

PARENT HANDBOOK FOR SPECIAL EDUCATION

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Jaqueline Rodriguez, SELPA Administrative Assistant

Your ongoing teamwork strengthens the connection between schools and families, ensuring that every child receives the individualized support they need to thrive.

Finally, thank you to the staff and parents across the North West SELPA member districts who continually work together to promote understanding, compassion, and inclusion within our school communities. Your dedication to students and families remains at the heart of all we do.

NORTH WEST SELPA MEMBERS

North West Special Education Local Plan Area (NW SELPA)	
NW SELPA Local Education Agency (LEA) Members	Special Education Phone Number
Cambrian School District	(408) 377-2103
Campbell Union High School District	(408) 371-0960
Campbell Union School District	(408) 364-4200 x6258
Cupertino Union School District	(408) 252-3000 x61130
Fremont Union High School District	(408) 522-2240
Lakeside Joint School District	(408) 354-2372
Loma Prieta Joint Union School District	(408) 353-1101
Los Altos Elementary School District	(650) 947-1182
Los Gatos Union School District	(408) 335-2040
Los Gatos-Saratoga Union High School District	(408) 402-6323
Luther Burbank School District	(408) 295-1814 x241
Moreland School District	(408) 874-2952
Mountain View Whisman School District	(650) 526-3500 x1133
Mountain View-Los Altos Union High School District	(650) 940-4650 x7054
Palo Alto Unified School District	(650) 833-4260
San Jose Unified School District	(408) 535-6000 x14431
Santa Clara Unified School District	(408) 423-2076
Santa Clara County Office of Education	(408) 453-6542
Saratoga Union Elementary School District	(408) 867-3424 x512
Sunnyvale School District	(408) 522-8200 x1029
Union Elementary School District	(408) 377-8010 x44208

We are here to support you. If you ever need more help beyond your local school district/county office or if you would simply like general information about special education programs, services, or policies within the North West Special Education Local Plan Area (SELPA), you can explore our website at www.selpa.sccoe.org. You can also connect with the North West SELPA office directly at:

NORTH WEST SPECIAL EDUCATION LOCAL PLAN AREA SANTA CLARA COUNTY

Contact: Leo Mapagu
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Introduction

Welcome to the North West Special Education Local Plan Area (NW SELPA) Parent Handbook! This guide was created to help families understand how special education works and to support you as an active partner in your child's learning journey. Whether this is your first time exploring special education or you're already familiar with the process, our goal is to make information clear, useful, and easy to access.

Every child is unique, and every family's path through special education is different. This handbook explains the key steps, rights, and supports available to help ensure your child receives the education and services they deserve. Inside, you'll find information about the laws that protect your child's rights, how to navigate the Individualized Education Program (IEP) process, the role of parents and educators, and where to find additional help and community resources.

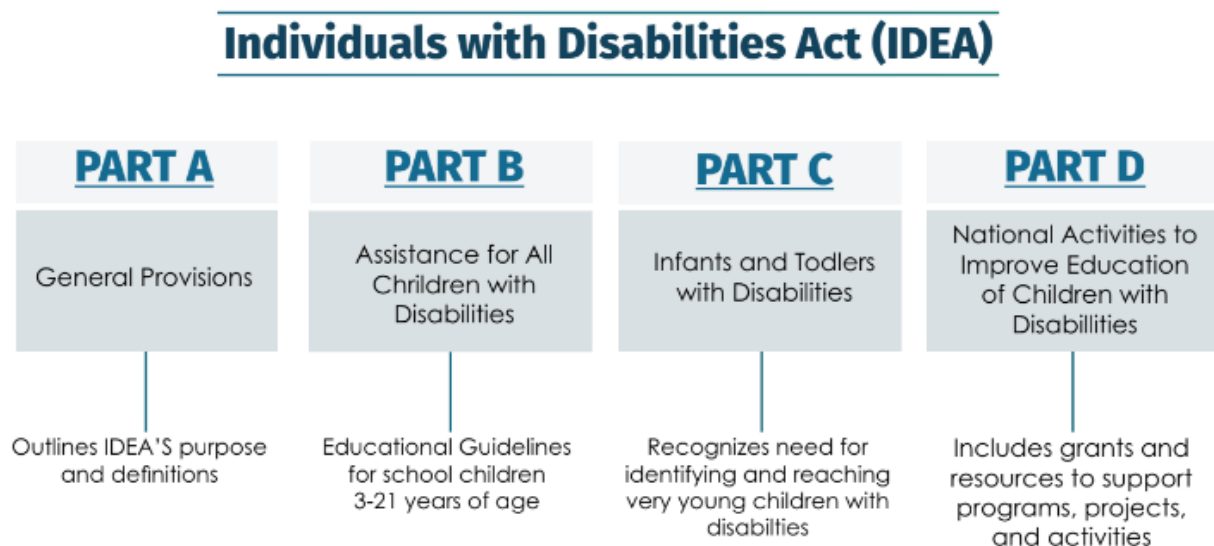
At NW SELPA, we believe that strong partnerships between parents, schools, and communities create the best outcomes for students. Families play a vital role in shaping their child's education, and your voice matters in every decision. We are here to guide, listen, and collaborate with you each step of the way.

If you ever have questions or need assistance beyond this handbook, please reach out to your school district or contact the North West SELPA Office. We are always happy to help you find the right supports and ensure that your child continues to learn, grow, and thrive.

Special Education Law: Individuals with Disabilities Education Act (IDEA)

The Individuals with Disabilities Education Act (IDEA) is a law ensuring services to children with disabilities throughout the nation. This statute governs how states and public agencies provide early intervention, special education, and related services to eligible infants, toddlers, children, and youth with disabilities.

IDEA is composed of four parts, or statutes. For each part, the U.S. Department of Education issues regulations to implement IDEA requirements.



The Individuals with Disabilities Education Act (IDEA) ensures services to children with disabilities throughout the U.S. The timeline follows the history of IDEA, from the groundwork for the Education for All Handicapped Children Act through today. This history illustrates the growing support to states and localities in protecting the rights of infants, toddlers, and children with disabilities and their families.

prior to 1970

Before the passage of the Education for All Handicapped Children Act (EHA) in 1975, students with disabilities were often entirely excluded from public education systems. Schools simply refused to enroll students with disabilities. Students with disabilities were often stigmatized and subjected to negative stereotypes about their abilities and potential. They were viewed as incapable of learning or as burdens on the education system, leading to further marginalization and exclusion from mainstream educational settings.

When schools did enroll students with disabilities, they were frequently segregated into separate "special" schools or institutions specifically designed for individuals with disabilities. These institutions varied widely in quality and resources, but they were often isolated from mainstream society and lacked access to the same educational opportunities as their non-disabled peers.

The civil rights movements of the mid-20th century, including the African American civil rights movement, inspired advocacy efforts for the rights of individuals with disabilities. Activists fought against discrimination, segregation, and institutionalization, demanding equal opportunities and access to education, employment, and public services.

1972

Parents were strong advocates for their children and brought landmark legal cases and legislation to challenge the segregation and exclusion of students with disabilities from mainstream education. Cases such as *Pennsylvania Association for Retarded Children (PARC) v. Commonwealth of Pennsylvania* (1972) and *Mills v. Board of Education of the District of Columbia* (1972) established that students with disabilities could not be excluded from school and were entitled to a free and appropriate public education (FAPE) in the least restrictive environment (LRE).

1975

November 29, 1975 - Public Law 94-142, also known as Education for All Handicapped Children Act of 1975 (EHA). The EHA guaranteed a free, appropriate public education, or FAPE, to each child with a disability in every state and locality across the country ages 3 years and up.

1986

The 1986 reauthorization (Public Law 99-457) addressed early intervention and mandated that individual states provide services to families of children born with disabilities from the time they are born.

1990

The 1990 reauthorization (Public Law 110-476) changed the law's name from EHA to the Individuals with Disabilities Education Act, or IDEA. It also added traumatic brain injury and autism as new disability categories. The individual transition plan (ITP) was added to the Individualized Education Program (IEP) to help the student transition to post-secondary life.

1997

The 1997 (Public Law 105-17) reauthorization emphasized access to the general curriculum. The law also required parents be provided an opportunity to attempt to resolve disputes with schools and local educational agencies (LEAs) through mediation.

2004

In 2004, the IDEA reauthorization aligned the IDEA with the No Child Left Behind Act requirements. This reauthorization called for:

- Early intervening services for children not currently identified as needing special education,
- Greater accountability and improved educational outcomes, and
- Raised standards for instructors who teach special education classes.

2006

The 2006 IDEA regulations required schools to use research-based interventions in the process of assisting students with learning difficulties or determining eligibility for special education. The 2006 regulations also included:

- The resolution process required when a parent files a due process complaint, and
- Shifting the responsibility to provide equitable services for parentally-placed private school children with disabilities to the local educational agency (LEA) in which the private school is located.

2017

2017, Reflects changes made to the IDEA by Rosa's Law replace references to "mental retardation" in Federal law with "intellectual disability" or "intellectual disabilities." Also, the Supreme Court ruled on a landmark case that defines the scope of FAPE requirements under IDEA. In *Endrew F. v. Douglas County School District*, the Supreme Court determined that "[t]o meet its substantive obligation under the IDEA, a school must offer an IEP reasonably calculated to enable a child to make progress appropriate in light of the child's circumstances."

The **Individuals with Disabilities Education Act (IDEA)** has guiding principles that protect the rights of students with disabilities and their families. These principles must be followed throughout the IEP process to make sure your child gets the education and support they need. There are six main principles:

1. Complete, Individualized Evaluation

Your child must be evaluated in *all* areas where there may be a disability. This includes any concerns you share as a parent. The evaluation should be detailed enough to show all of your child's academic and functional needs so the IEP team can make the best decisions about how to support your child in school.

2. Free Appropriate Public Education (FAPE)

Every student who qualifies for special education—because their disability affects how they do in school—is entitled to an education that is *free* to families and tailored to their unique needs. This education must follow the plan written in the IEP and help the student make progress.

3. Individualized Education Program (IEP)

An IEP is a written plan that explains the special education services and supports your child will receive. It's designed just for your child, based on their needs, and is developed by a team that includes you as the parent. The IEP is the "blueprint" for how your child will get FAPE.

4. Least Restrictive Environment (LRE)

Students should learn with classmates who do not have disabilities as much as possible. If your child needs extra support, the school should provide it in the general education setting before considering separate classes. Moving a child to a different setting should only happen if they cannot get an appropriate education in the general classroom, even with supports.

5. Parent Participation

You are an equal member of your child's IEP team. Your input, ideas, and concerns must be considered when decisions are made. You know your child best, and your participation is a key part of creating an effective plan.

6. Procedural Safeguards (Parent Rights)

As a parent, you have important rights under IDEA, including:

- Giving written consent before your child is evaluated.
- Asking for an independent evaluation if you disagree with the school's results.
- Reviewing your child's school records at any time.
- Using problem-solving options such as state complaints, mediation, resolution meetings, or due process hearings if you disagree with the school.

- Receiving all explanations of your rights in writing, in your native language whenever possible.

These six principles are designed to make sure your child gets the education they are entitled to. They also help protect your rights and ensure you have a voice in every step of the IEP process.

