

SPECIAL EDUCATION

PARENT HANDBOOK



PALO ALTO
UNIFIED SCHOOL DISTRICT

Palo Alto Unified School District

TABLE OF CONTENTS

What is Special Education?	3
The IEP Team	5
Special Education Process and Timeline	10
Getting Ready for the IEP Meeting	10
Tips for a Successful IEP Meeting	11

WHAT IS SPECIAL EDUCATION?

Definitions

The IDEA, or the Individuals with Disabilities Act, is a federal law that requires school districts to provide a free, appropriate public education (FAPE) to eligible children with disabilities. Special education and related services are to be provided as described in an Individualized Education Plan (IEP) under public supervision at no cost to families.

Special education is an individualized method of instruction designed to meet the unique educational requirements of individuals with an IEP. It is a written plan for students whose needs cannot be met with accommodation in the regular instructional program. It includes a continuum of services/options developed by the IEP team to meet the individual needs of the students.

A child who is eligible for Special Education services must meet specific criteria to qualify in one of the following categories listed below:

- Autism (AUT)
- Deaf-Blindness (DB)
- Deafness (D)
- Emotional Disturbance (ED)
- Hearing Impairment (HI)
- Intellectual Disabilities (ID)
- Multiple Disabilities (MD)
- Orthopedic Impairment (OI)
- Other Health Impairment (OHI)
- Specific Learning Disabilities (SLD)
- Speech or Language Impairment (SLI)
- Traumatic Brain Injury (TBI)
- Visual Impairment (VI)

What the Law Says

The Individuals with Disabilities Act – IDEA – PL 105-17 is a federal law that requires school districts to provide a free appropriate public education to eligible children with disabilities. IDEA guarantees basic educational rights, or procedural safeguards, to children with disabilities (ages 3 through 22) and to the child's parents and/or guardians. The following provisions are included.

1. A Free and Appropriate Public Education (FAPE)

Special education and related services are to be provided to students who qualify as described in an individualized education program (IEP).

2. An Education in the Least Restrictive Environment (LRE)

To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities are educated with typically developing peers in the least restrictive environment (LRE). Separate schooling, or removal of children with disabilities from the regular educational environment, occurs when the nature of disability warrants placement in a more specialized setting.

3. Related Services

Sometimes support services that are developmental or corrective are required in order for a student with a disability to benefit from his or her education. These services can include, but are not limited to:

- Audiology services
- Behavioral services
- Counseling services
- Early identification and assessment of disabilities
- Medical diagnosis/evaluation
- Occupational therapy
- Orientation and Mobility series
- Physical therapy
- Psychological services
- Rehabilitation counseling services
- School health services
- Sign language interpreters
- Speech and language pathology services
- Transportation

4. Evaluation

An evaluation is a complete, non-discriminatory educational assessment conducted prior to placing a student in special education. A re-evaluation, or a triennial, is required every three years thereafter to confirm eligibility. Written permission of the parents is required before an assessment can be performed.

5. Individualized Education Program (IEP)

Each public school student who receives special education and related services must have an Individualized Education Program (IEP). Each IEP is designed for one student and is a truly individualized document. To create an effective IEP, parents, teachers, administrators, other school staff, and sometimes the student, come together to look closely at the student's unique needs. A written educational plan includes a focused set of goals and objectives that address the student's individual needs and program modifications and supports that will be provided for the student to progress in the general curriculum.

If a student qualifies, an IEP team meeting will be held to create and/or review the written plan. The team will include the student's teacher, parents, an administrator or designee, other professionals and the student when appropriate. The team must review the IEP at least once a year to update the student's performance levels and review progress on goals.

6. Due Process Procedures

There are times when parents may not agree with a school's recommendations about their student's education. Under the law, parents have the right to challenge decisions about their child's eligibility, evaluation, placement and the services that the school provides. If parents disagree with the school's actions or inaction, they have the right to pursue a number of options. They must first try to reach an agreement with the school district. Parents should talk to school officials about their concerns and try to reach an agreement. The vast majority of differences are resolved in this manner. Other options are outlined in the Due Process section of the Parent's Rights document.

7. Parent Involvement

Parents are collaborators with educators in all decisions that affect a student's education. They must be notified in advance about all testing and formal IEP meetings regarding their student. Parents must be a part of the development of the assessment plan, the goals and objectives, the discussion of appropriate support services and the consideration of placement. They are a valued and integral part of the IEP team.

