

# IEP Binder



Clovis Unified School District

*Family Resource  
Center*

Special Education



Dear Families,

The CUSD Family Resource Center is here to offer support and information to families who have concerns about their child's developmental needs or who have a disability, age's birth through 22. We have information and links to resources to assist you in navigating Special Education services in our district, as well as, resources throughout the community. To see a list of our free parent workshops, go online to: [www.CUSD.com](http://www.CUSD.com) and type "workshops" into the search bar.

This binder can help organize your child's paper work so you can refer to it when needed. We want to encourage you to be an informed member of your child's IEP team. You will find tips and information such as, "Parent Rights" and "All About IEP's". Families often wonder when they should start planning for life after high school. We have some ideas to start thinking about once your child reaches 7<sup>th</sup> grade. You can learn more about the ITP in the "Transition" section. Remember we are here to support you! Please contact the Family Resource Center with any questions. ☺

Sincerely,

*Leann Gajarian Keeler*

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# This Binder belongs to:

Name: \_\_\_\_\_

Phone: \_\_\_\_\_

# Table of Contents

## SPECIAL EDUCATION

- Overview of Special Education
- Individualized Education Program (IEP)
- The IEP Document
- CUSD Continuum of Services
- Glossary of Special Education Terms

## PARENT RIGHTS

- Parent Rights
- Laws That Pertain to You
- Procedural Safeguards

## CONTACT INFORMATION

- Who to Contact
- CUSD Family Resource Center
- Online Resources

## TRANSITION

- Transition Planning
- Individualized Transition Plan (ITP)
- Life After High School
- Education

## IEP RESOURCES

- Preparing for the IEP Meeting
- IEP Agenda
- Classroom Observation
- Your Contact Information
- Child's Health History
- IEP Meeting Worksheet
- IEP Team Contact Log

The information provided in material does not, and is not intended to, constitute legal advice; instead, all information, content, and materials available in this binder are for general informational purposes only. Information included may not constitute the most up-to-date legal or other information.

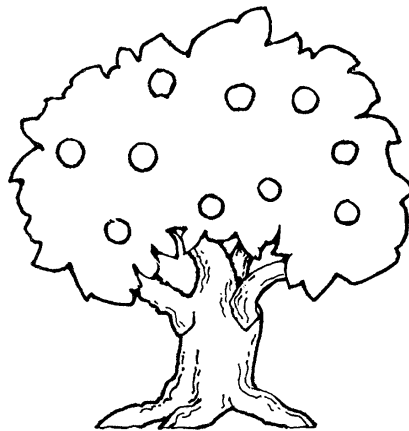
# Overview of Special Education

## **What is Special Education?**

Special Education is specially designed instruction to meet the unique needs of children with disabilities. **There is no cost to the parents.** It is provided for children ages birth to high school graduation, or 22 years for those who qualify according to laws and regulations outlined by the Federal and State governments, and whose parents consent to such services.

## **What conditions are served?**

- Autism Spectrum Disorder
- Deaf
- Deaf/Blind
- Emotional Disturbance
- Hard-of-hearing
- Intellectual Disability
- Multiple Disabilities
- Other Health Impairment
- Severe Orthopedic Impairment
- Specific Learning Disability
- Established Medical Disability (ages 3-5)
- Speech/Language Impairment
- Traumatic Brain Injury
- Visual Impairment



# Individualized Education Program (IEP)

*Clovis Unified School District provides a wide range of special education services to meet the needs of students eligible for special education services. Eligibility is determined by a CUSD Special Education Assessment Team. Parent participation and consent is an essential component throughout the process of (1) assessment, (2) the development of an Individualized Education Program (IEP) with goals and objectives, (3) the implementation of the plan in a variety of settings as appropriate, and (4) on-going, as well as annual, review of progress.*

## **What is the IEP Team meeting?**

The purpose of the IEP meeting is to have the team develop an educational program for the child that will support progress in the general curriculum and meet other educational and functional needs resulting from the child's disability. During the meeting, the assessment results or present levels of performance are presented and the child's category of eligibility will be discussed. Educational goals are developed to address the child's areas of need and an offer of Free and Appropriate Public Education (FAPE) is made, which includes the services and programs the child requires for his/her needs.

Efforts will be made to schedule the meeting at times that are mutually acceptable for the parents and school staff. The parent will receive written notification. **The IEP meeting is very important. If you cannot attend at the time suggested, call the assessment team immediately to arrange a time that is mutually convenient for you and the school staff.**

## **Who participates on the IEP Team?**

The IEP Team consists of the parent(s), administrator or his/her designee, the child's teacher, a general education teacher, individuals involved in the assessment, and others that are familiar with your child's needs. Parents may invite a friend, and advocate, or a Family Resource Center Liaison to attend for additional support as desired. If a required participant is unable to attend, the parent will be asked to excuse that participant or it will be rescheduled.

## **What will happen at the IEP Team meeting?**

You will have the opportunity to participate as an active member of the IEP Team by:

- Sharing your own information about your child and identify your child's strengths
- Express your educational concerns
- Listening to others' information\* regarding your child
- Sharing your thoughts and concerns
- Participating in decisions regarding your child's education

*\*The IEP Team members will share with you the results of the assessment, observation and progress of your child's performance at school, and other factors that the team members consider important to discuss.*

(Cont.)

## **How often are IEP Team meetings held?**

After initial placement, IEP meetings are held annually. Every three years a full assessment of your child will take place and the results will be presented at the annual IEP meeting. During the meeting, the student's program is reviewed to determine how well the program is meeting his/her needs, to evaluate present levels of the students' performance, and to establish goals and objectives for the coming year. **You may request additional reviews by contacting your child's Special Education teacher.**

## **What decisions will be made at the IEP Team meeting?**

The IEP Team determines whether the child is eligible for services based upon the child's needs, as well as, Federal and State criteria for eligibility. If the child is eligible, an IEP will be developed and written with input provided by the team. ***Parent participation is very important to the process!***

Collaborative input from the IEP Team is required in the following areas for the development of the child's IEP:

- Present levels of educational performance
- Annual goals and short-term instructional objectives and, if appropriate, the timelines for meeting them
- Any related services
- The extent of participation with non-disabled peers
- Dates and timelines for specific programs and services
- A determination of evaluation and progress monitoring
- A recommendation of the appropriate educational instructional setting for the delivery of services

You, as parent or guardian, will be asked to give written approval to all or part of the IEP. Your child may not be placed in a Special Education program or receive Special Education services without your signed consent.

## **When will Special Education programs and services be provided?**

Once the special need(s) of your child have been identified and an IEP has been developed, placement must be offered, as soon as the parent signs in agreement with the IEP. IEP services cannot begin prior to the third birthday.

# The IEP Document

*The IEP is a legal document that describes your child, determines whether your child is eligible to receive Special Education services, identifies which services are appropriate for your child and specifies instructional goals and objectives. Additional information that you and school representatives believe is important to ensure an appropriate education for your child may also be included. The IEP must include, but is not limited to, the following:*

- The identification of a category of eligibility to receive Special Education services in accordance with Federal guidelines
- Parent concerns
- A statement about your child's present levels of performance (what your child is able to do now) in all developmental areas of suspected disability
- Annual goals for your child (progress you expect your child to make in one year)
- If appropriate, short term objectives for your child (short steps leading up to the goals)
- When, how, and in what way progress will be evaluated
- Special Education services needed for your child to receive educational benefit
- The extent to which your child will participate in the general education program and have contact with typically-developing children (peers)
- The anticipated beginning date of Special Education services and date of annual review

When you and other members of the IEP Team have completed writing the IEP, you will be asked to sign it. If you agree with the IEP, you are indicating your agreement with:

- The present performance levels of your child
- His/her eligibility to receive Special Education services
- The Special Education services and placement offered
- The goals and objectives
- That you have been informed and understand your rights as a parent

Even if you agree with the IEP, you do not have to sign it at the meeting. You may wish to take it home to read it in a more relaxed atmosphere or consult with others before signing. No action will be taken to provide your child Special Education services until you sign and return the IEP.