Parents as Equal Partners in the IEP Process

Parents are valued and essential partners in their child's education. Parent participation is one of the most important features of today's laws protecting the rights of children with disabilities. The Individuals with Disabilities Education Act (IDEA) ensures that parents have a voice in decisions about their child's education, and schools must treat you as an equal partner in the process. This handbook is one example of that partnership—it was created with input from parents of children with disabilities to help guide and support other families.

Be actively involved in every step of your child's special education journey. As a parent, you are a key member of the team, working alongside teachers, specialists, and other professionals to plan and provide the most appropriate individualized program for your child. Come to meetings prepared, and never hesitate to ask questions about anything you don't understand. Your participation is essential in many ways, including:

- **Consent** – By law, your written permission is required before your child can be evaluated or receive special education services. Your consent ensures that you are fully informed and agree with the next steps.
- **Sharing Information** – During assessments and IEP planning, you will be asked to provide important details about your child's history, strengths, and needs. Your input helps the team design a program that truly fits your child.
- **Reviewing the IEP** – Your child's IEP must be reviewed at least once a year. Be an active part of this process. The IEP is the heart of your child's educational program, and your perspective ensures it stays effective.
- **Attending Meetings** – Make it a priority to attend all IEP meetings, parent-teacher conferences, and other school meetings about your child. You may also benefit from attending parent education programs that provide information on special education services and resources.
- **Maintaining Communication** – Strong communication between home and school is a key to success. Once the IEP is in place, stay in touch with teachers and service providers to monitor progress, address concerns, and celebrate successes.

Your role begins even before the IEP meeting. You should be part of scheduling the meeting at a time that works for you, and you have the right to request interpreters, accessible formats, or other supports to help you participate fully. Preparing by reviewing your child's current IEP, progress reports, and outside evaluations can help you feel confident. You may also invite others—such as private therapists, mentors, or advocates—who know your child and can provide valuable input.

At the meeting, your knowledge of your child's strengths, needs, and challenges is critical to creating a plan that truly works. You are encouraged to ask questions, share what is working at home, and provide

updates that may not be obvious in school. The team should explain any technical terms in plain language, and you should feel comfortable pausing the meeting or asking for more time if needed.

Parents help ensure the IEP addresses the whole child, not just academics. You can suggest goals for social skills, communication, independence, and emotional well-being, and you can explain what supports are most effective. Your knowledge of your child's history - what has worked in the past and what hasn't – can guide the team toward better strategies.

After the meeting, you will receive a copy of the IEP. Review it carefully and confirm it reflects what was discussed. You can request additional meetings if new concerns come up, and you should expect regular progress updates, not just report cards. Ongoing communication with teachers and staff helps ensure everyone is working toward the same goals.

Your role as a parent extends beyond meetings. At home, you help reinforce skills, share changes in your child's life that may affect learning, and support your child in learning to advocate for themselves over time. Building strong, respectful relationships with your child's educators creates a lasting partnership that benefits your child both now and in the future.

Your perspective, involvement, and advocacy make a meaningful difference. When parents and schools work together with open communication, mutual respect, and a shared commitment to the child's success, the IEP becomes more than a document. It becomes a living plan that supports your child's growth, learning, and future. Children thrive best when parents and schools are true partners.

Community Advisory Committee

One of the most important organizations for parents to know about and to consider joining is the Community Advisory Committee for Special Education (CAC). By law, the majority of CAC members must be parents, and most of those must be parents of children with disabilities. The rest of the committee is made up of representatives from public and private agencies, community groups, special and general education teachers, students with disabilities, school staff, and other concerned community members.

The Community Advisory Committee (CAC) has an important role in supporting special education in our area. Its responsibilities are outlined in the North West SELPA's Local Plan, and they include:

- Giving advice to the SELPA's policy and administrative leaders when the local special education plan is being developed, changed, or reviewed. The SELPA leaders review and consider the CAC's feedback.
- Suggesting yearly priorities for the plan to focus on.
- Helping with parent education and encouraging parents and other community members to volunteer and support the plan's implementation.
- Encouraging community members to get involved in developing and reviewing the local plan.
- Supporting activities that benefit students with disabilities.
- Helping parents understand the importance of regular school attendance for their children.
- Promoting community involvement in other parent advisory committees, so that parents of students with disabilities have a voice, especially when students with disabilities are also part of other groups, which may include English Learners, Foster Youth, and Socioeconomically Disadvantaged.

You are encouraged to attend the monthly CAC meetings to share your perspective, learn more about special education in your area, and connect with other parents and community members. For meeting dates, details, and resources, visit our [North West SELPA CAC webpage](#).

In addition to the CAC, there are other active parent organizations in the area that offer support, information, advocacy, and opportunities to get involved. They welcome your participation. You can find their contact information in the **Resources** section at the end of this handbook.

Special Education

Special education means instruction that is specially designed to meet the unique needs of a child with a disability. It is provided at no cost to the parent, guardian, or educational rights holder. This instruction can take place in different settings - such as the classroom, at home, in hospitals, in other institutions, or in community-based programs - and can include physical education. In California, special education is provided when a student's educational needs cannot be met just by making changes to the general education program. Special education may also include services such as speech-language therapy, travel training, or vocational (career) education, if those services are considered special education under state standards.

- At no cost means families do not have to pay for special education services, although there may be small fees charged to all students (with or without disabilities) for things like school activities.
- Physical education in special education can include activities to develop physical and motor skills, movement, dance, swimming, and individual or team sports. It can be adapted to meet the child's needs.
- Specially designed instruction means changing the content, teaching methods, or how instruction is delivered so the child's needs related to their disability are addressed, and they have access to the general curriculum. This helps them work toward the same educational standards as their peers.
- Travel training teaches children with significant disabilities how to safely and independently move around in their environments—whether at school, home, work, or in the community.
- Vocational education helps prepare students for work or further training after high school. It may include programs for both paid and unpaid employment or careers that do not require a college degree.

Special Education Plans

Individualized Family Service Plan (IFSP)

An Individualized Family Service Plan (IFSP) is a written plan created for your child and family after your child has been found eligible for California's Early Start services. It is much more than a document - it is a shared agreement between you, your service coordinator, and a team of professionals that outlines how your child's developmental needs will be met and how your family will be supported along the way. You, as the parent, are the most important member of this team, and your voice is central in shaping the plan. You may also invite other family members, trusted friends, medical providers, or advocates to join the IFSP meeting to provide input and support.

The IFSP describes your child's current development, including strengths (what your child does well), areas of concern (skills that are delayed or challenging), and resources already available to your family. With your agreement, the plan may also include your own concerns and goals for

supporting your child's growth. The IFSP sets measurable outcomes, which are specific goals for your child's development, and explains how progress will be monitored.

In addition to developmental goals, the IFSP details the services your child will receive. It specifies what services will be provided, who will provide them, where they will take place, how often they will occur, and when they will begin. Services are usually offered in natural environments, meaning familiar settings such as your home, child care center, or local community locations, so learning happens during everyday routines. If services are delivered in another setting or via remote technology (such as video calls), the plan will note this and explain why. The IFSP also indicates how long services will last, who will pay for them, and includes plans for transitioning out of Early Start when your child approaches age three.

The IFSP is a flexible document that can be updated whenever your child's needs change. While the first IFSP must be completed within 45 days of your first contact with the regional center, it will be reviewed at least every six months to make sure services are still meeting your child's and family's needs. You do not have to wait for a scheduled review. If new concerns or goals arise, you can request a meeting to update the plan at any time.

Before services begin, you must sign the IFSP to give your consent. You have the right to agree to some services and decline others, and nothing can start without your written approval. If you disagree with any part of the plan, you can request changes, discuss concerns with your service coordinator, or use formal dispute resolution options such as mediation, due process, or a state complaint. You also have the right to receive the IFSP in your preferred language, and to have it explained to you so that you fully understand it.

Overall, the IFSP serves as both a roadmap and a commitment ensuring that your child receives individualized early intervention services, while your family receives the guidance, resources, and support needed to help your child thrive during the critical early years.

Transition from IFSP to IEP

When your child is in Early Start (Part C) and approaching their third birthday, it is time to prepare for an important step – transitioning to preschool-age special education services, known as Part B. This change is part of the Individuals with Disabilities Education Act (IDEA) and ensures that, if your child continues to need support, there is no gap in services. The goal is to have the new services ready to begin no later than your child's third birthday.

Planning begins well before your child turns three—usually between nine months and 90 days before their birthday. Your Early Start service coordinator will work with you to create a transition plan. This plan, which becomes part of your child's Individualized Family Service Plan (IFSP), outlines the steps for leaving Early Start, the services that will continue until the third birthday, and the program options for when your child turns three.

As part of the process, your regional center or Early Start provider will send a referral to your local school district, called the Local Education Agency (LEA), to let them know your child may be eligible for Part B services. This referral occurs even if you decide not to hold a transition conference or share detailed records at that time. It includes your child's name, date of birth, and your contact information but does not require your permission.

With your consent, your service coordinator will schedule a transition conference. This meeting is an opportunity to discuss your child's current services, learn about school district programs, and understand what special education and related services are available. Your regional center

must invite a representative from your school district to attend. If they participate, they will explain the Part B process, including how to register, evaluation timelines, and possible services. Even if a school representative cannot attend, the meeting will still be held, and you will receive important information about your child's options.

Once your school district receives the referral, they have 15 calendar days to respond. They must provide you with a copy of your Procedural Safeguards, which outlines your rights, and decide whether to move forward with an evaluation. If they believe your child may need special education, they will give you written notice and a proposed assessment plan for the Part B evaluation. If they decide not to evaluate, they must provide a written explanation of their decision and the information used to make it.

The school district must complete your child's evaluation and, if your child qualifies, have an Individualized Education Program (IEP) in place by their third birthday. If the birthday falls in the summer, the IEP team will decide when services should start, but no later than the first day of the following school year. The evaluation will consider reports from your child's Early Start providers, and you can request that a representative from your regional center attend the IEP meeting.

Throughout this process, you are an equal partner. You will be involved in planning, providing consent, and making decisions about your child's next steps. While this transition can feel like a big change, the structured timeline and clear steps are designed to make it as smooth as possible, ensuring that your child continues to receive the support they need to grow and thrive.

Individualized Education Program (IEP)

An Individualized Education Program (IEP) is a written plan created for every student who qualifies for special education. The IEP is developed, reviewed, and updated regularly by the IEP team, which includes parents, teachers, and specialists. It lays out the supports, goals, and services that will help your child succeed in school and make meaningful progress in their learning.

The IEP starts with a statement about your child's current levels of academic achievement and functional performance. This section explains how your child's disability affects their ability to participate in the general education curriculum. For preschool children, it describes how the disability affects participation in age-appropriate activities, and for some students, it may also include short-term objectives or benchmarks that help track smaller steps toward larger goals.

Every IEP must include annual goals that are measurable and realistic for your child. These goals are designed to meet your child's unique needs so they can continue to make progress in school. Goals may focus not only on academics but also on areas such as behavior, communication, social-emotional growth, or independence, depending on what your child needs most.

The IEP also explains how your child's progress will be measured and when parents will receive updates. Progress reports may come quarterly or at the same time as report cards, so you can monitor how things are going. This ongoing communication helps families and schools work together to decide whether the plan is effective or needs adjustments.

