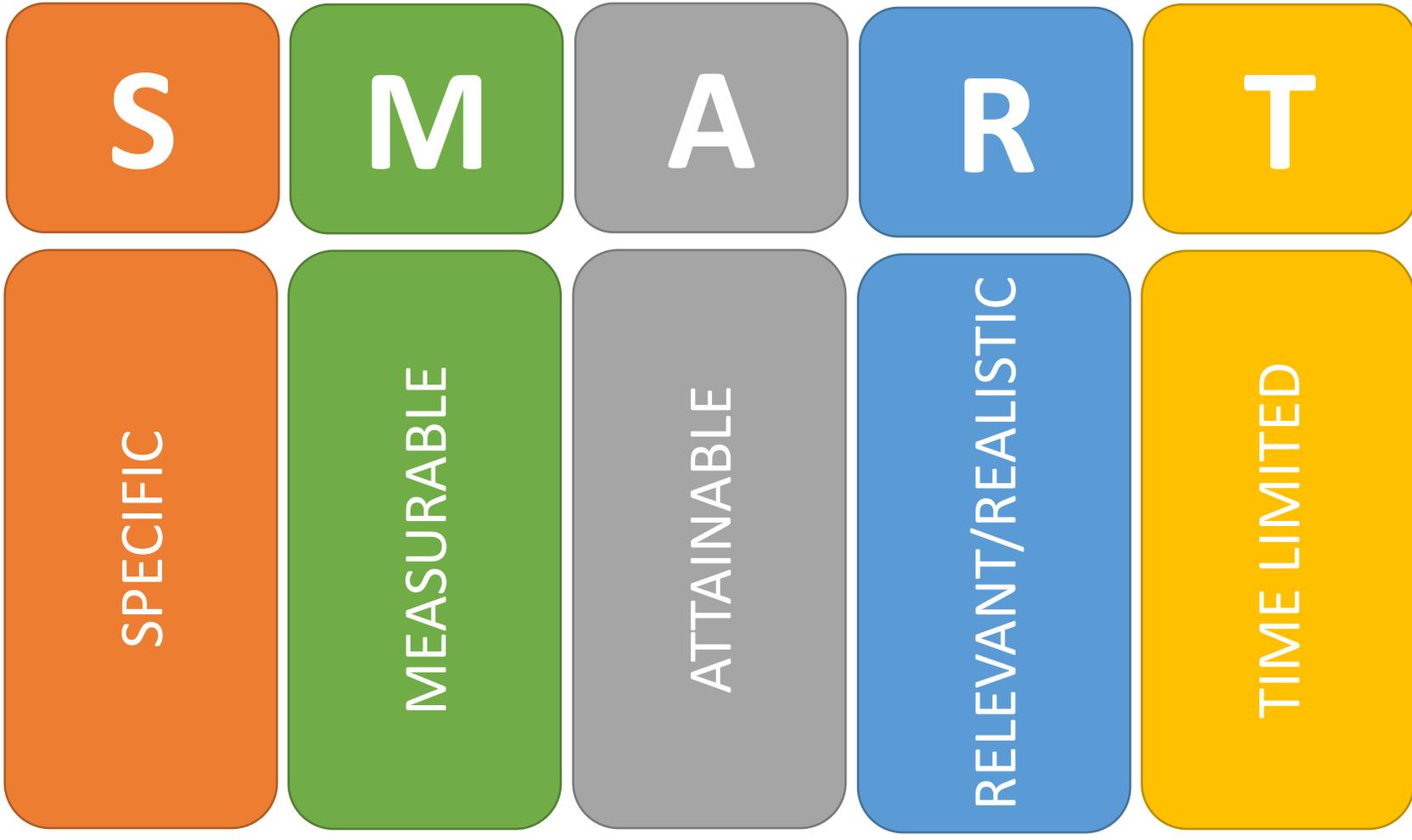
- Contains your child's current skills:
 - using specific and measurable statements
 - gathered by teacher/parent
- Each area of need should include:
 - Parent input or student input if appropriate
 - Several statements about each skill, not just test scores but also statements about what the student 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		Start/End Date	Duration	Frequency	Location
Aids, Services, Program Accommodations/Modifications, and/or Supports	<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?