If you do not sign the IEP at the meeting, another IEP will be scheduled to address further parental concerns.



## Programs

## Related Services

**Least  
Restrictive**

### **Early Start Program (birth – 3 yrs.)**

- CITI kids  
(Clovis Infant Toddler Intervention)

### **Resource Specialist Programs**

(Transitional Kindergarten - Adult)

### **Deaf/Hard of Hearing Programs (0-12th Grade)**

### **Vocational Education (9th – 12th Grade)**

### **Special Day Class**

- Functional Life Skills (Preschool - Adult)
- Adult Transition Programs (Keys, LINKS)
- Autism (Preschool (PALS) - 12th Grade)
- Intervention Programs (K-12th Grade)
- Severely Disabled (3 – 22 yr.)

### **Garfield Center**

- Medically Fragile (3– 22 yr.)

### **Home/Hospital Instruction**

### **Non-Public School**

### **Residential Placement**

**Most  
Restrictive**

- Adapted P.E.
- Assistive Technology
- Audiologist
- Auditory Therapist
- Behavioral Intervention
- Brailist
- Deaf/Hard of Hearing
- Health/Nursing
- Occupational Therapy
- Orientation & Mobility
- Physical Therapy
- Psychological  
(Counseling)
- Speech/Language
- Therapeutic  
Intervention
- Transportation
- Teacher of the Visually  
Impaired (TVI)

# Glossary of Special Education Terms

## **Assembly Bill**

- A bill proposed by the State Assembly.

## **Assessment**

- Observations and testing of children to identify the strengths and weaknesses of the child in order to develop an appropriate educational plan

## **Audiological Services**

- Includes identifying children with hearing loss and providing services that will help children with hearing losses maximize their strengths and abilities

## **Auditory Processing**

- The ability to understand and use information that is heard, both words as well as other non-verbal sounds

## **Autism (AUT)**

- A pervasive developmental disorder, usually characterized by limited communication skills and social interaction

## **Blind**

- See visually impaired

## **California Children's Services (CCS)**

- Provides specialized medical care and rehabilitation for physically impaired children

## **California Education**

- The body of regulations which govern Education Code in the State of California

## **Central Valley Regional Center (CVRC)**

- The Central Valley Regional Center provides diagnosis, evaluation and counseling services. It also acts as a "coordinator" of services which are available to people with developmental disabilities provided by other community agencies

## **Classroom Based Instruction**

- The goals of the IEP are met within the environment of the student's class instead of being pulled out of the classroom to work individually with the teacher or with small groups.

(Glossary cont.)

**Community Advisory Committee**

- A legally mandated organization of parents, school personnel and various agency representatives, which advises special education administrators in the development, revision, and evaluation of special education programs and policies. Refer to “Parents are Partners” - CAC section.

**Community Based Instruction**

- A form of instruction in which IEP goals are met in a "natural" environment within the community. For example, math, sequencing, travel, and social skills may be developed through a trip to the grocery store.

**Compliance Complaint**

- The issue and/or resolution process involved when there is an alleged violation by the public educational agency of any Federal or State law or regulation governing special education.

**Deaf**

- A term used to denote a person who has minimal or no hearing.

**Due Process**

- The legal procedures set up to resolve disagreements between parents and school districts over some part of a child’s Special Education program.

**Emotionally Disturbed (ED)**

- Having a social/emotional problem, which has existed for a marked degree and over a long period of time that interferes with learning.

**English Learner (EL)**

- Ability to speak English is determined to be limited, based on an assessment.

**Extended School Year**

- Special Education program extended into summer when the IEP team determines need, based upon a child’s regression.

**Fair Hearing**

- A formal hearing that is called by parents or school district personal. Issues that may be considered under the Fair Hearing procedure are limited to eligibility, assessment, the IEP and placement of individuals with special needs.

**Free and Appropriate Public Education (FAPE):**

- Free Appropriate Public Education (FAPE) is an educational right of children with disabilities in the United States that is guaranteed by the Rehabilitation Act of 1973 and the Individuals with Disabilities Education Act (IDEA).

(Glossary Cont.)

**Hard of Hearing (HOH)**

- A term used for those people whose hearing is disabled to an extent that makes it difficult to understand speech through the ear, with or without a hearing aid.  
Or  
Having some degree of hearing loss ranging from mild to profound.  
Or  
A term that refers to a hearing loss where there may be enough residual hearing that an auditory device, such as a hearing aid or FM system, provides adequate assistance to process speech.

**Hearing Impaired or Hearing Loss**

- A term used to generically refer to any child with any type and degree of hearing loss.  
Or  
A term meaning an impairment in hearing, whether permanent or fluctuating, that adversely affects the child's educational performance but that is not included under the definition of "Deafness"

**Individualized Education Program (IEP)**

- A written document developed by an educational team, including the parent that serves as a practical plan for instruction and deliver of serve to individuals with a disability or special condition.

**Individualized Education Program (IEP) Team**

- Composed of an administrator or his/her designee, the student's teacher, and the parents. Other members may include the student, other individuals selected by the parent or the IEP chairperson, and those who have conducted assessments on the student.

**Individualized Transition Plan (ITP)**

- A plan similar to the IEP which specifies services to be provided for students age 16 and older for the purpose of transition from high school to life after school. A trans-disciplinary team developing the IEP includes parents, student, school personnel, and agency representatives.

**Individuals with Exceptional (Special) Needs**

- Individuals from infancy through age 22, identified by an Individualized Education Program (IEP) Team, as having a disability of condition that requires specialized instruction and/or services.

**Integration**

- See Mainstreaming

(Glossary cont.)

**Intellectual disability (ID)**

- ID is a disability characterized by significant limitations in both intellectual functioning and in adaptive behavior, which covers many everyday social and practical skills and that adversely affects a student's educational performance.

**Language Delayed**

- A delay in the development of a child's ability to use or understand language.

**Language Speech Service**

- Also known as, Speech/Language Service. Service that helps children learn to speak and use language. A speech / language pathologist (SLP) provides these services.

**Learning Disability**

- A disorder in one or more of the basic psychological processes involved in understanding or using spoken and/or written language, as well as, severe discrepancy between intellectual ability and achievement.

**Least Restrictive Environment (LRE)**

- For any child, the educational setting in which he/she can succeed that is most like the regular classroom.

**Local Plan**

- The model for the delivery of programs and services, which will be provided by schools to meet the education needs of eligible individuals with special needs. Each SELPA district develops a new plan every three years, which must be accepted by the State Department of Education.

**Mainstreaming**

- A term referring to the time during which a Special Education student participates in general education activities, either academic or non-academic.

**Multidisciplinary**

- Using a combination of several disciplines for a common purpose; i.e., assessment or an approach to child guidance

**Multiple Disabilities**

- Having two or more disabilities, which cause educational problems.

**Non-Public School/Agency**

- Private, non-sectarian, school or agency, which has been licensed by the State Department of Education to meet basic standards.