A description of the special education and related services your child will receive is always included in the IEP. This can cover supports such as speech therapy, occupational therapy, counseling, or classroom accommodations, as well as modifications for teaching and learning.

The plan also describes how teachers and staff will be supported so they can provide these services successfully.

If there are times when your child will not participate in general education classes or activities, the IEP must explain why and describe what alternatives are in place. The plan also lists any accommodations or modifications your child needs for classroom learning or state and district tests. If your child takes an alternate assessment, the IEP must include the reasons why this decision was made and why the alternate test is appropriate.

The IEP must clearly state the start date, frequency, location, and duration of all services. This level of detail helps ensure that everyone involved understands when services will begin, how often they will take place, and where they will be provided. Having these details in writing makes the plan stronger and easier to monitor.

For students age 16 and older, or sometimes earlier if the IEP team decides, the IEP includes transition goals and services to prepare for life after high school. These goals may focus on education, job training, employment, or independent living skills, depending on the student's future plans. Transition planning is updated each year to help the student gain confidence, independence, and readiness for adulthood.

The IEP must also include a plan for how services will be provided during emergency conditions, such as extended school closures or times when in-person learning is not possible. This ensures your child continues to receive important services, like speech therapy or specialized instruction, even if school routines are disrupted. This addition helps protect your child's right to continuous learning no matter the circumstances.

Other important parts of the IEP may apply depending on your child's needs. For example, students whose first language is not English may have language-related goals and supports. Students with low-incidence disabilities, such as blindness or deafness, may receive special materials, technology, or services to ensure full access to learning and communication.

Finally, when a student is about to turn 18, the IEP must include a statement explaining that certain rights will transfer from the parent to the student. Parents will be informed of this transfer at least one year before the student's 18th birthday. This allows time for families and schools to prepare students to take on a more active role in their own education and decision-making.

An IEP is more than just a legal document—it is a roadmap for your child's education. It ensures that your child's strengths, challenges, and goals are all recognized and supported with the right services and strategies. By understanding what belongs in the IEP, parents can be stronger advocates and active partners in creating a plan that truly helps their child grow, learn, and thrive.

Disabling Conditions

The Individuals with Disabilities Education Act (IDEA) recognizes 13 categories of disabilities under which children and youth, ages 3 through 21, may qualify for special education services. These categories are: autism, deaf-blindness, deafness, emotional disability, hearing impairment, intellectual disability, multiple disabilities, orthopedic impairment, other health impairment, specific learning disability, speech or language impairment, traumatic brain injury, and visual impairment (including blindness). Each of these categories are defined below.

In California, Established Medical Disability (EMD) is a category for special education eligibility for children aged 3 to 5 with a diagnosed medical condition or congenital syndrome that the Individualized Education Program (IEP) team determines will predictably require special education and services. This is a unique category for a specific age group. The IEP team determines eligibility based on the child's specific condition and its high predictability for needing special education

It is also important to know what does not qualify a child for special education under IDEA. A child cannot be identified as having a disability solely because they speak a language other than English and may not yet speak or understand English well. In addition, a child cannot be identified as having a disability simply because they have not received enough appropriate instruction in reading or math. These safeguards are in place to ensure that students are identified fairly and that special education services are provided only when they are truly needed.

Disability	Definition
Autism (AUT)	Autism means a developmental disability significantly affecting verbal and non-verbal communication and social interaction, generally evident before age three, which adversely affects educational performance. Other characteristics often associated with autism include, engagement in repetitive activities and stereotyped movements, resistance to environmental change or change in daily routines, and unusual responses to sensory experiences. The term does not apply if a child's educational performance is adversely affected primarily because the child has an emotional disturbance. A child who manifests characteristics of autism after age three, that child could be diagnosed as having autism if the criteria in the above paragraph are satisfied. (34 CFR Sec. 300.8(c)(1)).
Deaf-blindness (DB)	Deaf-Blindness means concomitant hearing and visual impairments, the combination of which causes such severe communication and other developmental and educational needs that they cannot be accommodated in special education programs solely for children with deafness or children with blindness. (34 CFR Sec. 300.8(c)(2)).
Deafness (DEAF)/Hearing impairment (HI)	Deafness means a hearing impairment that is so severe that the child is impaired in processing linguistic information through learning, with or without amplification, which adversely affects educational performance. (34 CFR Sec. 300.8(c)(3) Hearing Impairment is a federal category of disability, which includes both hard of hearing and deaf individuals as defined above.
Emotional Disability (ED)	Emotional Disability means a condition exhibiting one or more of the following characteristics, over a long period of time and to a marked degree, that adversely affects educational performance: (A) An inability to learn which cannot be explained by intellectual, sensory, or health factors; (B) An inability to build or maintain satisfactory interpersonal relationships with peers and teachers; (C) Inappropriate types of behavior or feeling under normal circumstances; (D) A general pervasive mood of unhappiness or depression; or (E) A tendency to develop physical symptoms or fears associated with personal or school problems. The term (ED) includes schizophrenia. The term does not apply to children who are socially maladjusted, unless it is determined that they have an emotional disturbance. (34 CFR Sec. 300.8(c)(4)).
Emotional disturbance (ED)	Emotional Disturbance means a condition exhibiting one or more of the following characteristics, over a long period of time and to a marked degree, that adversely affects educational performance: (A) An inability to learn

Disability	Definition
	which cannot be explained by intellectual, sensory, or health factors; (B) An inability to build or maintain satisfactory interpersonal relationships with peers and teachers; (C) Inappropriate types of behavior or feeling under normal circumstances; (D) A general pervasive mood of unhappiness or depression; or (E) A tendency to develop physical symptoms or fears associated with personal or school problems. The term (ED) includes schizophrenia. The term does not apply to children who are socially maladjusted, unless it is determined that they have an emotional disturbance. (34 CFR Sec. 300.8(c)(4)).
Established medical disability (EMD)	A disabling medical condition or congenital syndrome that the individualized education program (IEP) team determines has a high predictability of requiring special education and services. (CA Ed Code, Section 56441.11(d)) (Note: This eligibility category is only applicable for children ages 3-5)
Hard of hearing (HH)	Hard of Hearing means hearing, impairment, whether permanent or fluctuating, that adversely affects a child's educational performance, but that is not included under the definition of deaf in this section.
Intellectual Disability (ID)	Intellectual Disability means significantly subaverage general intellectual functioning, existing concurrently with deficits in adaptive behavior, and manifested during the developmental period, that adversely affects a child's educational performance. (34 Code of Federal Regulations (CFR), Sec. 300.8(c)(6)).
Multiple disabilities (MD)	Multiple Disabilities means concomitant impairments (such as intellectual disability-blindness, intellectual disability-orthopedic impairment, etc.) the combination of which causes such severe educational needs that they cannot be accommodated in special education programs solely for one of the impairments. The term does not include deaf-blind children. (34 CFR Sec. 300.8(c)(7)).
Orthopedic impairment (OI)	Orthopedic Impairment means a severe orthopedic impairment that adversely affects a child's educational performance. The term includes impairments caused by congenital anomaly (e.g., clubfoot, absence of some member, etc.), impairments caused by disease (e.g., poliomyelitis, bone tuberculosis, etc.), and impairments from other causes (e.g., cerebral palsy, amputations, and fractures or burns which cause contractures). (34 CFR Sec. 300.8(b)(6) Sec. 300.8(c)(8))
Other health impairment (OHI)	Other Health Impairment means having limited strength, vitality or alertness, due to chronic or acute health problems such as a heart condition, tuberculosis, rheumatic fever, nephritis, asthma, sickle cell anemia, hemophilia, epilepsy, lead poisoning, leukemia, or diabetes, which adversely affects a child's educational performance. (34 CFR Part 300.8 (c) (9)).
Specific learning disability (SLD)	Specific Learning Disability means a disorder in one or more of the basic psychological processes involved in understanding or using language, spoken or written, that may manifest itself in an imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations, including such conditions as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. The term does not include learning problems that are primarily the result of visual, hearing, or motor handicaps, of intellectual disability, of emotional disturbance or of environmental, cultural, or economic disadvantage. (34 CFR Sec. 300.8(c)(10)).

Disability	Definition
Speech or language impairment (SLI)	Speech or Language Impairment means a communication disorder such as stuttering, impaired articulation, language impairment, or a voice impairment, that adversely affects a child's educational performance. (34 CFR Sec. 300.8(c)(11))
Traumatic brain injury (TBI)	Traumatic Brain Injury means an acquired injury to the brain caused by an external physical force, resulting in total or partial functional disability or psychosocial impairment, which adversely affects educational performance. The term applies to both open or closed head injuries resulting in impairments in one or more areas, such as cognition; language; memory; attention; reasoning; abstract thinking; judgment; problem-solving; sensory, perceptual and motor abilities; psychosocial behavior; physical functions; information processing; and speech. The term does not include brain injuries that are congenital or degenerative, nor brain injuries induced by birth trauma. (34 CFR Sec. 300.8(c)(12)).
Visual impairment (VI)	Visually Impaired, including blindness means impairment in vision that, even with correction, adversely affects a child's educational performance. The term includes both partially seeing and blind children. (34 CFR Sec. 300.8(c)(13)).

Special Education Program: Part C, Early Start Program (0 – 2 years 11 months)

San Andreas Regional Center

The San Andreas Regional Center (SARC) is part of California's network of 21 regional centers that provide services to people with developmental delays and disabilities. SARC serves families in Monterey, San Benito, Santa Clara, and Santa Cruz counties, and plays a central role in delivering California's Early Start program for infants and toddlers from birth to age three.

The first three years of life are a time of rapid brain growth and development. Some children meet their milestones at different times, while others may show signs of developmental delay or have a condition that puts them at risk for delays. SARC's Early Start program is designed to help children learn essential skills - like moving, talking, socializing, and self-help - while supporting families with resources, information, and guidance. Getting help early can make a big difference in a child's future development and may reduce the need for more intensive support later in life

If you are concerned about your child's development, you do not need to wait for a doctor's referral to get help. You can contact SARC directly to request an evaluation. Once a referral is made, a Service Coordinator will guide you through the process. The team will complete developmental assessments, discuss the results with you, and determine if your child qualifies for Early Start. To be eligible, a child must have a documented developmental delay of at least 25% in one or more areas - such as cognitive skills, communication, social-emotional development, self-help, or physical/motor skills (including vision and hearing) - or have a diagnosed condition that is likely to cause delays, or be considered at high risk due to certain medical or environmental factors.

If your child qualifies, SARC will work with you to create an Individualized Family Service Plan (IFSP). This plan is based on your child's needs and your family's priorities, and it lists the services and supports that will be provided. Services might include speech and language therapy,

occupational or physical therapy, special instruction, family training, assistive technology, vision or hearing services, transportation, and health-related services. Some services may be funded by your health insurance, but evaluation, assessment, and service coordination are always provided at no cost to you. Services not covered by insurance will be provided or purchased by SARC or your local education agency.

Early Start services are delivered in natural environments, such as your home, childcare, or community settings, so that your child can learn and practice skills during everyday routines. The Service Coordinator will also connect you with Family Resource Centers, which offer parent-to-parent support, local resources, and help navigating the system.

