

San Mateo-Foster City  
School District

Parent Handbook  
for  
Special Education

PTA Subcommittee for Special Education  
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## Acknowledgements

Our thanks to North Santa Cruz County SELPA for their permission to use their Parent Rights Handbook as a template for the revised San Mateo-Foster City School District Handbook.

Our thanks to San Mateo-Foster City PTA Council for supporting the PTA subcommittee for Special Education.

Revised 2006

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# INTRODUCTION

This handbook is published to help parents understand more about the processes of special education and their important role as a partner in education. We hope it will help you to become fully involved in the team effort of obtaining the most appropriate educational program for your child.

Consider the handbook an important reference. Keep it available and consult it. Familiarize yourself with its various sections so you will know where to turn whenever a question arises regarding your child's education. There are sections on special education laws, parents' rights, Individualized Education Program (IEP) planning, class placement, and resources for parents.

As you get better acquainted with your handbook we hope it will help you become a confident partner in the process of your child's education.

The contents of this handbook are based on the most recent federal and state laws. However, laws and regulations change constantly. The content of the handbook will be revised as needed to reflect those changes.

## SPECIAL EDUCATION LAWS

### The Individuals with Disabilities Education Act (IDEA)

Public Law 94-142, the Education for Handicapped Children Act of 1975, was the first federal law, which guaranteed every child with a disability the right to a free and appropriate public education in the least restrictive environment.

This law also provided that each child with disabilities:



- Is guaranteed a culturally unbiased, valid assessment in all areas of the suspected disability;
- Is to have an Individualized Education Program (IEP) designed to meet his/her unique needs;
- Is guaranteed specific procedures to insure his/her rights and those of his/her parents (due process procedures).

Public Law 94-142 states that all children with disabilities need and have the right to an education to become as self-sufficient and productive as possible in adult society, and that children with disabilities should be educated to the maximum extent possible with non-disabled students. This is what's known as the Least Restrictive Environment or LRE.

In 1990 the law was re-authorized as Public Law 101-476 by President Bush and was re-named the Individuals with Disabilities Education Act (IDEA). In 1997, President Clinton reauthorized the law, with some changes. IDEA 2004 was reauthorized under President George W. Bush.

## **PARENTS' ROLES**

### **Parents as Partners**

Parents are valued partners, and parent participation is one of the outstanding features of current legislation concerning exceptional children. One example of this participation is this handbook. It was designed and prepared with input from parents of children with disabilities.

As a parent you are entitled to an active role in the special education process. From the referral to the placement in a special education program, you play an important part. As you play this key role in your child's education, it is important you understand fully all the ways you can participate as a partner.

Your rights and responsibilities as a parent in the identification, assessment, educational planning, placement, and appeals processes are specifically outlined in this handbook

### **Participate**

Be active in all the processes of your child's special education. As a parent you will find yourself one of a team of people all working together to plan and provide the most appropriate educational program for your child. Be prepared. Ask questions about anything you do not understand. Your participation is needed in a variety of ways. Here are some examples.

- **Consent** – By law your consent is required before your child can be tested or receive any special education services.
- **Information** – As part of the assessment process and the IEP planning you will be asked to provide needed information concerning your child. Your cooperation will help in planning the best program for your child.
- **Review** – Your child's IEP will be reviewed once a year. Be involved in this process every year. Your input is needed. Remember the IEP is the heart of your child's education and your participation in the process is vital.
- **Attendance** – Attend all IEP meetings and parent conferences concerning your child. Also, you may have the opportunity to attend parent education programs to learn more about special education activities.

- Communication – Good communication between home and school is an important key to the success of a child's program. Once the decisions have been reached and the IEP written, keep in close touch with what is going on at school.

### **Special Education PTA Committee**

An important organization to become aware of and be involved in is the Special Education PTA. A majority of its members are parents and a majority of these parents have special education children. Representatives of public and private agencies, community groups, special and general education teachers, disabled students, school personnel, and other concerned citizens make up the rest of the committee. This organization plays an important role in special education in the San Mateo-Foster City School District. The Special Education PTA Committee's responsibilities and activities include:

- Acting in support of children with disabilities;
- Assisting in parent education and the development of public information materials such as this handbook;
- Providing recognition to groups/individuals for the contributions made in the lives of students with disabilities.

You are encouraged to attend the Special Education PTA Committee meetings.