(Glossary cont.)

**Other Health Impaired (OHI)**

- Disability category included in the Individuals with Disabilities Education Act (IDEA). OHI refers to having a disability caused by disease, condition, disorder, or injury that substantially affects strength, vitality, or alertness. These disabilities include, but are not limited to, congenital anomalies, cerebral palsy (CP), asthma, diabetes, tracheotomies and colostomies.

**Orientation and Mobility (OM)**

- Training for an individual with visual impairments to know how to move through space and develop an awareness of where his/her body is in space.

**Orthopedically Impaired (OI)**

- Students with specific orthopedic or health problems, which adversely affect their education performance.

Or

A term for students with a severe orthopedic impairment that adversely affects a child's educational performance.

**Program Placement**

- The specific system of delivery that meets the child's individual needs, as identified in the IEP.

**Program Specialist**

- An administrative person who assists district personnel in finding an appropriate program for children in Special Education. They are the primary link between the Special Education Department and school site personnel.

**Psychological Services**

- Includes psychological assessment, psychological counseling for children and parents. Also includes, consultation with teachers and specialists.

**Referral**

- The request to identify and assess a child's possible Special Education needs. A parent, teacher, medical personnel, or anyone with specific knowledge of the child may make a referral.

**Related Services**

- Specialized instruction and/or support services as identified through an assessment and written on an IEP, as necessary.

(Glossary cont.)

**Resource Specialist Program (RSP)**

- Students receiving Special Education instruction by a resource teacher for less than 50% of the day are enrolled in RSP. The student with special needs may receive his or her RSP services in general education classrooms, or special programs in each school, as specified in the IEP.

**Severely Disabled (SD)**

- A disability category containing the currently used labels of: developmentally delayed, severely emotionally disturbed, autistic, and multiple disabilities.  
Or  
An individual with a disability who has a severe physical or mental impairment, which seriously limits one or more functional capacities (such as mobility, communication, self-care, self-direction, interpersonal skills, educational skills).

**Special Day Class (SDC)**

- Class for students with needs that cannot be met in a general education setting. The student spends the majority of his/her day in this classroom. A teacher with a credential in the appropriate Special Education area provides instruction in school.

**Special Education**

- Those programs and/or services provided for individuals with special needs. It is instruction that is specifically designed for the student to meet his/her unique needs.

**Special Education Local Plan Area (SELPA)**

- The district or county designated as the agency responsible to coordinate the administration and deliver of Special Education services, under the supervision of a director.

**Special Needs**

- Services needed beyond those that are usually provided in General Education. May be referred to as Exceptional Needs.

**Speech Impaired**

- Students who have an impairment in the ability to use or understand language and which adversely effects their learning.

**Student Study Team (SST)**

- A general education process designed to make preliminary modifications within the general education program of a student not succeeding in class. Used as a pre-referral before a Special Education referral is completed.

(Glossary cont.)

## Transition

- Services provided to students age 16 and older (age 14, if appropriate) to transition from secondary school to life after high school.

Or

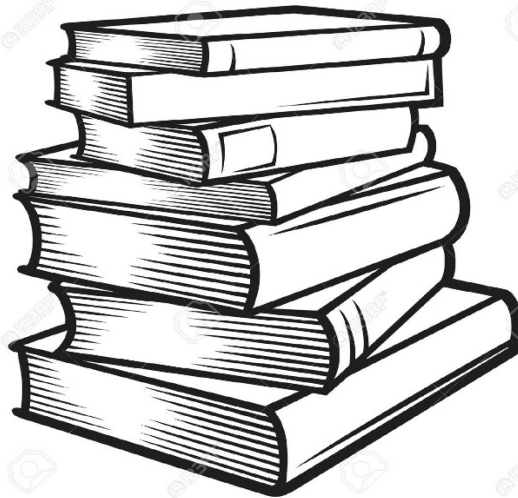
- “Transition” in Special Education programs, in general, refers the movement from one program to another. The "official" term, however, usually refers to the transition from school-based to adult services (see ITP).

Transitions can be:

- From one grade classroom to another
- From one school to another
- From one program to another
- From school to postsecondary, college, vocational program, or other program

## Visually Impaired (VI)

- A student is visually impaired (VI) if the visual impairment, even with correction, adversely affects educational performance. This includes blind and low vision students.





# Parent Rights

*(A simplified version)*

***For a more complete document, see the Notice of Procedural Safeguards.***

According to IDEA, you as the parent have the right to:

1. Refer your child for an assessment;
2. Receive from the district an explanation of your rights and procedural safeguards that are provided by the law;
3. Give your consent before any educational assessment or placement in special education can occur;
4. Examine your child's school records, have them explained to you and obtain copies;
5. Request in writing to have the district consider amending the records if you believe the educational records are inaccurate, misleading or violate the privacy or other rights of your child;
6. Agree to a time and place for the annual review meeting to develop your child's Individualized Educational Program (IEP);
7. Electronically record the IEP meeting upon a prior notification to team members of at least 24 hours;
8. Request the school district to hold those meetings in your primary language and to make special arrangements for your disability, if any, so that you can fully participate;
9. Participate in the annual IEP;
10. Be consulted when major changes in your child's education are being considered;
11. Request an independent educational assessment, which may or may not be at your expense, if you disagree with the district's assessment;
12. Request a due process hearing if serious disagreements regarding your child's identification, assessment, or education, cannot be resolved.

# Laws That Pertain to You

## **What are Special Education laws?**

You, as the parent, and your child have certain legal rights. The Individuals with Disabilities Education Act (IDEA) is a Federal law that mandates that education must be extended to children with disabilities as their fundamental right. This law is based on the premise that all individuals must be educated in order to become self-sufficient and to survive in society.

## **What are the goals of IDEA?**

- To provide a free and appropriate public education to all children with disabilities
- To guarantee children with special needs an appropriate assessment by trained specialists
- To individualize the education program based on the child's needs
- To provide an Individualized Education Program (IEP) written by a team that includes parents and their representatives, teachers, specialists, and an administrator
- To provide individuals who have special needs with an education in the least restrictive environment (LRE) that is appropriate to meet their educational needs
- To provide Due Process procedures to help resolve potential differences

**Special Education Rights of Parents and Children**  
**Under the Individuals with Disabilities Education Act, Part B, and the**  
**California *Education Code***  
**Notice of Procedural Safeguards**  
**Revised October 2016**

Note: The term school district is used throughout this document to describe any public education agency responsible for providing your child's special education program. The term assessment is used to mean evaluation or testing. Federal and state laws are cited throughout this notice using English abbreviations, which are explained in a glossary on the last page of this notification.

### **What is the Notice of Procedural Safeguards?**

This information provides you as parents, legal guardians, and surrogate parents of children with disabilities from three (3) years of age through age twenty-one (21) and students who have reached age eighteen (18), the age of majority, with an overview of your educational rights or procedural safeguards.

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

- When you ask for a copy
- The first time your child is referred for a special education assessment
- Each time you are given an assessment plan to evaluate your child
- Upon receipt of the first state or due process complaint in a school year, and
- When the decision is made to make a removal that constitutes a change of placement

(20 *USC* 1415[d]; 34 *CFR* 300.504; *EC* 56301[d] [2], *EC* 56321, and 56341.1[g] [1])

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

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

### **May I participate in decisions about my child's education?**

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

The parent or guardian, or the local educational agency (LEA), has the right to participate in the development of the IEP and to initiate their intent to electronically audiotape the proceedings of

the IEP team meetings. At least 24 hours prior to the meeting, the parent or guardian shall notify the members of the IEP team of their intent to record a meeting. If the parent or guardian does not consent to the LEA audiotape recording an IEP meeting, the meeting shall not be recorded on an audiotape recorder.