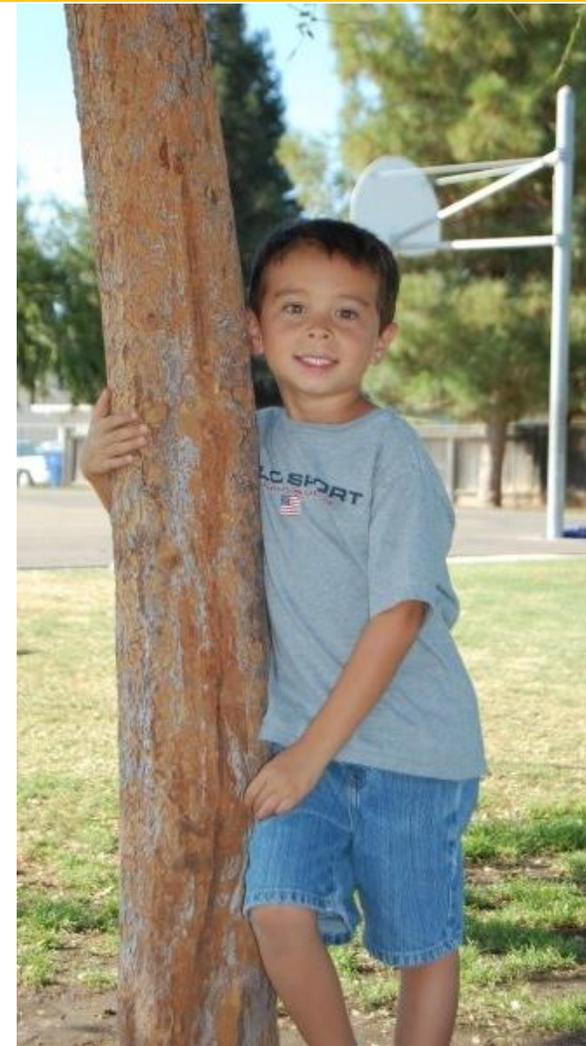
The extent to which the student will learn with and participate in school with students without disabilities.

% 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?



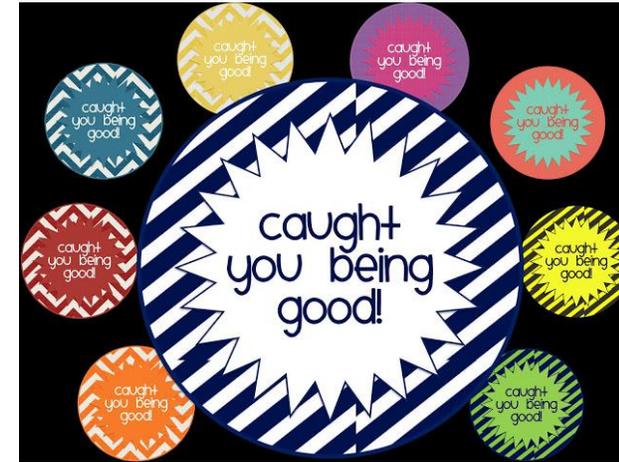


Other Components that might be included in your child's IEP

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.



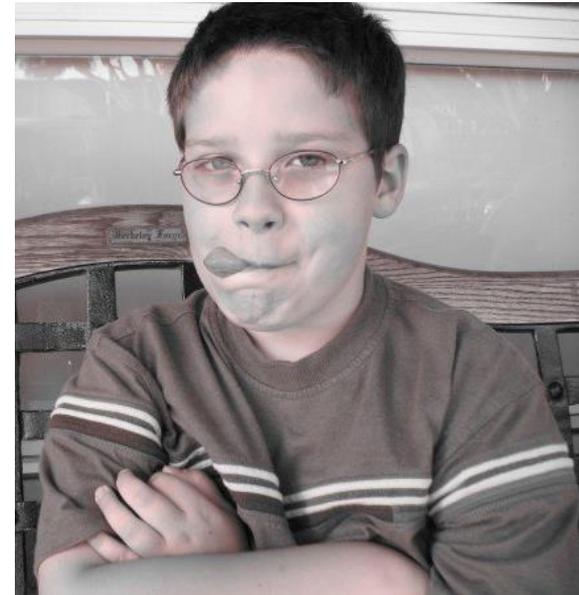
**Tier 1: Behavior Supports
offered are part of a
School Wide Plan.**



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

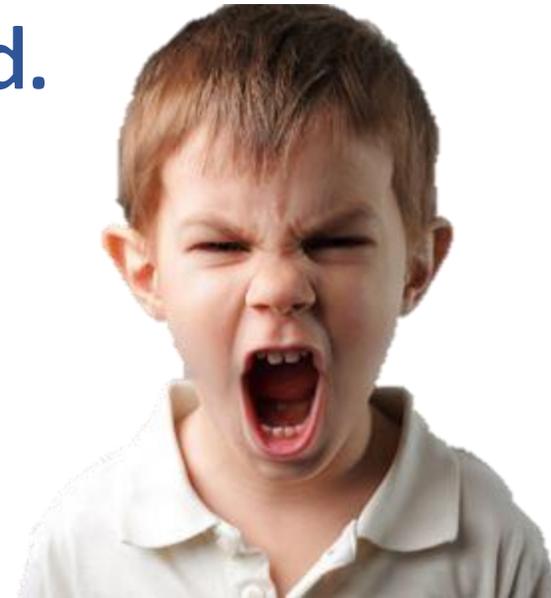
**Tier 2: A Behavior Plan is created.
Behavior plans are not punitive.**

**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

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

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 services.
 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

**Ask
for it!**

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

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Toll free: (844) 455-0305

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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