# THE STEPS OF SPECIAL EDUCATION

## Identification

Under current law, the school district (as well as other public agencies) is responsible for conducting a continuing search in the community to identify infants, preschool, and school-aged children who may require special education services.

Parents who are concerned about their child's health, development, or learning may want to consult with a health care provider, child care provider, teacher, or other person knowledgeable about child health or development. A conference with your child's teacher or school principal, and possible referral to the Student Study Team is a first step to determine if the resources of the general education program can meet the child's needs. If parents or school personnel feel that assessment by trained specialists is indicated, they may make a referral to the Special Education department of your local school. Although not legally required, it is advisable to make your referral in writing.

## Assessment

The assessment process has two major purposes:

- To determine if a student is eligible for special education services, and
- To assess the needs or gather all of the information possible about the student in order to determine which are the most appropriate special education and related services for the student.

The parent's written consent is necessary before an assessment can be conducted (as well as before any special education services can be delivered to the child). The written assessment plan must be prepared within 15 days after receiving the referral, and must include:

- The reason the referral was made;
- An explanation of the assessment process and the tests which will be used, and who will be responsible for doing the testing and interpreting the results;
- A notification of the rights of the parents regarding the assessment process;
- A statement informing the parent that no diagnostic testing will be done before parental consent is given, and that the parent has up to 15 days to consent.

- A request that the parent provide written permission (if the student is under age 18) for the assessment to be conducted.

A developmental and educational history for the child will be obtained by a specialist. Results of the assessment will be stated in a written report, and parents must be provided a copy of the findings. The report should describe how the child's disability affects involvement and progress in the general curriculum.

A flowchart that illustrates the timeline regarding assessment appears on page 30.

## **Individualized Education Program (IEP)**

The IEP is a written plan comprised of goals and objectives to meet a particular student's needs developed by a team including parent(s), teacher, special education staff, administrator, and child (if appropriate). An IEP must include:

- 1) The student's present levels of academic performance
- 2) Annual goals for the student
- 3) Short-term instructional objectives related to the annual goals
- 4) Special education and related services that will be provided and the extent to which the child will participate in regular education programs
- 5) Plans for starting the services and the anticipated duration of services
- 6) Appropriate plans for evaluating, at least annually, whether the goals and objectives are being achieved
- 7) Plans for the transition of older students

An IEP meeting must be held within 60 calendar days after the date of written consent to an assessment (excluding school breaks over 5 consecutive days) for eligible children. The IEP is developed by a team including the parents, an administrator, the teacher, the person(s) who conducted the assessment(s), at least one general education teacher if your child is or may be participating in the general education classroom, and other individuals as needed and appropriate. Parents should consider whether to have their child attend the IEP team meeting. Older students are encouraged to attend and to take an active part in the IEP process. Younger students can attend when appropriate, perhaps just for a portion of the meeting. Parents may also bring a relative, friend, or neighbor to the meeting as a support. The parent is always a necessary, welcome and equal member at meetings to plan special education placement and services.

When a parent claims that tape-recording is necessary for meaningful participation in the IEP process, then the IDEA is implicated. 34 C.F.R. § 300.345(e) requires school districts to take "whatever action is necessary to ensure that the parent understands the proceedings at the meeting. According to a federal district court, this broad mandate to take action will, in appropriate circumstances, include permitting parents to tape-record the meeting. Therefore, San Mateo-Foster City will permit recording when "necessary to ensure that the parent understands the IEP or the IEP process or to implement other parental rights guaranteed under IDEA.

This initial meeting will be to determine eligibility for Special Education under one of the thirteen federally defined disabling conditions:

Hard of Hearing	Deaf-Blind	Speech Impaired
Deaf	Autism	Other Health Impaired
Visual Impairment	Orthopedically Impaired	Multiple Disabilities
Specific Learning Disability	Traumatic Brain Injury	Preschool-established
Mentally Retarded	Emotionally Disturbed	medical condition

For detailed information on the above disabling conditions contact the Special Education Department. The parent will be notified of the time and place of the IEP meeting, which should be at a time convenient to them. Parent input will be solicited, and written approval must be given to the IEP written during the meeting. Written consent is required before special education services or placement can be initiated.

The local educational agency is responsible for ensuring that parents/guardians understand the rights for themselves and their children. This may include the need for interpreters, for non-English speakers, and for parents/guardians who are deaf.