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

### **Where can I get more help?**

When you have a concern about your child's education, it is important that you contact your child's teacher or administrator to talk about your child and any problems you see. Staff in your school district or special education local plan area (SELPA) may answer questions about your child's education, your rights, and procedural safeguards. Also, when you have a concern, this informal conversation often solves the problem and helps to maintain open communication.

You may also want to contact one of the California parent organizations (Family Empowerment Centers and Parent Training Institutes), which were developed to increase collaboration between parents and educators to improve the educational system. Contact information for these organizations is found on the CDE special education California Parent Organizations Web page at <http://www.cde.ca.gov/sp/se/qa/caprntorg.asp>.

Additional resources are listed at the end of this document to help you understand the procedural safeguards.

### **What if my child is deaf, hard of hearing, blind, visually impaired, or deaf-blind?**

The State Special Schools provide services to students who are deaf, hard of hearing, blind, visually impaired, or deaf-blind at each of its three facilities: the California Schools for the Deaf in Fremont and Riverside and at the California School for the Blind in Fremont. Residential and day school programs are offered to students from infancy to age 21 at both State Schools for the Deaf. Such programs are offered to students aged five through 21 at the California School for the Blind. The State Special Schools also offer assessment services and technical assistance. For more information about the State Special Schools, please visit the California Department of Education (CDE) Web site at <http://www.cde.ca.gov/sp/ss/> or ask for more information from the members of your child's IEP team.

## **Notice, Consent, Assessment, Surrogate Parent Appointment, and Access to Records**

### **Prior Written Notice**

#### **When is a notice needed?**

This notice must be given when the school district proposes or refuses to initiate a change in the identification, assessment, or educational placement of your child with special needs or the

provision of a free appropriate public education. (20 *USC* 1415[b][3] and (4), 1415[c][1], 1414[b][1]; 34 *CFR* 300.503; *EC* 56329 and 56506[a])

The school district must inform you about proposed evaluations of your child in a written notice or an assessment plan within fifteen (15) days of your written request for evaluation. The notice must be understandable and in your native language or other mode of communication, unless it is clearly not feasible to do so. (34 *CFR* 300.304; *EC* 56321)

### **What will the notice tell me?**

The Prior Written Notice must include the following:

1. A description of the actions proposed or refused by the school district
2. An explanation of why the action was proposed or refused
3. A description of each assessment procedure, record, or report the agency used as a basis for the action proposed or refused
4. A statement that parents of a child with a disability have protection under the procedural safeguards
5. Sources for parents to contact to obtain assistance in understanding the provisions of this part
6. A description of other options that the IEP team considered and the reasons those options were rejected; and
7. A description of any other factors relevant to the action proposed or refused. (20 *USC* 1415[b][3] and [4], 1415[c][1], 1414[b][1]; 34 *CFR* 300.503)

### **Parental Consent**

#### **When is my approval required for assessment?**

You have the right to refer your child for special education services. You must give informed, written consent before your child's first special education assessment can proceed. The parent has at least fifteen (15) days from the receipt of the proposed assessment plan to arrive at a decision. The assessment may begin immediately upon receipt of the consent and must be completed and an IEP developed within sixty (60) days of your consent.

#### **When is my approval required for services?**

You must give informed, written consent before your school district can provide your child with special education and related services.

#### **What are the procedures when a parent does not provide consent?**

If you do not provide consent for an initial assessment or fail to respond to a request to provide the consent, the school district may pursue the initial assessment by utilizing due process procedures.

If you refuse to consent to the initiation of services, the school district must not provide special education and related services and shall not seek to provide services through due process procedures.

If you consent in writing to the special education and related services for your child but do not consent to all of the components of the IEP, those components of the program to which you have consented must be implemented without delay.

If the school district determines that the proposed special education program component to which you do not consent is necessary to provide a free appropriate public education to your child, a due process hearing must be initiated. If a due process hearing is held, the hearing decision shall be final and binding.

In the case of reevaluations, the school district must document reasonable measures to obtain your consent. If you fail to respond, the school district may proceed with the reevaluation without your consent. (20 *USC* 1414[a][1][D] and 1414[c]; 34 *CFR* 300.300; *EC* 56506[e], 56321[c] and [d], and 56346).

### **When may I revoke consent?**

If at any time subsequent to the initial provision of special education and related services, the parent of a child revokes consent in writing for the continued provision of special education and related services, the public agency:

1. 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 300.503 before ceasing such services
2. May not use the procedures in subpart E of Part 300 34 *CFR* (including the mediation procedures under 34 *CFR* Section 300.506 or the due process procedures under 34 *CFR* Sections 300.507 through 300.516) in order to obtain agreement or a ruling that the services may be provided to the child
3. Will not be considered to be in violation of the requirement to make a free appropriate public education (FAPE) available to the child because of the failure to provide the child with further special education and related services
4. Is not required to convene an IEP team meeting or develop an IEP under 34 *CFR* Sections 300.320 and 300.324 for the child for further provision of special education and related services

Please note, in accordance with 34 *CFR* Section 300.9 (c)(3), that if the parents revoke consent in writing for their child's receipt of special education services after the child is initially provided special education and related services, the public agency is not required to amend the child's education records to remove any references to the child's receipt of special education and related services because of the revocation of consent.

### **Surrogate Parent Appointment**

#### **What if a parent cannot be identified or located?**

School districts must ensure that an individual is assigned to act as a surrogate parent for the parents of a child with a disability when a parent cannot be identified and the school district cannot discover the whereabouts of a parent.

A surrogate parent may also be appointed if the child is an unaccompanied homeless youth, an adjudicated dependent or ward of the court under the state Welfare and Institution Code, and is referred to special education or already has an IEP. (20 *USC* 1415[b][2] ; 34 *CFR* 300.519; *EC* 56050; *GC* 7579.5 and 7579.6)

## **Nondiscriminatory Assessment**

### **How is my child assessed for special education services?**

You have the right to have your child assessed in all areas of suspected disability. Materials and procedures used for assessment and placement must not be racially, culturally, or sexually discriminatory.

Assessment materials must be provided and the test administered in your child's native language or mode of communication and in the form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to so provide or administer.

No single procedure can be the sole criterion for determining eligibility and developing FAPE for your child. (20 *USC* 1414[b][1]–[3], 1412[a][6][B]; 34 *CFR* 300.304; *EC* 56001[j] and 56320)

## **Independent Educational Assessments**

### **May my child be tested independently at the district's expense?**

If you disagree with the results of the assessment conducted by the school district, you have the right to ask for and obtain an independent educational assessment for your child from a person qualified to conduct the assessment at public expense.

The parent is entitled to only one independent educational evaluation at public expense each time the public agency conducts an evaluation with which the parent disagrees.

The school district must respond to your request for an independent educational assessment and provide you information about where to obtain an independent educational assessment.

If the school district believes that the district's assessment is appropriate and disagrees that an independent assessment is necessary, the school district must request a due process hearing to prove that its assessment was appropriate. If the district prevails, you still have the right to an independent assessment but not at public expense. The IEP team must consider independent assessments.

District assessment procedures allow in-class observation of students. If the school district observes your child in his or her classroom during an assessment, or if the school district would have been allowed to observe your child, an individual conducting an independent educational assessment must also be allowed to observe your child in the classroom.