When your child approaches age three, SARC will help plan the transition to preschool special education services (Part B) or other community supports. This process begins at least 90 days—and often up to nine months—before the third birthday. The transition plan ensures that there is no gap in services and that your child’s next steps are well-coordinated.

For more information or to start the process, you can contact San Andreas Regional Center through their website www.sanandreasregional.org or call the Early Start Baby Line at 1-800-515-BABY (2229).

Santa Clara County Office of Education – Early Start Program

The Santa Clara County Early Start Program is a collaborative partnership between the Santa Clara County Office of Education (SCCOE), the San Andreas Regional Center (SARC), and local community agencies. The program is designed specifically for infants and toddlers from birth to age three who have a visual impairment, hearing impairment, or orthopedic impairment.

Early Start recognizes that the first three years of life are critical for growth and development. For children with vision, hearing, or orthopedic challenges, specialized support can make a big difference in helping them reach important developmental milestones. The program focuses on building your child’s skills while providing your family with the tools, resources, and guidance you need to support learning and development at home.

Families play an active role in the Early Start process. Parent and caregiver participation is essential, because the most valuable learning happens during everyday routines, like meals, playtime, and family activities. Staff members work closely with families from diverse backgrounds, helping them understand their child’s unique needs and teaching strategies to strengthen their child’s abilities.

If you believe your child has a visual, hearing, or orthopedic impairment, you can start the process by calling (408) 392-3801 or (800) 404-5900. You may also download the referral form and email or fax it to (408) 392-3821. A service coordinator will guide you through the next steps, which include assessment and determining eligibility for services.

Children found eligible for the Early Start Program receive an Individualized Family Service Plan (IFSP). This plan outlines your child’s strengths, developmental needs, and the services that will help your child grow and thrive. Services are tailored to each child and family, with home visits forming the core of support. Certified, licensed, and paraprofessional early intervention staff work directly with children and guide families in reinforcing skills between visits.

The SCCOE Early Start Program partners with parents to provide expert support and personalized strategies so your child with a visual, hearing, or orthopedic impairment can make meaningful progress during these important early years.

Special Education Program, Part B (3 – 22 years)

Special Education Program: Part B, IEP Services

Special Education Timelines (Part B, IEP)

The special education process includes several important steps, and each step has specific timelines that schools are required to follow. These timelines exist to make sure students with disabilities get the services and support they need without unnecessary delays. From the moment a referral for assessment is made, through the development of an IEP, and into yearly reviews, timelines provide structure and accountability to the process.

Timelines are important because they protect your child’s right to a Free and Appropriate Public Education (FAPE). They give parents clear expectations for when things should happen, such as when an IEP meeting must be held or when assessment results should be shared. By knowing these timelines, parents are better able to stay informed, ask questions, and make sure the school meets its responsibilities.

When schools and parents both understand and follow the timelines, the process becomes smoother and more effective. Students receive the right support at the right time, and their progress is monitored regularly. This ensures that the educational plan is not only timely but also responsive to the student’s changing needs over time. The tables below provide information on special education timelines.

Initial Assessment and IEP Development

Timelines		Exceptions/Notes/Consideration	Authority
Propose an assessment plan for initial assessment.	15 Calendar days from date of referral.	- School breaks in excess of 5 school days. - If referral received 10 days or fewer before end of school year, then due within first 10 days of next school year. Note: Attach procedural safeguards notice to assessment plan.	EC 56043(a) EC 56321(a)
IEP Team meeting to review initial assessments.	60 calendar days to determine the student’s eligibility and areas of need after receipt of parent consent to assessment plan. Recommended: Complete the student’s initial IEP in its entirety within 60 days unless one of the exceptions applies.	- School breaks in excess of 5 school days. - If referral received 30 or fewer before end of school year, then due with 30 days of next school year. - Timeline does not apply if student enrolls in another LEA. - Timeline does not apply if student is not made available.	EC 56043(c) EC 56302.1 EC 56344(a)

Re-Assessments

Triennial eligibility review.	Every 3 years based on the date of the last triennial review.	- May occur more frequently if necessary, but no more than once per year unless the parties agree. - Parent and LEA may agree in writing that triennial assessments are not necessary. They may also agree to limit the scope of the review. Recommended: Begin triennial assessment process at least 60 days prior to the triennial review.	EC 56043(k) EC 56381
Propose assessment plan for re-assessment.	15 calendar days from the date of referral.	- School breaks in excess of 5 school days. - If referral received 10 days or fewer before end of school year, then due within first 10 days of next school year. Note: Attach procedural safeguards notice to assessment plan.	EC 56043(a) EC 56321(a)
Parent consent to proposed assessment plan.	At least 15 calendar days after receipt of the proposed assessment plan.	None.	EC 56043(b) EC 56312 (c)(4)

Additional IEP Meetings

Service/Obligation	Timelines	Exceptions/Notes/Consideration	Authority
Annual IEP team review.	Not longer than 12 months from the date of the last annual IEP.	None.	EC 56043 (d), (j) EC 56343 (d) EC 56380
IEP team meeting to review re-assessment (including triennial assessments).	60 calendar days after receipt of parent consent to the assessment plan.	- School breaks in excess of 5 schooldays. - If referral received 30 days or fewer before end of school year, then due within first 30 days of next school year.	EC 56043(f)(1) EC 56343(a) EC 56344(a)
Parent requested IEP team meeting.	30 calendar days after written request from parent for IEP team meeting.	- School breaks in excess of 5 schooldays. - If parent makes an oral request for IEP team meeting, school district must direct parent to make a written request.	EC 56043(l) EC 56343.5
IEP meeting to review student's lack of anticipated progress.	No statutory timelines.	Consider: Convene the IEP team within 30 days after determining that the student is demonstrating a lack of anticipated progress.	EC 56343(b)

Transition Planning Requirements

Individual transition plan (ITP) in IEP.	Must be in IEP when student turns 16.	Must be reviewed annually.	EC 56043(g)(1), (h) EC 56341.5(e) EC 56345(a)(8)
Student informed of transfer of rights at age 18.	Must be in IEP when student turns 17.	Consider: Provide additional notice upon the student turning 18.	EC 56041.5 EC 56043(g)(3) EC 56345(g)
Notice to parent(s) of student's graduation from high school with diploma.	"Reasonable prior written notice" must be provided.	None.	EC 56500.5

Independent Educational Evaluations (IEE)

Respond to a request for IEE.	No specific statutory timeline, but must respond without unnecessary delay.	Recommended: 10 - 15 calendar days after request for an IEE from parent(s).	34 CFR 300.502(b)
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Discipline

Provide parent(s) with notice of change of placement and copy of procedural safeguards.	Day decision is made to remove student for disciplinary purposes for >10 schooldays	Refer to 34 C.F.R. section 300.530	34 CFR 300.530(h)
Conduct a manifestation determination review.	Within 10 schooldays after the decision is made to remove student for disciplinary purposes for >10 schooldays.	Refer to 34 C.F.R. section 300.530.	34 CFR 300.530(e)

Student Records/Record Requests

Provide Parent(s) with copies of student records.	After an oral or written request from parents: • Within 5 business days and • "before" any IEP meeting or resolution session.	None.	EC 56043(n) EC 56504
Provide new LEA with special education records.	• 5 business days after request from new LEA for records.	None.	EC 56043(o)

IEP Process

The Individuals with Disabilities Education Act (IDEA) gives important protections to students with disabilities and their families. These protections are closely connected to the IEP process, which follows a series of steps to make sure your child's educational needs are met. Each step has clear rules about how and when things should happen, so families know what to expect. The table below gives a simple overview of these key steps in the process.

Step	Description
Referral	The student is referred for a formal evaluation, usually by school personnel or her parents. The student's parents must give written, informed consent. That is, they must understand that they are allowing their child to be evaluated to determine whether she has a disability that affects educational performance.
Evaluation	This initial comprehensive, individualized assessment of the student is conducted in all areas of concern, including both academic and functional performance. The data collected during this step form the foundation upon which the IEP will be developed. As such, its importance cannot be overstated.
Eligibility Determination & IEP Development	At this point, the student's evaluation results are reviewed with an eye toward answering a pair of key questions: 1. Does the student have a disability? 2. Does that disability affect the student's academic and/or functional performance to such an extent that she requires special education services? If the answer to both these questions is "yes," the student is considered eligible for special education services.

	When a student meets the eligibility criteria, the IEP team develops the IEP. The IEP team determines and documents: • The student’s academic and/or functional needs, as identified in the evaluation • Measurable annual goals that are reasonably calculated to enable the student to make meaningful progress • The services and supports the student will receive, <i>and</i>: ○ Which education professional(s) will provide them ○ The frequency and duration of services ○ The setting(s) in which the services will be delivered, sometimes referred to as <i>placement</i> • The method and timeframe for monitoring the student’s progress • The mode and frequency for communicating the student’s progress to her parents
IEP Implementation	Education professionals provide the special education supports and services to the student as outlined in the IEP. If the student does not make appropriate progress, the IEP team meets to determine possible reasons for her lack of progress, and makes adjustments accordingly.
Annual Review	The student’s progress toward meeting her IEP goals is to be evaluated annually, unless the IEP team and the student’s parents agree otherwise. At this time, the student’s current performance, progress, needs, and placement are revisited and her IEP updated accordingly.
Re-evaluation	The student must be re-evaluated every three years, unless the IEP team members and the student’s parents agree otherwise. The purpose of the re-evaluation is to determine whether she is still eligible for and requires special education services. This usually entails another comprehensive, individualized evaluation

IEP Team members

When a child is found eligible for special education, an Individualized Education Program (IEP) is created to meet their unique learning needs. This plan is developed by the IEP team, a group of people who work together to design and monitor the child’s program. Each member brings a different perspective, but they all share the same goal—helping your child succeed in school and beyond.

Parents are essential members of the IEP team. You know your child best, and your input is critical to shaping goals, supports, and services. By sharing your child’s strengths, challenges, cultural background, and what strategies work well at home, you help the team design a plan that truly fits your child’s needs.

Special Education Teachers bring expertise in specially designed instruction, accommodations, and modifications. They provide the services outlined in the IEP, track your child’s progress, and adjust instruction as needed. These teachers also collaborate closely with general education staff to ensure your child’s supports are put into practice in the classroom.

General Education Teachers share information about how your child is doing in regular classrooms alongside peers without disabilities. They offer suggestions for strategies, accommodations, or modifications that can help your child succeed. Their role helps make sure your child has access to the general curriculum and opportunities for inclusion.

School District Representatives (LEA Representatives) are often principals or special education administrators. They ensure the IEP is realistic, can be implemented, and that the school has the resources

to provide all services written in the plan. Their role is important because they are responsible for making sure the IEP is followed and supported.

