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# ***School Programs For Children with Special Educational Needs***

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***A Handbook  
for Parents***



# School Programs For Children with Special Educational Needs

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**Your child's well-being is our life's work.**



## **Introduction**

As parents, you have a desire to improve and enhance your child's potential. During the years of raising your special son or daughter, you will be asking many questions. Some of these questions may arise from confusion, apprehension, or a lack of knowledge about **Special Education** issues. The information in this booklet has been compiled from several sources, including the Special Education Advisory Committee. Keep in mind that the field of Special Education is always changing — legislation and budget issues are constantly changing the laws and specific programs that affect your child.

As parents, you must stay familiar with these laws and programs. It is extremely important that you are aware of your child's rights. **You, as parents, are your child's most important advocate and resource.** You know your child best, and you are the ones who will help your child most. Every person has a potential. Every parent has the right to hope that his child will keep reaching for that potential.

## Public Laws for Childhood Education

The **California Master Plan** is a comprehensive special education effort mandated by the State Legislature in order to comply with Federal Legislation governing the education of all special needs youngsters. In the 1970s and 80s and 90s, public laws were created and updated to address the needs of all children with special educational needs. Federal Public Laws 94-142 and 99-457 address the rights of children with special educational needs. Individuals With Disabilities Act (IDEA) addresses the needs of infants, toddlers, and all children (PL 101-476, PL 102-119, and PL 102-569), and includes children with less severe learning problems and with ADHD.

### Attention Deficit Hyperactivity Disorder

A child with Attention Deficit Hyperactivity Disorder (ADHD) can be eligible for special educational services under Section 3030 of Title 5 of the California Code of Regulations or California Code of Regulations for the Federal Individuals with Disabilities Education Act (IDEA) (20 U.S.C. Sec 1400). A child with "other health impairments," "serious emotional disturbance," or specific learning disabilities might also be eligible.

## The Master Plan

There are several ways that a Master Plan can be implemented, but every Master Plan must do the following:

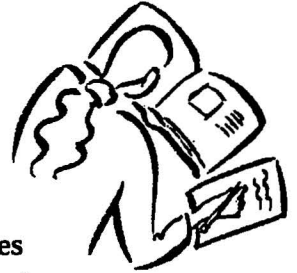


- Guarantee that **every** special needs student receives free appropriate educational services. These services are provided when **written parental consent** is obtained.
- Require a **thorough** assessment of each special needs student and mandate regular review to ensure the appropriateness of the services provided.
- Ensure that educational services will be **tailored** to meet the student's defined needs and that the **least restrictive** environment will be found for each individual in each district.
- Provide for the development of an Individualized Education Program (see page 4)

- Base funding on the **services** provided to students rather than on the label placed on the individual in each district.
- Provide for the systematic involvement of the **parents** in the assessment, placement, and evaluation of their children.

## What Is an Assessment?

Educational **assessment** is conducted to identify the student's learning needs and to determine if the student requires special education and, if so, what type of education. Assessment must take place before the student is placed in special education and at least every **three** years following placement. The parents or the student's teacher may request assessment at more frequent intervals.



Assessment for possible placement may be conducted only with the **permission of the parents**. Written notice must be received when the school plans to conduct an assessment. This notification is called an **assessment plan** and must be clearly written in language parents understand. Information should include:

- reason or purpose for the assessment
- areas to be assessed
- names of professional personnel responsible for the administration and interpretation of the assessment
- types of tests and other assessment procedures to be used

No educational placement will result from the assessment without the **consent** of the parents. It is important that the parents fully understand the proposed assessment before giving written permission.

*You, as parents, are  
your child's most  
important advocate.  
and resource.*

## How to Get an Assessment

Parents, teachers, or other school personnel may request an assessment. Requests should be made in writing to the district office of your local school district. You should receive a written response from the district within **15 days** of receipt of your request. (However, if school is on vacation for five days or more, it will take more than 15 days.) If the district determines that an assessment of your child is not appropriate, you should receive written notice of this decision.

If the district refuses to do an educational assessment, you have the right to a *due process hearing*. The request for a *due process hearing* can be made to either the district or to the Superintendent of Public Instruction, Special Education Hearing Office, 3200 Fifth Avenue, Sacramento, CA 95817.

## What Are Your Rights?

"Due process" has a special meaning to parents of children with exceptional needs. It is a legal way of saying that certain principles and practices exist and must be respected to ensure that each individual with exceptional needs is treated fairly and receives a free appropriate public education.