If the school district proposes a new school setting for your child and an independent educational assessment is being conducted, the independent assessor must be allowed to first observe the proposed new setting. (20 *USC* 1415[b][1] and [d][2][A]; 34 *CFR* 300.502; *EC* 56329[b] and [c])



## **Access to Educational Records**

### **May I examine my child's educational records?**

You have a right to inspect and review all of your child's education records without unnecessary delay, including prior to a meeting about your child's IEP or before a due process hearing. The school district must provide you access to records and copies, if requested, within five (5) **business** days after the request has been made orally or in writing. (*EC* 49060, 56043[n], 56501[b][3], and 56504)

## **How Disputes Are Resolved**

### **Due Process Hearing**

#### **When is a due process hearing available?**

You have the right to request an impartial due process hearing regarding the identification, assessment, and educational placement of your child or the provision of FAPE. The request for a due process hearing must be filed within two years from the date you knew or should have known about the alleged action that forms the basis of the due process complaint. (20 *USC* 1415[b][6]; 34 *CFR* 300.507; *EC* 56501 and 56505[l])

### **Mediation and Alternative Dispute Resolution**

#### **May I request mediation or an alternative way to resolve the dispute?**

A request for mediation may be made either before or after a request for a due process hearing is made.

You may ask the school district to resolve disputes through mediation or alternative dispute resolution (ADR), which is less adversarial than a due process hearing. The ADR and mediation are voluntary methods of resolving a dispute and may not be used to delay your right to a due process hearing.

#### **What is a pre-hearing mediation conference?**

You may seek resolution through mediation prior to filing a request for a due process hearing. The conference is an informal proceeding conducted in a nonadversarial manner to resolve issues relating to the identification, assessment, or educational placement of a child or to a FAPE.

At the prehearing mediation conference, the parent or the school district may be accompanied and advised by nonattorney representatives and may consult with an attorney prior to or

following the conference. However, requesting or participating in a prehearing mediation conference is not a prerequisite to requesting a due process hearing.

All requests for a prehearing mediation conference shall be filed with the Superintendent. The party initiating a prehearing mediation conference by filing a written request with the Superintendent shall provide the other party to the mediation with a copy of the request at the same time the request is filed.

The prehearing mediation conference shall be scheduled within fifteen (15) days of receipt by the Superintendent of the request for mediation and shall be completed within thirty (30) days after receipt of the request for mediation unless both parties agree to extend the time. If a resolution is reached, the parties shall execute a legally binding written agreement that sets forth the resolution. All discussions during the mediation process shall be confidential. All prehearing mediation conferences shall be scheduled in a timely manner and held at a time and place reasonably convenient to the parties. If the issues fail to be resolved to the satisfaction of all parties, the party who requested the mediation conference has the option of filing for a due process hearing. (*EC 56500.3 and 56503*)

## Due Process Rights

### What are my due process rights?

You have a right to:

1. Have a fair and impartial administrative hearing at the state level before a person who is knowledgeable of the laws governing special education and administrative hearings (*20 USC 1415[f][1][A]*, *1415[f][3][A]-[D]*; *34 CFR 300.511*; *EC 56501[b][4]*)
2. Be accompanied and advised by an attorney and/or individuals who have knowledge about children with disabilities (*EC 56505 [e][1]*)
3. Present evidence, written arguments, and oral arguments (*EC 56505[e][2]*)
4. Confront, cross-examine, and require witnesses to be present (*EC 56505[e][3]*)
5. Receive a written or, at the option of the parent, an electronic verbatim record of the hearing, including findings of fact and decisions (*EC 56505[e][4]*)
6. Have your child present at the hearing (*EC 56501[c][1]*)
7. Have the hearing be open or closed to the public (*EC 56501[c][2]*)
8. Receive a copy of all documents, including assessments completed by that date and recommendations, and a list of witnesses and their general area of testimony within five (5) business days before a hearing (*EC 56505[e][7]* and *56043[v]*)
9. Be informed by the other parties of the issues and their proposed resolution of the issues at least ten (10) calendar days prior to the hearing (*EC 56505[e][6]*)
10. Have an interpreter provided (*CCR 3082[d]*)
11. Request an extension of the hearing timeline (*EC 56505[f][3]*)
12. Have a mediation conference at any point during the due process hearing (*EC 56501[b][2]*), and
13. Receive notice from the other party at least ten days prior to the hearing that the other party intends to be represented by an attorney (*EC 56507[a]*). (*20 USC 1415[e]*; *34 CFR 300.506, 300.508, 300.512 and 300.515*)

## **Filing a Written Due Process Complaint**

### **How do I request a due process hearing?**

You need to file a written request for a due process hearing. You or your representative needs to submit the following information in your request:

1. Name of the child
2. Address of the residence of the child
3. Name of the school the child is attending
4. In the case of a homeless child, available contact information for the child and the name of the school the child is attending, and
5. A description of the nature of the problem, including facts relating to the problem(s) and a proposed resolution of the problem(s)

Federal and state laws require that either party filing for a due process hearing must provide a copy of the written request to the other party. (20 *USC* 1415[b][7], 1415[c][2]; 34 *CFR* 300.508; *EC* 56502[c][1])

Prior to filing for a due process hearing, the school district shall be provided the opportunity to resolve the matter by convening a resolution session, which is a meeting between the parents and the relevant members of the IEP team who have specific knowledge of the facts identified in the due process hearing request. (20 *USC* 1415[f][1][B]; 34 *CFR* 300.510)

### **What does a resolution session include?**

Resolution sessions shall be convened within fifteen (15) days of receiving notice of the parents' due process hearing request. The sessions shall include a representative of the school district who has decision-making authority and not include an attorney of the school district unless the parent is accompanied by an attorney. The parent of the child may discuss the due process hearing issue and the facts that form the basis of the due process hearing request.

The resolution session is not required if the parent and the school district agree in writing to waive the meeting. If the school district has not resolved the due process hearing issue within thirty (30) days, the due process hearing may occur. If a resolution is reached, the parties shall execute a legally binding agreement. (20 *USC* 1415[f][1][B]; 34 *CFR* 300.510)

### **Does my child's placement change during the proceedings?**

The child involved in any administrative or judicial proceeding must remain in the current educational placement unless you and the school district agree on another arrangement. If you are applying for initial admission of your child to a public school, your child will be placed in a public school program with your consent until all proceedings are completed. (20 *USC* 1415[j]; 34 *CFR* 300.518; *EC* 56505[d])

## **May the decision be appealed?**

The hearing decision is final and binding on both parties. Either party may appeal the hearing decision by filing a civil action in state or federal court within 90 days of the final decision. (20 USC 1415[i][2] and [3][A], 1415[l]; 34 CFR 300.516; EC 56505[h] and [k], EC 56043[w])

## **Who pays for my attorneys' fees?**

In any action or proceeding regarding the due process hearing, the court, in its discretion, may award reasonable attorneys' fees as part of the costs to you as parent of a child with a disability if you are the prevailing party in the hearing. Reasonable attorneys' fees may also be made following the conclusion of the administrative hearing, with the agreement of the parties. (20 USC 1415[i][3][B]-[G]; 34 CFR 300.517; EC 56507[b])

Fees may be reduced if any of the following conditions prevail:

1. The court finds that you unreasonably delayed the final resolution of the controversy
2. The attorneys' hourly fees exceed the prevailing rate in the community for similar services by attorneys of reasonably comparable skill, reputation, and experience
3. The time spent and legal services provided were excessive, or
4. Your attorney did not provide to the school district the appropriate information in the due process request notice.