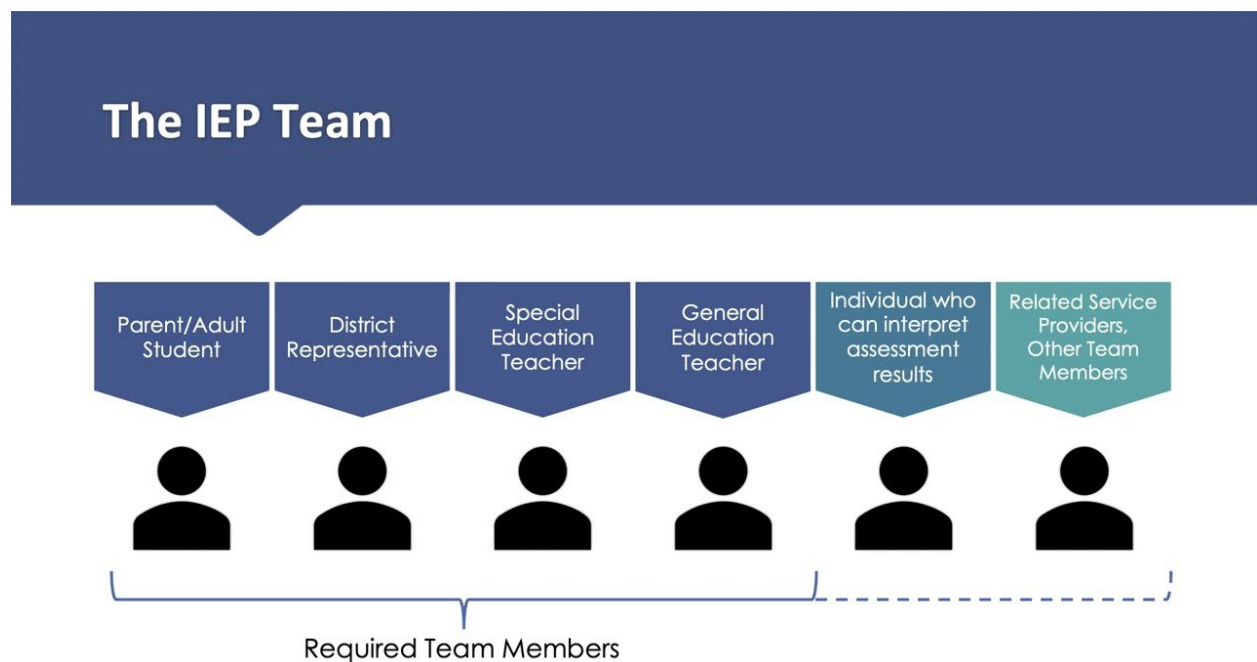
Professionals who interpret assessment results, such as school psychologists, help the team understand the meaning of evaluations. They explain your child's strengths, needs, and areas of concern based on assessment data. Their expertise guides decisions about what kinds of services and supports will best help your child learn and grow.

Related Service Providers may be included on the team when needed. These professionals can include speech-language pathologists, occupational therapists, physical therapists, or other specialists. They share how their services connect to your child's IEP goals and explain the ways their work supports your child's progress.

The Student may also take part in the IEP meeting, especially as they get older. Schools are required to invite students once transition planning begins, usually by age 16, so they can participate in planning for their future. Having students share their goals, interests, and needs helps them build self-advocacy skills and take ownership of their learning.

Other Participants may be invited to the IEP meeting when appropriate. This could include interpreters, parent advocates, community members, or others who know your child well and can provide useful insights. Parents also have the right to invite anyone they feel will support them in the IEP process.

Together, these members make up the IEP team. Each person has a unique role, but by working together, they create a plan that addresses the whole child—academics, social-emotional growth, and future goals. When families, educators, and specialists collaborate with respect and open communication, the IEP becomes a powerful tool for helping your child succeed.



IEP Content

Your child's Individualized Education Program (IEP) is like a detailed plan or "blueprint" for the special education services and supports they will receive. It is a flexible document, meaning it can be updated whenever needed, based on your child's progress and changing needs. The IEP is designed to make sure your child receives a Free Appropriate Public Education (FAPE) that is tailored to them.

By law, every IEP must include certain key parts. Each part connects to the others, and together they give a complete picture of your child's learning plan. Here's what must be in the IEP:

1. **Present Levels of Academic Achievement and Functional Performance (PLAAFP)**
This section explains your child's current strengths and needs in both academic skills (like reading and math) and functional skills (like communication, behavior, or daily living). It also describes how your child's disability affects their ability to participate in the general education curriculum.
2. **Challenging, Ambitious, and Measurable Goals**
These are specific goals your child is expected to achieve within 12 months. They can be academic (such as improving reading skills) or functional (such as developing better organization or communication). The goals are written so progress can be measured, helping the team know if your child is making educational gains.
3. **Special Education, Related Services, and Supplementary Services**
This section lists all the services the school will provide to help your child meet their goals. Examples include specialized instruction, speech therapy, or assistive technology. Whenever possible, services should be based on proven methods and provided in the least restrictive environment (LRE).
4. **Measuring and Reporting Progress**
Here, the IEP explains how your child's progress toward each goal will be measured and how often you will get updates. For example, you might receive progress reports every quarter or at the same time as report cards.
5. **Explanation of Time Spent Outside General Education**
If your child will spend any time outside the general education classroom, the IEP must explain why. The law requires the team to justify any decision that removes a student from learning alongside peers without disabilities.
6. **Participation in State and District Assessments**
This part states whether your child will participate in regular state and district tests, and if so, what accommodations or modifications they will need—such as extra time, a quiet testing space, or assistive technology.
7. **Start Date, Frequency, Duration, and Location of Services**
The IEP must clearly state when services will begin, how often they will happen (frequency), how long each session will last (duration), and where they will take place. Services should start as soon as possible after the IEP is finalized. Placement decisions are made after all other parts of the IEP are determined.

All seven parts of the IEP work together. Each section is based on the information from the others, so everything in the plan is connected. This ensures your child's program is consistent, complete, and focused on helping them make progress.

Procedural Safeguards

Parents of children with disabilities, ages three through twenty-one, have important educational rights under the Individuals with Disabilities Education Act (IDEA). These rights are called procedural safeguards and are designed to protect students and ensure families are active partners in the special education process. Students who are 18 and still receiving special education services, as well as surrogate parents assigned to represent a child, also have these rights.

Many people in your child's school district and Special Education Local Plan Area (SELPA) can answer questions about your child's education or your rights as a parent. If you ever have a concern, the best first step is to talk directly with your child's teacher or school administrator. Often, these conversations help solve problems quickly and keep communication open between home and school.

Parents are always given the chance to participate in decisions about their child's education. This includes taking part in Individualized Education Program (IEP) meetings, where important decisions are made about eligibility for services, assessments, placement, and the supports your child needs to receive a free appropriate public education (FAPE). Your voice is an essential part of the team.

In cases where a parent cannot be identified or located, the district will appoint a surrogate parent to step in and represent the child's educational needs. This ensures that every child with a disability has an advocate to protect their rights and help guide their education.

Parents' Rights in California Special Education

Parents of children with disabilities—and students age 18 and older who receive special education—have specific rights under the law. These rights are called **procedural safeguards**, and they are designed to make sure families are true partners in their child's education. Below is a summary of some of the most important rights you have.

The Right to Participate: You have the right to refer your child for special education services. You also have the right to participate in developing your child's IEP and to be informed of all program options, including services available through both public and nonpublic schools.

The Right to Receive Prior Written Notice: The school must give you written notice, in your native language, any time it wants to make a change (or refuses your request for a change) in your child's identification, evaluation, placement, or services.

The Right to Consent: Your written permission is required before your child can be assessed or begin receiving special education services. The school must also have your consent before making any changes to your child's services. Schools are responsible for making sure you understand everything that is discussed at IEP meetings, and they must provide interpreters if you are deaf or if English is not your primary language.

The Right to Refuse Consent: You may refuse to give consent for an assessment or for your child to be placed in special education. This ensures that nothing happens without your agreement.

The Right to a Fair Assessment: Your child must be assessed in ways that are fair and not biased. This means that the tools and methods used to evaluate your child cannot discriminate based on culture, language, or background.

The Right to an Independent Educational Evaluation (IEE): If you do not agree with the results of a school assessment, you have the right to request an independent evaluation by an outside professional at no cost to you. The school must either agree to pay for this evaluation or request a due process hearing to show that its evaluation was appropriate.

The Right to Access Records: You have the right to look at, review, and request copies of your child's educational records. This ensures you are always informed about your child's progress and history.

The Right to "Stay Put": If you disagree with the school about your child's placement or services, your child has the right to remain in their current program until the dispute is resolved. This helps prevent sudden or unwanted changes while concerns are being worked out.

The Right to a Hearing: If you and the school cannot agree on your child's IEP or services, you may request a due process hearing. At this hearing, you can bring an attorney, advocate, and even your child (if appropriate). A judge or hearing officer will listen to both sides and make a decision.

The Right to Mediation: Mediation is a voluntary process where you and the school meet with a neutral mediator to try to find solutions. You can request mediation on its own or while waiting for a due process hearing. Mediation is meant to encourage cooperation and problem-solving without going to court.

The Right to File a Complaint: If you believe your school district has broken the law or failed to follow special education rules, you can file a complaint with the California Department of Education. The Department must investigate and issue a written report of its findings within 60 days.

The Right to Information About Discipline: Students with IEPs can be suspended or placed in alternative settings just like other students, but there are special protections. If a student with a disability is removed for more than 10 days, the school must hold an IEP meeting to decide if the behavior was related to the disability. No matter what, the school must continue to provide a free appropriate public education (FAPE).

The Right to Information About Private Schools: If your child attends a private school, the district is still responsible for identifying, locating, and assessing students with disabilities. However, districts are not required to provide the same services to students in private schools as they do in public schools. Some services may still be available, but there is no guarantee of entitlement.

These rights are designed to protect you and your child. They ensure that parents have a voice, that students get the support they need, and that schools are held accountable for providing appropriate services. Additional information about Procedural Safeguards can be found

Disagreements and Disputes

Disagreements are a normal and expected part of the special education process. Parents and school staff may sometimes see things differently when it comes to a child's needs, services, or the best approaches for learning. These differences can come from many factors, such as how progress is measured, how policies are interpreted, or even simple communication barriers.

While disagreements can feel challenging, they do not have to be negative. When handled with respect and openness, they can lead to clearer communication and stronger collaboration between parents and schools. In fact, these conversations often create opportunities to better understand the child's needs and to design supports that truly help the student succeed.

If a problem arises:

1. Try to get it resolved at your local school level. Contact your child's teacher and discuss the problems. Other school staff members who are aware of your child's needs such as the principal, nurse, speech therapist, or psychologist may be able to help.
2. If necessary you may contact your district's Special Education Director for further assistance.
3. If the situation is not solved satisfactorily and the problem has to do with your child's program placement, special education or related services, then request an IEP review meeting.
4. Contact the SELPA at (408) 453-6566 to request further assistance. The SELPA provides Alternative Dispute Resolution (ADR) services to assist in resolving disputes.
5. Arrange for an advocate to assist in the IEP.
6. If you cannot reach an agreement or you have a dispute with the school district that cannot be resolved, you may request a due process hearing.