If your child is eligible for Special Education the IEP must include:

- 1) IEP team membership of at least one general education teacher if your child is, or may be, participating in the general education classroom.
- 2) A statement of your child's strengths in each listed area and results of the most recent assessments.
- 3) A statement of how your child's disability affects involvement and progress in the general curriculum; or if your child is a preschooler, how the disability affects participation in appropriate activities.
- 4) A reason for placement if it is other than the school regularly designated for attendance.
- 5) A statement indicating the extent to which the child will not participate in a general education classroom. There must be an explanation if the student is not participating in general education activities.
- 6) A statement of your concerns regarding increasing and enhancing your child's educational progress.
- 7) A statement of measurable annual goals that include benchmarks or short-term objectives. These must be related to: (a) meeting your child's disability-related needs; (b) allowing your child to be involved and to progress in the general education curriculum; (c) how each of your child's educational needs are being met.
- 8) A statement of special education and related services and supplementary aids and services to be provided.
- 9) A statement of how you will be regularly informed of your child's progress at least as often as parents of non-disabled general education students, including the extent to which progress is sufficient to enable the child to reach his/her goals by the end of the year.

- 10) Program modifications or supports for school personnel that will be provided for your child to: (a) advance toward annual goals; (b) be involved and progress in the general curriculum and participate in extracurricular activities; and (c) be educated and participate with disabled and non-disabled peers.
- 11) A statement of projected date for beginning services and modifications and their anticipated frequency, location, and duration.
- 12) A statement regarding your child's participation in district-wide standardized assessments, including accommodations and/or modifications, if any. (This is currently the STAR/CAT6 test in California, for more severely handicapped students this would be the CAPA test.)
- 13) A statement regarding your child's behavior and whether or not it impedes his/her learning or that of others. If so, then a behavioral support plan must be developed which addresses the identified behavioral concerns.
- 14) A statement addressing your child's transition service needs starting at age 14, focusing on courses of study, and starting at age 16, focusing on interagency responsibilities and linkages.
- 15) For blind or visually impaired children, a statement regarding instruction in and the use of Braille. If not provided, a statement of rationale is required.
- 16) A statement that your child's communication needs have been considered. If your child is deaf or hard of hearing, opportunities for communication with peers and professional personnel in your child's communication mode must be included in the IEP.
- 17) A statement regarding the need for assistive technology devices and/or services for your child.

At the conclusion of the IEP meeting, all participants will be asked to sign the IEP. Never sign a blank form. Don't hesitate to ask the professional present to repeat, or give explanations to you in everyday language. If you are satisfied with the IEP and give your written consent, placement in the appropriate special education program and all related services should occur immediately after the IEP has been signed. If you disagree with all or part(s) of the IEP you will be asked to write a dissenting statement. This statement becomes a part of the IEP. Your signature indicates presence and participation in the IEP meeting. Checking the statements above your signature also indicate your agreement/disagreement with the IEP.

You may, however, refuse to give your consent to all or part of the IEP. In this case, there will be no change to the current or existing program your child is in. You may request that the portion of the IEP with which you do not agree be reconsidered, and another meeting may be scheduled to discuss and resolve any issues. If necessary, you can use one of the alternative dispute resolution models provided by the SELPA office, or you can request a due process hearing.

The IEP is reviewed on an annual basis, or more frequently if either the parent or school personnel request it. NO changes may occur to the IEP without the parent's written consent. A complete re-evaluation of a special needs student is done every three years (triennial assessment) to determine program changes and needs. It can be done sooner at the request of the parent/guardian or LEA.

## Placement Options

When eligibility has been established by the IEP team, it must determine how to meet the student's individual needs in the least restrictive environment as close to home as possible. The San Mateo-Foster City School District provides a full continuum of program options for special education and related services for students preschool through 8<sup>th</sup> grade. Assignments to special day classes, special schools, or any other difference from the general education classroom setting should only occur when the nature and severity of the disability is such that education in general classes with additional, supportive aids and services cannot be satisfactorily achieved. Remember, under the law each child is entitled to placement in the least restrictive environment, which is that placement which gives the student the greatest amount of contact with their non-disabled peers. Moreover, **as a student achieves goals and succeeds in the present placement, a less restrictive environment should be considered.**

- **General Class with Designated Instruction and Services (DIS)**

DIS includes services and instruction provided by specialists that are not normally provided in a general education classroom. These services support the student's total education program and may include speech, physical, or occupational therapy, audiological services, orientation and mobility instruction, vision or hearing services, home or hospital instruction, designated psychological services, career or occupational training, assistive technology, and parent education and counseling. DIS are available to students in general or special day class placement, and may be delivered in any appropriate setting. DIS consultation can be available to the general education teacher or the student's parents (in addition to direct service to the student) as specified in the IEP.