Attorneys' fees will not be reduced, however, if the court finds that the State or the school district unreasonably delayed the final resolution of the action or proceeding or that there was a violation of this section of law. (20 USC 1415[i][3][B]-[G]; 34 CFR 300.517)

Attorneys' fees relating to any meeting of the IEP team may not be awarded unless an IEP team meeting is convened as a result of a due process hearing proceeding or judicial action. Attorneys' fees may also be denied if you reject a reasonable settlement offer made by the district/public agency ten (10) days before the hearing begins and the hearing decision is not more favorable than the offer of settlement. (20 USC 1415[i][3][B]-[G]; 34 CFR 300.517)

## **To obtain more information or to file for mediation or a due process hearing, contact:**

Office of Administrative Hearings  
Attention: Special Education Division  
2349 Gateway Oaks Drive, Suite 200  
Sacramento, CA 95833-4231  
(916) 263-0880  
FAX (916) 263-0890

## **School Discipline and Placement Procedures for Students with Disabilities**

### **School Discipline and Alternative Interim Educational Settings**

#### **May my child be suspended or expelled?**

School personnel may consider any unique circumstances on a case-by-case basis when determining whether a change in placement is appropriate for a child with a disability who violates a code of student conduct from his or her setting to:

- An appropriate interim alternative education setting, another setting, or suspension for not more than ten (10) consecutive school days, and
- Additional removals of not more than ten (10) consecutive school days in the same school year for separate incidents of misconduct

#### **What occurs after a removal of more than ten (10) days?**

After a child with a disability has been removed from his or her current placement for ten (10) school days in the same school year, during any subsequent days of removal the public agency must provide services to enable the child to continue to participate in the general education curriculum and progress toward meeting the goals set out in the child's IEP. Also, a child will receive, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications, which are designed to address the behavior violation so that it does not recur.

If a child exceeds ten (10) days in such a placement, an IEP team meeting must be held to determine whether the child's misconduct is caused by the disability. This IEP team meeting must take place immediately, if possible, or within ten (10) days of the school district's decision to take this type of disciplinary action.

As a parent you will be invited to participate as a member of this IEP team. The school district may be required to develop an assessment plan to address the misconduct or, if your child has a behavior intervention plan, review and modify the plan as necessary.

#### **What happens if the IEP team determines that the misconduct is not caused by the disability?**

If the IEP team concludes that the misconduct was not a manifestation of the child's disability, the school district may take disciplinary action, such as expulsion, in the same manner as it would for a child without a disability. (20 *USC* 1415[k][1] and [7]; 34 *CFR* 300.530)

If you disagree with the IEP team's decision, you may request an expedited due process hearing, which must occur within twenty (20) school days of the date on which you requested the hearing. (20 *USC* 1415[k][2]; 34 *CFR* 300.531[c])

Regardless of the setting the school district must continue to provide FAPE for your child. Alternative educational settings must allow the child to continue to participate in the general

curriculum and ensure continuation of services and modifications detailed in the IEP. (34 *CFR* 300.530; *EC* 48915.5[b])

## **Children Attending Private School**

### **May students who are parentally placed in private schools participate in publicly funded special education programs?**

Children who are enrolled by their parents in private schools may participate in publicly funded special education programs. The school district must consult with private schools and with parents to determine the services that will be offered to private school students. Although school districts have a clear responsibility to offer FAPE to students with disabilities, those children, when placed by their parent in private schools, do not have the right to receive some or all of the special education and related services necessary to provide FAPE. (20 *USC* 1415[a][10][A]; 34 *CFR* 300.137 and 300.138; *EC* 56173)

If a parent of an individual with exceptional needs who previously received special education and related services under the authority of the school district enrolls the child in a private elementary school or secondary school without the consent of or referral by the local educational agency, the school district is not required to provide special education if the district has made FAPE available. A court or a due process hearing officer may require the school district to reimburse the parent or guardian for the cost of special education and the private school only if the court or due process hearing officer finds that the school district had not made FAPE available to the child in a timely manner prior to that enrollment in the private elementary school or secondary school and that the private placement is appropriate. (20 *USC* 1412[a][10][C]; 34 *CFR* 300.148; *EC* 56175)

### **When may reimbursement be reduced or denied?**

The court or hearing officer may reduce or deny reimbursement if you did not make your child available for an assessment upon notice from the school district before removing your child from public school. You may also be denied reimbursement if you did not inform the school district that you were rejecting the special education placement proposed by the school district, including stating your concerns and intent to enroll your child in a private school at public expense.

Your notice to the school district must be given either:

- At the most recent IEP team meeting you attended before removing your child from the public school, or
- In writing to the school district at least ten (10) business days (including holidays) before removing your child from the public school. (20 *USC* 1412[a][10][C]; 34 *CFR* 300.148; *EC* 56176)

### **When may reimbursement not be reduced or denied?**

A court or hearing officer must not reduce or deny reimbursement to you if you failed to provide written notice to the school district for any of the following reasons:

- The school prevented you from providing notice
  - You had not received a copy of this Notice of Procedural Safeguards or otherwise been informed of the requirement to notify the district
  - Providing notice would likely have resulted in physical harm to your child
  - Illiteracy and inability to write in English prevented you from providing notice, or
  - Providing notice would likely have resulted in serious emotional harm to your child
- (20 *USC* 1412[a] [10] [C]; 34 *CFR* 300.148; *EC* 56177)

## State Complaint Procedures

### When may I file a state compliance complaint?

You may file a state compliance complaint when you believe that a school district has violated federal or state special education laws or regulations. Your written complaint must specify at least one alleged violation of federal and state special education laws. The violation must have occurred not more than one year prior to the date the complaint is received by the California Department of Education (CDE). When filing a complaint, you must forward a copy of the complaint to the school district at the same time you file a state compliance complaint with the CDE. (34 *CFR* 300.151–153; 5 *CCR* 4600)

Complaints alleging violations of federal and state special education laws or regulations may be mailed to:

California Department of Education  
Special Education Division  
Procedural Safeguards Referral Service  
1430 N Street, Suite 2401  
Sacramento, CA 95814

For complaints involving issues **not** covered by federal or state special education laws or regulations, consult your district's uniform complaint procedures.

To obtain more information about dispute resolution, including how to file a complaint, contact the CDE, Special Education Division, Procedural Safeguards Referral Service, by telephone at (800) 926-0648; by fax at 916-327-3704; or by visiting the CDE Web site at <http://www.cde.ca.gov/sp/se>.

## **Glossary of Abbreviations Used in This Notification**

ADR	Alternative Dispute Resolution
<i>CFR:</i>	<i>Code of Federal Regulations</i>
<i>EC</i>	<i>California Education Code</i>
FAPE	Free Appropriate Public Education
IDEA	Individuals with Disabilities Education Act
IEP	Individualized Education Program
OAH:	Office of Administrative Hearings
SELPA:	Special Education Local Plan Area
<i>USC:</i>	<i>United States Code</i>



# Who to Contact

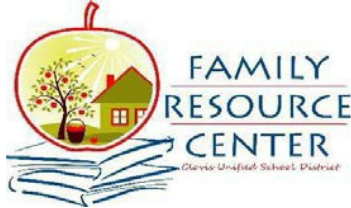
If you are concerned about your child's progress or other issues in the classroom:

1. **First**, speak to the classroom teacher.
2. Refer to the school's Student Handbook and/or website for resources and procedures on each campus.
3. If you are still unable to resolve the issue, you can contact the Program Specialist. For information as to who that would be, contact the Special Education Department at (559) 327-9400.
4. Contact the Guidance Instructional Specialist (GIS) or the Principal on your campus.
5. Contact the CUSD Family Resource Center for support at (559) 327-8455.
6. Information about Parent Rights or the "Notice of Procedural Safeguards" are given at IEP meetings. They can also be viewed online at [www.cusd.com](http://www.cusd.com) or picked up at the Special Education office at 1680 David E. Cook Way, Clovis, CA.
7. For information about Dispute Resolution, Mediation and Due Process refer to the Notice of Procedural Safeguards
8. For a comprehensive contact listing of Superintendents, Board members and Administrators, please see the CUSD web site at [www.cusd.com](http://www.cusd.com) or call (559) 327-9000.