You have the right to request an impartial due process hearing regarding the identification, assessment, and educational placement of your child or the provision of FAPE. The request for a due process hearing must be filed within two years from the date you knew or should have known about the alleged action that forms the basis of the due process complaint. If you file for a due process hearing, the last signed IEP is still in effect. You will have the option to go mediation. To file you must write to:

Office of Administrative Hearings
Attn: Special Education Division
2349 Gateway Oaks Dr., Suite 200
Sacramento, CA 95833-4231
Phone: (916) 263-0880
Fax: (916) 263-0890

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

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

There are several options for resolving disputes related to special education in alignment with federal and state laws and regulations. The California dispute resolution system includes the following:

- The CDE, SED's Constituent Support Services (CSS) and Alternative Dispute Resolution (ADR)
- Mediation
- State Compliance Complaints
- Office of Administrative Hearing (OAH) Complaints
 - Due Process Complaints and Hearings

Constituent Support Services Unit and Alternative Dispute Resolution (ADR)

The Constituent Support Services Unit at the California Department of Education (CDE) is here to help families with questions or concerns about special education. Their goal is to make sure parents feel heard, valued, and supported. Staff are available to answer your questions, connect you with the right people, or guide you to resources that may help.

If you would like to speak with someone, you can call 800-926-0648 Monday through Friday, from 8:00 a.m. to 5:00 p.m. If you call after hours, you can leave a message and someone will return your call within 24 hours. You can also reach them by email at SEDCO@cde.ca.gov.

Sometimes disagreements between parents and schools happen, even when everyone wants the best for the child. The CDE encourages families and schools to consider using Alternative Dispute Resolution (ADR) as a way to work through differences. ADR is an informal, cooperative process that helps parents and schools talk through concerns and find solutions without needing to go to court.

ADR uses methods such as mediation and facilitated discussions, which give families and schools a chance to resolve issues quickly, privately, and respectfully. This approach focuses on keeping the child's needs at the center while maintaining positive relationships between families and schools. ADR is often faster, less stressful, and less expensive than filing a formal complaint or going through a hearing.

By reaching out for support or using ADR, families can ensure that their voices are heard, their concerns are addressed, and that children continue to receive the services they need to succeed.

Mediation

Mediation is a voluntary process that helps parents and schools resolve disagreements about a child's special education services. A neutral person, called a **mediator**, helps both sides talk through the issues, understand each other's concerns, and work toward a solution that everyone can agree on. Mediation can be used on its own, or it can happen before or during a due process complaint or state compliance complaint.

Mediation is confidential, which means that what is said during the session cannot be used later in a due process hearing or court. The goal is to create a safe space for open discussion, problem-solving, and reaching a fair resolution. If both sides agree, the outcome is written into a legally binding agreement.

Why Choose Mediation?

Mediation is designed to be faster, less stressful, and less expensive than going through a formal complaint or hearing. It allows parents and schools to focus on the child's needs rather than legal battles. Mediation also:

- Helps preserve positive relationships between families and schools.
- Gives parents and schools more control over the outcome.
- Provides flexible and creative solutions tailored to the student.
- Often results in agreements that can be put into place right away.
- Builds a foundation for better cooperation in the future.

When Can Mediation Be Used?

Mediation can be requested at any time there is a disagreement about a child's special education program. This may include concerns about evaluations, eligibility, services, placement, or how a Free Appropriate Public Education (FAPE) is being provided. Parents do not have to file a due process complaint before

asking for mediation—“mediation only” cases are always an option. Mediation may also be used to address issues raised in a state compliance complaint.

Cost and Availability

Mediation is provided **at no cost** to parents or schools. In California, the California Department of Education (CDE) partners with the Office of Administrative Hearings (OAH) to offer mediation services. These services are available throughout the state, and families can request mediation whenever they feel it is needed.

Why It Matters

Disagreements are common in special education, but mediation offers a way to handle them constructively. It puts the focus back where it belongs—on the child—and encourages cooperation rather than conflict. Many families find that mediation helps them feel heard and respected while finding solutions that truly support their child’s learning.

State Compliance Complaints

Sometimes disagreements between families and schools cannot be solved at the local level. When this happens, parents and others have the right to file a special education complaint with the California Department of Education (CDE). This process exists to make sure schools follow both federal and state special education laws and to ensure students with disabilities receive the services and supports they are entitled to.

A special education complaint is a written and signed request asking the CDE to investigate when you believe your child’s school district or another public agency has not followed the law. Complaints can be about one student or a group of students. For example, you might file a complaint if your child is not receiving the services listed in their IEP or if the school refuses to provide you with a copy of your child’s IEP.

Anyone can file a complaint, not just parents. Students, teachers, advocates, and even agencies can file one. The person making the complaint is called the complainant. The complaint must meet certain requirements, such as explaining what law was not followed, providing facts to support your concern, and including your signature and contact information.

If the complaint is about a specific child, additional details are required. You will need to include your child’s name, school, and address, or contact information if your child is homeless. You must also describe how the violation has affected your child and, if possible, suggest how you think the issue could be resolved. A copy of your complaint must be sent to your child’s school district at the same time you file it with the CDE.

You can file a complaint by filling out the model complaint form provided by CDE, or by writing a letter that includes all the required details. Once your complaint is received with all the necessary information, the CDE’s Complaint Resolution Unit has 60 days to investigate and issue a decision.

There are some things that may delay or stop an investigation. For example, if your complaint is missing important details required by law or if you don’t send a copy to the school district, the CDE may not be able to move forward. Also, complaints must be filed within **one year** of when the problem occurred.

If you decide to file a complaint, you can send it in one of the following ways:

- **Email:** speceducation@cde.ca.gov
- **Fax:** 916-327-3704

- **Mail or hand delivery:**
California Department of Education
Special Education Division – Complaint Resolution Unit
1430 N Street, Suite 2401
Sacramento, CA 95814-5901

Due Process Complaints and Hearings

Sometimes parents and schools cannot agree on what a child with a disability needs in order to succeed. When this happens, families have the right to use a process called **due process**. Due process gives both parents and schools a fair and legal way to resolve disputes about special education.

What is a due process complaint?

A due process complaint is a written request to settle a disagreement about your child's special education. Parents, adult students, or school districts may file a complaint if they disagree about things like whether a child qualifies for special education, the kind of evaluation or services provided, the placement (classroom or program), or whether the school is providing a **Free Appropriate Public Education (FAPE)**. Complaints must usually be filed within **two years** of when you knew about the problem.

What happens after a complaint is filed?

When a complaint is filed, both sides have the right to a **due process hearing**. This is a formal meeting, similar to a small court case, where each side shares evidence, brings witnesses, and explains their point of view. An impartial hearing officer listens to both sides and makes a decision. Parents can have an attorney or advocate at the hearing, and schools must be told at least 10 days in advance if an attorney will be representing the family.

What is a due process hearing like?

At the hearing, everyone involved has the chance to speak, ask questions, and provide documents or other evidence. All witnesses must tell the truth under oath. The hearing officer carefully reviews everything presented and then makes a ruling to resolve the disagreement. Only the issues listed in the original complaint can be discussed at the hearing, unless both sides agree to add something new.

Can mediation still happen?

Yes. Mediation is available at any time during the due process process. Parents and schools can choose to pause the hearing to try mediation again if they think it might help. If mediation works, the agreement is put in writing and becomes legally binding.

What does it cost?

There is no cost for the due process hearing itself—the state pays for the hearing officer, location, and transcripts. However, if parents choose to hire an attorney or expert witnesses, those costs are their responsibility. Some attorneys and advocates may provide services for free or at a reduced cost.

How do you request a due process hearing?

Parents or schools can request a hearing using forms provided by the California Office of Administrative Hearings (OAH). There are different forms depending on whether you are asking for just a hearing or for both mediation and a hearing. These forms are available on the OAH website in English and other languages.

Due process is meant to ensure that children with disabilities get the services they need and that parents have a strong voice in their child's education. While it can feel overwhelming, knowing your rights and the steps involved can help you be prepared and confident in advocating for your child.

Transition Planning for Students with Disabilities

Transition planning is the process of preparing students with disabilities for life after high school. It is an important part of the Individualized Education Program (IEP) and helps students move successfully into adulthood—whether that means going to college, getting a job, living independently, or participating in community life. The goal is to give students the skills, experiences, and supports they need to be successful once they leave the school system.

Transition planning is required by law to start no later than the first IEP that will be in effect when the student turns 16 (in California, it starts at age 16 or younger if the IEP team decides it is appropriate). However, many schools and families start thinking about transition earlier so students can begin building important skills over time.

Key Parts of Transition Planning

The process begins with identifying the student’s strengths, interests, and preferences. This is often done through age-appropriate transition assessments, which might include interest surveys, skills checklists, and conversations with the student and family. The information from these assessments helps the IEP team create postsecondary goals—clear statements about what the student wants to do after high school in areas such as:

- Education/Training – Examples: attending a 2- or 4-year college, trade school, vocational training program, or apprenticeship.
- Employment – Examples: obtaining competitive, supported, or self-employment in a chosen career field.
- Independent Living (if needed) – Examples: living alone, with roommates, or with family; managing money; using transportation; and participating in community activities.

Each postsecondary goal must be measurable and based on the student’s interests and abilities. The IEP then outlines transition services—specific activities and supports designed to help the student reach their goals. These may include career exploration, job training, internships, college visits, life skills classes, or learning how to apply for adult services.

Who Is Involved in Transition Planning?

The student is at the center of the process. They should be actively involved in setting their own goals and deciding what is important for their future. Parents and guardians play a key role by sharing insights about their child’s strengths, challenges, and needs, as well as helping connect them to resources outside of school.

Other members of the IEP team include special education and general education teachers, school counselors, and transition specialists. When appropriate, representatives from outside agencies—such as the Department of Rehabilitation (DOR) or regional centers—are invited to the IEP meeting to help plan for services that will continue after high school.

Why Transition Planning Matters

Without a clear plan, students with disabilities may leave high school without the skills or connections they need to be successful. Transition planning helps make sure they are not only ready for graduation but also for adult life. It bridges the gap between the supports they receive in school and the resources available in the community.

By starting early, involving the student in every step, and coordinating with both school and community resources, transition planning gives students the best chance to achieve their dreams and live as independently as possible.

Transportation

Transportation can be an important related service in your child's Individualized Education Program (IEP). If your child needs transportation in order to attend school or participate in special education services, the school is responsible for providing it at no cost to you. This may include school bus service, reimbursement if you drive your child, or another safe option that the IEP team agrees upon.

The IEP team, which includes parents as equal partners, decides whether your child requires transportation. The guiding question is whether transportation is necessary for your child to access and benefit from special education. This means the decision is always centered on the student's individual needs, not on cost or convenience.

When making this decision, the team considers many factors. These may include your child's health or medical needs, such as whether long bus rides are difficult or if special equipment is required. The team will also look at your child's ability to walk safely, use public transportation, manage traffic situations, and arrive at school on time.

Other considerations may include the distance from home to school and how weather or safety conditions could affect your child's travel. If your child has a behavior plan, the team must decide how to support it while your child is being transported. Transportation for services during the school day, such as therapy or community-based classes, and transportation for extended school year services in the summer are also part of this discussion.

Based on these needs, transportation options can vary. They may include riding the regular school bus, using a bus with special equipment such as a wheelchair lift, or taking public transportation with costs reimbursed. In some cases, door-to-door service may be provided, or parents may transport their child with reimbursement from the district.

Transportation services that are agreed upon should always be written clearly in the IEP. This ensures that all parties understand how, when, and where transportation will be provided. It also guarantees that the service is considered part of your child's educational program.

