

Special Education Parent Handbook

Developed in Collaboration with the
Special Education District Advisory Committee



Burbank Unified School District
Core Values Statement

- We hold high expectations and standards for the academic and social development of all students and the performance of adults.
- We give students the opportunity to achieve success in their chosen endeavors and to create a desire to be lifelong learners.
- Increasing students' proficiency will improve their quality of living for a lifetime.

Thank you to the parents and staff members of the Parent Handbook Committee and to the Santa Monica-Malibu Unified School District DAC on whose parent handbook this one is modeled.

Thank you to the amazing students in our Special Education programs for contributing their artwork.

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Section I

Introduction to Special Education

In updating the Special Education handbook for parents in 2017/2018, BUSD brought the current Handbook to the District Advisory Committee, which consisted of parents of Burbank special education students as well as BUSD personnel. The handbook has now been updated for 2020/2021. As you read this handbook, it is our hope that it will answer some of your questions regarding Special Education.

This Handbook is a step-by-step guide to help parents navigate the special education process and how to find appropriate educational services, accommodations, and resources to address your child's and or family's specific needs in an Individual Education Program (IEP). At the end of the handbook is a glossary of terms and acronyms. In addition, a list of local resources is provided that may be able to provide additional support to meet the needs of your family.

A. Director of Special Education's Welcome Message

I am honored to serve the students and families of the Burbank Unified School District. The Special Education Department of the Burbank Unified School District is committed to providing a free, appropriate public education that will meet your child's unique needs in the least restrictive environment. Our staff utilizes best practices and evidence based strategies in assisting every student to be successful. We all extend a warm welcome to you and assure you that we recognize the challenges both you and your child may face. In the hope that you will find this handbook helpful and useful, we dedicate it to you and to your own special student. – *Tamara Schiern*

B. Parent to Parent

Parents with children who receive Special Education Services serve as members of the District Advisory Committee (DAC). This Committee meets on a regular basis throughout the school year to provide input to the school district regarding development and implementation of Special Education programs, to assist and educate parents, and to encourage community involvement. Once your child is found eligible for Special Education services, your email will automatically be added to the DAC email list. All are welcome to attend these meetings and we encourage you to do so. A schedule of meetings can be found in the Special Education office, on the District website, at your school site or from your child's case-manager. Parent members of the DAC participated in the creation and update of this handbook. Throughout the pages you'll find "Parent Tips," written to guide and support you and your family.

C. Special Education Department Personnel
(See Appendix C for Current Staff Directory)

District Office Based

Role	Responsibilities
Director of Special Education	The Director is responsible for the planning, implementation, evaluation and supervision of all phases of special education and psychological services.
Administrative Secretary	Administrative assistance to the Director
Coordinator of Special Education	The Coordinator manages the Special Education Early Development (SEED/Preschool) and the Foothill Area Community Transition Services (FACTS) adult transition programs, assists the Director with program management, provides support to IEP teams, supervises and evaluates staff including Speech Language Pathologists, Occupational Therapists, Adapted PE Teachers and Physical Therapists.
Program Specialist	The Program Specialist supports Special Education programs and staff by offering expertise and guidance in program planning, staff development, curriculum, and technical assistance with Individualized Education Plans. Works with the IEP team regarding goals, services, accommodation or modification as well as behavior support for students.
Special Education Technician	The Special Education Technicians support the department by scheduling DAC meetings, professional development opportunities, coordinating with our contracted transportation providers, and providing support to teachers and administrators with IEP documentation support.
Senior Secretary	The Senior Secretary is responsible for record maintenance and the handling of records requests.
Assistive Technology	Provides instruction in assistive technology to students and staff. Evaluates hardware and software to determine its relevance to a student's educational progress.

Itinerant (or Site-Based)

Role	Responsibilities
Deaf and Hard-of-Hearing (DHH) Specialist	The DHH Teacher provides support to the DHH staff, general education teachers, IEP teams, and the DHH students who attend the SELPA programs at multiple campuses and District-wide sign language interpreting requests.
Educational Audiologist	Provided through the Special Education Local Planning Area (SELPA) office. Conducts audiological evaluations for students to determine eligibility for special education, works with the team to develop the student's IEP, provides direct audiological services to students and supports staff in meeting the audiologic needs of students in the educational environment.
Pre-School and Early Intervention Specialist	Supports special education students, staff members and families regarding services and placement in the SEED program. Supports students and families through the transition process from Regional Center services to school based services. Assesses students to help determine eligibility, services, and placement.
Speech and Language Therapist	Diagnoses and remediates speech dysfunctions in students. Identifies, assesses, and provides comprehensive services to children who qualify with a speech-language impairment.
Occupational Therapist	Provides support to staff and direct services to include students who have sensory motor issues that impede their learning process.
Adaptive Physical Education Teacher	Develops and implements an individual remedial Physical Education program for the specific needs for students who have qualified for adaptive physical education services.

Physical Therapist	Provides educationally related physical therapy assessments. Develops intervention plans that support IEP goals and implementation in appropriate environments. Consults with and trains classroom personnel to implement IEP goals in the school environment.
School Psychologist	Responsible for the identification, assessment, and reassessment of students suspected of having a disability. Conducts Functional Behavioral Assessments and works with other members of the IEP team to develop Behavior Intervention Plans (BIPs). Provides related services counseling.
Behavior Interventionists	Provide behavioral support to school sites. Work with school psychologists on the development of Behavior Intervention Plans (BIPs). Oversee the implementation BIPs. Supervise the Behavioral Intervention Assistants.
Behavioral Instructional Assistants (AKA “DTT”)	Provide behavioral support to a classroom or individual students. Take data on behavioral goals. Implement behavioral strategies in the classroom.
Vision Specialist	Provided through the Special Education Local Planning Area (SELPA) office. Provides services for students who have been qualified for special education with a vision impairment.
Orientation and Mobility Specialist	Provided through the SELPA office. Provide services for student who require assistance to navigate their educational environment (such as climbing stairs, maneuvering around a classroom or school).

Section II

What is Special Education?

A. Definition

Special Education is defined in the California Education Code (Section 56031(a)) as: “Specially designed instruction, at no cost to the parents, to meet the unique needs of individuals with exceptional needs, whose educational needs cannot be met with modification of the regular instructional programs, and related services at no cost to the parents, which may be needed to assist such individuals to benefit from specially designed instruction.”

Special Education programs in California are governed by a combination of state and federal laws. Under these laws, school districts must provide each student with a disability with a free appropriate public education (FAPE). FAPE means special education and related services that are provided at public expense, without charge.

B. Is My Child Eligible for Special Education Services?

“Child Find”

The Individuals with Disabilities Education Act (IDEA) includes the Child Find mandate. Child Find requires all school districts to identify, locate and evaluate all children with disabilities, regardless of the severity of their disabilities. Federal and state policies require the District to have procedures in place for identifying children who have, or are suspected of having, a disability and needing special education and related services. These procedures are commonly referred to as “search and serve” or “child find.” Search and serve activities apply to the families and students attending and enrolling in the school, the families of children below school age, and students in private schools.

School personnel are responsible for identifying children who may have special needs. A referral may also come from parents, teachers, doctors, or community agencies. If your child is not receiving special education supports and services and you suspect there might be a disability, establish an appointment with the classroom teacher to discuss your concerns. As a result of this discussion, your child may be referred to the Student Study Team (SST). Alternatively, you may request an evaluation to determine your child’s eligibility for special education services (see below.)

If your child is age 0 to 3:

This is a critical period to determine whether your child has special needs. It's important for parents to take seriously signs of possible needs and to seek help. Parents who suspect that their child may have a disability should write a letter to the local Regional Center and the school district. A brief letter describing the child's needs is sufficient to initiate the assessment process.

Early education opportunities are available to infants and toddlers less than 3 years of age who have low incidence disabilities, such as: hearing loss, vision loss, or orthopedic impairment, or who are developmentally delayed or at risk of such delay. Lanterman Regional Center (213-383-1300) is the responsible lead agency for infants and toddlers who are developmentally delayed or at risk of delay while our district (818-729-4449) has responsibility for those who have solely low incidence disabilities. Each eligible child, under the age of 3 can receive services through an Individual Family Service Plan (IFSP).

If your child is ages 3 to 5:

The law requires that all school districts provide preschool programs and services for children with disabilities. If you suspect your child has a disability you should write a letter expressing your concerns to the school district. See Appendix E (Sample Letter - Referral for Special Education).

If your child is ages 3 to 21:

The Individuals with Disabilities Improvement Education Act (referred to interchangeably as IDEA or IDEIA), identifies specific types of disabilities that make children eligible for special education services if their disability adversely affects their educational performance. If you suspect your child may need special education services, you may request an assessment.

If your child is age 16:

This is the time to begin planning for transition into adulthood. IDEA requires an Individual Transition Plan (ITP) to be part of a child's IEP by age 16. In BUSD, transition plans are written beginning at the 9th grade IEP meeting regardless of the student's age. *If your child is 16 but has not been assessed or qualified for special education but you suspect that your child may have a disability, it is never too late to have your child tested or retested.

If your child is ages 19 to 21:

If your child (student) receives a regular high school diploma and finishes his or her course of study, he or she will be exited from Special Education. A written notice must be sent to the family to inform them that graduation with a high school diploma will make the student ineligible for further Special Education services.

A student who has not graduated from high school with a regular diploma, and who was enrolled in or was eligible for special education services prior to their 19th birthday, continues to be eligible for services during those years if they have not completed their prescribed course of study.

C. Disabilities Eligible for Special Education Services 20 USC 1401 (3) & 34 CFR 300.8

Classification	Characteristics
Autism or Autistic-like Behaviors	The child exhibits a developmental disability that can affect verbal and nonverbal communication, social interaction and can have an adverse effect on educational performance. Other characteristics often associated with autism are engagement in repetitive activities and stereotyped movements, resistance to change in routine or environment, and unusual responses to sensory experiences. This disability generally is evident before the child reaches age three.
Deaf-Blindness	The child has both hearing and visual disabilities. [34 CFR 300.8]
Deafness	The child's residual hearing is severely impaired in processing the spoken word preventing the child from fully accessing the curriculum and in learning and communication.
Emotional Disturbance	The child exhibits one or more of the following conditions over an extended period of time, to a marked degree, and these conditions have an adverse effect on educational performance, even after supportive assistance has been provided: ▪ An inability to learn that cannot be explained by intellectual, sensory, or health factors. ▪ An inability to build or maintain satisfactory interpersonal relationships with peers and teachers. ▪ Inappropriate types of behavior or feelings under normal circumstances. ▪ A general, constant mood of unhappiness or depression. ▪ A tendency to develop physical symptoms or fears associated with personal or school problems.

Classification	Characteristics
Hearing Impairment	The Child exhibits a hearing loss that is permanent or fluctuating, which even with amplification, adversely affects a child's educational performance.
Intellectual Disability	Intellectual Disability is defined as significantly below-average general functioning, with deficits in adaptive behavior manifested during the developmental period, which adversely affects a child's educational performance.
Multiple Disabilities	The child exhibits two or more severe disabilities, one of which is generally an Intellectual Disability.
Orthopedic Impairment	The child displays severe impairments that are the result of congenital anomaly, developmental, hereditary, or the result from disease, or other causes, (such as cerebral palsy, amputations, severe fractures or burns), which adversely affect the child's educational performance.
Other Health Impairment	The child exhibits limited strength, vitality or alertness, due to chronic or acute health problems, including but not limited to, heart condition, tuberculosis, rheumatic fever, severe asthma, ADD/ADHD, sickle cell anemia, hemophilia, epilepsy, lead poisoning, leukemia, cancer, chronic kidney disease, cystic fibrosis, or diabetes, which adversely affects a child's educational performance.
Specific Learning Disability	The child exhibits a disorder in one or more of the basic psychological processes (such as visual, motor, attention, language, etc.) that adversely impairs learning. As a result, the child may exhibit a limited ability to listen, think, speak, read, write, spell, or do mathematical calculations and has a severe discrepancy between intellectual ability or potential and achievement in one or more academic areas. This area also includes phonological processing and reading disabilities, such as dyslexia.
Speech or Language Impairment In one or more of voice, fluency, language and articulation	The Child exhibits a communication disorder, such as stuttering, impaired articulation, a receptive and/or expressive language disorder, or a voice impairment that adversely affects the child's educational performance.
Traumatic Brain Injury	The child has an injury to the brain resulting in total or partial functional disability or psychosocial impairment.
Visual Impairment	The child's visual impairment is such that educational potential cannot be fulfilled without special services and materials. The term includes both partially seeing and blind children.

D. What if my child is not found eligible for Special Education services under IDEA?

What Is Section 504 (504 Plan)?

A child with an IEP is already protected under two federal Civil Rights Acts, Section 504 of the Rehabilitation Act of 1973 (Section 504) and the Americans with Disabilities Act (ADA). In the event your child did not qualify for special education your child may qualify for a 504 plan. Under Section 504, a student with a disability cannot be discriminated against in any program that receives federal funding (such as a school). Denial of opportunities to participate in or benefit from aid, benefit, or service are prohibited.

In the Burbank Unified School District, Section 504 Plans are overseen by the Department of Student Services. At the school site level, they are overseen by elementary principals and secondary guidance counselors.

The definition of disability is broader than that in IDEA because 504 eligibility extends beyond learning to other major life activities. The three essential elements of 504 are (a) a mental or physical impairment that (b) substantially limits (c) one or more major life activities. Major life activities include, but are not limited to, walking, eating, breathing, and learning but can include functions such as caring for oneself, performing manual tasks, seeing, hearing, speaking, working, eating, sleeping, standing, lifting, bending, reading, concentrating, thinking, and communication.

A student is eligible for a 504 plan even if s/he has been able to compensate for his/her disability by using such things as assistive technology, medication, informal accommodations, or learned coping mechanisms. Unlike FAPE under the IDEA, FAPE under Section 504 is defined to require a comparison between the manner in which the needs of disabled and nondisabled children are met, and focuses on the “design” of a child’s educational program. FAPE under Section 504 requires education and related aids and services that are designed to meet individual educational needs of disabled students as adequately as the needs of non-disabled students are met. 20 USC 1401(9), 1414(d)(1)(A)(i)(ii) and 34 CFR 104.33(b)(1).

Parents should be aware that a student must use the provided accommodations in the classroom in order for the student to qualify for the use of these accommodations in state testing, SAT, ACT, etc.

Before classifying a student as having a disability, the school district must do an evaluation. This evaluation may be done through a student success team (SST) process. The evaluation will determine whether the disability has an impact on the child’s education. The district is required to draw from a variety of sources. If found eligible, a 504 plan will be written enumerating the accommodation(s) for your child and it will be reviewed with your input annually.

If your child did not meet eligibility requirements for special education and continues to struggle academically and/or socially despite a 504 plan, consider having your child re-tested by writing a letter expressing your concerns to the school district.

Section III

Four Major Components of IDEA

Parent Rights:

The law says you and your child have **four major rights:**

1. Free and Appropriate Public Education (FAPE) 20 USC 1401 & 34 CFR 300.39

FAPE is the most fundamental and important right of your child. FAPE means that your child, if eligible, must receive an educational program (special education and related services) specially designed to meet his or her unique learning needs. Education includes health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities. This program must be provided at no cost to the parent(s). FAPE is specially designed instruction adapting, as appropriate to the needs of an eligible child . . . the content, methodology, or delivery of instruction to address the unique needs of this child that result from that child's disability and to ensure access to the general curriculum. 34 CFR 300.39.

FAPE includes related services which is transportation and such developmental, corrective, and other supportive services as required to assist a child with a disability to benefit from special education. 20 USC 1401(26). Related services includes, but not limited to, audiology, counseling services (including rehabilitative counseling), early identification and assessment of disabilities, interpreting, medical services (those performed by licensed physician for diagnostic purposes only), occupational therapy, orientation and mobility, parent(s) counseling and training, physical therapy, psychological services (to assist in developing positive behavioral intervention strategies), recreation, rehabilitation counseling, school health services (assist in developing positive behavioral intervention strategies), social work services in school, speech language pathology, and transportation.

If no appropriate public school program is available, a state-approved non-public school must be provided at public expense.

2. Placement in the Least Restrictive Environment (LRE) 20 USC 1412 (a) (5) & 34 CFR 300.114

To the maximum extent appropriate, students with disabilities are educated with nondisabled students. Special classes or separate schooling of students with disabilities should occur only when the nature or severity of the disability is such that education in general education classes with the use of supplementary aids and services cannot be achieved satisfactorily.

The array of placement options may include general education, the resource specialist program (“RSP/Basic”), special day class (“SDC/CLC/Fundamental”), state schools, hospitals, nonpublic schools, and home instruction. As your child’s learning needs change, his or her placement may also change.

3. Assessment Procedures

Educational assessment or evaluation is conducted to identify your child’s learning needs and to determine whether your child requires special education services. Assessments must be conducted before your child receives services, and at least every three years following your child’s initial assessment. However, you or your child’s teacher(s) may request assessment sooner than three years if you believe there are other areas of suspected disability or your child’s need warrant updated assessments.

School districts may not use tests which discriminate by race, culture, language, or disability. For example, using purely auditory methods to test a deaf student who signs would be discriminatory. Assessments must be conducted by persons who are appropriately trained and/or credentialed.

Educational placement decisions cannot be based on the result of one test alone. The assessment must be comprehensive and must take into account your child’s developmental and performance levels in several areas (e.g., social, intellectual, language).

The school district must inform you of your right to obtain another opinion from a qualified person. This is called an Independent Educational Evaluation (IEE). If you disagree with the district’s assessment, an independent assessment may be obtained at district expense. However, the district also has the right to call for a due process hearing to show that its assessment is appropriate. If, as a result of the hearing, the district’s assessment is found to be appropriate, you still have the right to a private assessment at your own expense. The district must consider private assessment findings in planning your child’s services and placement.

4. Informed Consent

Parents must be informed in writing by the school district of the basis upon which the district's decision of an offer of a free appropriate public education (FAPE) has been made, or for any proposed or refused change of eligibility, evaluation, placement, or service, or refusal to include such item, in an individualized education program (IEP), in conformance with its existing obligations under 20 U.S.C. 1415. (The U.S. Code contains procedural safeguards for IDEIA/IDEA.)

This assures that parents must receive written notice whenever the school district proposes or refuses to:

- Conduct a formal assessment of your child.
- Change your child's eligibility and/or educational placement, including the designated instructional services.

Your written permission must be obtained when the school district conducts an assessment or changes your child's placement.

You must be provided procedural safeguards that further explain your legal rights. The district provides this information in a document called the *Foothill Special Education Local Plan Area Parents' Rights and Procedural Safeguards*.

Section IV

Where and How are Special Education Services Delivered?

General Education Classroom (Inclusion/Mainstreaming)

The general education classroom using the core curriculum may be appropriate for some children with support if needed. Students can participate in all or some of the general education classroom with accommodation or modifications as determined by the IEP. Full inclusion is the total integration of a student with special needs into the general education classroom with support if needed.

Integration (mainstreaming) is the inclusion of students with special needs in general education classrooms for some of their school day. The student's case-manager is a special education teacher.

Specialized Academic Instruction

- ***Resource Specialist Program (RSP/Basic)***

The resource specialist program is for students who require Special Education services for less than half of their school day. Resource specialist students may be assisted within their general education classes or in a "pull-out" model. Instruction is designed to support a student's participation in the general education class and with the core curriculum.

- ***Special Day Class (SDC/CLC/Fundamental)***

Special day classes are for students who require individualized and small group instruction for the majority of their day. Instruction can include goals and objectives in basic skills, general education curriculum, vocational skills, social skills, behavior, and self-esteem. While most SDC classes are designed to serve students with mild to moderate disabilities, there are some classes that may be designated to support students with moderate to severe disabilities or emotional disturbance.

Preschool Services

The school district is responsible for the full implementation of services for eligible children with exceptional needs ages 3 to 5. Students who qualify for services will be provided these services at the preschool site.

Non-Public Schools (NPS)

Non-public schools provide special education services for students who require more intensive services than can be offered in a public school setting

Residential Treatment Centers (RTC)

Residential Treatment Centers are residential non-public schools for students whose needs cannot be met in a public school setting or in a non-public school and who require residential treatment services.

Home or Hospital Instruction

Home or hospital instruction is provided for students with verified medical or emotional conditions that prevent them from attending school. Services are usually provided on a temporary basis.

Extended School Year (ESY)

Students who could experience regression in skills or who require summer instruction to limit the time recoupment of skills takes, must be offered special education and related services on an extended school year during summer school.

Related Services

Your child's IEP may specify any related services required for them to benefit from his or her educational program. The IEP will indicate the frequency, location and duration of the services to be provided. These services will be provided until there is no longer a demonstrated need and assessment in the area of service supports a change and there is a new and signed IEP. These services may include, but are not limited to:

Speech and Language Services	Audiological Services	Orientation and Mobility Services
Home/Hospital Instruction	Occupational Therapy	Adapted Physical Education
Health and Nurse Services	Vision Services	Counseling and Guidance
Parent Counseling and Training	Physical Therapy	Social Worker Services
Recreation Services	Transportation	Deaf and Hard of Hearing Services
Psychological Services other than Assessment and Development of the IEP		
Specially Designed Vocational Education and Career Development		
Special Services for Low-Incidence Disabilities		
Interpreting Services (Generally for Low Incidence disabilities, such as deafness)		

How Does My Child Receive Special Education Services?

Procedural Steps: Prior to Referral, Referral, Assessment, and IEP Development

Prior to Referral

If you notice problems in your child's academic performance you may request a meeting with the teacher to discuss what might be the cause. The teacher should notify the parents if there has been a noticeable gap in academic performance, possible learning difficulties, or problems with attendance or behavior. The teacher may also make what is called a "referral" requesting a meeting of the Student Study/Success Team (SST) to explore possible causes and solutions. Parents are also free to request an SST meeting. This team may consist of a classroom teacher, a counselor, an administrator, a nurse or a school psychologist, and the parent. Sometimes the referred student may also be invited to attend.

The purpose of the SST meeting is to identify the source of the student's difficulties and to commit resources that are available in the general education classroom to address them. Parent participation in the SST is very valuable and can help ensure that a full discussion of a student's educational performance takes place.

After interventions by the general education classroom teacher have been attempted, and if progress is still a concern, the SST may recommend the student for assessment to determine eligibility for special education and related services.

If, at any time during this process, you decide there is a need to have your child assessed for special education, you may make such a request to your child's teacher, principal, or to another school administrator. Make sure to put this request in writing.

*If you notice these school-related problems with your child and you believe that they are adversely impacting your child's education, it is recommended that you discuss your concerns with your child's teacher as this may indicate a need for program modification or assessment for a suspected disability and Special Education services:

Your child:

- Seems to learn at a rate significantly slower than classmates.
- Makes little progress in one or more basic skill areas in spite of modifications or remedial instruction.
- Has a short attention span or is unable to pay attention.
- Produces work that is disorganized, illegible, or incomplete.
- Uses immature language or speech patterns.
- Seems overly quiet or appears withdrawn.
- Has poor memory for things seen or heard.
- Reverses or confuses sounds, letters, words, or numbers beyond grade three.
- Has difficulty with pencil and paper tasks.

- Seems very clumsy or has difficulty moving or locating body in space.
- Has an inadequate or distorted understanding of time relationships.
- Seems easily frustrated or lacks patience.
- Seems to act without thinking.
- Has unusual posture when reading or writing.
- Has trouble shifting from one idea to another.
- Stubbornly refuses to attempt new learning tasks.

Referral

Step 1 – The Request for Assessment

The initial assessment to determine whether your child needs special education services may be made by you, the parent. A recommendation for assessment may also be made by the SST. In any case, an assessment cannot be done without the consent of the parent. The school district may state that the student does not demonstrate a need for an assessment. In this case, the district must provide a letter explaining its decision. All referrals for Special Education, including referrals made by parents, must initiate the assessment process. If your request is made verbally, the school staff are required to offer to assist you to put your request in writing. [5 Cal. Code of Regulations 3021 (A)] The District must respond to your request for assessment within 15 calendar days. If the district refuses to assess the student, the parent may request a ruling through the due process.

Step 2 – The Assessment Plan

If your child is referred for an assessment for special education, you must sign the assessment plan before the school can assess your child. The District has 15 calendar days to develop an assessment plan and you have 15 calendar days to consider whether or not you will provide consent for assessment. The 15 days does not include breaks of 5 school days or longer.

Parents will be informed by district staff how the student will be assessed, and who will be conducting the assessment.

The assessment plan will:

- Assess for known and suspected areas of disability (health, psycho-educational, communication, etc.)
- Be written in clear terms.
- Be provided in the native language of the parent/guardian or other mode of communication used by the parent/guardian unless it is clearly not feasible.
- Explain the types of assessment to be conducted.
- State that no IEP will result from the assessment without parent/guardian consent.



Parent Tip: Contact your school administrator if you do not agree with the areas to be assessed and/or believe that there are additional areas that need to be assessed.

Step 3 – The Assessment period

The Assessment of your child will be a thorough process conducted by a team of specialists that will report how your child is doing in all areas of the suspected disabilities. Information about your child may be gathered in different ways: by talking to people who know him or her, including doctors and professionals; by conferring with classroom teachers; by meeting with you; by observing your child; and by administering formal assessment tools and tests to him or her. No single test procedure may be the sole means of making a decision about placement in an educational program. Your firsthand knowledge of your child is important information. Talk to members of the assessment team about your own observations of your child's behavior (e.g., discuss whether time of day impact your child's behavior and performance on assessments, etc.).

All methods used for testing and assessment must be racially and culturally non-discriminatory. If a child's language is other than English, tests must be given in that primary language or other mode of communication, if feasible. The results of testing and assessment should be explained to you in clear terms and in your own language. Ask questions if anything is not clear to you.

During this step, your child's evaluation will include:

1. Formal/informal test(s) administered in a one-on-one setting
2. Review of school records
3. Parent(s) interview
4. Teacher(s) interview
5. Observation of the student in the classroom and possibly in other settings, such as on the playground
6. Health and developmental history

The IEP team meeting is to be held within 60 calendar days after the district receives a parent's consent to the assessment plan. Completed assessment reports can be requested prior to the IEP meeting. The district will provide you with a copy of the report within 5 days of the receipt of your request, if the report is available.

Special Education Referral Timelines

Action	Timeline
Student is referred for an assessment to determine eligibility for special education by the school team.	Parents must be sent an Assessment Plan within 15 days.
Parent requests an assessment to determine eligibility for special education.	District must present the parents with an Assessment Plan or deny the assessment within 15 days.
District receives signed consent to assess from the parents (a “signed assessment plan.”)	District must complete assessments and hold the IEP within 60 days of the day they receive the signed consent.

Step 4 – The Initial IEP Meeting to Determine Eligibility

At the conclusion of your child’s assessment, the school or district, will schedule an Individual Education Program (IEP) Team Meeting at a mutually agreed upon time to discuss the results of the assessments. At this *initial* IEP meeting, the professionals who conducted the assessments will present their portions of a multidisciplinary report.

During this initial IEP, the school psychologist or other team member (such as the speech therapist for a student whose only area of suspected need is Speech/Language) will discuss the eligibility criteria for qualifying for special education or related services. This criteria can be found in the Individuals with Disabilities Education Improvement Act [20 USC 1401 (3) & 34 CFR 300.8, commonly referred to as IDEA].

Using these eligibility criteria as a guide, the district will determine if your child qualifies to receive special education or related services. If your child is determined to be eligible, an Individual Education Program/Plan will be created to meet the unique needs of your child. If your child is found to not be eligible, you still have options. These options are explained later in this handbook.

What is an IEP?

The IEP is a legal document (IDEA), which must be written for each student who receives special education services. Your Child’s IEP helps ensure that special education services support all identified areas of need.

The IEP specifies services to be provided by the school district. It describes annual goals and serves as a “blueprint” for instruction and other related services. However, it is not a daily lesson plan.

The IEP must be reviewed and updated at least once a year (your child will be fully reassessed every three years, *triennial IEP*, to determine if they still qualify for special education services). An IEP meeting can be convened at any time at the parent/guardian's request for a change in one or more aspect of the IEP (for example, assistive technology). If you are requesting an IEP meeting without the need for new assessments (for a student already in special education), the IEP meeting shall be held within 30 calendar days from the date of receipt of your written request. If assessments have been conducted, the IEP meeting will be held within 60 days of the return of the signed assessment plan.

The district will provide you with an IEP meeting notice and schedule the meeting at a mutually agreed upon time and place. Interpretation services are available if the school is notified in advance.

IEP Meeting Notice Example

STATE SELPA IEP TEMPLATE INVITATION TO INDIVIDUAL EDUCATIONAL PROGRAM TEAM MEETING/NOTICE OF MEETING	
Student Name _____ Date of Birth ____/____/____ ☐ Initial ☐ Annual ☐ Triennial ☐ Transition Planning ☐ Pre-Expulsion ☐ Interim ☐ Other _____ Address _____ Dear _____ Today's Date ____/____/____ An Individual Education Program (IEP) Meeting is being arranged to discuss educational program for the student named above. You are invited to attend as a member of the IEP team. Your participation and input are important in the development of an appropriate education and arriving at decisions about your child's education. You have the right to have other individuals present who have knowledge or special expertise about your child. Your child could benefit from participation in the IEP meeting and is invited to attend. If this is the initial IEP meeting and the student was receiving services under Part C through an IFSP, you may request that the district invite the Part C Service Coordinator or other representative. Secondary students age 15 or older should attend the IEP Team meeting. Parents of adult students may also participate in the meeting. Date ____/____/____ Time _____ School / Location _____ Room _____ We anticipate that the following members may also attend Administrator/Designee _____ Other _____ Special Education Teacher _____ Other _____ General Education Teacher _____ Other _____ Student _____ Other _____ Psychologist _____ Other _____ Specialist (type) _____ Other _____ NOTICE: If you wish to audio tape this meeting, you must provide 24 hour notice; we may also audio tape the meeting. If you would like further information about your Procedural Safeguards or the purpose of this meeting, please call: Name _____ Title _____ School / District _____ Phone _____ Please complete and sign this form, and return to _____ Check the following items, as appropriate: ☐ YES, I plan to attend the meeting ☐ YES, I plan to attend the meeting and bring the following additional attendees: _____ ☐ I do not plan to attend the meeting, but I am available by teleconference ☐ I require assistance of an Interpreter. (language) _____ ☐ I request a different time and/or place. Please call me at home (____) _____ work (____) _____ ☐ I give my consent for the district to invite other agency personnel to attend the meeting if secondary transition is being addressed. Signature _____ Date ____/____/____ ☐ Parent ☐ Guardian ☐ Surrogate ☐ Adult Student ☐ NO, I cannot attend the meeting, but hereby give my permission for the meeting to be held without me (CFR 300.322d). I understand the IEP and related documents from this meeting will be provided to me for my signature, and I agree to return them in a timely manner. ☐ NO, I cannot attend, but I will send _____ as my representative to speak for me. I understand the IEP and related documents from this meeting will be provided to me for my signature, and I agree to return them in a timely manner. Signature _____ Date ____/____/____ ☐ Parent ☐ Guardian ☐ Surrogate ☐ Adult Student Revised 05/2017 Form 258	Student Name and Date of Birth Purpose of meeting (Annual, Triennial). Date and Location of the Meeting. IEP team members expected to participate in the meeting. Contact Person if you have questions & the person to return this notice to. Your response to the invitation and how you would like to participate in the meeting.

How does a “team approach” to an IEP team meeting work?

The team approach to developing an IEP involves communication and cooperation among you (the parents/guardians), your child’s teacher(s), and other specialists with different kinds of skills who may work for the school district or outside agencies. Together, you will prepare an IEP that is intended to provide your child with meaningful educational benefit. Think of the IEP team as a circle of participants with your child at the center. The team develops the IEP at a meeting that must be held at a time and place that is convenient for you and the school personnel.

Who are the Members of the IEP Team?

1. The parent, guardian, or representative
2. At least one general education teacher of the child (if the child is or may be participating in general education). A general education teacher must be part of an IEP team when developing, reviewing, and revising the child’s IEP to the extent appropriate. The general education teacher should assist in the determination of appropriate positive behavioral interventions/strategies, supplementary aids and services, program modifications, and supports for school personnel.
3. At least one special education teacher, or where appropriate, at least one special education provider of the child.
4. An Administrator or Administrative Designee who:
 - a. Is knowledgeable about the general curriculum.
 - b. Is knowledgeable about availability of resources in the district and SELPA.
 - c. Has the authority to commit to implement the IEP resulting from the meeting.
5. A person who can interpret the evaluation results as they pertain to the child’s educational needs and is qualified to give diagnostic tests such as a school psychologist or speech pathologist.
6. At the parent’s or district’s request, other people may be invited to the IEP meeting who have knowledge or special expertise regarding the child. This may include related service personnel as appropriate. The party inviting these individuals (parents or staff) has the authority to determine whether they have knowledge or special expertise to participate.
 - a. If the child was served under Early Education or Intervention Services (Regional Center Programs), the coordinator or representative will be invited to the initial IEP meeting.
 - b. If the district is considering non-public school placement, it may request that a representative of the non-public school attend the meeting or participates through other means.
 - c. If transition services are being discussed, representatives of other agencies who are likely to be responsible for paying for or providing transition services must be invited.

7. The child (under the age of 18) should be included in the IEP meeting when appropriate as determined by the parent/guardian. If transition services are being discussed, the student should participate in the meeting. If the child does not attend, the school shall take other steps to ensure that the child's preferences and interests are considered. Adult students, who are at least 18 years of age and who are not under conservatorship, must attend their IEP meetings.

Who else may a parent bring to an IEP meeting?

- A lawyer or an advocate, such as a Regional Center counselor (Must note on meeting notice).
- A non-school therapist or a specialist who works with your child.
- A friend, relative, or other person who will provide moral support and take notes.

Other IEP Considerations

1. Pertinent staff members shall stay through the entire IEP meeting. An IEP team member may be excused from attending the IEP meeting if the parents and district agree and put that consent in writing. The team member who is being excused must submit his or her input to the team in writing prior to the meeting. According to IDEA, consent means that the parent has been informed and understands that the granting of consent is voluntary and may be revoked.

If particular staff member's presence is required for only part of the IEP, it is courteous for that staff member to ask to be excused. If the IEP team agrees that the presence of that particular staff member is no longer necessary for the remainder of the IEP development, then the staff member shall be excused. Certain staff may have other obligations which dictate the length of time they can participate; in these cases, it is courteous for the staff member to identify these limitations in advance so that their necessary contribution to the IEP development can be addressed prior to their departure. If this is not feasible, or if the IEP team does not agree that their excusal is appropriate, it may be necessary to reconvene the IEP at a later date to enable that staff member's participation.

2. An IEP may be amended between the annual IEP meeting without calling a new IEP meeting if agreed to by the parents/guardians and the district. The modification or amendment to the IEP shall be in writing and the team will be informed of those changes.

What should you expect in an IEP Meeting?

- Stated purpose of the meeting and introduce IEP team members
- Receive a copy of Parental Rights and Procedural Safeguards
- Identify parental concerns
- Review assessments(if applicable)/Present levels of performance
- Determine eligibility (if appropriate)
- Identify assessed area(s) of need
- Write goals (and possibly objectives) that address assessed area(s) of need
- Identify Related Services necessary for student to benefit from educational program and the frequency and duration of the service(s) the student will receive
- Identify the placement where the IEP, including goals and services, can be implemented

How can I prepare for an IEP team meeting?

To be most effective at an IEP team meeting, you need to prepare for it in advance. This section suggests several ways to help you prepare.

- **Understand the assessment results**

We suggest you review the assessment results before you go to an IEP team meeting. You may obtain a copy prior to the IEP meeting by making a request in writing to the case-manager. As a parent/guardian, you are an equal member of the IEP team and may defer discussion of the various reports until you have had a chance to read them and process them and possibly discuss the results with your family or a professional.

If you have questions about the assessment that need to be clarified in advance of the IEP team meeting, you may contact the person who did the assessment (e.g., psychologist, speech and language specialist, adaptive physical education specialist, etc.).

- **Be prepared to work as a team member at the IEP team meeting**

Keep in mind, the IEP is developed by a team and you are an equal member. Remember, you have known your child longer than anyone else and routinely observe your child in many different situations. You have important information to contribute.

- **Decide if you wish to audiotape the IEP team meeting**

You may audiotape the IEP team meeting if you give the district at least 24 hours written notice. Provide the notice to the staff member who sent you the invitation to the meeting. If you choose to record the meeting, you will need to supply the tape recorder/recording device. If you choose to record the meeting, the district will also typically record the meeting as well.

- **Formulate your own goals and objectives for your child**

You know your child best, and have expectations about your child's future. These are based on your own values, background, and experiences. Be prepared to voice your expectations at the IEP team meeting so that related goals can be included in the IEP, if appropriate.

- **Communicate!**

Before the IEP team meeting, talk informally with the school personnel who assessed your child as well as his/her teachers to find out what range of recommendations are possible or likely, based on the assessment results.

You may also speak with your child regarding his or her feelings towards school and the results of the assessments, including strengths and areas of need. You may consider including your child in the IEP meeting.

- **Keep files of prior meetings**

Keep good records and bring appropriate ones to the IEP team meeting. Prepare and maintain a notebook that includes sections such as:

- Background information
- Developmental history
- Medical history and medical reports
- Family health history
- Educational history
- Psychological and therapy reports
- Copies of your child's previous IEPs and school progress reports
- Samples of your child's past and present work
- Copies of records from outside agencies (such as Regional Center)
- Copies of letters you have written or received regarding your child's disability/abilities
- Records of your contacts with schools and agencies (personal visits, telephone calls, etc.)
- Your long-term goals and short-term objectives for your child

This notebook can be very helpful should you move away from your current district to a new district.

Section V

What is an Individualized Education Program? (IEP)

A. Defined

The law requires that an Individualized Education Program (IEP) be written for each child who is eligible for Special Education. Each student's IEP must be reviewed at least once a year and must be changed as the student's needs change. *See Appendix A for pertinent sections of the California Education Code.*

B. What an IEP must include:

- **A statement of the student's present level of educational performance, and special needs**
Those working with your student will share information about what the student has accomplished and is able to do as well as what he or she needs to learn based upon the assessment results.
- **Annual education goals**
Instructional goal objectives/benchmarks may be developed for students who receive an alternative curriculum.
- **Related services**
All services necessary for the child to benefit from special education will be delineated.
- **The amount of time the child will participate in regular classes or activities.**
- **Implementation, frequency and duration of placement**
When will a program start? How long it will continue? How often it will take place?
- **Provisions for career, vocational education, and alternatives for meeting requirements for graduation if required**
At an IEP meeting prior to your child turning 16 years, an individual transition plan (ITP) will be established.
- **Placement**
Following a discussion of available options, well as the students' goals and objectives, the appropriate educational setting in the least restrictive environment will be determined by the team.

C. The IEP Forms:

This section gives a brief explanation of the IEP forms to help you prepare for the IEP meeting. Please see Appendix C for blank copies of the IEP pages.

■ Front Page of the IEP

This page contains demographic information about the student and the student's family. It is important that all contact information be complete and up-to-date. This page also indicates the purpose of the meeting, important past and future IEP dates, and the student's area(s) of disability which qualifies him for special education services.

FOOTHILL SELPA
INDIVIDUALIZED EDUCATION PROGRAM (IEP) - INFORMATION / ELIGIBILITY

Page ____ of ____

Student Name The Pooh, Winnie Date of Birth 5/19/2000 IEP Date: 9/20/2018
Original SpEd Entry Date 5/6/2008 Next Annual IEP 9/19/2019
Last Eval 6/13/2018 Next Eval 6/12/2021

Purpose of Meeting ☐ Initial ☒ Annual ☐ Triennial ☐ Transition ☐ Pre-Expulsion ☐ Interim ☐ Other _____

Age 18 Gender ☒ Male ☐ Female
Grade Eleventh grade Migrant ☐ Yes ☒ No Native Language English
EL ☐ Yes ☒ No Redesignated ☐ Interpreter ☐ Yes ☐ No
Student ID _____ SSID# 0000000000

Residency 10 Parent or Legal guardian

Parent/Guardian Home Address 123 Burbank St. Home Phone 555-555-5555
City Burbank Work Phone 555-555-5554
State, Zip CA - 91505 Cell Phone 555-555-5556
Email Address parent@email.com

Parent/Guardian Home Address Christopher Robin Home Phone 555-555-5555
City 123 Burbank St. Work Phone 555-555-5554
State, Zip CA - 91505 Cell Phone 555-555-5556
Email Address parent@email.com

District of Residence Burbank Unified Residence School Burbank High
Ethnicity: 900 Intentionally Blank
Race 1. 900 Intentionally Blank Race 2. _____ Race 3. _____

INDICATE DISABILITIES/IES Note: For initial and triennial IEPs, assessment must be done and discussed by IEP Team before determining eligibility.

Primary Autism (AUT) Secondary Intellectual Disability (ID) * Low Incidence Disability
☐ Not Eligible for Special Education ☐ Exiting from Sp. Ed. (returned to reg. ed/no longer eligible)

Describe how student's disability affects involvement and progress in general curriculum (or for preschoolers, participation in appropriate activities) Winnie exhibits Autism, a developmental disability that significantly impacts his verbal and nonverbal communication and social interaction. He demonstrates with engagement in some repetitive activities and stereotyped movements and maybe resistant to changes in his daily routine. Additionally Winnie exhibits with significantly below average general intellectual functioning existing concurrently with deficits in his adaptive behavior that adversely impact his educational performance.

FOR INITIAL PLACEMENTS ONLY
Has the student received IDEA Coordinated Early Intervening Services (CEIS) using 15% of IDEA funding in the past two years? ☐ Yes ☒ No
Date of Initial Referral for Special Education Services _____
Person Initiating the Referral for Special Education service 10 Parent
Date District Received Parent Consent: _____
Date of Initial Meeting to Determine Eligibility _____

Identifying information: Name, Date of Birth, IEP Date, Date of last evaluation, Next Evaluation, Purpose of Meeting, Age, Grade, Native Language, Need for Interpreter

Residency: Who the student lives with, Parent contact information, District of Residence, School of Residence, Student's Ethnicity and Race

Disability Eligibilities under IDEA (Students may have one or more qualifying disabilities), Description of how disabilities affect educational progress, Initial placement information

■ Present Levels of Academic Achievement and Functional Performance

This section summarizes State and District assessment data and the results of the most recent vision and hearing screenings. It also provides a brief summary of the student's performance in the areas of: Academics/Functional Academics, Communication, Gross and Fine Motor skills, Social/Emotional/Behavioral development, Vocational skills, Adaptive/Daily Living skills, and Health. Also, at the bottom of this page is a statement to indicate what areas of need have been identified. These are the areas that will be addressed by the IEP goals.

FOOTHILL SELPA PRESENT LEVELS OF ACADEMIC ACHIEVEMENT AND FUNCTIONAL PERFORMANCE Student Name: <u>The Pooh, Winnie</u> Birthdate: <u>6/8/2011</u> IEP Date: <u>4/12/2018</u> Strengths/Preferences/Interests Winnie loves to read for pleasure, especially science fiction books. He enjoys Harry Potter and and going to Universal. Parent input and concerns relevant to educational progress Parents are concerned about student's reading level. They are expressed concerns about his lack of friendships. Smarter Balanced Assessment Consortium (SBAC) ☐ Not Applicable English/Language Arts Overall ☐ Standard Exceeded ☐ Standard Met ☐ Standard Nearly Met ☒ Standard Not Met Reading ☐ Above Standard ☐ Near Standard ☒ Below Standard Writing ☐ Above Standard ☐ Near Standard ☒ Below Standard Speaking and Listening ☐ Above Standard ☐ Near Standard ☒ Below Standard Research/Inquiry ☐ Above Standard ☐ Near Standard ☒ Below Standard Math ☐ Not Applicable Math Overall ☐ Standard Exceeded ☐ Standard Met ☒ Standard Nearly Met ☐ Standard Not Met Concepts and Procedures ☐ Above Standard ☒ Near Standard ☐ Below Standard Problem Solving and Data Analysis ☐ Above Standard ☒ Near Standard ☐ Below Standard Communication Reasoning ☐ Above Standard ☒ Near Standard ☐ Below Standard California Alternate Assessments (CAA) ☒ Not Applicable English Language Arts ☐ Understanding ☐ Foundational Understanding ☐ Limited Understanding Math ☐ Understanding ☐ Foundational Understanding ☐ Limited Understanding Science ☐ Understanding ☐ Foundational Understanding ☐ Limited Understanding English Language Development Test (English Learners Only) ☐ Not Applicable ☒ ELPAC Overall Score: <u>1525</u> Overall Performance Level: <u>3</u> Oral Language Score/Level: <u>1510/3</u> Written Language Score/Level: <u>1540/3</u> Listening: <u>Well Developed</u> Speaking: <u>Somewhat/Moderately</u> Reading: <u>Somewhat/Moderately</u> Writing: <u>Somewhat/Moderately</u> ☐ Alternate Assessment Overall Score/Level: _____ Name: _____ Listening: _____ Speaking: _____ Reading: _____ Writing: _____ Physical Education Testing (grades 5, 7 & 9): Other Assessment Data (e.g., curriculum assessment, other district assessment, etc.)		Student Strengths, Preferences, and Interests: Both inside and outside of school Parent concerns: Related to the child's education
State Testing Scores from Last Available State Assessment		
If student is an English Learner, their scores on the English Proficiency test Physical Education Testing Scores		
Vision/Hearing Test Results		
Present Levels of Performance: In the different domains that may affect Education performance. Students may or may not have deficits in these areas.		
Areas of Need: Goals address these areas		

■ Special Factors

This section contains information about any additional special factors that are impacting the student's ability to access the curriculum (for example, being deaf or blind, being an English Language Learner, or having significant behavioral needs). If a student has a Behavior Intervention Plan (BIP), it will be noted here and often attached to the I.E.P. just after this section. Sometimes, however, the BIP is attached at the end of the IEP, after the notes page.

Page ____ of ____

FOOTHILL SELPA
SPECIAL FACTORS

Student Name: The Pooh, Winnie Date of Birth: 5/19/2000 IEP Date: 9/20/2018

Does the student require assistive technology devices and/or services? ☐ No ☒ Yes
Rationale: Winnie needs access to a computer on campus that has word processing capabilities with word prediction and spell check

Does the student require low incidence services, equipment and/or materials to meet educational goals? ☒ No ☐ Yes
(If yes, specify)

Considerations if the student is blind or visually impaired: Winnie is not blind or visually impaired

Considerations if the student is deaf or hard of hearing: Winnie is not deaf or hard of hearing

If the student is an English Learner, complete the following section:
Does the student need primary language support? ☒ No ☐ Yes If yes, how will it be provided? _____
What will be the language of instruction for the student? English

Who will provide ELD services to student? ☐ General Education ☒ Special Education
What type of classroom setting will the student attend? ☒ English Language Mainstream ☐ Structured English Immersion ☐ Alternative Program (primary language instruction)

Comments: Winnie will receive ELD support in Basic English Class

Does student's behavior impede learning of self or others? ☐ No ☒ Yes Winnie is often sent out of the room for defiant and disrespectful behavior when he is asked to complete work that is challenging for him. When out of the room he misses instruction and does not complete assignments.

If yes, specify positive behavior interventions, strategies, and supports IEP goals and accommodations will be created to help Winnie learn skills to help him regulate his behavior and ask for help.

☒ Behavior Goal is part of this IEP ☒ Behavior Intervention Plan (BIP) attached

States whether student require assistive technology or low incidence services

Completed if student is an English Learner (EL)

Completed if student has behavior(s) that impede their learning. States how behavior will be addressed

■ Statewide Assessments

This page contains information about the student's participation in the Statewide Assessment Program and the accommodations or modifications the student will use on these tests.

FOOTHILL SELPA
Statewide Assessments

Student Name: The Pooh, Winnie Birthdate: 6/8/2011 IEP Date: 4/12/2018

Indicate student's participation in the California Assessment of Student Performance and Progress (CAASPP) below:

English Language Arts (Grades 3-8, & 11)

11 With testing accommodations

☐ SBAC with Designated Supports Embedded
☐ SBAC with Designated Supports Non-embedded
☐ SBAC with Accommodations Embedded
☐ SBAC with Accommodations Non-embedded
☐ SBAC with Accessibility Support (requires CDE Approval)

Math (Grades 3-8, & 11)

11 With testing accommodations

☐ SBAC with Designated Supports Embedded
☐ SBAC with Designated Supports Non-embedded
☐ SBAC with Accommodations Embedded
☐ SBAC with Accommodations Non-embedded
☐ SBAC with Accessibility Support (requires CDE Approval)

Science (Grades 5, 8 & High School)

11 With testing accommodations

☐ CAST with Designated Supports Embedded
☐ CAST with Designated Supports Non-Embedded
☐ CAST with Accommodations Embedded
☐ CAST with Accommodations Non-Embedded
☐ CAST with Accessibility Support (requires CDE Approval)

☐ If student is taking Alternate Assessment the IEP team has reviewed the criteria for taking alternate assessments.

Physical Fitness Test (Grades 5, 7 & 9)

☐ Out of testing range
☐ Without Accommodations
☐ With Accommodations
☐ With Modifications (Check with PFT Office prior to use)

☐ Other State-Wide/District-Wide Assessment(s) (Alternate Assessment(s))

☐ Desired Results Developmental Profile (DRDP) -- (Preschoolers Ages 3, 4 and 5 years)
☐ Assessments Not Applicable ☐ Sensory support ☐ Functional positioning
☐ Alternative response mode ☐ Assistive equipment or device ☐ Visual support
☐ Alternative mode for written language ☐ Augmentative or alternative communication system

English Language Proficiency Assessments of California (ELPAC), for English Learners Only:
Please Note: Summative ELPAC will be Computer-based beginning Spring 2020. Paper-based ELPAC will continue for Initial ELPAC and grades Kindergarten through 2nd (for the Writing domain only).

Page ____ of ____

☐ Initial ELPAC
☐ Without Designated Supports (All domains)
☐ Designated Supports (All domains)
☐ Without Accommodations (All domains)
☐ Accommodations (All domains)

☐ Summative ELPAC Computer-based
☐ Without Designated Supports (All domains)
☐ Embedded Designated Supports
☐ Non-embedded Designated Supports
☐ Without Accommodations (All domains)
☐ Embedded Accommodations
☐ Non-embedded Accommodations

☒ Alternate Assessment to ELPAC
If yes, review of alternate assessment: ☐ Listening ☐ Speaking ☐ Reading ☐ Writing
Name of alternate assessment(s): _____
Person responsible to administer alternate assessment(s): _____

☒ Standards based Tests in Spanish STS
☐ Math without Designated Supports or Accommodations
☐ Math with Designated Supports
☐ Math with Accommodations
☐ Reading, Language, Spelling without Designated Supports or Accommodations
☐ Reading, Language, Spelling with Designated Supports

Lists the different statewide assessments that students in public education take. Depending on your child's age, different test will be required. Each test has its own applicable accommodations and/or modifications. The IEP should determine which tests are appropriate and what supports the student will need to get an accurate evaluation

■ Annual Goals and Benchmarks/Short-Term Objectives

Areas of need that were identified in the Present Levels section are addressed by annual goals, and may include short-term objectives. This form also references the state standard being addressed by the goal, if applicable.

Identifies area of need that goal will address and the students current level of performance in this area (baseline).

The annual goal for the student to reach. Must be appropriate and measurable. Lists if the goal is standards based and the person responsible for reporting on the goal progress.

If a goal requires or if the IEP team deems appropriate, short term objectives are created for the goal. **Students on a functional curriculum must have short term objectives.*

Progress on goals is reported here or on a separate Progress Report Summary.

FOOTHILL SELPA
ANNUAL GOALS AND OBJECTIVES

Page ____ of ____

Student Name: The Pooh, Winnie Date of Birth: 5/19/2000 IEP Date: 9/20/2018

Area of Need: Measurable Annual Goal#

Goal: _____

Baseline: _____

☐ Enables student to be involved/progress in general curriculum/state standard _____

☐ Addresses other educational needs resulting from the disability

☐ Linguistically appropriate

☐ Transition Goal: ☐ Education/Training ☐ Employment ☐ Independent Living

Person(s) Responsible: _____

Short-Term Objective: _____

Short-Term Objective: _____

Short-Term Objective: _____

Progress Report 1:
Summary of Progress
Comment: _____

Progress Report 2:
Summary of Progress
Comment: _____

Progress Report 3:
Summary of Progress
Comment: _____

Annual Review Date: _____

Goal Met: ☐ Yes ☐ No Comments: _____

■ Services – Offer of FAPE

The Special Education services to be provided are listed here, with specific information about start/end dates, duration, and frequency. This section also indicates what environmental, instructional, or behavioral accommodations are required in order for the students to be able to access the curriculum.

Lists the service options considered by the IEP team based on the unique needs of your child. Also lists the IEP team's recommendation of the Least Restrictive Environment (LRE).

If the IEP team determines accommodations are necessary for the student to access their curriculum, the program accommodations are listed here.

FOOTHILL SELPA
Offer of FAPE - SERVICE

Page ____ of ____

Student Name: Winnie The Pooh Birthdate: May 19, 2000 IEP Date: 9/20/2018

The service options that were considered by the IEP team (List all): The team discussed placement options, including general education and special education, including general education with supports, general education with special education collaborative supports and specialized academic instruction in a separate class.

In selecting LRE, describe the consideration given to any potential harmful effect on the child or on the quality of services that he or she needs: The team considered a continuum of placement options and determined that Winnie requires specialized academic instruction in a small group setting in order to advance on his goals and access the curriculum at this time and agreed that there are no potential harmful effects, as Winnie requires such placement and services to make progress. This is the LRE for Winnie. Due to the nature and of his disability, education solely in a general education placement cannot be achieved satisfactorily.

SUPPLEMENTARY AIDS & SERVICES AND OTHER SUPPORTS FOR SCHOOL PERSONNEL, OR FOR STUDENT, OR ON BEHALF OF THE STUDENT

☒ The IEP team discussed and determined program accommodations are not needed in general education classes or other education-related settings.

☐ The IEP team discussed and determined the following program accommodations are needed in general education classes or other education-related settings.

Program Accommodations	Start Date	End Date	Location
Human Reader			School
Reduced/shortened assignments.			
Access to technology on campus.			
Bathroom break pass and unrestricted access to liquids (medical card issued by nurse).			
Preferential seating near point of instruction.			
Short visual breaks between assignments.			
Special projects in lieu of assignments (discussed with teacher prior to assignment).			
Alternative response for scantron tests (students marks answers on test).			
Provide a "near copy" of materials being presented on the board/projector screen/document reader etc.			
Flexible setting.			
Use of phone approved by administration to reach out to therapist for coaching.			
Student must not be called on to read aloud in class.			

■ Services – Offer of FAPE (Continued)

If the IEP team determines modifications or supplemental aids are necessary for the student to access their curriculum, the program modifications and supplemental aids are listed here.

If the IEP team determines that a student requires a service, the service is list here, including the frequency and duration of the service and the service delivery model. If the IEP team determines a student is eligible for ESY, those services are listed here as well.

☒ The IEP team discussed and determined program modifications are not needed in general education classes or other education-related settings. ☐ The IEP team discussed and determined the following program modifications are needed in general education classes or other education-related settings.					
Program Modifications	Start Date	End Date	Frequency	Duration	Location
Out of grade level curriculum	12/18/2017	12/17/2018			All Classrooms
Grades based on effort and work towards mastering goal areas, not based on academic criteria	06/22/2018	08/29/2018			School
Allow take-home or open-book tests	06/22/2018	10/11/2018			School
☒ The IEP team discussed and determined other supports for school personnel, or for student, or on behalf of the student are not needed. ☐ The IEP team discussed and determined the following other supports for school personnel, or for student, or on behalf of the student are needed.					
Other Supports for School Personnel, Or for Student, Or on Behalf of Student	Start Date	End Date	Frequency	Duration	Location

Page ____ of ____

SPECIAL EDUCATION and RELATED SERVICES

Service: Specialized Academic Instruction	Start Date: 2/3/2017	End Date: 10/27/2017
Provider: District of Service	☐ Ind ☒ Grp ☐ Sec Transition	
Duration/Freq: 55 min x 1 Totaling: 55 min served Daily	Location: Separate classroom in public integrated facility	
Comments: Programs and services will be provided according to where student is in attendance and consistent with the district of service calendar and scheduled services, excluding holidays, vacations, and non-instructional days unless otherwise specified.		
Special Education Transportation ☒ No ☐ Yes EXTENDED SCHOOL YEAR (ESY) ☐ Yes ☒ No		
Rationale: Programs and services will be provided according to where student is in attendance and consistent with the district of service calendar and scheduled services, excluding holidays, vacations, and non-instructional days unless otherwise specified.		

■ Educational Setting – Offer of FAPE

The information in this section indicates what type of school the student will be attending, and what percent of his day will be in the special education setting.

OFFER OF FAPE - EDUCATIONAL SETTING

Student Name: The Pooch, Winnie Birthdate: 6/8/2011 IEP Date: 4/12/2018

Physical Education: ☒ General ☐ Specially Designed ☐ Other

District of Service: Burbank Unified School of Attendance: Joaquin Miller Elementary

All special education services provided at student's school of residence? ☐ Yes ☒ No (rationale) Winnie's home school does not have a Special Day Class to support his academic and behavioral needs.

Preschool Program Setting (Ages 3-5 only, including those in TK and Kindergarten):
 (Note: Answer items below for students ages 3-5 in Regular Early Childhood Program or Kindergarten)

The location where the student receives the majority of their special education services:
☐ Same as above ☐ Different from above

Is the Regular Early Childhood Program or Kindergarten Program ten hours per week or greater? ☐ Yes ☐ No

Program Setting (Ages 6 and older within duration of this IEP): Regular Classroom/Public Day School
 (Note: Percentage of time is required for those that will be age 6 and older within the duration of this IEP)

13 % of time student is outside the regular class & extracurricular & non academic activities
87 % of time student is in the regular class & extracurricular & non academic activities

Student will not participate in the regular class and/or extracurricular and/or non academic activities: for parts of English and Math because Winnie requires a small group setting with specialized academic instruction to access the general education classroom.

Other Agency Services
☐ County Mental Health
☐ California Children's Services (CCS)
☒ Regional Center
☐ Probation
☐ Department of Rehabilitation
☐ Department of Social Services (DSS)
☐ Other

Promotion Criteria: ☒ District ☐ Progress on Goals ☐ Other

Parents will be informed of progress: ☐ Quarterly ☒ Trimester ☐ Semester ☐ Other

How? ☒ Progress Summary Report ☐ Other

ACTIVITIES TO SUPPORT TRANSITION (e.g. preschool to kindergarten, special education and/or NPS to general education class, 8th-9th grade, etc)
Student will receive counseling two weeks prior to the start at the new school. Student will begin with 3 periods a day and then transition to a full day after the first 5 weeks. Student will also tour the new school with parents and an administrator, a week before school starts.

Lists the type of Physical education a student will receive. Lists if student is attending their school of residence, and lists the percentage of time the student is in and out of the general education environment and the rationale for this time out of the general education program.

Lists other agencies that support the student.

Describes promotion criteria, how progress will be reported, how transition will be supported and whether the student is on diploma or certificate track.

■ **Individual Transition Plan (ITP)**
(For student 16 years of age or older)

These pages are completed by interviewing the student and administering transition assessments. They help the student think about where they see themselves in the future. They also helps the IEP team to think about what classes and training the student might need in order to meet the student's needs.

FOOTHILL SELPA
INDIVIDUAL TRANSITION PLANNING (ITP)

Page ____ of ____

Student Name: The Pooch, Winnie Date of Birth: 5/19/2000 IEP Date: 8/20/2018

Student Invited: ☒ Yes ☐ No If Appropriate, and agreed upon, agencies invited:
☐ Yes ☒ No ☐ N/A

Describe how the student participated in the process: ☒ Present At Meeting ☒ Interview Prior
☒ Interest Inventories ☒ Questionnaire

Age-appropriate transition assessments/instruments were used: ☒ Yes ☐ No

Describe the results of the assessments:
Winnie is a great student who enjoys school and socializing with peers. He is very well tempered and respects authority. Winnie is looking forward to finishing high school and would like to attend a culinary institute and become a chef or open their own catering company. Winnie also took the career interest inventory. After the inventory was completed Winnie's three top career choices are education, accounting, and medical assistant. Winnie is interested into working into other careers beside Culinary arts, but has a very difficult time with math so does not feel accounting would be a good match. Based on other assessment, Winnie is very social and enjoys helping people.

Student's Post Secondary Goal Training or Education (Required):
Upon completion of school I will: Go to a community college or trade school
Transition Service Code as Appropriate: 330 Specialized Academic Instruction
Activities to Support Post Secondary Goal:
Student will understand a research options for post-secondary training and education
Student will explore careers and jobs related to a variety of training
Student will conduct research on a topic of health, create and present the information to an audience.
Community Experiences as Appropriate:
Related Services as Appropriate: 330 Specialized Academic Instruction
Linked to Annual Goal # 4
Person/Agency Responsible: case manager

Student's Post Secondary Goal Employment (Required):
Upon completion of school I will: have a full time job in the area of education
Transition Service Code as Appropriate: 330 Specialized Academic Instruction
Activities to Support Post Secondary Goal:
Student will identify areas of interest for future employment
Student will understand relationship between past experience and interests in future choices.
Student will learn self advocacy and goal setting
Student will complete assignments using Microsoft Word, power point and excel
Community Experiences as Appropriate:
Student will be invited to participate in an employment fair at school
Related Services as Appropriate:
Linked to Annual Goal # 2,3
Person/Agency Responsible: case manager

Student's Post Secondary Goal Independent Living (As appropriate):
Upon completion of school I will: Live independently or with roommates
Transition Service Code as Appropriate: 330 Specialized Academic Instruction
Activities to Support Post Secondary Goal:
Student will identify basic budgeting practices
Student will understand the difference between checking and savings accounts
Student will identify and learn ways to manage time
Student will identify leisure activities.
Community Experiences as Appropriate:
Student will be invited to go on a field trip to the local credit union.
Related Services as Appropriate:
Linked to Annual Goal # 5
Person/Agency Responsible: case manager

(1)

(2)

(3)

FOOTHILL SELPA
INDIVIDUAL TRANSITION PLANNING (ITP)

Page ____ of ____

Name: The Pooch, Winnie Date of Birth: 5/19/2000 IEP Date: 8/20/2018

District Graduation Requirements:

Course of Study
A multi-year description of student's coursework from current year to anticipated exit year, in order to enable the student to meet their post secondary goal. ☒ Yes ☐ No
A course of study is an annual description of coursework (classes or functional curriculum) that would assist the student to make progress towards his/her desired measurable post-secondary goals.
Examples:
Student will complete core courses leading to a high school diploma (community college) OR
Student will complete course of study for CSU/UC track, OR
Student will complete coursework leading to a certificate of completion
**If a student is behind on units note a plan of how a student is going to make up those credits. (example: take a summer school class, credit recovery, extra period during the day, Adult School)

Units/Credits Completed: # of credits student has earned to-date: _____ Units/Credits Pending: _____
Student's course of study leads to: _____ Anticipated Completion Date: _____
(Select one option below) ☐ Certificate of Completion ☒ Diploma

Age of Majority:
☐ On or before the student's 17th birthday, he/she has been advised of rights at age of majority (age 18)
By whom: _____ Date: _____
When you reach the age of 18, the age of majority, you have the right to receive all information about your educational program and make all decisions related to your education. This includes the right to represent yourself at an IEP meeting and sign the IEP in place of your parent or guardian.

Is there an appropriate measurable post secondary goal(s) that covers education or training, employment and, as needed, independent living? ☒ Yes ☐ No
Is the Post secondary goal(s) addressed/updated in conjunction with the development of the Annual IEP? ☒ Yes ☐ No
Are there transition services included in the IEP that will reasonably enable the student to meet his or her post secondary goals? ☒ Yes ☐ No
Are there annual goal(s) included in the IEP that are related to the student's transition services needs? ☒ Yes ☐ No

Three Post-Secondary goal areas:
(1) Training or Education,
(2) Employment,
(3) Independent Living

Graduation Status
Notice of Age of Majority date

■ **IEP Meeting Notes**

This page should represent the topics discussed and the agreements made by the IEP teams. It is not a transcript of the meeting, but a summary of what occurred. Every team member should carefully listen to the notes read aloud (or request to read the written copy, if preferred), at the conclusion of the meeting. At this time, the parent, or any team member, can request any needed corrections or revisions. However, if on subsequent reflection after the meeting, the parent believes the notes do not accurately reflect the discussion, the parent may contact the case manager to request a correction, or the parent may submit the correction in writing to the case manager and request that it be attached to the IEP meeting notes.



Parent Tip: Small wording changes that don't result in substantive changes to the IEP and corrections to inaccuracies can be made to the meeting notes. But larger concerns/changes may require a re-convene of the IEP team.

■ Signature and Parent Consent

All persons attending an IEP meeting are asked to sign the IEP to indicate their participation; however, only the parent/guardian is asked to approve the IEP as an IEP cannot be implemented without parent approval.

You may be prepared to sign the IEP at the meeting. Or, you may take a copy of the IEP document home to review and discuss. However, if you do so, you should sign that you were in attendance only and return it promptly. If your child has an existing IEP, it will continue to be implemented until the new IEP is signed.

If you disagree with some of the IEP, you may approve only the part of the IEP with which you agree. The parts of the IEP with which you agree will be implemented. You will need to request an informal meeting (another IEP meeting), an informal dispute resolution meeting ("IDR"), mediation, or a hearing to resolve any areas of disagreement.

Page ____ of ____

**FOOTHILL SELPA
SIGNATURE AND PARENT CONSENT**

Student Name The Pooh, Winnie Date of Birth 5/19/2000 IEP Date 9/20/2018

IEP Meeting Participants

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

CONSENT

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

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

Signature below is to authorize and approve the IEP.

Signature _____ Date _____
☐ Parent ☐ Guardian ☐ Surrogate ☐ Adult Student

Signature _____ Date _____
☐ Parent ☐ Guardian ☐ Surrogate ☐ Adult Student

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

Signature _____
☐ Parent ☐ Guardian ☐ Surrogate ☐ Adult Student

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

The top set of lines is for signing in attendance. All members of the team should sign and date this portion of the consent form at the meeting.

Initial the box if you give full consent (top box), partial consent (2nd box), decline services (3rd box), Acknowledge the student is not eligible (4th box), or no longer eligible (5th box)

If you authorize and approve of the IEP (including if you signed with exceptions), you will sign and date the IEP here. Once the IEP is signed it goes into effect.

*For information about the LEA Billing Option Program see Appendix F

Section VI

Summary of Procedural Steps for Referral, Assessment, and IEP Development

STEP 1	STEP 2	STEPS 3 & 4	STEP 5
THE REFERRAL	THE REQUEST FOR ASSESSMENT	THE ASSESSMENT PLAN & THE ASSESSMENT PERIOD	THE IEP
(within 15 calendar days of request to assess*)		(within 60 calendar days of receipt of signed Assessment Plan*)	
Step is initiated when:	Step is initiated when:	Step is initiated when:	Step is initiated when:
Parent or school personnel request a meeting of the student Success/study team (SST) and/or consideration of special education evaluation.	Parent is informed in writing of district's intent to refer student for special education evaluation.	School District receives written approval of Assessment Plan.	Case-Manager schedules IEP team meeting at date and time when all necessary IEP team members can attend; sends written invitations to potential members. Parents may invite others to attend.
Step usually includes:	Step includes:	Step usually includes:	Step includes:
The SST: Documents evidence of student's problem areas and modifications /strategies attempted in the general education program; <i>or</i> determines such intervention is not appropriate; <i>and</i> determines there is reasonable cause to suspect that the student has a disability and his/her needs cannot be met in the general education program even with modifications.	A form that details reason for assessment; areas to be assessed; personnel conducting assessments; and types of tests or procedures to be used.	Class/situational observation; formal/informal testing; review of school records and gathering of information on such areas as health and developmental history, social/adaptive behaviors, speech/language performance achievement scores, and other pertinent data.	If the student is found eligible for special education: Developing an IEP that contains present levels of educational performance; annual goals (and objectives); placement information; designated instruction and services; annual review and 3-year reassessment dates; and signatures of participants. If the student is not found eligible for special education, an IEP is not developed and the team may discuss general education interventions/supports if needed.
Step ends when:	Step ends when:	Step ends when:	Step ends when:
Parent informed in writing of district's intent to refer student for special education evaluation or other interventions are implemented and SST will reconvene at a later date to review progress.	Assessment Plan is sent to parent for written approval. Notice of parent rights is included in the mailing.	Assessment personnel complete written reports.	Parent signs approval of IEP.
		*Does not apply during June - August, or other breaks of more than 5 calendar days, or for referrals received within the last 10 calendar days of a school year.	

STEP 6 IEP IMPLEMENTATION	STEP 7 ANNUAL REVIEW IEP	STEPS 8 TRIENNIAL REASSESSMENT
Step is initiated when:	Step is initiated when:	Step is initiated when:
Parents approve IEP. School district has parent signed/consented copy of IEP.	Case-Manager schedules IEP team meeting at date and time when all necessary IEP team members can attend; and sends written invitations to potential members. Parents may invite others they wish to attend.	School district develops assessment plan and sends to parent for written approval; school district receives written approval of Assessment Plan.
Step usually includes:	Step usually includes:	Step usually includes:
Provision of specially designed instruction and services as designated on the IEP.	IEP team: ▪ Reviews IEP, progress, and appropriateness of special education program placement. ▪ Reviews written or verbal reports of service providers. ▪ Develops new or modified goals (and objectives). ▪ (If the student is in 9th grade or above) Develops individualized transition plan (ITP), including planning for post-school goals. ▪ Identifies appropriate placement.	Review of records; teacher/parent/student interviews; observations; and formal/informal testing.
Step ends when:	Step ends when:	Step ends when:
IEP team develops new IEP approved by parent.	New IEP is approved by parent, or student leaves school.	Assessment personnel complete written reports. Results are reviewed at next annual review IEP team meeting or sooner, if assessment results suggest a change of program/service are necessary.

Section VII

What are My Legal Rights as a Parent/Guardian?

Laws Governing Special Education

You, the parents, and your child with special needs have certain legal rights. Two laws have had the greatest impact on how special education programs are structured and administered. They are:

1. Individuals With Disabilities Education Act (IDEA 2004)

This Federal law requires that states provide a free and appropriate public education for students with special needs.

2. Senate Bill 1870 (Sections 56205, 56206, 56208, 56211, 56213, 56241, 56243, 56244, & 56245 of the California Education Code).

This 1980 California law describes the Master Plan for special education and the services available in California. One of the major features of the California Master Plan is parent involvement.

These laws protect your rights to be fully informed and to participate in all the planning for decisions about your child's schooling.

You Are Entitled to:

1. Receive written notice from the school asking for your consent to assess your child.
2. Participate in the planning and development of your child's Individual Education Program, and to receive a copy.
3. Receive a full explanation of your rights. See Appendix A, Procedural Rights and Safeguards.
4. Receive written notice before any proposed changes to your child's IEP.
5. Review your child's school records with a school administrator.
6. Participate in the annual review and revision of your child's IEP.
7. Receive a full explanation of your child's assessment results. If there is a disagreement about the findings, the district may offer a second assessment. You may agree to it or you may request an Independent Education Evaluation (IEE). The district will work with the parent regarding the IEE, may provide you with a list of professionals from which you may choose or may file for due process.
8. File a complaint with the district and/or the state if you believe the district is out of compliance with the law relative to special education services for your student.
9. Request a Due Process Hearing when you and the school cannot agree on what type of program will be most helpful for your child.

Protections: Methods of Resolving Problems and Disagreements

With the interests of the child at the heart of the process, every effort should be made for the IEP team to reach agreement. It is appropriate for the team to agree to implement areas where there is agreement immediately, while working to reach agreement in other areas.

Things the IEP team should consider doing to reach consensus including having additional or different administrators, professionals, or persons with expertise join (or leave) the IEP team, exchange written information to clarify or elaborate on IEP team discussion, including further evaluations, and reports, take time to discuss options in more depth, and having parents spend more time observing various classrooms and programs.

If it is difficult for the particular members of the IEP team to reach consensus as a group, parents often find it helpful to meet or talk with specific individuals for clarification. Through concerted work on focused areas of disagreement it is often possible to reach agreement. Those areas can be recorded in the IEP without convening the entire IEP team, after the annual IEP meeting is held. In addition, the parent and district may agree to develop a written amendment or modification to the IEP, often called an “IEP Amendment”, without convening an IEP meeting.

If the school district refuses to take a particular action you have requested, or wants to do something you do not agree to, or for any proposed or refused change of eligibility, evaluation, placement or service, or refusal to include such items in an IEP, the district is required to provide what is called “Prior Written Notice.” The district must put in writing:

- a)** A description of the action proposed or refused by the district;
- b)** An explanation of why the district proposes or refuses to take the action and a description of each evaluation procedure, assessment, record, or report the district used as a basis for the proposed or refused action;
- c)** A statement that the parents of a child with a disability have protection under the procedural safeguards;
- d)** A description of other options considered by the IEP team and the reason those options were rejected;
- e)** Sources for parents to contact to obtain assistance in understanding their rights; and
- f)** A description of the factors that are relevant to the district’s proposal or refusal. (14 USC §1415(c)(2)(B)(i)(I); 34 C.F.R. § 300.508€; Cal. Educ. Code § 56502(d)(2))

This information is important for parents to have in the event of disagreement, as you need as much information as possible before deciding whether legal action is needed, and which type of process is most appropriate for your situation. If you have a problem getting the notices you need in writing from the school district, you should contact the Director of Special Education, as this is a legal requirement. Having a written explanation of why the district holds the position it does is important if you decide to file for due process.

How to Resolve Disputes - Informal

The intent of special education law is to provide a free appropriate public education for each child that will meet his or her unique needs and provide educational benefit. School personnel will try their best to make changes in your child's program that you feel are needed. Sometimes, however, the school team members may not agree with you or may not be able to meet your request. If this happens, and you and the school are not able to agree over how to meet your child's educational needs, you, as parents, have options available to you to resolve these disputes.

1. Contact your Case Manager. The first step should be to explain the problem to your child's case manager (special education teacher). Many concerns are resolved at this time.
2. Contact the school administrator in charge of Special Education—the Assistant Principal or Principal. If you feel your concern(s) haven't been fully resolved by the case manager, bring it to the attention of the administrator. Many concerns are resolved at this time.



Parent Tip: Put your concerns in writing. A good way to do this is to send an email or note to the Assistant Principal or Principal thanking him/her for your meeting and summarizing what occurred.

3. Contact Special Education Leadership Team at the District Office: Program Specialist, Coordinator or Director of Special Education. If you feel your concern(s) haven't been fully resolved by the school administrator, the next step should be to explain the problem to the Director of Special Education or other member of the district Special Education Leadership Team. Do not hesitate to contact the Director of Special Education to help. Nearly all concerns are resolved at this time.



Parent Tip: At this point, you should send a formal letter or email to the Director describing your concern(s). You may want to summarize what steps you have taken to resolve your concern(s).

How to Resolve Disputes – Formal

Amendment Meeting

Some parents feel strongly that their children's programs and services should be written into an IEP document in order to preserve important procedural protections. You may meet with an administrator who has the authority to resolve disagreements within your child's IEP. If an agreement is reached, the programs and services will be written into your child's IEP as an amendment. When services are in an IEP, in the event of a disagreement or failure to come to immediate consensus, the services continue until the disagreement is resolved.

Alternative Dispute Resolution

When disagreements cannot be resolved at the IEP meeting level, confidential agreements are sometimes used as a way to resolve disputes outside the IEP. These formal meetings should not be confused with the resolution session meeting that is part of Due Process, which is a legal process described below. Again, you can also meet with a school district administrator and record your agreements in the IEP as an amendment. You should seek legal advice before entering into a confidential settlement agreement.

You may also contact the Foothill SELPA for help with resolving disputes. (See Section VIII)

Legal Complaints

When working with local staff is unsuccessful you may need to file a legal complaint. These courses of action include:

- Mediation Only Due Process
- Mediation Conference
- Due Process/Fair Hearing
- Uniform Complaint Procedure/Williams Complaint Procedure sent to BUSD
- Compliance Complaint to the California State Department of Education
- Compliance Complaint to the Office for Civil Rights (OCR) of the U.S. Department of Education.

Should you decide to pursue any of the above processes, you would be wise to request your child's records in writing. A parent or student has legal rights to access student records. The law requires confidentiality. Your child's complete assessment and IEP are maintained separately from other school records. The district is required to provide copies of your child's records within five business days. The district may charge you for the cost of the photocopies.

1. *Mediation Only Due Process*

State law provides an avenue for resolution of issues that does not require a due process hearing to be requested. The mediation only process is voluntary, and can be initiated when either the parent or the school district sends a written request to the Office of Administrative Hearings (OAH) and a copy of the request to the other party. Requesting mediation is not a prerequisite to requesting a due process hearing.

If you request mediation under these procedures, it must be scheduled within 15 days and completed within 30 days of your request. It will be conducted by a neutral mediator assigned from the Office of Administrative Hearings (OAH). While attorneys are not allowed to attend these mediations, both the parents and school district may seek the advice of an attorney outside of the mediation and/or may have a non-attorney representative present (such as an educational advocate).

If the parties participate in mediation and reach a mutual resolution of the issues, a settlement agreement will be drafted and signed to memorialize the terms of that agreement. If the parties do not resolve their issues, either party may still request a due process hearing.

2. *Due Process/Fair Hearing*

When the parents of a student with disabilities and the school district disagree about the child's eligibility, placement, program needs or services, either side can request a due process hearing. At the hearing, both sides present evidence by calling witnesses and submitting any reports and evaluations that support their position. A hearing officer reviews school and parent documents, listens to witnesses and decides what programs and actions are appropriate. A due process hearing is generally not appropriate for issues addressed by the compliance complaint process (see below), such as procedural errors or implementation of IEPs. Both sides may be represented by attorneys.

How to file for a Due Process/Fair Hearing

To initiate due process proceedings, a parent or a school district must submit a written request for a due process hearing to the Office of Administrative Hearings (OAH) with a copy provided to the other party. The request must include the following information: the name and address of residence of the child (or contact information, if the child is homeless); the school the child is attending; a description of the nature of the problem (including facts related to the problems); and a proposed resolution of the problem (to the extent known and available).

The form for a request for mediation and due process/fair hearing can be found on the OAH website, www.oah.dgs.gov. You may send your written request for a hearing to:

Office of Administrative Hearings
Special Education Division
2349 Gateway Oaks Drive, Suite 200
Sacramento, CA 95833-4231

What happens after a Due Process hearing is requested?

If a hearing is requested by a parent, before a hearing can take place, the parties must first participate in a resolution session meeting. This meeting must be scheduled within 15 calendar days after the request for due process hearing is received by the district. Participation in a resolution session meeting is a pre-requisite to a due process hearing, unless both the parent and the school district agree to waive it. If the parties participate in a resolution meeting and reach a mutual resolution of the issues, a settlement agreement will be drafted and signed to memorialize the terms of that agreement. However, there will be a 3-day waiting period after the resolution session before the settlement agreement becomes final.

At any time after the initial resolution session and before a due process hearing, if a case remains unresolved, the parties can decide to participate in a due process mediation. This process is voluntary and is not a pre-requisite to a due process hearing. It will be conducted by a neutral mediator assigned from the OAH. The mediator assigned to the case will not be the same person who hears the case should

the matter not resolve and proceed to a due process hearing. If the parties reach a mutual resolution of the issues, a settlement agreement will be drafted and signed to memorialize the terms of that agreement and the due process hearing request will be dismissed (i.e., the case will be closed).

Should all attempts at resolution fail, the parties will proceed to a due process hearing. State and Federal law require that a due process hearing be convened and a decision rendered within 75 calendar days after the due process hearing has been requested. Due process hearings may only be continued (or delayed) upon showing of good cause.

When would I request a due process hearing?

You may request a Due Process hearing after an IEP meeting if:

- a) You disagree with the special education service or placement being proposed by the district.
- b) When the district refuses to provide an assessment, a service, or a placement for your child which you believe is necessary.

What happens to my child if I file for a due process hearing?

Your child will remain in his or her current educational placement and have his or her current IEP fully implemented from the time you request a hearing until the due process hearing proceedings are completed. This is called “Stay Put.”

What are my rights when I file for Due Process?

- To obtain a Due Process hearing date within a specific time after a written request is received.
- To be represented by an attorney. (You have the choice to hire an attorney or not.)
- To present evidence, question, cross-examine, and require the attendance of witnesses.
- To obtain a word-for-word record of the proceedings at the hearing.
- To obtain a written report of the findings of the hearing and the decision reached.
- To appeal the final administrative decision by the court hearing officer.

If I lose the Due Process hearing, can I do anything?

Both sides have the right to appeal to federal court within 90 days of receipt of the administrative hearing decision.

3. *Complaint to the California Department of Education (CDE)*

What is a Compliance Complaint?

Parents can also file a complaint directly to the California State Department of Education (CDE). An investigator from the CDE or your local school district investigates the allegations and makes a written determination of whether the district was “out of compliance” with the law or with the student’s IEP. The CDE will order the school district to come back into compliance through corrective action, if they are found “out of compliance.” You may make a Public Records Act request to CDE to obtain the complete file of the complaint, or request the file as student records from the school district.

How do I file a compliance complaint with the CDE?

A sample letter appears in the appendices. To file a compliance complaint with the CDE, write to:

Complaint Management and Mediation Unit
Special Education Division
California State Department of Education
515 L Street, Suite 270
Sacramento, CA 95814

The CDE has 60 calendar days from receipt of the complaint to carry out any necessary investigation and to resolve the complaint. The CDE will refer some complaints to the district for self-investigation. The CDE must intervene in any of the following situations:

- (1) The complaint indicated that the school failed or refused to implement a due process hearing order.
- (2) The complaint indicates that the child or group of children may be in immediate physical danger, or that the health, safety, or welfare of a child or group of children is threatened.
- (3) The complaint indicates that a student with disabilities is not receiving the special education or related services specified in the student’s IEP.
- (4) The complaint involves a violation of federal law governing special education.

Can a local school district try to mediate a complaint as part of its local investigation process?

Yes. This mediation process cannot extend the 60-day timeline for resolving complaints unless you agree in writing to the extension. Mediation cannot be a mandatory part of the process. You may waive this mediation step. If you disagree with the school district’s report, you may appeal directly to the CDE.

What is the Difference between a Compliance Complaint and a Due Process Hearing?

Although people often confuse compliance complaints and due process, the main difference is:

1. When there is a disagreement about what should go into a student's IEP, or where to implement the IEP, then due process is appropriate; but,
2. When the district has not followed special education law or procedures or has not implemented what is specifically written into a student's IEP, then a compliance complaint is appropriate.

In other words, due process procedures involve a disagreement over what a student's program should include, while a compliance complaint involves a failure by the district to follow the rules or to do what has already been agreed to in writing in the IEP.

Remember, most problems can be resolved through discussion with the school team, program specialists or special education administrators. Contact these people to address unresolved concerns. For more information, contact the Special Education Office of the Burbank Unified School District, (818) 729-4449. If, after working closely with the school and district special education personnel the matter is not resolved, you may exercise the Due Process procedures guaranteed by State and Federal law

For more information on how to file a Due Process complaint contact the Office of Administrative Hearings, 2349 Gateway Oaks Drive, Suite 200, Sacramento, California, 95833-4231; Tel. (916) 263-0550 or visit them at <http://www.dgs.ca.gov/oah/Home.aspx>

4. Complaint to the Office for Civil Rights

How do I file a complaint with the Office for Civil Rights (OCR)?

All students with IEPs and 504's are covered by the ADA (American with Disabilities Act). The OCR is responsible for investigation of complaints regarding allegations of discrimination. If the discrimination were based on a disability it would constitute violations of Section 504 of the Rehabilitation Act of 1973. You would file a Section 504 complaint whenever a student with a disability does not receive educational benefit from the program commensurate with that received by his/her non-disabled peers. This includes the situation where a student with a disability is excluded from participation in any federally funded program or activity, including all after-school activities and camps. You must file within 180 days from the date of the

discrimination. You can also file a complaint of discrimination under the CDE compliance complaint process.

If you wish to file a complaint with the OCR, you should write or call OCR at the address below and ask for a copy of the complaint form and instruction sheet for filing such a complaint. You can access the form from the website OCR.sanfrancisco@ed.gov.

U.S. Department of Education, Office for Civil Rights
50 Beale St., Suite 7200
San Francisco, CA 94105
415-486-5555
415-486-5570 (fax)

5. Uniform Complaint Procedure

What is a complaint to the school district?

When the school district appears to have violated a part of special education law, a complaint can be filed with the district through the Uniform Complaint Procedure. Forms are available at the school site as well as the District Office.

If there is a complaint against a school or District employee, there is different process and procedure that the parents may utilize by contacting the District's Uniform Complaint Officer.

6. Williams Complaint

A Williams Complaint can be used for unresolved issues concerning health, safety, facilities, and lack of instructional materials or qualified teachers.



Parent Tip: The school district takes Uniform Complaints and Williams Complaints very seriously and usually address a complaint within a timely manner. If you feel an issue that falls under one of these complaint areas, let the district know.

Section VIII

The Role of the Foothill SELPA

A. Defined

In 1977, all school districts and county school offices in California were mandated to form consortiums in geographical regions to provide for all special education service needs of children residing within the region boundaries. Each region, Special Education Local Plan Area (SELPA), developed a local plan describing how it would provide special education services. Foothill SELPA encompasses Burbank Unified School District, Glendale Unified School District, and La Canada Unified School District.

SELPA's facilitate high quality educational programs and services for special needs students and training for parents and educators. The SELPA collaborates with county agencies and school districts to develop and maintain healthy and enriching environments in which special needs students and families can live and succeed.

B. Role and Responsibility of the SELPA

- Receives Federal and State funds and distributes them in an equitable manner
- Responsible for seeing that every eligible child receives appropriate services
- Ensures program availability for all children with disabilities
- Provides curriculum and program support
- Conducts *Surrogate Parent* trainings
- Hosts *Community Advisory Committee* (CAC) meetings
- Manages and reports Special Education data to the State
- Organizes staff development
- Plans and reviews Special Education budget
- Evaluates Special Education programs
- Coordinates interagency collaboration
- Develops community awareness
- Facilitates resolution sessions

Section IX

Being Your Child's Best Advocate

“Advocate” Defined

An advocate is someone who speaks up for someone else, or someone who acts on behalf of another person. Naturally, as a parent/guardian, you can be your child's best advocate. You know your child better than anyone else and are in the best position to speak for your child on his or her behalf. Here are some tips that may help you to become the most effective advocate for your child.

1. Be informed by reading about your child's disability, asking questions and seeking answers, and attending meetings. The more you know about your child, the more comfortable you will be helping others understand your child.
2. Understand the local and state special education system and laws governing services for your child. Know your rights! Here are three wonderful resources that may be helpful in learning the laws:
 - Wrightslaw Special Education Law and Advocacy - <http://www.wrightslaw.com> A word-searchable database of special education-related state and federal statute and regulations, federal guidance documents, and editions of the Federal Register <https://caser.specialedreference.com/>
 - Community Alliance for Special Education (CASE) - Special Education Rights and Responsibility Handbook (SERR). [Printed Version - \$45.00; CD format - \$29.00] at <http://www.caseadvocacy.org/handbook.html>
3. Be a good record keeper by taking notes, obtaining copies of everything, and keeping your records organized in a file or binder.
4. Educate those around you by developing and sharing a “snapshot” of your child which may include the milestones your child has reached, strengths, weaknesses, motivators, behavioral strategies, and likes and dislikes. Make sure to update your snapshot periodically as your child changes.
5. Research and recognize resources and services that may be available to your child.
6. Work together closely with those providing services to your child by keeping the lines of communication open and striving to maintain a positive and healthy working partnership. Be respectful when communicating with IEP team members. Remember, it's ok to respectfully disagree!
7. Network with other parents and professionals by attending support groups, conferences, and workshops.

8. Be involved with your local organizations and your child's school life.
9. Help your child to learn how to advocate for him or herself.

Being an advocate for your child can be one of the greatest gifts. With the appropriate services and supports our children can achieve so many wonderful things in life if only given the opportunity to. We are our children's voices, so speak out and stay strong.

Know what is Important to Your Family

As you get ready for your IEP meeting, think about what is important to you. What would help your family and support your child. Think about the difficulties your family faces and list some areas where you would like some support. The team can then explore options for finding those supports. Remember to consider your family and your child when listing priorities and concerns.

Section X

Special Education, Behavior and School Discipline

There is nothing in IDEA that restricts schools from disciplining children with disabilities. In fact, it might be said that, by not addressing dangerous behaviors, students with special needs are not receiving an “appropriate” education. Children may need specialized services to change disruptive or dangerous behavior and to make sure that whatever discipline is used works in preventing a reoccurrence of that behavior.

1. Maintaining a Safe Environment Conductive to Learning

School systems have the legal responsibility to maintain safe, violence-free schools. Part of that responsibility includes the establishment of a code of conduct containing specific consequences for violations of the code. School authorities have the right and responsibility to discipline children (including the removal of children from their present school) when those children violate school rules by engaging in conduct that materially and substantially disrupts the rights of others to be physically safe and educated. When conduct endangers the student or others, temporary removal of that student may become imperative. Schools also have these rights and responsibilities when students with disabilities violate school rules, causing disruptions or danger to themselves or others.

All students have the right to know the rules of conduct and to learn to master school rules. All children learn differently. Many children learn intuitively through observation, experience and encouragement. Many other children need further assistance and instruction in order to master developmentally appropriate behavior that enables them to attend, learn, share and cooperate with other children and adults. As school psychologists, we know that knowledge and demonstrated skill are required before we can presume a rule is “learned.” The level of learning also varies and it is important for schools to acknowledge marginal, minimal and developmentally standard levels of mastery.

Students with disabilities who are in need of special education and related services have, by definition, problems in learning and skill development. Unlike their nondisabled counterparts, they may, in some cases, have difficulty demonstrating socially appropriate behaviors. Unlike their nondisabled peers they also have a continued right to a free and appropriate public education within the least restrictive environment even when their behavior violates a discipline rule or code.

When any child, disabled or not, has been found to violate a code resulting in proposed disciplinary action, that child has rights to challenge the reason for the action, including the right to prove that the accusations are false, distorted, exaggerated or based upon racial, ethnic, gender or even disability bias. All students have the right to challenge the severity of the consequent disciplinary action recommended by the school authorities.

2. Responsibility to Teach Code of Behavior to All Students

Schools have the responsibility to make sure that all children attending, including those receiving special education and related services, are familiar with the behavior code and that their families also have the opportunity to know and understand the code. Parents of children with disabilities should be given the opportunity to discuss the behavior and discipline code when it is a concern for their child and to be partners in finding effective ways of assisting in maintaining the code and its intent. Parents are allies in helping predict problems related to codes of conduct and their individual child's strengths and needs. Such discussions can generate IEP goals as well as necessary exceptions that may prevent the child from meeting a requirement of the school's code.

3. The IEP as Vehicle for Effective Behavior Management

Children who have disabilities that prevent them from understanding or responding appropriately to components of a discipline code or school rule should have those exceptions incorporated and addressed in their IEP. IEPs are designed to address both traditional academic needs and to meet "each of the child's other educational needs that result from the child's disability." The law also says that schools shall consider, when needed, "strategies, including positive behavioral interventions, strategies and supports to address that behavior" that impedes learning.

Examples of IEP behavior issues: A student with Tourette's syndrome may repeat vulgar, obscene words or bark over and over. Obscene language may violate the discipline code, but in this case is out of the child's control. Working with the child, family and physicians, the special education and related service program should determine the best possible plan to reduce and compensate for the disruption that this syndrome causes. Another child may be extremely cognitively challenged and need very concrete examples of what the school behavior code means, just as a child who is deaf or visually impaired needs special accommodations. Children with attention disabilities, generally, should not be disciplined for inattention but their IEP should contain goals, support and specialized help to increase attention and sustained effort. The same can be true for a child who is severely depressed or withdrawn and therefore inattentive. This behavior should also be comprehensively addressed to increase learning and productivity.

A child with autism who bangs her hand on her desk over and over cannot be treated the same as a child or group of children who are doing the same thing to deliberately disrupt the class. A child who cannot speak clearly or communicate feelings or ideas can become extremely frustrated and may stomp out of the class or toss his pencil across the room. Training in finding alternative methods for communicating and for coping with frustration must be in place before the disruptive behavior becomes routine and results in disciplinary action, which may only increase the disruptive behavior.

All of the above examples require an effective individualized intervention plan documented in each child's IEP. If such a plan did not exist and a disciplinary action were taken resulting in a suspension, expulsion, an arbitrary change-in-placement or illegal removal from FAPE, it would be a violation of the child's civil rights.

4. Addressing and Preventing Behavior Problems

It is the responsibility of the IEP team to review the behavior code and determine what specialized help and instruction the child may need to understand the code and consistently demonstrate the appropriate classroom and school behaviors conducive to learning. The team should identify and address the difficulties that may occur and may be related to the child's disability, and establish plans that will reduce the chance that such infractions will occur. The team should plan to provide adaptations and compensations for those behaviors that require an intervention plan and also address those behaviors that may remain unchanged due to the complexity of the disability. Behavioral goals, like goals for reading or other elements of the general curriculum, should be incorporated into the IEP and not be developed as a separate document or plan. To design a separate "behavior plan" implies that such plans should be treated differently, apart from academic functioning.

5. Behavioral IEP Goals, FBAs, Parent Involvement and Services

A child with a disability and the family or parent surrogate should be aware of the behavior code and the consequences for violating each component of that code. Parents can assist the school in finding effective strategies for positive behavioral interventions and strategies for the IEP. They should participate in the IEP development to help determine what exceptions to the discipline code are necessary and to help design behavioral goals that progressively address those exceptions to reduce behavioral difficulties and help build positive behavior. These plans should include the special education and related services interventions designed to assist the child in maximizing her/his social responsibility. Behavioral goals, as with academic goals, should be measurable, reviewed and modified as needed. As with other goals, services and interventions, frequent review is imperative to success. When behavior goals and strategies specified in the IEP are not successful in helping the child make progress on their goals, a Functional Behavior Assessment is completed. The "FBA" drives the creation and/or modification of the Behavior Intervention Plan. FBA's utilize specific data collection strategies and analysis to help determine what is contributing to and maintaining the behavior.

6. Problematic Patterns of Behavior and Prevention

When children with disabilities demonstrate a new pattern of problematic behavior potentially leading to suspension, the school should initiate an IEP meeting to determine if additional interventions or modifications in the IEP are needed. An FBA may be warranted. Such interventions may reduce the chances of the child accumulating a series of suspensions which may, over time, constitute an inappropriate "change in placement." A student with special needs may be suspended up to 10 days without it being considered a change in placement. They may be suspended up to 5 consecutive school days at a time, but no more

than 10 total in a school year before a manifestation determination is required. (See below for explanation of manifestation determination.) Any behaviors that inhibit learning and the success of the educational program should be addressed. When the behaviors are not related to the disability, it remains important to both address the problems and to restate the pattern of code violations and the consequences for those violations to the child and parent. Schools and parents should work cooperatively to change the pattern of negative behavior. The school should support the parent in securing other resources to assist in positive behavioral change and work cooperatively with those resources.

7. Weapons, Drugs and Serious Bodily Injury.

Weapons, drugs and physical aggression which results in serious bodily injury, require quick and deliberate administrative action. When a child with a disability violates a rule involving these areas, safety should be the priority both for the child and others. If the local school rules mandate "automatic" expulsion and notification of the police, a written notice of such action must be made available to the parents. Weapons must be clearly defined in the code of conduct.

Drug use and possession are also intolerable in schools. Drug use can endanger both the user and peers. It is also a violation of state and federal laws and may involve police action. Schools should be aware that drug use and addiction can be higher among some groups of children with disabilities. Drug use, abuse and addiction require professional intervention which frequently includes drug treatment and physical monitoring. A review of the IEP and a functional assessment may control some of the related behaviors demonstrated by a child with a disability who is a drug abuser, but drug use and addiction require assessment and intervention beyond the IEP team's skills and may require interagency involvement. Drug possession should not be automatically dismissed as unrelated to disabilities since some youth may be cognitively unaware of what they possess.

Physical aggression resulting in serious bodily injury is also a safety issue. When a student engages in one of the "big three" behaviors involving weapons, drugs or serious bodily injury, school personnel may remove the student to an Interim Alternative Educational Setting ("IAES") for no more than 45 school days whether the behavior is determined to be a manifestation of the student's disability or not. Parents may file for a due process hearing if they are not in agreement with the IAES or the manifestation determination.

The IEP team is now required to review and modify the IEP to address that behavior. If the behavior was not already addressed on the IEP, the IEP team should implement interventions and goals to address that behavior. The law also requires a "functional behavioral assessment" when such behaviors have not been addressed. Such an assessment should follow the guidelines of any review, reevaluation or assessment according to the law's requirements for reevaluation. In other words such an assessment should consider the existing IEP goals and services as well as what is needed. School psychologists should be involved in this review as the persons most qualified to address behavior and learning. They

should become involved in assisting in developing the most effective disposition as soon as possible.

8. Manifestation Determination Review

When the IEP has already addressed problem behavior, the team has valuable information about the relationship between the child's disability, the behavioral concerns, the components of the IEP and classroom, including the services provided. When the total of suspension days in a school year will exceed 10 days and removal constitutes a change in placement or a student is suspended pending expulsion, the IEP team, assisted by qualified professionals, must determine if the student's behavior (misconduct as defined) is related to the disability and whether the current placement is appropriate by evaluating all factors related to the student's behavior and IEP. This should include review of the interventions tried and services provided to prevent the presenting problem. Such a review should be comprehensive and focus on multiple factors, not merely the behavioral goals of the child's IEP.

The determination that a behavior is a manifestation of the child's disability can be a complex process. It must be determined by qualified professionals, on an individual, case-by-case basis. It cannot be determined by the child's label or category. For example, a label of "emotionally disturbed" does not by itself imply a manifestation of the disability. A behavioral goal or its absence does not determine manifestation. It is not decided by the "ability of the child to determine right from wrong." Under IDEA, a manifestation determination must include an analysis of the child's program as well as the child's physical, cognitive, developmental, mental and emotional challenges. The child's behavior may be considered unrelated to the disability if the disability did not impair the child's understanding of the impact of the serious consequences of the behavior and if the disability did not impair the ability of the child to control the behavior. These factors must be viewed in the context of ecological variables and IEP services and goals.

It is best practice that the school psychologist assisting in such a determination knows the child and the child's program. School, classroom and external factors can result in additional inappropriate and dangerous, reactive behaviors from a child with disabilities. Ecological factors that can be addressed within the least restrictive environment should be considered in a manifestation review to prevent inappropriate recommendations of changes in placement.

In addition to the manifestation determination review, either before or not later than 10 school days after either first removing the child for more than 10 cumulative schools days in a school year or commencing a removal that constitutes a change of placement, if the LEA did not conduct a Functional Behavioral Assessment (FBA) and implement a Behavior Intervention Plan (BIP) for the child before the behavior that resulted in the removal from school, the school shall convene an IEP meeting to develop an assessment plan. If the child already has had an FBA and a BIP, the team shall meet to review the plan and its implementation and modify the plan as necessary to address the behavior.

9. When Behavior is a Manifestation of the Child's Disability

When the dangerous behavior is the result of the disability, expulsion is an inappropriate action. The child cannot be expelled for that behavior. However, this does not mean that the child must remain in the present placement. When it is determined that the placement or the IEP is not meeting the child's behavioral needs, modifications should be made to IEP and, if necessary, to the placement and needed services, to assure that the behavior will be addressed and to prevent its reoccurrence. When dangerous behavior such as weapons violations continue, a controlled, secure placement may be necessary. Any placement should continue FAPE as well as addressing the behaviors of concern. When parents have been involved in the development of the IEP, including the behavioral goals and services, agreement is more likely to occur between school and family regarding modifications in the program and changes in placement.

10. When Behavior is Not a Manifestation of the Child's Disability

A child with a disability, whose dangerous misconduct is found to be unrelated to his/her disability and whose IEP, program and services are appropriate to address the child's needs, may be subject to the regular discipline code of consequences, provided that the child continues to receive FAPE. The parent continues to have the right to appeal this decision and any decision regarding placement. Even when the behavior remains a perceived threat or danger to the child and/or others, FAPE should continue but may need to be provided within a more restrictive alternative center where control reduces danger. Restrictive alternatives may include, for example, a juvenile detention center, non-public day schools, residential treatment center or other secure facility. It is not in the child's, the school's, community's or family's interest to maintain a child using an existing IEP and placement when the weapons or dangerous behavior cannot be effectively addressed within that placement. It is in no one's interest to terminate FAPE to a child with a disability who is in need of special education and related services.

Portions and excerpts taken from: *Disciplining Students with Disabilities*
By Kevin P. Dwyer, NCSP - Assistant Executive Director, National Association of School Psychologists
NASP Communique, October 1997 (vol. 26-2)

Section XI

Frequently Asked Questions

Analyzing our children can be stressful for parents. We all want to do what is best, and we can sometimes feel overwhelmed by the information and decisions we need to participate in for our child's education. Here are some frequently asked questions, along with some answers that may be helpful:

Question - How do I know if my child needs a special program?

Answer - If your child has problems which prevent him/her from functioning effectively in a general school program without special assistance, he/she may need a specialized program. Talk to your child's teacher(s) and discuss options including the SST process and/or assessment.

Question – Can my child be placed in the special education program without my permission?

Answer – No

Question – Can school personnel make a referral for assessment without the parent?

Answer – Yes, but an assessment may not be done without parent permission. A Student Study/Success Team (SST) meeting should be held before a referral for special education is made (occasionally, an SST is bypassed and a referral for assessment made without an SST taking place).

Question – If my child is eligible for special education services, would my child participate in general education school programs?

Answer – It depends on the child's individual needs. Students receiving special education services and related services are educated in the Least Restrictive Environment (LRE). Least Restrictive Environment is that placement or program that can meet the individual student's needs and does so with a minimum loss of contact with general education class programs. Students on public school campuses are integrated with general education students during the school day and other school sponsored activities. This integration may include recess or nutrition, lunch, or inclusion in many or all of the academic portions of the school day. All placements must be described fully in the IEP.

Question – Are there any individuals for whom advance notice must be given to the district in order for them to be at an IEP?

Answer – If you choose to bring a lawyer to an IEP without giving the district advance notice, the district may elect to stop the meeting. It is common practice when there is legal representation on one side for the other side to seek the same representation. If you are planning on bringing any other individuals to the IEP with you, it is courteous to inform the school. This will allow them to have enough space or select a room large enough to comfortably fit all members of the IEP team.

Question – Could an IEP be scheduled via email?

Answer – Yes, Parents/guardians can correspond with the District via email if the IEP dates need to be changed or confirmed. However, the District will print out an official notification and either send it via traditional mail or ask you to sign a printed out copy of the invitation at the IEP meeting.

Question – Can service (i.e. Speech, OT) durations and frequencies be unilaterally changed by an individual member of the IEP team?

Answer – No. This decision needs to be made based on student need and the consensus of the IEP team.

Question – Can I request to have an interpreter at an IEP meeting and can I have the IEP provided in my native language?

Answer – At any meeting you attend for which you need an interpreter, you must notify the special education department (through your child's case manager) in advance, preferably in writing within a timely manner. The district must provide an interpreter if requested or you may also choose to provide your own. After the meeting, if you request that the IEP document be translated into another language, the district will have the IEP translated. The translation process can take a few weeks to be completed.

Question – Should all Related Services, Accommodations, and Modifications be listed in the IEP?

Answer – Yes. The IEP must include all services, including the duration and frequency of all related services. Modifications/accommodations, such as those necessary to include the child in the general education classroom, must be included in the IEP document. If it is not in your child's IEP, your child doesn't have it. Make sure the agreements arrived at the IEP meeting are written in the IEP.

Question – What if my child’s behavior impedes his or her learning or that of others?

Answer – The IEP team must consider strategies, including positive behavioral interventions and supports, to address that behavior. Students who demonstrate serious behavior problems should receive a functional behavioral assessment (FBA) assessment. The positive behavior intervention plan (BIP) created based on the FBA has its own set of goals and objectives related to reducing inappropriate school behaviors and substituting appropriate behaviors.

Question – Do parents have to sign the IEP document at the time of the meeting?

Answer – No. Parents may choose to take the IEP home to read it thoroughly and are entitled to do so. If you take it home, you should only sign the “in attendance” line at the meeting. If you are satisfied with it after you have read it thoroughly, you should sign it and return it promptly. If you are not satisfied, do not sign it. You may challenge it through informal or formal meetings. Make sure you receive an entire IEP document that is created at the meeting including the notes page.

Question – Do parents have to agree to the entire IEP as written?

Answer – No. Parents do not have to agree with the entire IEP. You may note on the page which you sign the areas with which you disagree. All areas with which you do agree must be implemented promptly by the school district.

Question – What happens if I do not agree with part or all of the newly developed IEP?

Answer – If your child already has an IEP in place, and you disagree with the new IEP, the old IEP will remain in effect. If only part of the new IEP is not agreed to, that part will not go into effect until the issue is resolved through a formal or informal process (i.e. resolution, due process). There is a place on the IEP document under consent where you can state the part of the IEP you do not agree to. The District will follow up with the either an IEP meeting or an invitation to an informal resolution meeting at the District.

Question – May IEP meetings be audio recorded?

Answer – Parents may record an IEP meeting if you notify the other members of the IEP team in writing at least 24 hours prior to the meeting. The school may also record the IEP meeting if it notifies you 24 hours prior to the meeting. However, if you object, then the meeting will not be recorded. The school district cannot refuse to allow you to record the meeting when the prior notice has been given.

Question – What do I do if my child has been assessed by the district and I am told that my child does not qualify for special education?

Answer – You always have the right to have a private evaluation done and submitted to the IEP team for consideration. Under certain circumstances, if the child is then deemed eligible for special education, the parents can be reimbursed for the cost of the private testing. Some children who do not qualify for special education may qualify for help under Section 504 of the Rehabilitation Act of 1973.

Question – What do I do if I think my child needs a change in services/placement mid-year?

Answer – Make a request in writing to the case-manager for an IEP team meeting to discuss your concerns. You may also wish to provide documentation (test results, examples of classwork, independent evaluations, etc.) to substantiate your request. This may be done as often as you or the district believes is necessary. If you request additional meetings to amend the IEP, the district must hold the meeting within 30 days of your written request (not including school holidays). You may also amend an existing IEP without holding a full IEP meeting (other than for placement changes).

Question – Does my child have the right to participate in nonacademic and extracurricular activities offered at his/her school?

Answer – Yes. Your child has the right to participate in all activities at school, including field trips and camps with the support that is stated in the IEP.

Question – What do I do if the IEP is not implemented?

Answer – Ask the teacher if he or she is aware of the new IEP and inquire as to when you can expect it to be implemented. If you are not satisfied with the response, write a letter to the school principal and send a copy to the Special Education Office and request prompt implementation of your child's IEP. If the reasons for the delay are unsatisfactory to you, or if the IEP is still not implemented, you may file a complaint (see Section VII). Further information on parent rights and procedural safeguards is contained in a separate document produced by the SELPA, the *Foothill SELPA Notice of Parent Rights and Procedural Safeguards*. You may request this document from your child's school or from the Special Education Office.

Question – What if I feel my child needs 1:1 adult assistance?

Answer – If you believe your child requires 1:1 adult assistance, you may request for the district to conduct a Functional Behavioral Assessment or conduct a Special Circumstances

Instructional Assistance (SCIA) review. The IEP team will meet to discuss the results of these assessments and as a team will determine if it is necessary and appropriate for your child to receive this more restrictive level of support.

Question – How can I help my child transition from one level to the next (Preschool-elementary, elementary-middle, middle-high, etc.)?

Answer – Parents may request that a staff member from the receiving school attend your child's IEP before the transition. It is important for the receiving school representative is familiar with programs and placements for your child, and can make sure that goals are written such that they can be implemented by the receiving school. This meeting should take place in the spring. You should then plan to visit the receiving school with your child and get to know the campus. Regularly scheduled visits for both parents and students matriculating to middle school and high school are arranged in the spring and parents with matriculating students will receive letters informing them of the dates and times of the visits in January or February. At the pre-school level, parents nights are also held. You may also see if you can arrange to visit the classroom that is being recommended for the next year. This can be a challenging time for both child and parent, but the special education staff is here to support you in the transition.

Question - Who is the case manager in charge of my child's IEP?

Answer - Every child with an IEP is assigned a case manager. This is designated at the IEP meeting. It is typically the child's special education teacher. In middle school and high school, it is possible for the case manager to not be a direct teacher of your child.

Question - Are there time limits related to my ability to file a Compliance Complaint or for a Due Process Hearing?

Answer - A Compliance Complaint must be filed within one (1) year of the occurrence of the event. A complaint for Due Process must be filed within two (2) years of the occurrence of the event.

Question – Where can I find the citations of Education Codes relating to Special Education and Section 504?

Answer – The California Department of Education maintains a website that will have this information: www.cde.ca.gov.

Section XII

Glossary

Accommodations: An accommodation is a variation in the exam or classroom setting that does not fundamentally alter what a test measures or affects the comparability of scores. Accommodations may include variations in scheduling, setting, aids, equipment, and presentation format. Accommodations in the classroom can include preferential seating, extended time to turn in homework, aids, and equipment.

Behavior Intervention Plan (BIP): Developed from a Functional Behavioral Assessment, this plan has its own set of goals and objectives and is part of the IEP. The behavior intervention plan is the systematic use of procedures and strategies used in managing a student's behavior.

Benchmarks: Major milestones that enable parents, students, and educators to monitor a student's progress toward achieving the annual goals.

Case Manager: The special education teacher or service provider who oversees the development and implementation of your child's IEP.

Certificate of Completion/Attendance: The certificate students in special education receive if they have completed school or have reached the age of 22 and have not completed the requirements to earn a diploma.

Community Advisory Committee: A group of parents (including parents of children with special needs), community members, and school representatives established to advise the SELPA regarding the development and review of programs under the local comprehensive plan. The committee also assists in parent education. This committee is state mandated and meets several times a year.

Due Process: Procedures established to ensure the protection of the rights and responsibilities of the parent/guardian and the school district.

Free and Appropriate Public Education (FAPE): A key provision under federal and state law that entitles children with special needs to schooling at no charge to their parents. The education must be under public supervision, meet state standards, and be appropriate to the child's needs.

Full Inclusion: A phrase commonly used to refer to the total integration of a student with disabilities into the general education class. The student only leaves class to receive supplementary services such as speech or physical therapy.

Functional Behavioral Assessment: An evaluation of behavior that includes observation of the student, collection and analysis of data, and study of the child's environment in order to obtain information on the purpose of the behavior. This analysis may lead to a behavior plan for your child.

Individual Family Service Plan (IFSP): A referral for early intervention services must be made to the regional center or school district for children with disabilities that are 0-3 years old. An IFSP must be developed within 45 days of receiving the referral. It is a written service delivery plan to meet the unique needs of the infant or toddler.

Individual Health Care Plan (IHCP): Classroom health care plan developed by the school nurse for students with specialized health care needs. It is attached to the IEP or 504 plan.

Individuals with Disabilities Education Improvement Act (IDEA/IDEIA): Federal law that assures that all children with special needs have available to them a free, appropriate public education designed to meet their unique needs and to assure that the rights of children with special needs and their parents or guardians are protected. This federal law, originally enacted in 1975 as the Education for All Handicapped Children Act, has been reauthorized several times. It is commonly known and referred to as the Individuals with Disabilities Education Act (IDEA). The most recent authorization of this law occurred in 2004, where the title was officially changed to the Individuals with Disabilities Education Improvement Act (IDEIA). However, most people still refer to the act as IDEA.

Individual Transition Plan (ITP): Federal law requires that, by age 16, a student's IEP must contain a statement of transition service needs that focuses on the student's course of study. The statement should be relate directly to the student's goals beyond secondary education, and show how planned studies are linked to achieving these goals.

Integration: A term that refers to mainstreaming of students with disabilities into general education classes and participation in the activities of the total school environment. This includes structured and non-structured opportunities to interact with non-disabled, and age-appropriate peers. A student with severe disabilities should be able to participate in general school activities – such as lunch, assemblies, clubs, dances or recess.

Least Restrictive Environment (LRE): A requirement in both State and Federal laws that children with special needs be educated to the maximum extent appropriate with their non-disabled peers. The placement should be in programs that promote maximum interaction with the general school program.

Low Incidence Disability: Blind, Deaf, or Orthopedic Impairments

Mainstreaming: Placement of a student with disabilities into ongoing activities of general education classrooms so that the student receives education with nondisabled peers.

Manifestation Determination: Relevant members of the IEP team meet to determine whether a child with a disability may be suspended or expelled or have his/her placement changed for more than 10 consecutive school days for misconduct (or a total of 10 days within a school year in the case of suspension). The meeting will assess whether or not the behavior was caused by or has a direct and substantial relationship to the child's disability and whether the behavior is the direct result of the school failing to implement the IEP.

Modifications: Any variation in the exam setting or process that does fundamentally alter what the test measures or does affect the comparability of scores.

Non-Public Agency (NPA): Any agency certified by the state of California that is not part of the public school system.

Non-Public School (NPS): Any school placement certified by the state of California that is not part of the public school system.

Occupational Therapy: A related service that addresses fine motor functioning, bilateral coordination, sensory processing, visual motor skills, self-organization, postural stability, and motor coordination.

Physical Therapy: A related service focusing on a child's ability to move as independently as possible.

Related Services: Services that may be required to assist a student in accessing his/her educational program. These services are in addition to a student's classroom program and are based on the child's individual needs. Related services are sometimes referred to as "Designated Instructional Services" (DIS).

Section XIII

Community Resources

Basic Skills

BCR "A Place to Grow"
Braille Institute
Campbell Center (formerly GAR)
CITY Community Services
East Los Angeles Occupational Center
Education Spectrum
Foothill Area Community Transition Services
Independent Living Center of Southern California
Maple Park Community Center
Modern Support Services

Counseling

ARK Family Center
Braille Institute
CalWORKs Mental Health Services
Didi Hirsh
Down Syndrome Association of Los Angeles
Foothill Family Service
GAMHPA
Glen Roberts Child Study Center
Glendale Community College
National Alliance on Mental Illness (NAMI)
Pacific Clinics Pasadena Family Services
Pathpoint
Salvation Army
St. John's Helath Center MH Services for Deaf & Hard of Hearing

Education

Abraham Friedman Occupational Center
Braille Institute
Burbank USD Regional Occupational Program (ROP)
California State University, Los Angeles
California State University, Northridge
College of the Canyons
Down Syndrome Association of Los Angeles

East Los Angeles Occupational Center
Easter Seals Workforce Development Services
Exceptional Minds
Glendale Community College Garfield Campus
Glendale Community College
Glendale Community College Disabled Students Programs and Services
Los Angeles Learning Disabilities Association
Los Angeles Trade Technical College
Los Angeles Valley College
North Valley Occupational Center
Pasadena City College
Pierce College Special Services Office
Southern California Resource Services Independent Living Services (SCRS-IL)
The Foothill Area Community Transition Services Program (F.A.C.T.S.)
Therapeutic Living Centers for the Blind
Tierra del Sol Foundation
University of California, Los Angeles
University of Southern California

Employment

Ability First
Abraham Friedman Occupational Center
Braille Institute
Bridges from school to work
BUILD Rehabilitation Industries
Burbank USD Regional Occupational Program (ROP)
Burbank Youth Employment Program
California Foundation for Independent Living Centers
Campbell Center (formerly GAR)
CITY Community Services
Department of Rehabilitation
Down Syndrome Association of Los Angeles
Easter Seals Development Services
Exceptional Minds
Foothill Area Community Transition Services (F.A.C.T.S.)
Frank Lanterman Regional Center
FVO Solutions, Inc.
Glendale USD Regional Occupation Program (ROP)
Glendale Youth Alliance
Goodwill Southern California
Greater Los Angeles Agency on Deafness, Inc. (GLAD)
Independent Living Center of Southern California
JayNolan Community Services
North Valley Occupational Center

Pathpoint
Salvation Army
Southern California Resource Services Independent Living Services (SCRS-IL)
Social Vocational Services, Inc.
Tierra del Sol Foundation
Verdugo Jobs Center
Villa Esperanza Services
Westview Services, Inc.

Housing

Ability First
Campbell Center (formerly GAR)
Department of Rehabilitation
Homes for Life Foundation
Independent Living Center of Southern California
Maple Park Community Center
Pacific Clinics Pasadena Family Services
Salvation Army
Southern California Resource Services Independent Living Services (SCRS-IL)
Social Vocational Services, Inc.
Therapeutic Living Centers for the Blind
Villa Esperanza Services

Information

Armenian Autism Outreach Project
Autism Speaks
Cal-Tash
Disability Rights California
Down Syndrome Association of Los Angeles
Foothill Autism Alliance
Frank Lanterman Regional Center
International Dyslexia Association (IDA)
Los Angeles Learning Disabilities Association
Modern Support Services
National Alliance on Mental Illness (NAMI)
Pacific Clinics
Social Security Administration
Social Vocational Services, Inc.
United Cerebral Palsy

Legal

Disability Rights California
Maple Park Community Center

Medical

California Children's Services
Didi Hirsch
Easter Seals Workforce Development Services
L.A. County Department of Health Services
Glendale Health Center
Maple Park Community Center

Socialization

Ability First
BCR "A Place to Grow"
Braille Institute
Education Spectrum
Foothill Area Community Transition Services
L.A. City Therapeutic Recreation Center Elysian Therapeutic Recreation Center
Los Angeles Learning Disabilities Association
Maple Park Community Center
Special Olympics Santa Clarita & Tri-Valley
Therapeutic Living Centers for the Blind
Tierra del Sol Foundation
Villa Esperanza Services

Technology

California Foundation for Independent Living Centers
Computers for Classrooms
Department of Rehabilitation

Agency	Served	Description
Ability First 1300 E. Green Street, Pasadena, CA 91106 (877) 768-4600 (626)396-1010 AbilityFirst.org info@abilityfirst.org	Children and adults with disabilities and special needs	Offers a broad range of employment, recreational and socialization programs and operates 12 accessible residential housing complexes
Abraham Friedman Occupational Center Martha Peralta 1646 S. Olive St. Los Angeles, CA 90015 (213)765-2400 (213)748-7406 www.AbrahamFriedmanOC.org	16 years old and older	High School Diploma/GED Career Training Automotive Programs Business Education Graphic Arts Health Occupations Industrial Programs Information Technology Justice Barbering and Cosmetology
ARK Family Center 135 S. Jackson St. Glendale, CA 91205 (818)662-7045 (818)662-7002 www.ARKFamilyCenter.org	Youth and adults	Counseling (Fee)
Armenian Autism Outreach Project Sonia Aller, Ph.D., CCC, Speech & Language Pathologist 320 Arden Ave. #240 Glendale, CA 91203 (661)523-AAOP (2267) info@armenianautismoutreach.org armenianautismoutreach.org	Armenian children and youth who may be at risk for or have autism	AAOP's goal is to raise awareness about autism in the Armenian-American community. AAOP's outreach activities include teacher seminars, parent informational meetings, television: Horizon TV
Autism Speaks Philip Hain 6330 San Vicente Blvd. Los Angeles, CA 90036 (323)549-0500 x765 (323)549-0547 www.autismspeaks.org	Autism youth and adults	Resource for information and referrals
BCR "A Place to Grow" Maria DiLiberto, Program Director 230 Amherst Dr.	Children and adults with developmental disabilities -- mental retardation,	Program activities include: Basic Academic Skills, Communication Skills,

Burbank, CA 91504 (818)843-4907 (818)843-6829 mdilibertobcr@sbcglobal.net www.bcraplacetogrow.org	autism spectrum disorder, cerebral-palsy, seizure disorders and other disabling conditions.	Meal Planning, Marketing, Cooking, Personal Hygiene, Health Practices, Exercise, Physical Fitness, Bowling, Tennis, Swimming, Arts & Crafts, Music, Dance & Body Movement, Mobility Training
Braille Institute 741 N. Vermont Ave. Los Angeles, CA 90029 (323)663-1111 (323)663-0867 la@brailleinstitute.org www.brailleinstitute.org	Children and adults with vision loss	Offering a wide range of educational, social, and recreational classes for adults, geared toward practical day-to-day adaptation to life with less vision. Free Low Vision Career Counseling/internships for adults ages 19-30.
BUILD Rehabilitation Industries Corporate Offices: 12432 Foothill Blvd. Sylmar, CA 91342 (818)848-0020 (818)898-1949 San Fernando Office: 1323 Truman St. San Fernando, CA 91340 (818)898-0020 (818)898-1949	Individuals with disabilities	Work Activity Program Supported Employment Program (SEP).
Burbank Youth Employment Program 301 E. Olive Ave. Burbank, CA 91502 Contact-Adriana R. Garcia (818) 238-5324 Agarcia@ci.burbank.ca.us	Must be between the ages of 18 and 21 and a resident of Burbank	Offers paid internships
Burbank USD Regional Occupational Program (ROP) Career Centers: John Burroughs High School	Students 16 or older in Grades 11 or 12 Needing job training (Priority goes to BUSD students)	Aircraft Engines, Automotive Engines

M – F 7:30 – 4 Contact - John Paramo 818-558-4777 X64902 Burbank High School Contact – ROP Technicians 818-558-4700 X54900		Retail Marketing, Business Finance, Financial Occupations, Consumer & Business Management, Computer Accounting & Digital Applications Information, Technology Commercial Photography, Photo-Advanced Photoshop, Film / Video Production, Professional Film, Professional Actor Stagecraft, Construction Technology, Culinary Arts, Fire Science, Law Enforcement, Sports Medicine, Animal Care
California Children's Services 9320 Telstar Ave., Ste. 226 El Monte, CA 91731 (800)288-4584 ccs@ph.lacounty.gov	Children under age 21 with eligible medical conditions (chronic medical conditions such as cystic fibrosis, hemophilia, cerebral palsy, heart disease, cancer, traumatic injuries)	The CCS program provides diagnostic and treatment services, medical case management, and physical and occupational therapy services
Cal-Tash 1875 Eye Street, NW, Ste. 582 Washington, D.C. 20006 (202) 429-2080 info@tash.org www.tash.org California Chapter: info@caltash.org www.caltash.org	children and adults with significant disabilities	Advocacy group
California Foundation for Independent Living Centers 1234 G Street, #100 Sacramento, CA 95814 (916) 325-1690 www.cfilc.org	Individuals with a disability	Coalition of various agencies providing technology services, low cost resources, and internships(ages 16-28)
California State University, Los Angeles Office for Students with Disabilities	Students with Disabilities	Comprehensive university program WAIV

Sylvia Desantis, Disability Management Specialist Administrative Building 5151 State University Dr., Room 127 Los Angeles, CA 90032 (323)343-3140 (323)343-6429 fax Sylvia.Desantis2@calstatela.edu www.calstatela.edu/univ/osd		
California State University, Northridge Disability Resources and Educational Services Jodi Johnson, Director Bayramian Hall 110 18111 Nordhoff St. Northridge, CA 91330 (818)677-2684 (818)677-4932 jodi.johnson@csun.edu www.csun.edu/dres	Students with Verified Disabilities	Comprehensive university program providing academic accommodations for students enrolled in the university's academic program Offers WAIV
CalWORKs Mental Health Services San Fernando Valley Community Mental Health Center 16360 Roscoe Blvd., 2nd Floor, Van Nuys, CA 91406 (818)901-4830 info@sfvcmhc.org www.sfvcmhc.org	Individuals with severe emotional disorders	Offers various counseling services and programs
Campbell Center (formerly GAR) Contact- Angela Cooper, Director of Employment 6512 San Fernando Rd. Glendale, CA 91201 (818)242-2434 angela@thecampbell.org info@TheCampbell.org www.thecampbell.org	Adults with developmental disability	Offers residential, vocational and educational programs
CITY Community Services Blake Tholmer, Executive Director 3800 La Crescenta #103 Glendale, CA 91214	Adults with developmental disability	Teaches self- help skills, pre-employment, supported employment

(818)542-6800 btholmer@citycommunityservices.org www.citycommunityservices.org		
College of the Canyons Disabled Student Programs/Services Carol Bean, Program Specialist Seco Hall 26455 Rockwell Cnyn Rd.Rm-C103 Santa Clarita, CA 91355 (661)362-3341 carol.bean@canyons.edu www.canyons.edu/offices/dsps	1) Students may complete the assessment for eligibility into the learning disabilities program or 2) provide verification of their disability to the DSP&S office	Certificate Programs; Associate of Arts or Science degrees; Transfer programs to four year institutions; Basic Skills classes; Enrichment classes for job training, personal information, and enjoyment; accommodation; alternate media.
Computers for Classrooms 411 Otterson Drive, Suite 100, Chico, CA 95928 Lilia Osorio, Office Manager (530) 895-4175 Office (530)-895-4175, Extension 4 LOsorio@computersforclassrooms.org www.computersforclassrooms.org	Students, senior citizens, low income families and other individuals and groups in need.	Low cost refurbished computers
Department of Rehabilitation 425. W. Broadway Ste. 200 Glendale, CA 91204 (818)551-2141 (818)551-2105 www.dor.ca.gov	An employment and independent living resource for people with disabilities.	Mobility Evaluation, Specialized Services for the blind, visually impaired, deaf and hard of hearing, Assistive Technology Social Security Work Incentives and the Ticket to Work Program, Independent Living, Employment
Didi Hirsch 1540 East Colorado Street Glendale, CA 91205 (818)244-7257 (888)807-7250 (toll free) www.didhirsch.org	Adults, Older Adults, Transitional Age Youth	A 24-hour suicide crisis line, Counseling for families that find themselves in emotional trouble, Help for individuals with serious psychiatric conditions, Substance abuse and prevention counseling for teenagers and adults, Community outreach for people affected by a traumatic event

Disability Rights California Mary Rios , Jerry Ward 350 S. Bixel St., Ste. 290 Los Angeles, CA 90017 (800)776-5746 (213)427-8747 www.disabilityrightsca.org	Individuals with disabilities	Provide information to those who may not know about their rights, File lawsuits on behalf of individuals or groups, Investigate charges of abuse and neglect, Advocate for change in laws, regulations and public policy
Down Syndrome Association of Los Angeles Sandra Baker 16461 Sherman Way., Ste. 180 Van Nuys, CA 91406 (818)786-0001 (818)786-0004 info@dsala.org	Individuals with Down syndrome and their families	Development and promotion of education, counseling, employment and recreational programs
East Los Angeles Occupational Center Katherine Mancuso 2100 Marengo St. Los Angeles, CA 90033 (323)276-7000 (323)223-6365 kmancuso@lausd.net www.elaoc.net East Los Angeles Skills Center Contact-Barbara Roldan 3921 Selig Pl. Los Angeles, CA 90031 (323)224-5970 x5981 (323)222-2351 www.elaoc.org	Everyone	Providing short-term career, and technical training. classes in Adult Literacy, English as a Second Language (ESL), and classes leading to a high school diploma and/or preparation for the GED
Easter Seals Workforce Development Services School-to-Work Transition Services 1570 E. 17th Street, Santa Ana, CA 92705 (714) 834-1111 www.easterseals.com/southernca	Individuals with disabilities including Autism	Easter Seals' School-to-Work Transition Services assist youth with disabilities in their transition from school to the workplace through a range of employment and education-based services,

		In home care giver services available
Education Spectrum Diane Howard, Executive Director 2235 N. Lake Ave., #201 Altadena, CA 91001 (626)797-1500 (626)797-5317 www.edspec.org	Individuals with Asperger's Disorder, high-functioning autism and related disorders	Promote social skills and independent living skills
Exceptional Minds 13400 Riverside Dr., #211 Sherman Oaks, CA 91423 (818)387-8811 info@exceptionalmindsstudio.org www.exceptionalmindsstudio.org	Individuals on the autism spectrum	Providing individuals with customized instruction and hands on experience to earn a living in the fields of multi-media, computer animation and post production.
Foothill Area Community Transition Services (F.A.C.T.S.) Jay Schwartz, Principal 440 West Lomita Ave. Glendale, CA 91204 (818) 241-7702 (818) 241-5128 JSchwartz@gusd.net	Young adults, from 18 to 22 years of age, who live in the cities of Glendale and La Canada. Placement in the program is made after an IEP team determines eligibility.	Based on their interests and abilities, students participate in an individualized program that provides a seamless transition from public school to adult life. Students develop skills essential to participating in work, community, and home settings.
Foothill Autism Alliance P.O. Box 10193 Glendale, CA 91209 (818)662-8847 info@foothillautism.org www.foothillautism.org www.foothillfamily.org	Individuals on Autism Spectrum	Offers resources and information on Autism
Foothill Family Service Oak Knoll Family Center Angie Groom ,Executive Asst 118 South Oak Knoll Avenue Pasadena, CA 91101 (626) 993-3000 (626) 993-3088	Everyone	Mental health and counseling services, Domestic Violence Prevention and Treatment
Frank Lanterman Regional Center	The Center serves children and adults with	Provides life - long services and support:

3303 Wilshire Boulevard, Suite 700 Los Angeles, CA 90010-1710 (213)383-1300 (213)383-6526 www.Lanterman.org Tiffany Watters, Community Employment Manager (626)449-0218 X208 Jose Reyes, Program Manager (626)449-0218 X204	developmental disabilities, who have or are at risk for a developmental delay or disability, and who are at high-risk of parenting an infant with a disability. A developmental disability is defined by state law as: * A disability that begins before the person's 18th birthday * Continues or can be expected to continue indefinitely * Presents a significant disability in three or more functional life areas, and must be due to one of the following conditions: *Autism Spectrum Disorders (ASD) *Cerebral palsy *Epilepsy *Intellectual disability *Disabling conditions closely related to mental retardation or requiring similar treatment	Awareness and education about developmental disabilities; Quality assurance and enhancement activities; Resource development; Client benefit coordination; Supported Employment
FVO Solutions, Inc. 789 N. Fair Oaks Ave. Pasadena, CA 91103 (626)449-0218 (626)449-4802 www.foothillvoc.org www.fvosolutions.com	Individuals with disabilities and other disadvantages	Customizing employment opportunities
GAMHPA 138 North Brand Boulevard, Suite 300 Glendale, California 91203 Telephone: (818) 771-7680 E-Mail: gamhpa@aol.com	Anyone	Mental health referral

Glendale Community College Garfield Campus Garfield Campus 1122 East Garfield Avenue Glendale, CA 91205 (818) 240-1000 ext. 5015	18 years of age	Non Credit course offerings: High School diploma/GED ESL Lifelong Learning Office Skills and Business Technology Parent Education Workforce Development, Continuing and Community Services!
Glendale Community College 1500 N. Verdugo Rd. Glendale, CA 91208 (818)240-1000 www.glendale.edu	18 years of age or possess a high school diploma	Offering AS/AA degree Vocational Certificates Education for meeting the lower division requirements of a four-year college
Glendale Community College Disabled Students Programs and Services Tina Anderson-Wahlberg, Manager San Rafael Building, 2 nd Flr, SR 208-1 1500 N. Verdugo Rd. Glendale, CA 91208 (818)240-1000 x5905 (818)240-1345 fax tinaa@glendale.edu www.glendale.edu	All individuals with a verified disability	Provides a comprehensive spectrum of services and accommodations, including: * Academic and personal counseling * Disability assessment * Adapted computer technology and instruction * Academic support and instruction * Alternate media * Adapted physical education * Interpreter and note taking services * Mobility assistance
Workability III Ellen Oppenberg elleno@glendale.edu (818)240-1000 ext. 5529	Must be or willing to become a client of the Dept. of Rehabilitation	• WAIII Offers pre-employment skills and preparation in resume writing, interview techniques, job searching, career exploration
	Students 16 years or	To learn a job skill : To

Glendale USD Regional Occupation Program (ROP) Maurice James 4747 New York Avenue La Crescenta CA 91214 (818)241-3111 – District Office (818) 248-8324 (818)246-5378 - SELPA mjames@gusd.net www.gusd.net	older; Students in grades 11 or 12; Students or adults needing job training; Students or adults with special needs	advance your career goals; To create a personal portfolio; To obtain work experience and on-the-job training; To receive high school credits; To prepare for advanced career training
Glendale Youth Alliance 1255 S. Central Ave. Glendale, CA 91204 (818)937-8073 www.glendaleyouthalliance.org	Low-income youth ages 14-24 residing in Glendale	Summer Youth employment program (ages 14-24) training, Employment and Mentoring Program; Employment Incentive Program (ages 18-21)
Goodwill Southern California 342 N. San Fernando Road Los Angeles, CA 90031 (888)446-6394 (323)223-1211 www.goodwillsocal.org	Veterans and individuals with a disability	Placement; Work source and Career Resource Centers; Veteran Employment; Training; Careers at Goodwill; Disability Services; Youth Program
Greater Los Angeles Agency on Deafness, Inc. (GLAD) 2222 Laverna Ave. Los Angeles, CA 90041 (323)478-8000 (323)550-4205 info@gladinc.org www.gladinc.org	GLAD-EDD employment specialists work with deaf and hard of hearing individuals searching for jobs.	Free interpreters for interviews; Job leads and referrals; Free use of CalJobs and Worksmart; Assistance writing resumes, applications and cover letters; Practice interviews; Advice on communication access on the job; Follow up and support for 30 days after placement
Homes for Life Foundation	Individuals who suffer from mental disabilities,	Network of permanent, affordable, service-

Jeff Henson, Director of Resource Development 8939 S. Sepulveda Blvd., Ste. 460 Los Angeles, CA 90045 (310) 337-7417 X22 (310) 337-7413 jhenson@homesforlife.org info@homesforlife.org	those who are homeless or at imminent risk of becoming homeless.	enriched housing within the geographic boundaries of Los Angeles County
Independent Living Center of Southern California Ester Lopez 14407 Gilmore Street, #101, Van Nuys, CA 91401 (818)988-9525 ilcsc@ilcsc.org	People with all types of Disabilities, Older Adults, and Veterans; including people of all ages with Traumatic Brain Injury (TBI), Stroke, Cancer, Autism, Visual Impairments, Arthritis, Loss of Hearing, Mental Illness, and Physical Impairments	Job Placement/Job Coaching Services Providing pre-employment preparation, Advocacy * Peer Support * Housing Referrals * Independent Living Skills Training * Assistive Technology
International Dyslexia Association (IDA) I Los Angeles Branch P.O. Box 8943, Calabasas, CA 91372 Phone: (818)506-8866 info@dyslexiala.org www.dyslexiala.org	Children and adults with dyslexia	Offers workshops; conferences and support groups
JayNolan Community Services La Crescenta Office (Lanternman Regional Center Area) 3857 Foothill Boulevard, #15E La Crescenta, CA 91214 Phone: (323) 805-0207 www.jaynolan.org	Children and adults with Autism and other developmental disabilities	*Job development and placement *Job coaching *Direct placement services *Employment Transportation assistance * Support to help you find and keep a paid job *Any other kind of support/assistance you need to meet your individual goals
L.A. County Department of Health Services 313 N. Figueroa Street	Everyone	*Adult/Family *Medicine (Primary Care) *Emergency Services

Los Angeles, 90012 (213)240-8101 www.Dhs.lacounty.gov Glendale Health Center (subsidiary of LA) 501 N. Glendale Ave. Glendale, CA 91206 (818)291-8900		*Inpatient Services *Pediatrics (Primary Care) *HIV/AIDS (Primary Care) *Rehabilitation *Women's Health (Primary Care) *Specialty Care *Urgent Care Rehabilitation is a highly specialized area of medicine that aims to restore functional ability and quality of life to those with physical impairments or disabilities that may result from stroke, brain, or spinal cord injuries. Rehabilitation therapy can be delivered in both *Medicine (Primary Care) *Pediatrics (Primary Care) *Women's Health (Primary Care)
L.A. City Therapeutic Recreation Center Elysian Therapeutic Recreation Center 929 Academy Rd., Los Angeles, CA 90012 Phone: (323) 226-1402 elysianparktrc@lacity.org	persons with disabilities	Maximizing individuals cognitive, social, and recreational growth •Bowling •Camp •Various Recreational Activities •Weight Training
Los Angeles Learning Disabilities Association P.O.Box 1067 Sierra Madre, CA 91025 (626)355-0240 lalda@verizon.net	Children and adults with learning disabilities	*Advance parents' understanding and responsibility for the education of their children; *Increase community

www.lalda.org		awareness and acceptance of the unique problems of persons with learning disabilities and their families; *Develop social and educational opportunities *Promote vocational and career education opportunities; *Serve as a consultant
Los Angeles Trade Technical College Los Angeles Trade Tech College 400 West Washington Blvd. Los Angeles, CA 90015-4108 Phone (213) 763-7000 www.lattc.edu	They provide students and community with high-quality academic, technical, and professional educational opportunities	*Associate in Arts Associate in Science *Certificates of Completion in selected programs All academic courses required for transfer to a four-year college or university as well as nearly 90 different occupational programs, some of which can be completed in little as one year.
Los Angeles Valley College Steve Diaz, Disability Specialist 5800 Fulton Ave. Valley Glen, CA 91401 (818)947-2681 (818)778-5775 (818)947-2684 (direct to Steve) www.lavc.edu ssd@lavc.edu	18 years of age or possessing a high school diploma	Offering AS/AA degree Vocational Certificates Education for meeting the lower division requirements of a four-year college
Maple Park Community Center Kenneth Khan, Therapeutic Recreation Coordinator 820 E. Maple St. Glendale, CA 91205 (818)548-3783	Individuals with disabilities	*Health screenings and wellness programs *Housing and legal assistance *Life-long learning classes *Travel and volunteer opportunities *Recreational activities and

		special events with an emphasis on diversity Club Maple (Free) Provides an opportunity for individuals to experience positive, healthy recreation and socialization experiences at the Maple Park Community Center Get Fit (free) Educates developmentally disabled adults on how to start and maintain a healthy life-style through exercise and nutrition
Modern Support Services Contact-Jack Darakjian or Jim Williams PO Box 10365 Glendale, CA 91209 (818)244-2677 x101, x102 (818)244-2489 fax (855)853-2300 (toll free) jackdarakjian@modernsupportservices.org jwilliams@modernsupportservices.org www.modernsupportservices.org	Individuals with significant psychological, emotional and physical challenges diagnosed with Autism, Down Syndrome, Intellectual Disabilities, Seizure disorder, Cerebral Palsy, Schizophrenia, OCD, Bipolar, etc.	* Daily living activities such as meal preparation, including planning, shopping, cooking * Locating and choosing suitable house mates. * Acquiring, using and caring for canine and other animals specifically trained to provide assistance. * Locating and scheduling appropriate medical services. * Becoming aware of and effectively using transportation * Managing personal financial affairs.

		* Enroll in community college classes. * Receive positive behavioral supports and instructional strategies towards achieving lifetime preferences. * Have access to 24 hour services.
National Alliance on Mental Illness (NAMI) (213)797-0494 1540 E. Colorado St.; Glendale, CA 91205 namiglendale@gmail.com www.namiglendale.org	Individuals with mental illness who live in the greater Glendale area	Providing advocacy, education and support for those affected by serious mental illness, their friends, loved ones, and families.
North Valley Occupational Center 11450 N. Sharp Ave. Mission Hills, CA 91345 (818)256-1400 (818)365-2695 Teresa Romero, Program Advisor (818)365-9645 X368 Jonathan Tinaza, Program Assistant (818)365-9645 X367 www.nvoc.org	Any person 16 years of age or older is eligible for enrollment. Those under 18 must have administrative approval from their parent and school	Career and Technical Classes Aviation Mechanics Classes HS Diploma/GED Classes Senior/Special Needs Classes Language and Literacy Classes
Pacific Clinics Pasadena Family Services Joanna Garcia, Program Director 66 Hurlbut St. Pasadena, CA. 91105 (626) 441-4221 www.pacificclinics.org	Treatment for persons with serious and persistent mental illness For persons ages birth to adulthood	Individual, group and family therapy * Medication management * Case management * Crisis management * Integrated programs for co-occurring substance abuse/mental illness * Referral to vocational programs * Assistance in finding housing * Educational activities * Self-help programs * Psychiatric testing • Referral to and collaboration with other community

		resources and agencies
Pasadena City College (Disabled Student Programs & Services) 1570 E. Colorado Blvd. Room D 209 Pasadena, CA 91106 (626)585-7127 dsps@pasadena.edu	18 years of age or in possession of a high school diploma	Offering AS/AA degree Vocational Certificates Education for meeting the lower division requirements of a four-year college
Pathpoint (Los Angeles County) 9430 Topanga Canyon Boulevard, Suite 103 Chatsworth, CA 91311 (818)773-9570 www.pathpoint.org info@pathpoint.org	Individuals with developmental disabilities, psychiatric disabilities, are deaf or have other physical disabilities, as well as at-risk youth, low-income seniors and the homeless.	Services: *Behavioral Health *Employment Services *Independent Living Services *Community Access Services
Pierce College Special Services Office Dr. Genice Sarcrodo-Magruder, Dean 6201 Winnetka Ave. Woodland Hills, CA 91371 (818)719-6430 special_services@piercecollege.edu www.piercecollege.edu	18 years of age or in possession of a high school diploma	Offering AS/AA degree Vocational Certificates Education for meeting the lower division requirements of a four-year college
Salvation Army Pasadena Tabernacle Corps 960 E. Walnut St. Pasadena CA 91106 Tel:(626)773-4400 terry.masango@usw.salvationarmy.org www.pasadena.salvationarmy.org	Adult men and women who have lost the ability to cope with their problems and provide for themselves	ARC Program Offers residential housing, work, and group and individual therapy
Social Security Administration Glendale District 225 W. Broadway, Ste. 600 Glendale, CA 91204 (800)772-1213 www.ssa.gov	Everyone	*Info on Social Security *SSI benefits *SS card *Medicare benefits and sign up *Survivor and burial Benefits
Social Vocational Services, Inc. Los Angeles Adult Day Program	Developmentally disabled adults	

Supported Employment 4201 Wilshire Blvd, Suite 309 Los Angeles, CA 90010 Phone (323) 937-8151 Fax (323) 937-8152 lan@svsinc.org www.socialvocationalservices.org		Adult Day Programs, Supported Employment, Residential; Transportation and Financial Management Services.
Southern California Resource Services Independent Living Services (SCRS-IL) 1000 South Fremont Ave Building B1, Ste B10100 Alhambra, CA 91803 (626)587-5010 (626)382-2501 www.scrs-ilc.org	Individuals with disabilities	Housing Assistance; Youth Transition; Employment Services; Community Education; Computer Training; Transition from Nursing Facilities; Obtaining a Personal Care Assistant; Systems Change Advocacy
St. John's Helath Center MH Services for Deaf & Hard of Hearing 1339 20th Street Santa Monica, CA 90404 (310)829-8921	Children, adults and families with hearing difficulties	Services include outpatient therapy, medication, crisis intervention, case management psychological/psychiatric evaluation, probation certified domestic violence treatment, and community outreach. Specialized services for individuals with substance abuse and mental health diagnoses are also offered.
Therapeutic Living Centers for the Blind (TLC for the blind) 7915 Lindley Avenue Reseda, CA 91335 (818)708-1740	Developmental disabilities with blindness	Residential Homes Adult Day Activities Children's Programs After-School Program Resources

(818)708-7899 fax tlc4blind.org Jennifer Todd, Residential Program Services jtodd@tlc4blind.org (818)708-1740 x2022 Karen Brown, Day Program/Adult After School kbrown@tlc4blind.org (818)708-4946 Christina Pruss, Early Intervention Program cpruss@tlc4blind.org (818)708-4948		
Tierra del Sol Foundation Jackie Williams, Sunland Intake Coordinator 9919 Sunland Blvd. Sunland, CA 91040 (818)352-1419 (818)908-9192 fax (818)353-0777 jwilliams@tierradelSol.org www.TierradelSol.org	Individuals with developmental disabilities.	Supported Employment Training; Interpersonal Skills Communication; Healthy Lifestyles; Classes
United Cerebral Palsy Robyn Zelden, Program Manager 6430 Independence Ave. Woodland Hills, CA 91367 (818)782-2211 (818)909-9106 mail@ucpla.org www.ucpla.org	Adults with cerebral palsy	Public Policy; Public Education
University of California, Los Angeles Office for Students with Disabilities PO Box 951426 Los Angeles, CA 90095-1426 Phone: (310)825-1501 Administrative Offices Ed McCloskey, A255 Murphy Hall (310)825-9656 (fax)	Graduates from high School Graduates from 2 years Community Colleges with verified disabilities	Assists students in realizing their academic potential, and to facilitate the elimination of programmatic and attitudinal barriers

University of Southern California Disability Services & Programs 3601 Watt Way Grace Ford Salvatori Hall Room 120 Los Angeles, CA 90089 (213)740-0776 (213)740-8216 fax ability@usc.edu www.dsp.usc.edu	Students with disabilities	*Academic accommodations *Advocacy *Support for individual student needs including online students and students at satellite campuses *Career Transition Support * Occupational therapy * Learning strategy support * Psycho-educational Support
Verdugo Jobs Center Nina Schultz, Head of WIPA Program 1255 S. Central Ave. Glendale, CA 91204 (818)409-0476 (818)409-0496 fschultz@ci.glendale.ca.us www.verdugojobscenter.org	Everyone	Info regarding SSI, SSDI Ticket to work Programs for disabled individuals seeking a job, Glendale Youth Alliance Employment Program
Villa Esperanza Services 2060 East Villa St. Pasadena, CA 91107 (626)449-2919 (626)449-2850 (fax) info@villaesperanzaservices.org www.villaesperanzaservices.org	Children and adults with Autism, Down Syndrome , and other developmental disabilities	Employment Services; Adult Day Program; Adult Residential Program
Westview Services, Inc. Glendale/San Fernando Valley (818) 242-0068 www.westviewservices.org	Individuals with disabilities	Supported employment; provide on-the-job training/coaching

Appendix A

Parents' Rights and Procedural Safeguards

Foothill Special Education Local Plan Area

1700 E. Mountain Street

Glendale, CA 91207

(818) 246-5378 ❖ Fax: (818) 246-3537

Dear Parent(s)/Guardian(s)/Pupil:

This notice is provided to you because your child is being considered for possible placement or is currently enrolled in a special education program. This notice is also provided for children who are entitled to these rights at age 18. If your child is being referred for special education and all options of the general education program have been considered, and where appropriate utilized, for your child, you have the right to initiate a referral for special education.

In California, special education is provided to children with disabilities between birth and twenty-one years of age. Federal and state laws protect you and your child throughout the procedures for evaluation and identification of special education placement and services. Parents of children with disabilities have the right to participate in the individual education program process and be informed of the availability of a free appropriate public education and of all available alternative programs, including public and nonpublic programs.

You have the right to receive this notice in your primary/native language or other mode of communication (i.e., sign language or Braille), unless it is clearly not feasible to do so. These rights may also be translated orally to you if your primary/native language is not a written language. This notice will be given to you only one time a year, or upon: (1) your request; (2) the initial referral of your child for a special education evaluation; (3) reevaluation of your child; (4) removal of your child for violating a school code of conduct that constitutes a change in placement; (5) filing of a state complaint; and (6) receipt of a request for a due process hearing. If available, a copy of these procedural safeguards may also be accessible on your district's website and may be sent to you, upon your request, by electronic mail. Please check with your local school district to determine if this option is available.

The definitions below will help you understand the statement of rights. Should you need further information regarding the contents or use of this guide, you may contact your school district of residence Special Education Director, whose telephone number is on the last page of this document.

Definitions

Children with Disabilities: The Individuals with Disabilities Education Act ("IDEA") defines "children with disabilities" as including children with mental retardation, hearing impairments including deafness, speech or language impairments, visual impairments including blindness, emotional disturbance, orthopedic impairments, autism, traumatic brain injury, other health impairments or specific learning disabilities, and who by reason thereof, need special education and related services.

Consent: Consent means that: (1) parents have been given all information, in their native language or other mode of communication, that is relevant to any activity for which their consent is sought; (2) parents understand and agree in writing to that activity, and the consent form they sign contains a description of the activity and a list of records that will be released and to whom the records will be released in order to initiate or implement the activity; and (3) parents understand that their consent is voluntary and may be revoked at any time; however, their withdrawal of consent does not negate an action that has already occurred.

Evaluation: An assessment of your child using various tests and measures per Education Code section 56320-56339 and 20 U.S.C. section 1414(a), (b) and (c) to determine whether your child has a disability and the nature and extent of special and related services needed by your child for his/her educational benefit. The assessment tools are individually selected for your child and are administered by competent professionals employed by the local education agency. Testing and

evaluation materials and procedures will be selected and administered so as not to be racially or culturally discriminatory. The materials or procedures will be provided and administered in your child's native language or mode of communication, unless it clearly is not feasible to do so. No single procedure shall be the sole criterion for determining an appropriate educational program for a child.

Free Appropriate Public Education ("FAPE"): An education that: (1) is provided at public expense, under public supervision and direction, and without charge to you; (2) meets the standards of the California Department of Education; and (3) is provided in conformity with a written individualized education program developed for your child to confer an educational benefit and to be implemented in a preschool, elementary or secondary school program.

Individual Education Program ("IEP"): A written document developed by your child's IEP team that includes at least all of the following: (1) present levels of academic achievement and functional performance; (2) measurable annual goals; (3) a statement of the special educational and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the child; (4) an explanation of the extent to which the child will not participate with non-disabled children in the general education programs; (5) the projected date for initiation and the anticipated duration, frequency and location of the programs and services included in the IEP; and (6) appropriate objective criteria, evaluation procedures, and schedules for determining, on at least an annual basis, whether the child is achieving his or her goals.

Least Restrictive Environment ("LRE"): To the maximum extent appropriate, children with disabilities will be educated with children who are not disabled, and special classes, separate schooling, or other removal of children with disabilities from the general education program will occur only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

Local Educational Agency ("LEA"): This term includes a school district, County Office of Education ("COE"), a Special Education Local Plan Area ("SELPA"), or a charter school participating as a member of a SELPA.

Notification of Majority Rights: Your child has the right to receive all information about his/her educational program and to make all decisions when he/she reaches the age of eighteen unless determined incompetent by state law and procedures. Non-conserved adults are presumed under the laws of the State of California to be competent.

Parent: The definition of parent includes: (1) person having legal custody of a child; (2) an adult student for whom no guardian or conservator has been appointed; (3) a person acting in place of a natural or adoptive parent, including a grandparent, stepparent, or other relative with whom the child lives; (4) a parent surrogate; and (5) a foster parent, if the authority of a natural parent to make education decisions on the child's behalf has been specifically limited by court order.

When may I access Educational Records, and how do I do so?

All parents or guardians of children enrolled in California public schools have the right to inspect records under the Family Educational Rights and Privacy Act ("FERPA"), which has been implemented in the California Education Code.

Educational records are those records that are directly related to your child and maintained by a school district, agency, or institution that collects, maintains, or uses personally identifiable information, or from which information is obtained. Both federal and state laws further define an educational record as any item of information directly related to an identifiable pupil, other than directory information, which is maintained by a school LEA, or required to be maintained by an employee in the performance of his duties whether recorded by handwriting, print, tapes, film, microfilm, computer, or by other means. Educational records do not include informal personal notes prepared and kept by a school employee for his/her own use or the use of a substitute. If records contain information about more than one child, you have access only to that portion of the record pertaining to your child.

Personally identifiable information may include: (1) the name of the child, the child's parent or other family member; (2) the address of the child; (3) a personal identifier such as the child's social security number, student number, or court file number; (4) a list of personal characteristics or other information that would make it possible to identify the child with a reasonable certainty.

Additionally, parents of a child with disabilities, including non-custodial parents whose educational rights have not been limited, are presumed to have the right to: (1) review all educational records regarding the identification, evaluation, and educational placement of the child and the provision of a FAPE to the child; and (2) receive an explanation and interpretation of the records. These rights transfer to a non-conserved pupil who is eighteen years old or attending an institution of post-secondary education.

The custodian of records at each school site is the principal of the school. The custodian of records for each school district located in the Foothill SELPA is listed on the last page of this document. Educational records may be kept at the school site or the district office, but a written request for records at either site will be treated as a request for records from all sites. The custodian of records will provide you with a list of the types and locations of pupil records (if requested). Three years after a student exits a program, the special education records will be destroyed.

The custodian of the records will limit access to your child's educational records to those persons authorized to review the educational record, including you, your child who is at least sixteen years old, individuals who have been authorized by you to inspect the records, school employees who have a legitimate educational interest in the records, post-secondary institutions designated by your child, and employees of federal, state, and local education agencies. In all other instances, access will be denied unless you have provided written consent to release the records or the records are released pursuant to a court order or other applicable law. The LEA must keep a log indicating the time, name and purpose for access of those individuals who are not

employed by the school district.

Parent consent is not required before personally identifiable information is released to officials of participating agencies for purposes of meeting a requirement of the IDEA, except under the following circumstances: (1) before identifiable information is released to officials of participating agencies providing or paying for transition services; and (2) if the child is in, or is going to go to, a private school that is not located in the same school district in which parents reside, parent consent must be obtained before any personally identifiable information about the child is released between officials in the school district where the private school is located and officials in the school district in which parents reside.

A review and/or copies of educational records will be provided to you within, five (5) business days of a request. A fee for copies, but not the cost to search and retrieve, is determined by LEA policy and will be charged, unless charging the fee would effectively deny you access to your child's educational records. Once a complete copy of the records has been provided, a fee will be charged for additional copies of the same records.

Upon receiving notice that the records are no longer necessary to the LEA, you may request destruction of the records, which will take place either by physical destruction or by removing personal identifiers from the records so that the information is no longer personally identifiable. However, the LEA is obligated to keep a permanent record for each child, which includes: (1) the child's name, address, and phone number; and (2) the child's grades, attendance records, classes attended, grade level completed, and year completed.

If you believe that information in the education records collected, maintained or used by the LEA is inaccurate, misleading or violates the privacy or other rights of the child, you may request in writing that the LEA amend the information. If the LEA agrees with your request, the record will be amended and you will be informed.

Should the LEA refuse to make the amendment requested within 30 days, the LEA will notify you of the right to a hearing to determine whether the challenged information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of your child. If you request a hearing, the LEA will provide a hearing, within a reasonable time, which meets the following requirements: (1) the LEA must provide you with notice of the date, time, and place, reasonably in advance of the hearing; (2) the hearing may be conducted by any individual, including an official of the LEA, who does not have a direct interest in the outcome of the hearing; (3) the LEA shall give you a full and fair opportunity to present evidence relevant to the issues; (4) the LEA shall make its decision in writing within a reasonable period of time after the hearing; and (5) the decision must be based solely on the evidence presented at the hearing, and must include a summary of the evidence and the reasons for the decision. You may, at your own expense, be assisted or represented by one or more individuals of your own choice, including an attorney.

If it is decided by the governing board after the hearing that the record will not be amended, you have a right to provide what you believe is a corrective written statement, which will be

permanently attached to the contested record. This statement will be attached if the contested record is disclosed.

What is, and how may I obtain an Independent Educational Evaluation?

An independent educational evaluation (“IEE”) is an assessment conducted by a qualified examiner who is not employed by the LEA providing an education to your child, but satisfies the same requirements of the California Department of Education (“CDE”) and the LEA. If you disagree with the results of a recent assessment conducted by LEA, and make that disagreement known to the LEA, you have the right to request and possibly obtain an IEE for your child at public expense from a qualified person. Public expense means that the public agency either pays for the full cost of the evaluation or ensures that the evaluation is otherwise provided at no cost to you. Your LEA has information available for you about where such an IEE may be obtained and what the LEA’s criteria is for determining qualification.

If you request an IEE at public expense, the LEA must either: (1) file a complaint for due process against you to prove that its assessment is appropriate; or (2) ensure that the IEE is provided to you at public expense. If the LEA proves at a due process hearing that its assessment is appropriate, you still have the right to an IEE, but not at public expense.

If you obtain an assessment at private expense and provide a copy of it to the LEA, the results of the assessment will be considered by the IEP team with respect to the provision of a FAPE to your child. The privately funded assessment may also be introduced at a due process hearing regarding your child.

If the LEA observed your child in conducting its assessment, or if the LEA’s assessment procedures allow in-class observations of students, an individual conducting an IEE must also be allowed to observe your child in the classroom, or observe an educational setting proposed by the IEP team.

If you propose a publicly-financed placement of your child in a nonpublic school, the LEA will have an opportunity to observe the proposed placement and the pupil in the proposed placement, if the pupil has already been unilaterally placed in the non-public school by the parent or guardian.

What is Prior Written Notice and when will I receive it?

An LEA is responsible for informing you, in writing, whenever it proposes or refuses to initiate a change in the identification, assessment, or educational placement of your child. The LEA must provide written notice to parents of this proposal or refusal within a reasonable time. This notice, if not previously provided to the parent, will also be provided upon the LEA's receipt of a parent’s request for a due process hearing. The written notice will include:

- A description of the actions proposed or refused by the LEA with an explanation of why the agency proposed or refused to take the action and a description of other actions considered and why those options were rejected.

- A description of each assessment procedure, test, record, or report the LEA used as a basis for the proposal or refusal.
- A description of other options considered by the IEP team and the reason why those options were rejected.
- A description of any other factors, which are relevant to the LEA's proposal or refusal.
- Notice that parents can obtain copies or assistance in understanding their rights and procedural safeguards from the Special Education Director of their child's district of residence, the SELPA Director, or the CDE in Sacramento.

What constitutes Parental Consent and when is it required?

The LEA must get parental consent, as described above, before assessing and/or providing special education and related services to your child. The LEA must make reasonable efforts to obtain a parent's informed consent before an initial assessment or reassessment of a child. If you refuse to consent to an initial assessment or a reassessment, the LEA may, but is not required to, use due process procedures to obtain your consent for the assessment. If you refuse to consent to the **initial** IEP placement and services, the LEA may not use the due process procedures described below to challenge your refusal to consent. However, when the LEA requests consent to the initial placement and services, and you do not provide it, the LEA will not be considered to be in violation of the requirement to make available a FAPE to your child. The LEA will also not be required to convene an IEP team meeting or develop an IEP when such consent is not provided after the LEA's request.

You may consent in writing to the receipt of some components of your child's IEP, and those components of the IEP must be implemented by the LEA. If the LEA determines that the remaining component(s) of your child's IEP to which you do not consent is/are necessary to provide a FAPE to the child, the LEA must initiate a due process hearing.

Finally, your informed consent need not be obtained in the case of a reassessment of your child, if the LEA can demonstrate through a due process hearing that it has taken reasonable measures to obtain your consent and you have failed to respond.

Am I Allowed to Change My Mind Later and 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 school district or charter school

- May not continue to provide special education and related services to the child, but must provide prior written notice before ceasing the provision of special education and related services;
- May not use the mediation procedures, the due process procedures in order to obtain agreement or a ruling that the services may be provided to the child;

- Will not be considered to be in violation of the requirement to make FAPE available to the child because of the failure to provide the child with further special education and related services; and
- Is not required to convene and IEP Team meeting or develop and IEP for the child for further provision of special education and related services.

If the parent revokes consent in writing for their child's receipt of special education services after the child is initially provided special education and related services, the school district or charter school 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. This provision applies when a parent refuses all special education services. If a parent disagrees with some services but not all, the issues need to be resolved through the Due Process procedure.

If I have a complaint about my child's educational program, how do I raise it?

You have the right to present and resolve any complaint you have regarding your child's education. If you have any concerns relating to your child's educational program, the Foothill SELPA encourages you to bring your concerns to the attention of the teacher, school administrator, or your child's IEP team.

If the LEA is not able to resolve your concerns through informal means, you may file a compliance complaint with either the LEA, or the CDE.

If your concern is related to a proposal or a refusal to initiate or change the identification, evaluation or educational placement of a child with a disability, the provision of a FAPE to the child, or a dispute over the availability of an appropriate program for your child, you may file a due process hearing complaint (described below). The LEA also has the right to file a due process hearing complaint on any matter relating to a proposal or a refusal to initiate or change the identification, evaluation or educational placement of your child, the provision of a FAPE to your child, or a dispute over the availability of an appropriate program for your child.

What is a compliance complaint and what are my rights related to a compliance complaint?

All compliance complaints which allege a violation of the law under the IDEA or California special education law, the complaint must: (1) be in writing; (2) contain a statement that the LEA has violated a law or regulation under the IDEA or California Education Code counterparts; (3) contain the facts which support the allegation; (4) contain a signature and contact information of the complainant; and (5) if alleging a violation against a single child, must contain: (a) the name and address of the child (or available contact information for a homeless child); (b) the name of the school the child is attending; (c) a description of the nature of the problem and facts relating to the problem; and (d) a proposed resolution to the extent known.

District/LEA Level Compliance Complaint: The Foothill SELPA encourages you to file any complaint regarding special education issues directly with your LEA in order for the LEA to quickly address your concerns in an informal and efficient manner. The LEA has established confidential procedures for the filing of these complaints and will meet with you to investigate your complaint in a timely manner and attempt to resolve any concerns. The Compliance Officer will assist you in resolving any complaint of discrimination against the district, its employees or contractors, and students. The Compliance Officer is also able to assist you in preparing your complaint in writing and to provide the information required by

law. The Compliance Officer will refer you to other agencies responsible for the investigation and resolution of complaints when appropriate.

State Level Compliance Complaint: Any individual or organization may file a compliance complaint alleging a violation of any IDEA or state law requirement by the LEA, CDE, or any other public agency. The Compliance Officer is also able to assist you in preparing your complaint in writing and to provide the information required by law. The Compliance Officer will refer you to other agencies responsible for the investigation and resolution of complaints when appropriate. Complaints should be filed with the CDE Compliance Unit: **California Department of Education, Special Education Division, Procedural Safeguards Referral Service, 1430 N Street, Suite 2401, Sacramento, CA 95814. Phone (800) 926-0648; FAX (916) 327-3704.**

Compliance complaints filed with the CDE must be filed within **one** year from the date you knew or had reason to know of the facts that were the basis for the complaint.

Within sixty (60) days after your complaint is filed, the CDE will: (1) carry out an independent on-site investigation, if necessary; (2) give you the opportunity to submit additional information, either orally or in writing, about the allegations in the complaint; (3) provide the LEA with the opportunity to respond to the complaint, including a proposal to resolve the complaint; (4) provide an opportunity for you and the LEA to agree voluntarily to engage in mediation; (5) review all relevant information and make an independent determination as to whether the LEA is violating a requirement of the IDEA and/or related State law; and (6) issue a written decision to you and the LEA that addresses each allegation in the complaint and contains findings of fact and conclusions, and the reasons for the final decision.

What is mediation and when can I request it?

Parties are encouraged to seek resolution of special education disputes through less adversarial processes such as mediation or alternative dispute resolution ("ADR") prior to filing for a due process hearing. While you are urged to try mediation, this may not be used to delay your right to a due process hearing.

These voluntary prehearing mediation conferences are to be conducted in a non-adversarial atmosphere to resolve issues relating to the identification, assessment, or educational placement of the child, or the provision of a FAPE to the child, to the satisfaction of both parties. Therefore, attorneys or other independent contractors used to provide legal advocacy services may not attend or otherwise participate in the prehearing mediation conferences. This does not prevent either party from consulting an attorney either prior to or following the mediation process nor does this bar a parent of the child in question from participating if the parent is an attorney. The parties may be accompanied and advised by non-attorney representatives at their discretion.

This mediation conference will be scheduled within 15 days and completed within 30 days of the CDE's receipt of your request for mediation, unless both parties agree to an extension. The mediation will be conducted by a qualified and impartial mediator who is trained in effective mediation techniques.

If you and the LEA resolve a dispute through the mediation process, both parties must enter into a legally binding agreement that sets forth the resolution and that: (1) states that all discussions that happened during

the mediation process will remain confidential and may not be used as evidence in any subsequent due process hearing or civil proceeding; and (2) is signed by both you and a representative who has the authority to bind the LEA.

A written, signed mediation agreement is enforceable in any State court of competent jurisdiction (a court that has the authority under State law to hear this type of case) or in a district court of the United States. Discussions that happened during the mediation process must be confidential. They cannot be used as evidence in any future due process hearing or civil proceeding of any Federal or State court.

What is a due process hearing and what are my rights related to it?

A due process hearing is a formal proceeding presided over by an administrative law judge, which is similar to a court action. The hearing can be initiated by you or the LEA when there is a disagreement over a proposal or a refusal to initiate or change the identification, evaluation or educational placement of your child, the provision of a FAPE to your child, or a dispute over the availability of an appropriate program for your child.

Requests should be sent to: **Office of Administrative Hearings ("OAH"), at the following address: Office of Administrative Hearings, Attn: Special Education Division, 2349 Gateway Oaks Drive, Suite 200, Sacramento, CA 95833-4231. Phone (916) 263-0880; FAX (916) 263-0890.**

The request for a due process hearing must be filed within **two** years from the date you knew or had reason to know of the facts that were the basis for the hearing request. This timeline does not apply to you if you were prevented from requesting a due process hearing earlier because the LEA: (1) misrepresented that it had resolved the problem which is the basis of your request; or (2) withheld information from you relating to the information contained in this notice.

Your due process hearing complaint **must** include the following information: (1) your child's name; (2) your child's address (or, in the case of a homeless child, the available contact information); (3) the name of the school your child attends; (4) a description of the problem relating to the proposed initiation or change, including specific facts about the problem; and (5) proposed resolution to the problem to the extent it is known to you. You must provide the LEA with a copy of your request for due process. You (or the LEA) may not have a due process hearing until a due process hearing complaint that contains all of the information outlined above is filed.

Within five days OAH must decide if the due process complaint meets the requirements listed above and they will notify you and the LEA in writing if it is insufficient. If OAH determines that a due process complaint is insufficient, the party will have the opportunity to file a new complaint that meets the requirements listed above.

If you request a due process hearing, within 15 days of receiving your request for due process, the LEA must convene a meeting with you, the relevant member(s) of your child's IEP team who have specific knowledge of the facts identified in the due process hearing request, and a LEA representative who has decision-making authority, to discuss a resolution to the issues raised. The meeting will not include the LEA's attorney, unless you are accompanied by an attorney.

Except where you and the LEA have both agreed, in writing, to waive the resolution process or to use mediation, your failure to participate in the resolution meeting will delay the timelines for the resolution process and due process hearing until you agree to participate in a meeting.

If an agreement is reached at the resolution session, the agreement must be memorialized in writing and signed by both you and the LEA representative. After signing, both you and the LEA have 3 business days to void the agreement. If the LEA has not resolved the due process complaint to your satisfaction within 30 days of the receipt of the due process complaint (during the time period for the resolution process), the due process hearing may occur, and the applicable timeline for issuing a final decision begins.

You and the LEA may agree, at any time prior to the commencement of the due process hearing to participate in a mediation of the dispute. An impartial mediator will be appointed by OAH at no cost to either party. Mediation extends OAH's timeline to render its decision; however, mediation is not intended to deny or delay your right to a hearing, or any other rights.

If the issues which gave rise to the request for due process are not resolved by the resolution session or mediation, OAH must hold a hearing, reach a final decision on the issues in the case, and send a copy of the decision to the parties within 45 days of the expiration of the resolution period. The hearing must be held at a time and place that is reasonably convenient to the parties.

Any party to a due process hearing has the right to: (1) a fair and impartial administrative hearing before a person knowledgeable in laws governing special education and administrative hearings; (2) be represented by an attorney or an advocate with knowledge and training related to the problems of children and youth with disabilities; (3) present evidence, written arguments, and oral arguments; (4) confront, cross-examine, and require witnesses to be present; (5) obtain a written or at your option, electronic verbatim record of the hearing; (6) obtain written or at your option, electronic findings of fact and decisions, within 45 days after the expiration of the resolution session time period; (7) receive notice from the other party, at least ten days prior to the hearing, that it intends to be represented by an attorney; (8) be informed by the other party, at least ten days prior to the hearing, of their issues and their proposed resolutions; (9) 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 at least five business days before the hearing; (10) have your child present at the hearing; (11) have the hearing open or closed to the public; (12) have an interpreter provided; (13) request an extension of the hearing timeline for good cause; and (14) request that your child's school district, the Foothill SELPA or OAH provide you with a list of individuals providing legal services or advocacy for children with disabilities.

What if I disagree with the results of a due process hearing?

The hearing decision is final and binding on both parties. Either party may appeal the decision by filing an appeal in the appropriate court. In a civil action, the records and transcription of the administrative proceedings will be filed with the court. The court may hear additional evidence at the request of either party and must base its decision on the preponderance of the evidence. This appeal must be made within ninety (90) days after the date of the decision of the Administrative Law Judge.

Where will my child be placed during the pendency of a due process hearing?

Once a request for due process is received by the LEA, during the resolution process time period, and while waiting for the decision of any impartial due process hearing or court proceeding, the child must remain in his or her current educational placement, unless the parent and the LEA agree otherwise.

If your request for due process involves an application for initial admission to public school, your child, with your consent, must be placed in the general public school program until the completion of all such proceedings.

If your request for due process involves an application for initial services for a child who received services pursuant to an individual family services plan ("IFSP"), and has turned three, the LEA is not required to provide the IFSP services that your child had been receiving. If your child is found eligible for special education services from the LEA, and you consent for your child to receive special education services for the first time, then, pending the outcome of the due process proceedings, the LEA must provide those special education and related services that are not in dispute (those which you and the LEA both agree upon).

If your child has been placed in an interim alternative educational setting ("IAES"), he or she will remain in the IAES for a maximum of 45 school days pending the due process hearing, or until the expiration of the time period for the IAES, whichever occurs first.

Under what circumstances could my attorneys' fees be reimbursed to me?

A court, in its discretion, may order that a LEA pay reasonable attorneys' fees to the parent of a child with disabilities if the parent prevails at a due process hearing. Additionally, the LEA may be awarded attorneys' fees against the attorney of a parent, or against a parent, who files a complaint or subsequent cause of action that is frivolous, unreasonable, or without foundation, or who continued to litigate after the litigation clearly became frivolous, unreasonable, or without foundation. The LEA may also be entitled to attorneys' fees against the attorney of a parent, or against the parent, if the parent's complaint or subsequent cause of action was presented for any improper purposes, such as to harass, to cause unnecessary delay, or to needlessly increase the cost of litigation.

A court may reduce the amount of attorneys' fee if: (1) the parent has unreasonably delayed the proceedings (unless the LEA also delayed the proceedings or violated due process procedures); (2) the fees unreasonably exceed the prevailing hourly rate in the community; (3) the time spent and legal services were excessive; (4) or the parent's attorney did not provide the LEA with an appropriate due process complaint.

A parent may not obtain additional attorneys' fees or costs after the rejection or failure to

respond within 10 days to an offer of settlement that is made by the LEA, at any time more than 10 days before the hearing or court action if the hearing officer or court finds that the relief finally obtained by the parents is not more favorable to the parents than the offer of settlement. Despite these restrictions, an award of attorneys' fees and related costs may be made to a parent if you prevail and the court determines you were substantially justified in rejecting the settlement offer.

Attorneys' fees may not be awarded to an attorney for attendance at an IEP team meeting unless the meeting has been convened as a result of an administrative proceeding, or a judicial action. A resolution meeting is not considered a meeting convened as a result of an administrative hearing or court action, and also is not considered an administrative hearing or court action for purposes of the attorneys' fees provisions.

What are my child's rights when the LEA is contemplating disciplining him/her?

Before a child with disabilities may be suspended from school for a period in excess of 10 days, or 10 cumulative days when such suspensions constitute a change in placement, the LEA must hold an IEP team meeting to determine whether the behavior subject to discipline was a manifestation of your child's disability. The IEP team will determine whether the conduct in question was: (1) caused by, or had a direct and substantial relationship to your child's disability; or (2) the direct result of the LEA's failure to implement the child's IEP. Under special circumstances, your child may be removed from his/her placement to an IAES for a period not to exceed 45 school days. School officials are not prohibited by special education laws from reporting a crime committed by your child to appropriate authorities.

Parents have the right to appeal a decision to suspend or expel special education students. When an appeal has been requested by either the parent or the LEA relating to the disciplinary placement of a child or the results of the manifestation determination meeting, the State shall arrange for an expedited hearing, which shall occur within 20 school days of the date the hearing is requested and shall result in a determination within 10 school days after the hearing. Your child is entitled to a stay put placement during appeals, however, if your child is placed in an IAES for 45 school days, placement will remain in that setting pending the decision by the hearing officer or until the expiration of the time period of the suspension, whichever occurs first.

If an evaluation of the child is requested when disciplinary action is pending, the evaluation shall be conducted in an expedited manner. Pending such an evaluation, the child shall remain in an educational setting determined by school authorities.

A child who has not previously been determined to be eligible for special education and related services may assert any of the protections provided under the IDEA if the LEA had knowledge that the child was a child with a disability before the occurrence of the behavior that caused disciplinary action. Knowledge shall be deemed if: (1) the parent expressed in writing to supervisory or administrative personnel of the school district, or the teacher of the child, that the

child was in need of special education and related services; (2) the parent had requested an evaluation of the child; or (3) school personnel had expressed to the Special Education Director of the LEA or to other supervisory personnel specific concerns about a pattern of behavior demonstrated by the child. The LEA is not deemed to have knowledge if the parent has not allowed an evaluation of the child or has refused special education services or the child has been evaluated and it was determined that the child was not eligible for services. If the LEA did not have knowledge of the disability, the child will not receive the due process protections of the IDEA.

What are the procedures when my child is subject to placement in an interim alternative educational setting?

An IAES is an educational placement or other setting or suspension that may be ordered by school personnel for a period not to exceed 10 school days (to the extent the alternative would be applied to children without disabilities). A decision to place a child in an IAES may be made by the IEP team when disciplinary action is contemplated by a LEA.

Under special circumstances, the IAES may be ordered for a period not to exceed 45 school days when a child has committed one of the following offenses at school, on school premises or at a school function under the jurisdiction of a State or LEA: (1) carried or possesses a weapon; (2) knowingly possessed or used illegal drugs, or sold or solicited the sale of controlled substances; (3) inflicted serious bodily injury upon another person. If the LEA has not already done so, after placing the child in a forty-five school day IAES, the LEA shall conduct a functional behavioral assessment and implement a behavioral intervention plan (if one has not already been implemented). If such a plan is already in place, the IEP team shall consider its modification. The IAES shall be affirmed by the IEP team if it will enable the child to continue to participate in the general curriculum and to receive those services and modifications, including those described in the child's current IEP, to meet the goals set out in the IEP and provide the modifications to address the offending behavior.

Under federal law, a hearing officer may return a child with a disability to the placement from which the child was removed or order a change of placement for a child with a disability to an appropriate IAES for not more than 45 school days if the hearing officer determines that maintaining the current placement of such child is substantially likely to result in injury to the child or to others.

At the time the decision is made to place a child in the IAES, the parents of the child have the right to be notified of the decision and provided written notice of all procedural safeguards under the disciplinary section of the IDEA. If a placement in an IAES is in excess of 10 school days, the IEP team must determine the appropriate setting and necessary services that will allow your child to continue to receive an educational benefit.

What are the rules relating to my decision to unilaterally place my child in a private school?

The reimbursement to a parent for placement of a child in a private school or agency may be ordered by a hearing officer or court when it is determined that the LEA did not provide a FAPE to the child in a timely manner prior to the enrollment and that the private placement is appropriate. Reimbursement may be reduced if the parent failed to inform the LEA that they were rejecting the proposed placement and of their intent to place their child in a private school at public expense at the most recent IEP, or at least 10 business days prior to the removal of the child from public school. Reimbursement may also be reduced if, prior to the removal of the child from public school, the LEA informed the parent of its intent to evaluate the child, and parent refused to permit or did not make the child available for the evaluation.

Reimbursement cannot be reduced if the LEA prevented the parent from giving notice; the parent had not received notice of the “written notice” requirement; or if compliance with the notice requirement would likely result in the physical harm to the child. The cost of reimbursement may or may not be reduced if the parent is not literate or cannot write in English, or compliance with the notice requirement would likely result in serious emotional harm to the child.

What are the State Special Schools?

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 and from ages 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 Web site at <http://www.cde.ca.gov/sp/ss/>, ask for more information from the members of your child’s IEP team or contact the SELPA Office.

Under what circumstances will a surrogate parent be appointed for a child?

Within 30 days of the local educational agency’s determination that a child is in need of a surrogate parent, the LEA will appoint a surrogate parent for a child if:

1. The child has been made a dependent or ward of the court, the court has specifically limited the right of the parent or guardian to make educational decisions for the child, **and** the child has no responsible parent or guardian to represent him or her; or
2. The child is not a ward or dependent of the court **and** no parent or guardian can be located, **or** there is no caretaker of the child **or** the child is an unaccompanied homeless youth.

In determining who will act as a surrogate for a child, the LEA will consider a relative caretaker, foster parent, or court appointed special advocate, if any of the individuals exist, otherwise it will appoint a person of its choice.

The surrogate parent will be an individual with knowledge and skills to adequately represent the child. The surrogate must meet the child at least once and, unless such a person is unavailable, should be culturally sensitive to the child. The surrogate parent shall represent the child in matters relating to identification, assessment, instructional planning and development, educational placement, reviewing and revising the IEP, and in all other matters relating to the provision of a FAPE to the child, including the provision of written consent to the IEP for non-emergency medical services, mental health treatment services and occupational or physical therapy services.

Persons with a conflict of interest in representing the child shall not be appointed as a surrogate parent. Conflicts exist if the surrogate parent is an employee of the LEA involved in the education or care of the child, or a foster care provider who derives his/her primary source of income from the care of this child or other children. When no such conflict exists, foster care providers, retired teachers, social workers, and probation officers may all serve as surrogates. In the case of an unaccompanied homeless youth, staff from emergency and transitional shelters, independent living programs, and street outreach programs may be appointed as temporary surrogates without regard to the conflicts described above, only until such time as another surrogate parent who meets the requirements described above can be found.

Alternatively, the surrogate parent can be appointed by the judge overseeing the child's care (as opposed to the LEA) provided that the surrogate parent meets the requirements described above.

Appendix B

Special Education Acronym Tip Sheet

AAC.....	Augmentative Alternative Communication
ABA.....	Applied Behavior Analysis
ADA.....	Americans with Disabilities Act
ADD.....	Attention Deficit Disorder
ADHD.....	Attention Deficit Hyperactivity Disorder
ADR.....	Alternative Dispute Resolution
APE.....	Adaptive Physical Education
ASD.....	Autism Spectrum Disorder
AT.....	Assistive Technology
BD.....	Behavioral Disorder
BI.....	Behavioral Interventionist

Special Education Parent Handbook, Revised 2018/Updated 2020

BIS.....	Behavior Intervention Services
BIP.....	Behavior Intervention Plan
BSP.....	Behavior Support Plan
CAA.....	California Alternative Assessment
CAC.....	Community Advisory Committee
CBI.....	Community Based Instruction
CCS.....	California Children’s Services
CD.....	Communication Disorder
CDBS.....	California Deaf-Blind Services (or other state)
CDC.....	Child Development Center
CDE.....	California Department of Education
CEC.....	Council for Exceptional Children
CELDT.....	California English Language Development Test
CFR.....	Code of Federal Regulations
CLC.....	Collaborative Learning Center (Formerly Special Day Class)
CTE.....	Career Technical Education
DAC.....	District Advisory Committee
DCFS.....	Department of Child and Family Services / DSHS
DD.....	Developmentally Delayed or Developmentally Disabled
DHH.....	Deaf and Hard of Hearing
DIS.....	Designated Instructional Services (former name for Related Services)
DMH.....	Department of Mental Health
DSM-V.....	Diagnostic & Statistical Manual
EC.....	Education Code
ED.....	Emotionally Disturbed
EHA.....	Education for All Handicapped Children Act
ELL.....	English Language Learner
ESL.....	English as a Second Language
ESSA.....	Every Student Succeeds Act
ESY.....	Extended School Year (Summer School)
FAPE.....	Free and Appropriate Public Education
FEP.....	Fluent English Proficient
FBA.....	Functional Behavior Analysis
504 (Plan).....	Section 504 of the Rehabilitation Act of 1973
HI.....	Hearing Impaired
IA.....	Instructional Assistant
ID.....	Intellectually Disabled
IDEA.....	Individuals with Disabilities Education Act
IEE.....	Independent Education Evaluation
IEP.....	Individualized Education Program
IFSP.....	Individualized Family Service Plan
IPP.....	Individualized Program Plan (Regional Center)
ISP.....	Individual Service Plan
ITP.....	Individual Transition Plan
GATE.....	Gifted and Talented Education
LEA.....	Local Educational Agency
LEP.....	Limited English Proficient
LRE.....	Least Restrictive Environment
MH.....	Multiple Handicaps
NPA.....	Non-Public Agency
NPS.....	Non-Public School

Special Education Parent Handbook, Revised 2018/Updated 2020

OAH.....	Office of Administrative Hearings
OCD.....	Obsessive Compulsive Disorder
OCR.....	Office of Civil Rights
ODD.....	Oppositional Defiant Disorder
OHI.....	Other Health Impairment
OI.....	Orthopedically Impaired
O&M.....	Orientation and Mobility Instruction
OT.....	Occupational Therapy/Therapist
PBSP.....	Positive Behavior Support Plan
PDD.....	Pervasive Developmental Disorder
PDD-NOS.....	Pervasive Developmental Disorder Not Otherwise Specified
PECS.....	Picture Exchange Communication System
PL.....	Public Law
PT.....	Physical Therapist
RFEP.....	Re-designated Fluent English Proficient
RSP.....	Resource Specialist Program
RTP ²	Response to Intervention and Instruction
SARB.....	School Attendance Review Board
SB.....	Senate Bill
SCIA.....	Special Circumstance Instructional Assistant
SDC.....	Special Day Class (Replaced by Collaborative Learning Center)
SELPA.....	Special Education Local Plan Area
SH.....	Severely Handicapped
SLD.....	Specific Learning Disability
SLI.....	Speech/Language Impairment
SLP.....	Speech/Language Pathologist
SST.....	Student Success/Study Team
TBI.....	Traumatic Brain Injury
TDD.....	Telecommunication Devices for the Deaf/Hearing Impaired
VI.....	Visually Impaired

Appendix C

Special Education Staff Directory

Burbank Unified School District's Department of Special Education is located at

1900 N. Olive Avenue, Burbank, California, 91501.

Telephone: (818) 729-4449; Fax: (818) 729-4544.

Or visit the BUSD website at <http://www.burbank.k12.ca.us>.

Below are BUSD personnel whom you should contact with your concerns or questions:

Director of Special Education

Tamara Schiern

tamaraschiern@burbankusd.org

(818) 729-4449

The Director is responsible for the planning, implementation, evaluation and supervision of all phases of special education and psychological services.

Coordinator of Special Education

Dr. Ingrid Jaimes

ingridjaimes@burbankusd.org

(818) 729-4433

The Coordinator manages the Special Education Early Development (SEED/Preschool) and FACTS adult transition programs, assists the Director with program management, provides support to IEP teams, supervises and evaluates staff including Speech Language Pathologists, Occupational Therapists, Adapted PE Teachers and Physical Therapists.

Temporary Coordinator of Special Education—Pandemic Learning Loss Mitigation

Dr. Britta Davidson

brittadavidson@burbankusd.org

(818) 729-4489

This Temporary, Emergency Funded Coordinator Position manages, oversees and serves as administrator over the assessments and IEPs from Spring 2020 that are being re-scheduled for Fall 2020, as well as planning, implementing and overseeing the Learning Loss Mitigation Program.

Administrative Secretary

Sandra Shearer
sandrashearer@burbankusd.org
(818) 729-4449

Administrative assistance to the Director

Program Specialist - Elementary Schools

Caryn Tomer
caryntomer@burbankusd.org
(818) 729-4443

The Program Specialist supports the Elementary Special Education programs and staff by offering expertise and guidance in program planning, staff development, curriculum, and technical assistance with Individualized Education Plans. Works with the IEP team regarding goals, services, accommodation or modification as well as behavior support for students.

Program Specialist – Secondary

Leslie Hawa
lesliehawa@burbankusd.org
(818) 729-4546

The Program Specialist supports the Secondary Special Education programs and staff by offering expertise and guidance in program planning, staff development, curriculum, and technical assistance with Individualized Education Plans. Works with the IEP team regarding goals, services, accommodation or modification as well as behavior support for students.

Program Specialist – Behavior Intervention Services

Adriana Latrovalis
adrianalatrovalis@burbankusd.org
(818) 729-4547

The Program Specialist supports all Special Education programs and staff by offering expertise and guidance in behavior intervention. Works with IEP team regarding students who require behavior intervention services. Supervises and oversees Behavior Interventionist Program, in collaboration with

Board Certified Behavior Analyst (BCBA).

DHH (Deaf and Hard of Hearing) Specialist

Patty Ivankovic

pattyivankovic@burbankusd.org

Washington Elementary (818) 558-5550

Videophone (818) 239-4401

The DHH Teacher who provides support to the DHH staff, general education teachers, IEP teams, and the DHH students who attend the SELPA programs at Washington Elementary, John Muir Middle School and Burbank High School and District-wide sign language interpreting requests.

Educational Audiologist

Contracted Through the SELPA

Conducts audiologic evaluations for students to determine eligibility for special education, works with the team to develop the student's IEP, provides direct audiological services to students and supports staff in meeting the audiologic needs of students in the educational environment.

Pre-School/Early Intervention Specialist

Anjanette Michalopoulos

anjanettemichalopoulos@burbankusd.org

(818) 729-5591

Supports special education students, staff members and families regarding services and placement in the SEED program. Supporting students and families through the transition process from Regional Center services to school based services. Assessing students to help determine eligibility, services, and placement.

Assistive Technology Teacher on Special Assignment

Eric Carter

ericcarter@burbankusd.org

(818) 729-4449

Serves as a specialist supporting Special Education teachers and students who are learning to use and implement a variety of assistive technology devices and systems. The AT teacher works collaboratively to provide ideas, resources, and training with a variety of assistive technology tools.

Speech and Language Therapy, Occupational Therapy, Adapted Physical Education, Physical Therapy, Psychological/Counseling Services

Contact the Department of Special Education at 818-729-4449 to determine which teacher, psychologist or specialist is assigned to your child's school.

Appendix D

Additional Resources and Tools

1. Sample Communication Log
2. School Contacts Form
3. “All About” Student Information Pages



CLIPARTBLACK.COM

Sample Communication Log

Date	Time	Name of Person	Agency	Comments

My School Site Contacts

School Year: _____

Profession	Name	Phone/E-mail
School		
Principal		
Assistant Principal (Curriculum)		
Assistant Principal (Discipline)		
Counselor		
Health Office		
Special Education Teacher (Case Manager)		
Special Education Teacher		
Special Education Teacher		
General Education Teacher		
General Education Teacher		
General Ed. Teacher		
General Ed. Teacher		
General Ed. Teacher		
General Ed. Teacher		
General Ed. Teacher		
Resource Teacher		
Resource Teacher		
Resource Teacher		
APE Teacher		
Occupational Therapist		
Psychologist		
Speech Therapist		
Teacher Aide		
Teacher Aide		
Teacher Aide		
Transportation		
Room Parent (Head)		
Additional Service Providers		

All About

Name of Student

Place photo here

All About

(Name)

My Favorite.....
Toys: Foods: Color: Books: Places to go: Activities: Other favorites:

Likes

Dislikes/Behavior Triggers

Strengths

Weaknesses

Motivators

<i>(Things you have successfully used that make a setting or experience more comfortable)</i>

Best Learning Style

Behavioral Strategies

Interventions Used

Family Photo

Most Important Concerns

Priorities

<i>(Those things that are most important to us that we would like to be addressed in the IEP)</i>

Strengths and Resources

<i>(People who help us/Things we do well as a family)</i>

Outcomes
<i>(Goals we want to achieve in the future – what we'd like our child to be able to do)</i>

Additional Items

Appendix E

Sample Letter – Referral for Special Education

Name
Address
City, State, Zip Code
Telephone Number

Date
Mr/Ms _____
Director of Special Education
Burbank Unified School District
Address
City, State, Zip Code

Dear Mr/Mrs _____

I am the parent of _____, who is currently enrolled at the _____ school in the _____ grade. My child has not been doing well in school and I am concerned about his educational progress.

I am writing to make a referral for assessment for special education services for _____, as required by 5 C.C.R. Sec. 3021(a). He may be eligible for special education services. I am requesting that _____ be given a comprehensive assessment by the school district and that an IEP meeting be scheduled for him/her. [**Optional:** As part of the assessment process. I also request that my child be assessed under Section 504 of the Rehabilitation Act of 1973 to determine whether he should be identified as “handicapped” pursuant to that law and to determine what, if any, accommodations might be required in his educational program in the event that he/she does not qualify for special education services or in addition to special education services. This is also to request that a Unified School District’s Section 504 Coordinator be present at the IEP meeting to discuss the results and recommendations of the Section 504 assessment.]

I look forward to receiving an assessment plan within 15 days. If you have any questions, please feel free to contact me. Thank you for your cooperation and assistance.

Sincerely,

Appendix F



Parental Consent & the LEA Billing Option Program

Your child's school is a participant in the **LEA Billing Option Program**, which allows school districts to receive partial reimbursement from Medi-Cal for providing health-related services listed in students' IEPs. *This reimbursement is critical as school districts must continue to find ways to fund the increasing costs of special education services.*

This document addresses the most common questions parents have about their role in this process and how parents can help their child's school obtain this much-needed reimbursement.

Why do you need my permission for my child's school to claim for this reimbursement?

Federal regulations require that parents be notified of a school district's intent to claim for Medi-Cal reimbursement for providing services to your child. By giving consent on the *Parental Consent Form*, you are authorizing the school district to claim for this reimbursement.

If I give consent, who will have access to my child's IEP information?

Your school district takes great care to ensure that your child's IEP information is protected. Whether or not you give consent, only authorized personnel may view your child's IEP information.

If I give consent, will Medi-Cal continue to pay for any services my child receives outside of school?

Yes; whether or not you give consent, Medi-Cal will continue to pay for medically necessary health-related services your child receives outside of school.

If I give consent, will it affect other benefits my child or family receives?

No, it will not affect your child's or family's funds or limits in any way.

If I give consent, will I have to make any co-payments?

No. Whether or not you give consent, as a parent you are not responsible for paying toward the school-based health services your child receives.

If I do not give consent, will my child continue to receive IEP services?

Yes, whether or not you give consent, your child will continue to receive the services that are defined in his/her IEP.

I signed this form once before. Why am I being asked to sign it again?

Program regulations require school districts to obtain parental consent once every school year and each time your child's IEP services increase or new services are added.

Will my child benefit from the reimbursement the school receives?

Program requirements stipulate that reimbursement be spent only within the special education program. Because your child is in the special education program, he or she would benefit from this reimbursement.

Are there any reasons I should not give my consent?

No. In fact, we hope that you will give consent since these funds are important in helping your school district pay for many special education services.