CUSD Special Education Dept.  
1680 David E. Cook Way, Clovis, CA. 93611  
(559) 327-9400  
**Theresa Pafford, Administrator SELPA**

# CUSD Family Resource Center

*The Family Resource Center (FRC) offers support and service to CUSD families with children ages birth to 22 who are at risk of having, or do have, special medical and development needs.*



The CUSD FRC believes that support services for children should be family-focused. We believe that informed and loving parents, families, or guardians are effective advocates and good case managers for children with special needs. Most families have had no previous training for this challenge. Therefore, parents must have access to **information, knowledge, support** and the **experience of other parents and families.**

We also believe that it is important to have a trusting relationship with the professionals serving our children. Our partnership with CITI Kids fosters a collaborative spirit and a sense of identity within our school community. The FRC is a resource and support service staffed by parents who have children with special needs.

## Services we offer:

- Information & Referrals
  - Linking families with District and Community services
- Family Support
  - Providing options when requested, such as, one-to-one peer support
- Community Outreach
  - Increasing public awareness of disabilities and the service system
- Advocacy
  - Strengthening parents' knowledge and decision making abilities
- Workshops and Seminars
  - Trainings for parents and professionals

CUSD Family Resource Center  
965 N. Sunnyside Ave.  
Clovis, CA 93611  
(559) 327-8455  
familyresourcecenter@cusd.com

# Online Resources

## **State of California Dept. of Developmental Services**

<http://www.dds.ca.gov>

- The California Department of Developmental Services is the agency through which the State of California provides services and supports to individuals with developmental disabilities. You will be able to find information about California Codes, laws and regulations, as well as resources

## **California Department of Education/Special Education**

<http://www.cde.ca.gov>

- Information and resources to serve the unique needs of persons with disabilities so that each person will meet or exceed high standards of achievement in academic and nonacademic skills

## **State Council on Developmental Disabilities**

<http://www.scdd.ca.gov>

- The State Council on Developmental Disabilities (SCDD) is established by state and federal law as an independent state agency to ensure that people with developmental disabilities and their families receive the services and supports they need

## **Center for Disease Control**

<https://www.cdc.gov/ncbddd/actearly/milestones/index.html>

- The Center for Disease Control has helpful developmental information and free resources through their “Learn the Signs, Act Early” campaign

## **Clovis Unified School District**

[www.cusd.com](http://www.cusd.com)

- Information about the school district and special education

# Transition Planning

Once your child reaches 7<sup>th</sup> grade, it is time to start thinking about planning for the future. For students with an IEP, it is important for families to understand the difference between a high school diploma and a certificate of completion. Carefully consider and discuss with the IEP team, what program placements or curriculum modifications may impact their ability to get a diploma.

?	Diploma	Certificate of Completion
What does it mean?	Student has met all requirements met for high school graduation.	Student has completed high school.
Once achieved, does Special Education end?	Yes	No. If a student with an IEP does not receive a high school diploma, they are eligible for services until they reach age 22 through the Adult Transition Program (ATP).
Are accommodations allowed?	Yes	Yes
Are curriculum modifications allowed?	Maybe. Discuss with IEP team.	Yes
Accepted by the military?	Yes	No
Accepted by colleges?	Yes	Yes. Although, certain courses have prerequisites.
Accepted by employers?	Yes	Varies.
Eligible for Federal Student Aid (Financial Aid)?	Yes	No. Students must have a diploma or GED to qualify.

# Individualized Transition Plan (ITP)

*Under federal law, transition planning for students with an IEP must start by the time the student turns 16 years old. The goal is for them to be as independent as possible once they reach adulthood. The ITP focuses on Education and/or Training, Employment, and Daily Life Skills (when appropriate).*

- **Discuss what your child sees for their future**
  - What are their unique talents and interests?
  - What do they want in life now and in the future?
  
- **Discuss with the IEP team potential types of post-graduation options**
  - What are their options for achieving those goals? College, Vocational Program, Employment?
  - Are there barriers to getting what they want from school and their community?
  
- **Consider who else should be involved in the ITP process**
  - Encourage your child to self-advocate and participate in IEP meetings, as much as they are able.
  - Are there community agencies or service coordinators that should attend?

Ideally, the person-centered planning process can strengthen the transition to post-high school activities by:

- Enhancing the quality of assessment and planning activities for both high school transition services and adult service agencies serving youth with disabilities
- Fostering positive working relationships between families and professionals
- Providing a way for educators and case managers from other agencies to better coordinate their services
- Connecting families to adult service agencies before a student leaves high school
- Helping ensure that services support the youth's goals and lead to successful outcomes
- Helping identify and encourage natural supports in the community

# Life after High School

*When a person turns 18, he or she becomes an adult and gains the same rights and responsibilities that other adults have, regardless of whether or not he or she has a disability. As a family, consider and discuss changes that take place once students become adults. What self-management skills will your child be in charge of and in what areas might they need assistance? Below is a list of the areas that changes can take place:*

- **Medical** – Will you be able to make medical decisions for them in cases of emergency, access records for billing questions, or have discussions with medical personnel?
- **Insurance** – Will your child still be eligible for coverage on your policy? Are they eligible for Government Assistance, such as; SSI, Medi-Cal, IHSS, or other programs?
- **Financial-** Will you need to have discussions with their college financial aid officers, government aid workers, banking institutions, loan officers?
- **College, Vocational Programs, Adult Programs-** Can your child navigate services without assistance?
- **Selective Service** (for Males)- Does your son still need to register even if he has a disability?
- **Legal** – Do you and your child need to meet with an attorney before they turn 18 to discuss what legal documents might be needed?
- **Education-** See “Education” page next



# Education

*At the college level, students no longer have an IEP. Special Educational Services under IDEA (Individuals with Disabilities) end at the public school. Colleges comply with ADA (Americans with Disabilities Act), Section 504 of the Rehabilitation Act and the Civil Rights Restoration Act. College students have civil rights, but no “education” rights.*