Transportation decisions must also support your child's placement in the most inclusive setting possible. If your child needs transportation to access their program, you cannot be charged for this service. Even if your child is suspended from bus transportation, the school must provide an alternative method of free transportation to ensure continued access to education.

The location of your child's program can influence the length of daily transportation. Because of this, the IEP team should review placements each year to see if there is a closer option that still meets your child's needs. In addition, if general education students receive transportation for extracurricular activities, your child must also be provided with equal opportunities.

In some cases, transportation staff may attend the IEP meeting. This is especially important if your child requires adaptive equipment, has medical or behavioral needs, or needs special arrangements for safety. Having transportation staff present allows the team to plan services that are both safe and appropriate.

For parents, the key idea to remember is that transportation is a related service that supports your child's access to education. If it is necessary for your child to benefit from special education, it must be provided and written into the

IEP. These decisions are always based on your child's unique needs, not on convenience and cost, and the IEP team is responsible for ensuring those needs are met.

Extended School Year (ESY)

Extended School Year, or ESY, refers to special education and related services that are provided beyond the regular school year. These services are designed to help students with disabilities continue to make progress when long school breaks might cause them to lose important skills. Whether or not a child receives ESY is decided each year by the IEP team, based on the student's individual needs.

The purpose of ESY is to make sure students do not lose critical skills that would be hard to regain after a break. For some students with severe disabilities, ESY may also focus on essential life skills, such as eating, mobility, toileting, or communication. It is not intended to teach brand-new skills, but rather to help maintain or strengthen the abilities a student already has.

The decision about whether a child qualifies for ESY is made by the IEP team, which includes parents, teachers, related service providers, and school staff. The team looks at information such as how much a student regresses, how quickly they can relearn skills, and whether the student is at a critical stage of development. Medical circumstances and other special factors may also play a role in the decision.

Just because a student received ESY one year does not mean they will automatically qualify the next year. Each year the IEP team must carefully review updated information and decide if ESY is still needed. This ensures that decisions are based on the child's current needs and circumstances.

If the IEP team determines that ESY is needed, the services may not look exactly the same as those during the regular school year. The team will decide which specific goals to work on and what level of support is necessary during the ESY session. The schedule or frequency of services may also be different from the regular year.

Participation in ESY is always optional for families. If your child qualifies, you are not required to send them, and there are no consequences if you choose not to attend. However, ESY can be an important support to help children maintain their progress and independence.

Parents can play an important role in the ESY decision-making process by bringing helpful information to the IEP team. This could include notes about how your child performs after long school breaks, medical updates, or other insights about your child's learning and development. Sharing this information helps the team make the best decision for your child.

Discipline for Students with Disabilities

Students with disabilities are expected to follow school rules just like all other students. However, federal law, the Individuals with Disabilities Education Act (IDEA), provides extra protections to make sure that discipline is fair and takes into account the student's unique needs. The goal is to balance school safety with the student's right to an appropriate education.

If a student with a disability breaks a school rule, the school can respond with discipline, but there are special procedures that must be followed. In some cases, a student may be removed from their current classroom or placement for up to 10 school days in a year without it being considered a formal "change of placement." If the removal is for more than 10 consecutive days or if several shorter removals add up to more than 10 days and show a pattern, the school must hold a manifestation determination meeting.

A manifestation determination is a meeting with the parents, the school, and members of the student's IEP team to decide if the behavior was directly related to the student's disability. If the team decides that the behavior *was* a manifestation of the disability, the student cannot be disciplined in the same way as students without disabilities. Instead, the school must look at supports like a Functional Behavior Assessment (FBA) and a Behavior Intervention Plan (BIP) to help prevent the behavior from happening again.

If the team decides the behavior was not a result of the disability, the school can apply the same discipline as it would for other students. However, even in this case, the student must still receive educational services so they can continue to work toward their IEP goals, even if they are in another setting.

There are special rules for serious offenses. If a student brings a weapon to school, has illegal drugs at school, or causes serious bodily injury to someone at school, the school can remove them to an Interim Alternative Educational Setting (IAES) for up to 45 school days, even if the behavior was related to their disability. In the IAES, the student must still be taught the general curriculum and receive services to address their IEP goals.

Parents have important rights in this process. You must be notified of disciplinary decisions, included in manifestation determination meetings, and given information about your procedural safeguards. If you disagree with a decision, you can request mediation, file a complaint, or request a due process hearing.

The main goal of these protections is to ensure that discipline addresses the behavior in a way that supports learning and keeps the student connected to their education, rather than simply removing them from school without addressing the cause.

Functional Behavior Assessment (FBA) and Behavior Intervention Plan (BIP)

A Functional Behavior Assessment (FBA) is a process schools use to understand *why* a student is showing certain behaviors that may be getting in the way of learning—either for the student or others. Instead of focusing only on stopping the behavior, an FBA looks at the bigger picture: what is happening before, during, and after the behavior, and what the student might be trying to communicate or accomplish through it. This process is based on applied behavior analysis (ABA) and involves gathering information from observations, interviews, and records to find patterns and possible causes.

An FBA is often done after other strategies, like Positive Behavioral Interventions and Supports (PBIS) at Tier 1 and Tier 2 levels, have not worked. Under the Individuals with Disabilities Education Act (IDEA), an FBA is considered an evaluation that helps the IEP team determine what special education or related services might help the student. It's usually considered a Tier 3 intervention in a school's Multi-Tiered System of Supports (MTSS). The results of an FBA give the team the information needed to create a plan that is individualized, targeted, and more likely to help the student succeed.

From the FBA, the school team may develop a Behavior Intervention Plan (BIP). A BIP is a proactive action plan designed to help the student replace challenging behaviors with positive, more effective behaviors that meet the same need. Rather than labeling a student's behavior as "bad," the approach assumes the behavior is learned and currently serves a purpose for the student—it just happens to be an ineffective way to meet their needs. The plan aims to teach a better alternative.

A BIP includes several key parts:

- Positive behavioral interventions, strategies, and supports that help prevent the behavior from happening in the first place.
- Identification of a replacement behavior—a new skill or action the student can use instead of the challenging behavior.
- Changes to instruction or the environment to make it easier for the student to be successful.
- Reinforcement strategies to encourage the new behavior.
- Reactive strategies for how to respond if the challenging behavior occurs.
- Clear communication between everyone working with the student, so the plan is followed consistently.

If your child has an IEP, the BIP becomes part of that document. This ensures the plan is legally recognized and that strategies and supports must be provided. A well-designed BIP focuses on understanding *why* the behavior is happening and making sure the student learns a positive, effective way to meet their needs, while also supporting their academic and social growth.

Frequently Asked Questions

Q1: What is SELPA?

A1: In 1977, all school districts and county school offices in California were required to form geographical regions of sufficient size and scope to provide for all special education service needs of children residing within the region's boundaries. Each region became known as a **Special Education Local Plan Area (SELPA)**.

SELPA's are dedicated to the belief that all students can learn and that special needs students must be guaranteed equal opportunity to become contributing members of society.

Northwest Santa Clara County SELPA office contact information:

1290 Ridder Park Dr., San Jose, CA 95131

Phone: (408) 453-6566

Fax: (408) 453-4337

Web: www.selpa.sccoe.org

Q2: What is a SELPA CAC?

A2: CAC stands for **Community Advisory Committee**. It is made up of parents of children with disabilities, as well as other members of the community. The CAC advises SELPA districts, from a parent and community perspective, on education programs and priorities that need to be addressed. The CAC also helps provide parent education opportunities and public informational materials.

Q3: If I think my child has a problem that impacts their learning experience, what should I do?

A3: First discuss your concerns with your child's classroom teacher. If your child has a problem that prevents him or her from functioning in a general school program without special help, your child's teacher makes a referral to the Student Success/Study Team (SST). You may also send a written request for an assessment to your local school or district's Special Education Department (please see page 5 for more details).

Q4: What is a Student Success/Study Team (SST)?

A4: The SST is intervention to help your child succeed in school. The SST is made up of the parent(s), teachers and other school personnel based at your local school. This team reviews a student's learning

strengths and needs. The SST then plans steps to take to assist the student in succeeding in the general education program. Some children will never go beyond this step.

Q5: Will having a “label” harm my child?

A5: It is a difficult decision to pursue an eligibility category for your child when they are having difficulties in school that impact their learning. It is a decision unique for every family. But for many students, early identification of learning challenges can allow for early treatment and long-term educational success rather than stigma. An eligibility category may allow your child to get the help they need to succeed. All student records are confidential.

Q6: May I observe special education programs that are available in the district?

A6: Observations may be arranged based on the policies of your local school district. Contact the special education director of your local school district to inquire about scheduling an escorted observation.

Q7: May I see my child’s school records?

A7: Yes, you are entitled to see all of your child’s school records. Make your request in writing to the Special Education Department of your district.

Q8: What is an assessment?

A8: An assessment in special education is the process used to determine a child’s specific learning strengths and needs in all areas of suspected disabilities. It may be used to determine whether or not a child is eligible for special education services. This involves the collection of records, observation by staff, parent reports and teacher reports. In this context, reports are forms that describe the student and what their behavior, strengths and weaknesses may be. Specific standardized educational tests may be used to decide if a student meets a threshold for special education.

Q9: May I obtain an independent assessment of my child, and must that assessment be considered by the school district in educational planning?

A9: Parents may have an independent assessment done, at their own expense, at any time, and the results may be considered by the school to support the need for appropriate educational services. Under certain conditions the school district may pay for an independent assessment. Please see your Parent Rights and Procedural Safeguards for a full explanation.

A diagnosis by a medical professional may not mean that an IEP is required. Even with a medical diagnosis the student must meet the requirements under the law (IDEA). This is determined by the school district, but can be appealed.

Special Education, IEPs and 504s

Q10: If my child is eligible for special education, who decides what services my child will receive and what program he/she will be in?

A10: The appropriate services and programs will be based upon your child’s needs. These needs are determined by District staff using tests and observations of all areas of suspected disability. The planning of your child’s program and services is done by the Individualized Education Program (IEP) team. The parent is an important member of this team.

Q11: What is an Individualized Education Program (IEP)?

A11: The IEP is a written document developed for each student eligible for special education. Eligible students who fit into one of thirteen categories specified by law (see page 7).

An IEP is based on the educational needs of the student as specified by the IEP team (professionals and parents).

The IEP is designed for the student to make progress with their education in a way that best fits their needs.

An IEP can be fairly simple or very long and in depth, depending on the needs of the student. It includes a list of what services the student will receive and where and how often he/she will receive them. They also include a list of measurable educational goals for the student to achieve in the coming year.

IEPs are required by law due to the IDEA act (more information on IDEA is available on page 1).

Q12: If my child is NOT eligible for special education services and an IEP, are there still ways that the school can help my child?

A12: If your child does not qualify for an IEP in one of the categories listed on page 7, there are other ways in which your child may receive help. Accommodations, or changes to the regular education environment, can be made for students at the school site level. In some cases a student may qualify for a 504 accommodation plan which is developed by parents and school staff.

Accommodations are changes in teaching strategies, expectations, test preparation, student responses, and the environment, which provide access for a student with a disability to participate in class, which DO NOT fundamentally alter or lower the standard.

Modifications are changes in teaching strategies, expectations, test preparation, student responses, and the environment, which provide access for a student with a disability to participate in class, which DO fundamentally alter or lower the standard.

An intervention is a specific program or set of steps to help a child improve in an area of need. An intervention lasts a certain number of weeks or months and is reviewed at set intervals to determine effectiveness. Interventions can be for academic, behavioral, or social needs.

Q13: What is a 504 Plan?

A13: A 504 plan allows students with disabilities to access general education classwork. This is for students who have a disability that significantly impacts a major life activity. This can cover a wide range of issues, from a food allergy to a physical injury to ADHD. Examples include allowing additional time for testing or homework, specifying the location a child needs to sit in a classroom, or changes to a classroom to allow easier physical access for that student.

504 plans exist because of federal civil rights law. Section 504 comes out of the 1973 Federal Rehabilitation Act and prohibits discrimination against anyone with a disability. This is a part of civil rights. Section 504 accommodation plans are not considered special education. Additional information on 504 can be found at www2.ed.gov/about/offices/list/ocr/504faq.html or www.wrightslaw.com/info/sec504.index.htm.

Q14: What is the difference between an IEP and a 504 Plan?

A14: An IEP is governed by special education law, and involves related services/modifications and/or accommodations. It must be a written document, signed by all involved on the IEP team. The

special education department of the School District will be involved with creating and implementing an IEP.

A 504 plan involves disability law, and involves accommodations. A 504 is created and administered by staff at the student's school.

Q15: What are related services?

A15: Related services are provided as part of an IEP plan. They may include, but are not limited to: speech therapy, occupational therapy, counseling, family counseling and training, vision, hearing and audiological services, assistive technology and transportation.

Q16: What should I do if I don't agree with everything in the IEP?

A16: You may choose to agree with all or part of an IEP. If you choose to agree with part of the IEP, you must clearly indicate the sections that you want to have implemented. This usually consists of signing partial agreement to the IEP along with notes that show what services are agreed upon. You may also choose to not sign the IEP. However, in that case, no services will be provided to your child. Any services provided by a previously agreed upon IEP will continue. You should write down your concerns. You may request, in writing, to have another IEP meeting to further consider your concerns. The district may also request another IEP meeting. Concerns that cannot be resolved may become the basis for an alternative dispute resolution, mediation or due process.

Q17: If I have a problem with my child's IEP or services, what should I do?

A17: First, discuss the problem with your child's teacher and any other school personnel who is familiar with your child's special needs and who may be able to help resolve the problem for you. You may request that the IEP team meet to review and/or develop a new IEP.

If you cannot come to an agreement, you may request alternative dispute resolution or mediation (www.wrightslaw.com/advoc/articles/mediation_faq.html), or due process hearings (www.wrightslaw.com/info/dp.index.htm).

Early Intervention, Transportation and Additional Concerns

Q18: Are special education infant and preschool programs available?

A18: Yes. Infants and toddlers aged birth through 36 months with diagnosed disabilities, or at risk for disability, are served by the Santa Clara County Office of Education, Special Education Department. These children are covered by an Individual Family Service Plan (IFSP). Preschool children ages 3-5 are also eligible for services. You can obtain further information about infant and preschool programs by calling (408) 453-6877.

Another resource for some infants and preschool age children is the San Andreas Regional Center (SARC) www.sanandreasregional.org. The Regional Center serves people with developmental disabilities. Their Early Start program for 0-3 and the Family Resource Center may be able to help if your child needs assistive technology, hearing services, family training, occupational or physical therapy, behavioral therapy, speech and language services, vision services or transportation.

Q19: When are transportation services provided?

A19: Transportation is a "related service" (see above). Whether it is necessary is an IEP team decision. Each student is considered on a case-by-case basis. The IEP team will consider factors including the

student's needs, age, the nature of the student's disability, the condition of the route to be traveled to the bus stop, the availability of public assistance when the student walks that route, and the student's ability to safely access transportation to and from school in the way other students in a district access transportation.

Q20: Will my child be able to participate in an extended school year (ESY) program?

A20: ESY is an extension of the previous school year and occurs during/part of the summer months. An IEP team considers the need for ESY services also on a case-by-case basis. It needs to be determined if ESY is required for FAPE standards (Free and Appropriate Public Education). ESY services are provided to students who have a handicapping condition which is likely to continue indefinitely or for a prolonged period, and interruption of the pupil's educational programming may cause significant problems with their ongoing education. Generally extended year is available to those students with intensive needs who require a continuation of services to prevent a regression of skills.

Q21: For how long will my child receive special education services?

A21: Services are provided for eligible students ages 0 - 22, as long as the IEP team, including the parents, agrees that special education services are needed, or until the student receives a regular high school diploma. This will be based on on-going evaluation of your child's eligibility needs.

Q22: How will my child's IEP be affected if we move out of this school district?

A22: Your child's IEP will still be valid and he/she will be placed in a comparable program for a period of 30 days if you should move. During that time an IEP review should take place in your new school district.

Q23: May I volunteer at my child's school?

A23: Parent involvement is strongly encouraged. There are many ways in which you can become involved. Speak to your child's teacher or administrator about volunteering opportunities at school.

Q24: Why is this so complicated?

A24: Finding out your child is in need of accommodations or special education services can be overwhelming. In addition, getting the right help for your child can sometimes be a stressful process. The process involves a lot of complex and constantly changing federal and state laws. It also involves a change in how you interact with the education of your child.

Ask for help from your school, district, and parent groups like the SELPA CAC, of Parents Helping Parents (www.php.com). Join a support group, or talk with a counselor if you are feeling overwhelmed. We are all working to get students with learning difficulties – physical, cognitive or behavioral – a good education and a plan for success.

Resources

Listed below are resources that provide services, support, or cash benefits to families with a child with a disability. They are divided into sections for ease of reference.

LOCAL GOVERNMENT RESOURCES:

California Children Services (CCS) (408) 793-6200

Provides specialized medical care, therapy and treatment, and equipment for families eligible through residency, medical condition, and financial situation.

www.dhcs.ca.gov/services/ccs

California State Department of Education, Procedural Safeguards..... (800) 926-0648

Answers questions concerning Special Education laws and regulations.

www.cde.ca.gov/sp/se/qa/pseng.asp

San Andreas Regional Center (408) 374-9960

Evaluation, case management, and purchase of services for clients with developmental disabilities.

www.sarc.org

Santa Clara County Child Health & Disability Prevention Program (CHDP).... (800) 689-6669

Provides preventive health care for children of low-income families or in foster care.

www.sccgov.org/sites/sccphd/en-us/Residents/ChildrensHealth/Pages/Child-Health-and-Disability-Prevention.aspx

Santa Clara County Medi-Cal Program (877) 962-3633

Provides health care coverage for children of low-income families and those with moderate to severe disabilities.

www.sccgov.org/sites/ssa/debs/hc/Pages/medical.aspx

Social Security Administration (800) 772-1213

Cash benefits (through Supplemental Security Income [SSI] program) for children with diagnosed disabilities.

www.ssa.gov

HOTLINES:

Inclusion Support Warm Line (408) 453-6651

Provides free support, information, and referral service regarding the inclusion of children with special needs and disabilities in our community.

www.inclusioncollaborative.org

Lucile Packard Children's Hospital at Stanford Hotline (800) 690-2282

Parent medical information and referral hotline.

SUPPORT GROUPS:

Adolescent Counseling Services (650) 424-0852

Offers on-campus counseling, substance abuse treatment, community counseling,
& LGBTQQ support.

www.acs-teens.org/

Parents Helping Parents..... (408) 727-5775

Offers support, information and classes to families of people with special needs.

www.php.com

Stanford Autism Parent Support Group

Provides parents of children with autism an opportunity to connect with other families with similar experiences.

<http://med.stanford.edu/childpsychiatry/community/asdparentsupport.html>

RESOURCES AND SERVICES:

After-School Program Interventions and Resiliency Education (ASPIRE) (877) 412-7474

Designed to help youth and adolescents with anxiety, depression, or other symptoms related to a mental health condition.

<https://www.elcaminohospital.org/services/mental-health/specialty-programs/aspire>

Asian Americans for Community Involvement (AACI)..... (408) 975-2730

Offers an array of services and programs in health, recovery, advocacy, shelter and community through a team of multicultural and multilingual professionals.

<http://aaci.org/>

Children's Health Council (650) 688-3625

Provides evaluation and therapy for autism spectrum, ADHD, learning differences and anxiety and depression.

www.chconline.org

Community Alliance for Special Education (408) 283-1535

Provides legal support, representation, technical consultation and training to parents concerning special education services.

www.caseadvocacy.org

Community Health Awareness Council (CHAC) (650) 965-2020

Provides counseling and prevention services.

www.chacmv.org

EMQ – Families First Hotline..... (877) 412-7474

Statewide mental health treatment programs for children and teens.

<http://emqff.org/>

Family and Children's Services of Silicon Valley (650) 326-6576

Family, child and youth counseling, foster youth services, LGBTQ wellness, school-based services and more.

www.fcservices.org

“From Emotions to Advocacy” Book

Recommended by many parents, this book provides a clear roadmap on how to help your child through the special education system.

www.wrightslaw.com/bks/feta2/feta2.htm

HEARD Alliance..... (855) 278-4204

Healthcare Alliance for Response to Adolescent Depression.

www.heardalliance.org

National Alliance on Mental Illness (NAMI)..... (877) 412-7474

Offers practical experience, support, education, comfort and understanding to anyone concerned about mental illnesses and their treatment in Santa Clara County.

www.namisantacalara.org

Special Education Rights and Responsibilities Manual

A detailed guide to Special Education in California (from Disability Rights California; also available in other languages).

www.disabilityrightsca.org/pubs/PublicationsSERREnglish.htm

Wrights Law

In-depth website for special education law and advocacy for children with disabilities.

www.wrightslaw.com

Acronyms

504	Shorthand for the section of the 1973 Federal Rehabilitation Act
ABA	Applied Behavior Analysis
ADR	Alternative Dispute Resolution
APE	Adapted Physical Education
AUT	Autism
BIP	Behavior Intervention Plan
CAC	Community Advisory Committee
CFR	Code of Federal Regulations
EC	Education Code
ED	Emotional Disability
FAPE	Free Appropriate Public Education
FBA	Functional Behavior Analysis
HI	Hearing Impairment
ID	Intellectual Disability
IDEA	Individuals with Disabilities Education Act
IEP	Individualized Education Program
IFSP	Individual Family Service Plan
ITP	Individualized Transition Plan
LEA	Local Education Agency
LRE	Least Restrictive Environment
MD	Multiple Disabilities
MTSS	Multi-Tiered Systems of Support
OAH	Office of Administrative Hearings
OI	Orthopedic Impairment
OHI	Other Health Impairment
OT	Occupational Therapy
PBIS	Positive Behavior Intervention Support
PT	Physical Therapy
RSP	Resource Specialist Program
RtI	Response to Intervention
SAI	Specialized Academic Instruction
SELPA	Special Education Local Plan Area
SLD	Specific Learning Disability
SLI	Speech and Language Impairment
SLP	Speech Language Pathologist
SST	Student Success/Study Team
TBI	Traumatic Brain Injury
VI	Visually impaired