8. Transition

Beginning no later than a student's 16th birthday, he or she is required to be involved in planning for transition from secondary school to adult life, whether it be post-secondary education, vocational training, independent living or another choice for his or her future.

9. Positive Behavior Supports and Functional Assessment

For students with severe behavior issues a functional behavior assessment and a positive behavior intervention plan may be developed. IEP behavior goals may also be developed.

THE IEP TEAM

The IEP (Individualized Education Plan) Team includes the student (when appropriate), parent(s), a special education teacher, general education teacher, school administrator or designee and other support personnel. These members are equal participants in the IEP process.

Referral

When parents, school staff, or professionals notice that a child might have a suspected disability, they should communicate that information to the school. A team of school personnel will gather information, hold Student Study Team (SST) meetings with the parents and decide if evaluation for special education is needed or if general education interventions are appropriate. If assessment is warranted, the parent/guardian will receive a copy of the assessment plan for their approval. If not, the SST will provide an action plan designed to address the student's needs in the regular education program. This may or may not include a plan under the Section 504 Rehabilitation Act (see page10).

Assessment/Evaluation

An assessment is a careful look by a team of teachers and specialists at the child's abilities, including strengths and challenges. The assessments include a review of records, informal observations, and formal evaluation using standardized tests or checklists, and information about the student's educational needs in the general education classroom. It forms the basis for determining if the student is eligible for special education. Assessment and evaluation may be in the following areas of performance if there is concern about development in that particular area:

- academic/cognitive
- psychomotor
- self-help skills
- social/emotional
- gross motor
- fine motor
- speech and language
- vocational
- other areas of suspected disability

Students are guaranteed a non-discriminatory assessment in all areas of suspected disability.

Assessment materials are provided and the test administered in your child's native language or mode of communication, unless it is clearly not feasible to do so. No single procedure can be the sole criterion for determining eligibility and developing an appropriate educational program for your child. (20 USC 1414[a][b]; EC 56001[j] and 56320)

Eligibility

The IEP team shall take into account all relevant material that is available about the student. No single score or product of scores shall be used as sole criterion for the decision on eligibility for special education. Specific processes and procedures are defined in the SELPA (Special Education Local Plan Area) plan, available at the Santa Clara County of Education SELPA website: <https://www.sccoe.org/selpa/Pages/default.aspx>

Ineligibility

If, after assessments are complete and reviewed, the student is found to be ineligible for special education, what can parents do? First, make sure that you review and understand the district's eligibility criteria. The district and the special education cooperative is guided by Federal Law and the SELPA plan that outlines eligibility standards. You will receive rationale for the decision in writing. If parents have a dispute with the determination, you may ask the school district to resolve the dispute through mediation. Mediation is a process designed to help people come to agreement over difficult issues with the help of a trained mediator. Most disagreements between parents and the school district are worked out in this way. The option of a due process hearing exists only if agreement cannot be reached.

Section 504

If parents or teachers are satisfied with the determination regarding ineligibility for special education services yet still have significant concerns about the learning issues which led to the referral, the student's disability may qualify him or her for accommodations and/or modifications under Section 504 of the Rehabilitation Act of 1973.

Goals and Objectives Written to State Performance Standards

If eligibility for special education has been established, the team then discusses current levels of performance and develops goals that are appropriate for the upcoming 12-month period. Goals can be set in a variety of different areas such as:

- Academic (reading, writing, and math)
- Self-help (eating, dressing)
- Social and behavioral (peer interactions, relationships, behaviors)
- Motor skills (movement, balance, strength and coordination)
- Vocational and pre-vocational skills
- Communication

Goals answer the questions:

- Who? Will achieve
- What? Skill or behavior is to be targeted
- How? In what manner or at what level
- Where? In what setting or under what conditions
- When? Beginning when, in what increments, ending when

Well-written goals contain all five parts, plus a means of measuring success.

Designated Instruction and Services (DIS)

Designated Instruction and Services (DIS) are additional levels of support specified in the IEP when deemed necessary for the student to benefit educationally from his or her general

education instructional program. The regular classroom teacher, the special class teacher, resource specialist or other specialist may provide the instruction and services. DIS are specified in the IEP, including frequency and duration of services. These are also known as “related services” under the federal law.

DIS or related services may include and are not limited to the following:

- Language and Speech Development
- Audiological Services
- Orientation and Mobility Instruction
- Inclusion Specialist Services
- Integrated Language Services 🎧 Instruction in home or hospital
- Occupational/Physical Therapy
- Adapted Physical Education
- Vision Services
- Counseling and Guidance Services
- Psychological Services
- Parent Counseling and Training
- Health and Nursing Services
- Transportation
- Assistive Technology
- Behavioral Services

Low Incidence Disability

Low incidence disabilities are those severe disabilities with an expected incidence of less than one percent of the total statewide enrollment. The low incidence conditions are hearing impairment, vision impairment, severe orthopedic impairment, or any combination thereof.

Placement Options

Special education is provided in the least restrictive environment (LRE) through a continuum of services and placement options. In accordance with State and Federal law, students with disabilities are provided special education and related services in a setting that promotes interaction with the general school population, to a degree appropriate to the needs of both. The concept of LRE includes a variety of options designed and available to meet the diverse and changing needs of students. The least restrictive environment is determined by the IEP team on an individual student basis. LRE is intended to ensure that a child in special education is served in a setting where the child can be educated successfully.

Least Restrictive Continuum:

- General Education Classroom without support
- General Education Classroom with supplementary aids, accommodations & modifications and services. Equipment and/or specialized personnel may be provided, if necessary.

- Designated Instruction and Services (DIS) includes instruction designed to improve the student's ability to benefit from the education provided.
- Mild/ Moderate support services are made for those students who need individualized and small group instruction for part of their school day (less than 50%) in order to benefit from regular classroom instruction.
- Moderate/ Severe/ Futures services are made for those students who need individualized and small group instruction within a self-contained classroom (greater than 50% of the school day) typically referred to as a learning center. A student who requires a moderate/ severe learning center may attend a school that is not his or her neighborhood school.
- Other Placement Options are provided through the Santa Clara County SELPA. These include special day class placements at sites throughout the county.
- Non-public School (NPS) placements are provided for those students whose needs exceed services provided in district or county placements. This is a restrictive setting. NPS placements are rare and must be deemed appropriate by the IEP team.

Transition

Transition is the process of preparing a student to function in future environments and move from one educational program to another (e.g. Preschool to Elementary school, Elementary school to Middle school) or from school to work. Students must be invited to attend and participate in the transition IEPs to the extent appropriate in order to accomplish the goal of maximum independence and self-advocacy. If a student is aged 16 years or older a Transition Statement needs to be included in the IEP. If a student is aged 16 years or older, an Individual Transition Plan (ITP) needs to be completed. Parental rights are transferred to the student upon reaching his or her 18th birthday.

Implementation and Review

Implementation of the IEP begins as soon as possible. The IEP must be reviewed and updated *at least once a year* to review the goals and determine progress. A parent, student or staff member may call an IEP team meeting whenever a question or concern arises. A triennial review takes place every three years and includes reassessment in all areas of concern to confirm continued eligibility. Student performance and appropriateness of support services and placement are also reviewed.

A key element in maintaining a strong IEP team is keeping communication flowing among the members of the team. Be sure to talk about concerns as they arise and share the successes.

THE SPECIAL EDUCATION PROCESS AND TIMELINE

Referral, Assessment and Placement

Referral – A written referral may be initiated by parents, teachers or another person.

Assessment – A district response is required within 15 calendar days of the referral (excepting holidays of more than 5 school days). An assessment plan may be developed or a Student Study Team meeting (SST) scheduled.

Parent Consent – Written consent must be obtained before beginning assessment. Parents have at least 15 days to make their decision.

IEP Team Meeting – Within 60 calendar days of receipt of the signed assessment plan (excluding school holidays in excess of 5 days), an IEP team meeting is held and an IEP is developed for the student declared eligible for special education services. Parents must be invited to any meeting regarding eligibility or an IEP for their child and must be given reasonable advance notice to ensure their participation. A 10-day notice is typical.

Parent Consent – Written permission must be obtained for placement and implementation of the IEP.

Services and Placement – These should begin as soon as possible after the date of parents' approval.

Annual Review – A special education student's IEP must be reviewed at least every 12 months.

Re-evaluation – At least every 3 years a special education student shall have a thorough reevaluation to re-establish eligibility and measure progress.

GETTING READY FOR THE IEP MEETING

Parents and teachers should be notified in writing well in advance of an IEP meeting. This allows time to review the child's performance and focus on priorities for the coming year. As a student approaches adolescence, it becomes increasingly important for parents and teachers to include the student in preparation for the IEP. Talk to your student; decide what has been successful and where different supports might be helpful. Parents and teachers might prepare by sharing their thoughts, concerns and successes. Both parents and teachers can request assessment results a couple of days before the meeting. The school team will always do their best to complete reports as far in advance as possible.

Priority Setting

It is essential to get a clear idea of what are the priorities for the coming year. The knowledge and an understanding of where your student is functioning will help the team set realistic and appropriate goals.

Record Keeping for Parents

You should have quick access to your child's academic and medical records. Keep IEPs and assessments in a safe and easily accessible place. It is important to be diligent in keeping all pertinent information in one place.

- Names, telephone numbers, email addresses and schedule of those working with your student
- Chain of command within your school system from classrooms to administration
- Observations of student's interests, strengths and weaknesses
- Copies of your child's cumulative record, psychological reports, grades, assessments, IEP's, etc.
- Copies of all outside assessment or professional opinions regarding your student's unique needs and strengths
- Communications with school personnel
- Child's health history, including any medications your child takes at home or at school (include dosage, prescription name and number and any adverse reactions or side effects the medication may cause), Include prescribing physician
- Birth and developmental history as appropriate
- Birth certificate and social security number

Thorough records readily available always make the IEP process easier.

TIPS FOR A SUCCESSFUL IEP MEETING

As a parent, you should never approach IEP meetings with discomfort or uncertainty. The school team wants to collaborate with you and will do whatever they can to help you feel at ease and participate fully. The following tips are from an article by Jan Baumel, M.S. Licensed Educational Psychologist for Schwab Learning (March 2001).

Before the meeting:

- Build a positive relationship with members of the IEP team, such as the classroom teacher, principal, school psychologist or Special Education administrator before the meeting. Such relationships will help you feel more comfortable and know someone else hears your point of view.

- Plan ahead and put your thoughts down on paper, so you won't forget to mention what's important to you during the meeting. If you have specific questions, send them to a team member prior to the meeting.
- Know the purpose and format of the IEP meeting ahead of time, as well as who will be attending. This will help you feel comfortable with the process being followed and the (sometimes) large number of people attending the meeting.
- Send copies of any private assessment reports to the team ahead of time so they can be familiar with the data before the meeting. This saves valuable time at the meeting.
- Review current reports, last year's IEP (if applicable) and your copy of Parents' Rights and Responsibilities.
- The IEP Team will make every effort to get important information to you prior to the meeting.

During the meeting:

- Understand that as a parent, you are an integral part of the IEP team. Anything you can do to make yourself comfortable in this meeting will help you to participate more actively. Please communicate your needs with the team.
- Find a way to personalize your child. When you talk, make your child recognizable to all team members. Remember that you know your child best – strengths, talents, interests and needs, so take in what the professionals have to say and know that your perspective is critical.
- Be prepared for district staff to present assessment data and their professional opinions about what they have observed and feel is appropriate for your child. This may be different from your input, and is just as valid. It is important to “see the big picture” to understand your child as a whole to assist in educational planning.
- Keep focused on what you want answered or provided for your child, not on how to get there – that is the job of the professionals. For example, if you want your child to make more growth in reading, keep that in the forefront. Try not to get stuck on asking for a specific method of teaching you may have heard about.
- Do not hesitate to ask questions and seek clarification. In any profession, people talk in jargon at times. If you prefer, write down your concerns and meet with one of the team members before or after the meeting for more explanation.
- Involve your child in the IEP meeting to the extent appropriate for his or her age. Inclusion in the process, at the appropriate age and level of understanding is important.
- Ask to take a copy of the IEP home to review or if you are unable to make a final decision at the meeting. You can agree to parts of the IEP or all of it. You should always agree to sign showing that you attended the meeting. Signing the IEP document within a few days of the meeting is important. Your consent is needed for services to begin.

After the meeting:

- Provide consent for the IEP. If you have doubts or concerns, contact one of the team members to discuss.
- Review the agreed upon IEP to make sure you understand it. If not, talk to one of the other participants for clarification.
- Talk to your child, in terms he or she will understand, about what was discussed in the meeting. Be sure to discuss the progress that has been made. Review goals so he or she will be focused during the coming year. Ask for feedback.
- Place the IEP in the binder or file where you keep other school notices and reports. This makes it easy to access for future reference.
- Develop a collaborative relationship with the professionals who interact regularly with your child. Meet with the special education teacher and to learn how you can reinforce the skills and strategies being taught at school. Consistency across settings is invaluable.