Parents are *guaranteed* the right to:

- a **written assessment plan** describing the administration of tests, what the tests determine, and who administers the tests
- receipt of this proposed plan within **15 days** of referral
- an explanation of testing materials and assessment procedures used for placement
- the *assessment* must be completed within **50 days** of the date of receipt of the written consent for assessment, unless the parents agree in writing to an extension
- the suspension of any assessment until **written parental consent** is given
- **participation** in the Individualized Education Program team meeting (see page 4)
- a **copy** of the findings of the assessment, when requested



- a provision to obtain an **independent** educational assessment of their child, if necessary
- a **continuation** of the special education program and related services agreed upon in the Individualized Education Program, unless they have given written consent for any alterations

***Parents, teachers, or other school personnel may request an assessment.***

## The Assessment Procedure

The assessment procedure for students with exceptional needs includes the combined input from parents, school personnel, and district staff to plan, implement, and evaluate the program for each individual. **It is the responsibility of this team to:**

- review the assessment results
- determine if the individual is eligible for special education
- develop, review, and/or revise the Individualized Education Program (see page 4)
- make program placement recommendations



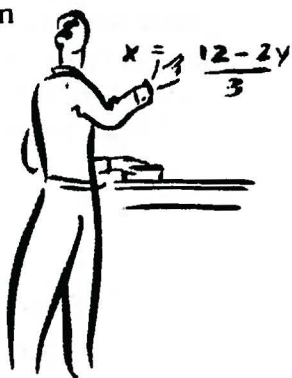
## Key Players

**School Psychologist** – provides in-depth *assessment* and evaluation to each school. The psychologist aids the school administrator, parents, and Individualized Education Program (IEP) team by making program recommendations based on observations, tests, and interviews. The psychologist is also an important member of the IEP team who counsels students when indicated.

**Program Specialist** – has advanced training in the *education* of handicapped students. The program specialists consult with principals, resource specialists, and special day-class teachers. They assist in planning programs and providing curricular

resources. The program specialist often conducts the IEP team meetings for identification and placement of new special education students.

**Other professionals** involved with the student's educational program and development may include a resource specialist, a special day-class teacher, and a designated instruction service specialist.



**Designed Instruction and Services (DIS)** provides additional services not normally provided to students in regular classrooms, special day classes, or the Resource Specialist Program. DIS is a new name for the combination of old and new programs that may include:

- specialized instruction
- language and speech instruction
- physical and occupational therapy
- audiologic services
- services for the visually handicapped
- other services as indicated in the written IEP

**Nonpublic School Services** are offered to students with exceptional needs when the district determines that there is *no appropriate educational program* within the public sector to meet the student's needs.

**State Schools** — residential schools operated by the State of California may offer a complete diagnosis and be considered for placement of certain individuals with *extraordinary* needs. Such placement must be processed through the IEP team.

#### **IEP Team Includes:**

- the district psychologist
- a special education teacher
- the student's present teacher
- one or both of the student's parents, or representatives selected by the parents
- the administrator of special education or his/her designee



#### **IEP Team Meets When:**

- a student has received a formal assessment
- the student's placement or instructional services as specified in the IEP is to be developed, changed, or terminated
- the student demonstrates the lack of anticipated progress
- the parents or teacher request a meeting to develop, review, or revise the IEP.

This team usually meets *annually* to review the student's progress and placement.

#### **What is the Individualized Education Program (IEP)?**

Each student placed in special education receives an **IEP**. This is a **written** statement of the services to be delivered by the school. It describes anticipated goals and objectives for the student. While the IEP must be reviewed at least once a year, the parents can request review at more frequent intervals. The IEP contains the following information:



- Eligibility Statement – defines the student's special needs
- Statement of Strengths – indicates areas in which the student is successful
- Placement Status – indicates the type of program or class the student will be placed in; indicates the extent of student's participation in regular education program
- Designated services – states which services will be provided to meet the student's learning needs; provides dates for when services begin and end
- Present Level of Performance – provides test scores and describes student's current educational achievement
- Student's Short-Term Objectives – outlines specific steps necessary to reach Annual Long-Term Goals
- Student's Annual Long-Term Goals – documents the improvements that the teacher and child will aim for over the next year (goals are based on the Eligibility Statement)
- Evaluation – states how the student's progress will be measured