## HIGH SCHOOL

## COLLEGE

<ul style="list-style-type: none"> <li>• School personnel are responsible for identifying a student with a disability</li> </ul>	<ul style="list-style-type: none"> <li>• Student must “self-identify”, provide documentation of disability and request help</li> </ul>
<ul style="list-style-type: none"> <li>• School must provide the assessment of disability, classify disability, and involve parents in the process (IEP)</li> </ul>	<ul style="list-style-type: none"> <li>• Student must act as independent adults to activate and obtain accommodations and structure weekly schedules</li> </ul>
<ul style="list-style-type: none"> <li>• School staff will discuss academic progress with parents or legal guardians</li> </ul>	<ul style="list-style-type: none"> <li>• Student is considered an adult with privacy and confidentiality protections. Staff cannot talk with parents or legal guardians about the student’s academic progress or finances</li> </ul>
<ul style="list-style-type: none"> <li>• School must coordinate the provision of all services, monitor progress, and evaluate results</li> </ul>	<ul style="list-style-type: none"> <li>• College must provide reasonable accommodations for students who qualify</li> </ul>
<p><b>Special Education Law</b></p> <ul style="list-style-type: none"> <li>• The Individuals with Disabilities Education Act (IDEA) provides the mandate and funding to schools for in-school special education services as well as transportation/ buses to school, physical, occupational, speech therapy, and tutoring</li> </ul>	<p><b>Civil Rights Law</b></p> <ul style="list-style-type: none"> <li>• American with Disabilities Act (ADA) and Section 504 of the Rehabilitation</li> <li>• Colleges are required only to offer accommodations &amp; support services; not services of a personal nature.</li> <li>• Tutoring is not required under ADA. Some colleges offer tutoring through disability services and some colleges have tutoring centers for all students.</li> <li>• Foreign Language waivers &amp; other course substitutions are not automatic.</li> </ul>

# Preparing For an IEP Meeting

*Federal and State laws have established your right to participate in making decisions about your child's Special Education program, if he/she is found eligible for services. It is important for you to be an informed participant and advocate for your child. The most important information you contribute to the IEP is knowledge of your child. Share your knowledge as you listen to the information and observations of the other team members. Then, through a shared decision-making process, an effective plan can be developed to determine placement and services that will be provided for your child.*

The following ideas can be helpful in preparing for the IEP meeting:

- If appropriate, include your child in discussing the upcoming meeting
  
- Write down strengths and concerns about your child in areas, such as :
  - Interactions with other children and adults
  - Movement abilities
  - Special interests
  - Likes and dislikes
  - General health
  - Attention, concentration, and listening skills
  - Self-help skills (toileting, feeding, dressing, etc.)
  - Behaviors (self-regulation, frustration,
  
- Review your child's school work, report cards, and previous IEP (if applicable)
  
- Conference with your child's teacher and other adults who work with your child in a variety of settings (home, school, church, etc.)
  
- Gather additional assessments, medical information, etc. that you have available
  
- Share your concerns about your child's progress and/or behavior with the educational specialists conducting the assessment or your child's teacher
  
- Ask to see a copy of the assessment report when it is available
  
- If you choose, bring someone with you to the meeting





# IEP Agenda

***Most IEP meetings follow this basic agenda; however, changes may occur without notice.***

- Welcome & introductions of IEP team members
- Purpose of meeting
- Sign in for attendance
- Procedural Safeguards/Parent Rights
- Parent concerns
- Assessment report review
  - o Nurse
  - o Special Education Teacher
  - o Language-Speech Specialist
  - o Psychologist
  - o Other
  
- Parent input on present levels
- Draft goals/Objectives discussed
- Parent input on development of goals
- Program recommendation, accommodations, supports & services
- Plans to facilitate transition
- Parent consent

We realize that a lot of information is shared at IEP meetings. Finalized copies of the IEP are given to parents at the end of the meeting.

**Parents may consent to the IEP during the meeting OR take it home to thoroughly review before making a decision.**

Frequently, parents have questions or concerns that surface after the meeting. Parents are encouraged to contact specific IEP Team members for further clarification. You, the parents, if necessary, may request another IEP meeting. Ultimately, the District is required to have a signed IEP.

At the beginning of a new school year or if you should move, your child may have a new school, teacher, grade, etc. We recommend that you schedule a meeting with the new teacher(s) to review the IEP and to share information.

# Classroom Observation

If applicable, you may wish to visit the recommended classroom after your child's IEP is completed. The IEP team will schedule the visit. Your observations and impressions will be helpful to you in making decisions for your child. Observe with your child's individual needs in mind. Remember, the instructional program will be tailored to meet your child's needs once placement is made.

## **1. What is the atmosphere of the classroom?**

- Does the staff speak to the students with caring and respect?
- Are the students engaged in learning?
- Is the classroom clean?
- How does the teacher handle "behaviors"?

## **2. Will my child be comfortable in the classroom?**

- How long might my child be expected to sit still in a group?
- Would my child be able to communicate his/her needs?
- Can my child maneuver within this physical arrangement?
- Will modifications be needed to accommodate?

## **3. What if my child is not independent in using the restroom?**

- Will they work on toilet-training, if appropriate?
- Who will be changing my child?
- Where is the changing area located?

(Cont.)

**4. How will they handle my child's special medical or diet needs?**

- What accommodations be made by the school cafeteria?
- Can I send medicine?
- What will happen if my child gets sick at school?

**5. Will my child have mainstreaming opportunities?**

- Who will they be mainstreaming with?
- How many times per week will they mainstream?
- Will the teacher or aide be with my child at all times?

**6. Transportation for my child?**

- Is bussing provided or will I be transporting my child?
- If bussing is available, when does it start?
- Where is pick up/drop off?

**7. How do I stay involved?**

- Will I be able to volunteer in the classroom?
- Will there be field trips?
- How does the teacher like to communicate with families, (email, phone, text)?

# Contact Information

Name:	PhoneNumber:
Parent/Guardian:	
Parent/Guardian:	
Caregiver:	
Primary Doctor:	
Hospital:	
Urgent Care:	
Pharmacy:	
Nearest Relative:	
Neighbor:	
Medical Supply Co.:	
Social Worker:	
Other:	

# Child's Health History

Child's Name \_\_\_\_\_

Date of Birth \_\_\_\_\_

Parent/Guardian Name \_\_\_\_\_

Current diagnosis: \_\_\_\_\_

Diagnosed by whom? \_\_\_\_\_

Date of diagnosis? \_\_\_\_\_

## **Birth Information:**

Hospital of birth \_\_\_\_\_

County of birth \_\_\_\_\_

Attending physician \_\_\_\_\_

Birth weight \_\_\_\_\_ Length \_\_\_\_\_ Blood Type \_\_\_\_\_

Birth experience \_\_\_\_\_

Concerns at birth \_\_\_\_\_

APGAR Scores (Activity, Pulse, Grimace, Appearance & Respiration) \_\_\_\_\_

New born hearing screening - Pass/Fail \_\_\_\_\_

Concerns & comments \_\_\_\_\_

## **Medical Concerns:**

Past Illnesses \_\_\_\_\_

Past surgeries  
(date/type) \_\_\_\_\_

Other: \_\_\_\_\_

## **Medications:**

RX Name/Dosage \_\_\_\_\_

RX Name/Dosage \_\_\_\_\_

# IEP Meeting Worksheet

Date of meeting: \_\_\_\_\_

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

## Members of the IEP Team:

Parents:	School Psychologist:
Language/Speech Specialist:	School Nurse:
Special Ed. Teacher:	General Ed. Teacher:
Program Specialist:	Other:

## My child's strengths:

- Things I really like about my child:
  
- Things my child really likes:
  
- Things my child does well:

## Areas in which my child may need extra support:

- 
- 
- 

(Cont.)

**Some things we have been working on at home are:**

**Plans for next year:**

- What special services do I think my child might need?
- Will my child need any changes in the classroom or building?
- How will I be informed about my child's progress? How often?

**Additional things I think the teacher should know about my child:**

# IEP Team Contact Log

STUDENT: \_\_\_\_\_

SCHOOL/PROGRAM: \_\_\_\_\_

DATE:	METHOD: (PHONE, EMAIL, VERBAL)	PERSON CONTACTED:	RESPONSE: