



Special Education 101

WHAT A BOARD MEMBER NEEDS TO KNOW

Learning Objectives

Gather additional information in the following three areas:

1. What is special education;
2. How is special education funded; and
3. Parent Rights/Procedural Safeguards related to special education

Do you speak
special education?

SLD

IEP

FAPE

LRE

IEE

What is Special Education?

THE I
THE E
THE P

Special Education

Special education: instruction provided at no cost that is specially designed to meet a student's identified unique learning needs.

Simply put...

Adaptation of the content, methodology, or delivery of instruction, to permit access to the general education curriculum.

Federal Mandate

1975: Public Law 94-142

2004: Individuals with Disabilities Education Improvement Act (IDEIA)

IDEIA – The Law of the Land

	Major Tenets
Ensure	Children with disabilities have access to special education services;
Ensure	That the rights of children with disabilities and their parents are protected;
Ensure	The effectiveness of efforts to educate children with disabilities; and
Prepare	Students for further education, employment, and independent living.

From DC to CDE to MC...

US Department of Education



California Department of Education



Marin County Special Education Local
Plan Area



Marin County Public Schools

CA Master Plan

A SELPA is a group of school districts and County Office of Education that join together to form a geographic region to provide all the special education service needs for children with disabilities residing within the region's boundaries.

In Marin County, the SELPA consists of all the local school districts and the Marin County Office of Education. The Marin County SELPA is a support service office. The SELPA is responsible to ensure that programs and services are available to meet the needs of students with disabilities from birth through age 22 in Marin County.



Special Education

4 EASY STEPS

Step 1: Identification

Schools are obligated to “search and serve”

Suspected of a disability = assessment

Assessment identifies the learning profile of the student

A team of educational specialists and parent/guardian determine if the student is eligible for special education

Step 1: Identification

Eligibility is a two (2) prong test:

1. Does the student meet the eligibility criteria identified in California Education Code; and
2. Does the student require special education services?

Step 2: Eligibility

There are 13 special education eligibility categories:

1. Autism
2. Deaf Blindness
3. Deafness
4. Emotional Disability
5. Hearing Impairment
6. Intellectual Disability
7. Multiple Disabilities
8. Orthopedic Impairment
9. Other Health Impaired
10. Specific Learning Disability
11. Speech or Language Impairment
12. Traumatic Brain Injury
13. Visual Impairment

Step 3:

Individualized Education Program (IEP)

A legal document that identifies the following:

Eligibility

Present levels of educational performance

Annual goals – including how progress will be measured and reported

Special education and related services to be provided to the child, including supplementary aids and services – and the frequency, duration and location of services

How the student will participate in state and district-wide assessments (the need for accommodations and modifications)

Time spent outside of the general education classroom/environment

Emergency Circumstances

Step 4: Placement

Once an IEP team decides what goals and services the student needs the IEP needs to decide where the services will be provided.

Least Restrictive Learning Environment (LRE):

When considering placement, the IEP team must ensure that the student has the maximum opportunity appropriate to learn with children who do not have disabilities during academic, nonacademic, and extracurricular activities.



The Big Picture:

FAPE

Every student is entitled to a free and appropriate public education (FAPE) when they go through the school gate.

Students in Special Education

CALIFORNIA AND MARIN COUNTY

California
2023

Newborn
through 22
years of age

Disability	Pupils
Intellectual Disability	40,298
Hard of Hearing	9,534
Deafness	2,815
Speech or Language Impairment	181,375
Visual Impairment	2,528
Emotional Disability	21,764
Orthopedic Impairment	6,146
Other Health Impairment	126,685
Specific Learning Disability	280,122
Deaf-Blindness	95
Multiple Disability	8,872
Autism	169,430
Traumatic Brain Injury	1,331
	TOTAL: 850,995

Marin County 2023 Census

Students Receiving Special Education Services

Disability	Pupils
Intellectual Disability	170
Hard of Hearing	86
Deafness	13
Speech or Language Impairment	1,006
Visual Impairment	18
Emotional Disability	239
Orthopedic Impairment	38
Other Health Impairment	858
Specific Learning Disability	1,225
Deaf-Blindness*	>10
Multiple Disability	27
Autism	481
Traumatic Brain Injury*	>10
	Total: 4,167

Special Education

FUNDING AND
ALLOCATION OF
MONIES

Funding

Senate Bill (SB) 98 provides the funding formula for special education support and services.

Simply put:

ADA and Rates

Base

COLA

Growth

Low Incidence

Out of Home Care

Local Property Tax

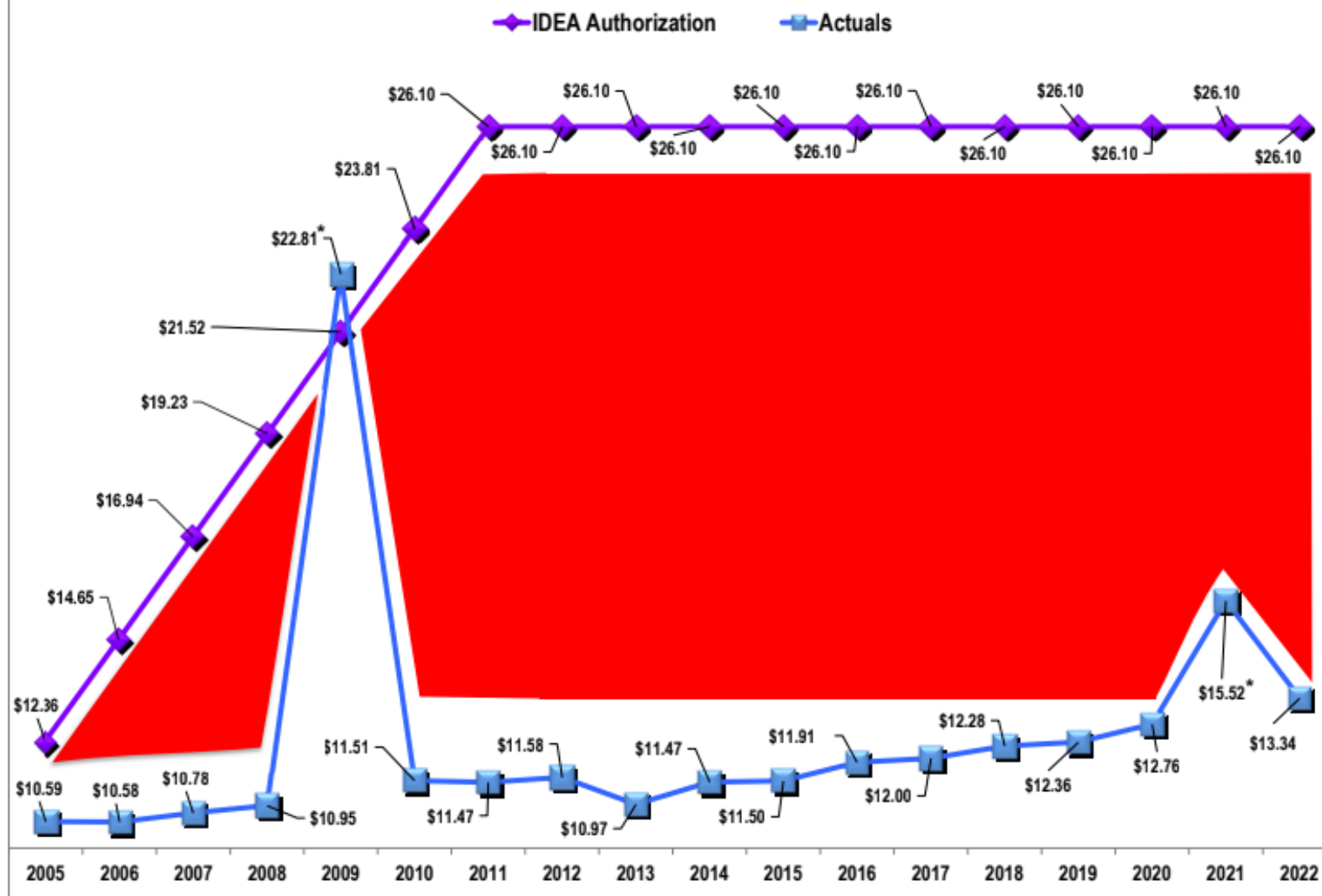
Federal IDEIA Local Assistance Grants

Funding

IDEIA identifies a federal contribution of 40 percent of the national average per pupil expenditure for the provision of special education services.

All shortfalls in federal special education funding must be addressed by the states and local school districts.

IDEA Part B Grant Funding Gap (in billions)



*One-time stimulus funds

For more information, please contact Michelle Underwood,



Allocation

Fiscal Allocation Plan:

- Allocates SELPA's entitlement to the member school districts;
- Developed by all the local school districts in Marin County;
- Set asides have been identified to help support the provision of special education services, such as Special Education Information System (SEIS), Technology Resource Center (TRC), Learning Ally; and
- Allocation based upon the district's average daily attendance, free and reduced lunch count, and special education pupil count.

AB 602

Prop 98: \$896.60 per ADA

ADA = 29,039.93

Federal = \$7,446,851

PK = \$974,034

State = 26,045,891

Total 24-25 Estimate:

\$33,492,742

SET-ASIDES:
\$6,860,031

NPS/LCI

\$52,539

SELPA

\$606,096

OoHC

\$300,000

ESY

\$758,956

FACILITIES

\$161,280

AUDIOBOOKS

\$90,000

TRC

\$86,000

MCOE BASE

\$4,766,544

SEIS

\$38,616

PRESCHOOL

\$974,034

LEA
MAY SEEK
REVENUE

Special Education

PARENT RIGHTS
& PROCEDURAL
SAFEGUARDS

Procedural Safeguards

Parents of children with disabilities have specific educational rights under IDEIA. These rights are known as procedural safeguards and include the following:

To participate

To receive prior written notice

To consent

To refuse to consent

To receive an Independent Educational Assessment

To access education records

To file a complaint against the school

To have their child remain in the current placement –
“stay put”

To be given a hearing regarding disagreements

Reaching Resolution

When disputes arise related to special education, schools in Marin County may access any of the following:

Informal meeting with the parent;

Facilitated IEP meeting;

Local Mediation;

State Mediation;

Resolution Session; and/or

Due Process Hearing

Office of Administrative Hearings

July 1, 2023 – June 30, 2024

Due Process
Filings: 4,694
(468 by districts)

Decisions
Issued: 76
(1.6% of cases)

Office of Administrative Hearings

State Mediation
Sessions Held:

2,303

State Mediation
Agreements:

215

(9.3% success rate)

Alternative Dispute Resolution (Marin County)



July 1, 2023 – June 30, 2024

Local Mediation Sessions: 26

Successful Resolution: 16 (62%)

Facilitated IEP Meetings: 9

Case Consultation with Family or
District: 32



Special education

Some kids need more to get the same...

Questions