- **General Class and Resource Specialist Program**

Students are assigned to a general classroom teacher for a majority of the school day and receive Resource Specialist services as specified in the Individualized Education Program (IEP).

- **Services for the Hearing and/or Visually Impaired**

Students identified as having a hearing impairment or visual impairment often require highly specialized services, equipment and materials. The San Mateo County Office of Education has developed a regionalized program to serve students with these disabilities. These disabilities occur less frequently in school children and are considered low incidence disabilities.

If your child has a hearing impairment or is deaf, he/she will be provided education and services within a program that can maximize his/her communication development. The teacher and support staff will be knowledgeable regarding the unique educational and cultural needs of a hearing impaired or deaf student. This means that your child may receive services in a program located in another district. He/she will be provided transportation to and from school and follow the calendar of that school to assure that he/she becomes a full participant of the school program as a whole. If the needs of your child can be met with a less intensive service, he/she may attend a local school with the services of the itinerant special teacher and interpreter services provided. The IEP team will consider the needs of your child and recommend the most appropriate program for him/her.

If your child has a visual impairment, he/she will be provided the services of specially trained teachers and/or aides to modify their educational program to best meet his/her needs. Services include a teacher of the Visually Impaired, Orientation and Mobility, and Braille educational materials. Large print materials are available. Technology is considered an integral part of the program when it is appropriate.

- **Special Day Classes**

These provide services to students who have more intensive needs than can be met by general school programs and the Resource Specialist Program. Students are enrolled for a majority of the school day and grouped according to similar instructional needs. Students should be integrated in general education activities as appropriate. Special day classes are typically for Severely Handicapped (SH) or students with more severe handicaps.

- **Non-Public School**

These services are offered when it has been determined that the most appropriate educational program is not available through the public school system. Non-public, non-sectarian school programs and services may be provided for an individual with a rare or unusual disabling condition for whom the maintenance of a public school program is not feasible; or when a student's disability is compounded by other conditions so that the student requires services and facilities that are not a part of the educational program, or when a student's previous placement in the public school special education program has been determined to be unsuccessful and further modification of the program is not possible.

- **State Special Schools**

Residential schools which are operated by the State of California for the deaf, blind and neurologically disabled are available for complete diagnostic workups and may be considered for placement of certain individuals with extraordinary needs. Placement in these programs will be arranged by the school district upon the recommendation of the IEP team.

- **Home Instruction**

Special Education instruction provided in the home, as an alternative to classroom instruction, when the IEP team certifies that the student's diagnosed condition prevents him/her from attending a school setting. Home Instruction is often provided as a temporary placement during illness or during periods of program review.

- **Hospital/Institution Instruction**

The educational needs of students who are placed or who reside in a public hospital, state licensed children's hospital, psychiatric hospital, proprietary hospital, or a health facility for medical purposes are the responsibility of and provided by the district or county office in which the hospital or facility located.

## Student Records

All students' records are confidential. Parents/guardians (or the student if age 16 or older) may examine them. To do so, a written request should be made to the district Special Education Department and a time will be set up to review the records. The parent may also set a time for a conference to have information (test results) regarding the child explained by a qualified representative of the school.

Records will only be sent to other agencies/persons outside the school district with written request and permission by the parent. Students of legal age may be sent their records upon request.

School district employees who have a legitimate educational interest in the information regarding the student may examine the records if such information helps school staff understand the student better, and will help them plan for his needs. A list of persons who have seen the confidential records will be kept. Parents have the right to be informed when confidential information is no longer needed and is to be destroyed.

If parents believe that any information about their child is inaccurate, misleading, or violates the privacy of the child they have the right to request that the records be corrected. If the request is denied they may ask for a district level hearing. If the hearing decision finds the information inaccurate, the district will correct the record and inform the parent in writing. If the hearing decision finds the data accurate, the parent will be notified that they have the right to place a statement in the records stating their reasons for their disagreement. All such statements will be kept as a part of the records.

## Keeping Records

Keeping records of your child's medical, developmental, and school histories is a necessity. Parents so often need to give a history of a child's development or information pertaining to his disability. As each year passes, these histories become longer and sometimes more complex. Keeping these records in an organized notebook or file will prove to be a most practical and useful project, and as a parent you will find this notebook/file very helpful in contacts with school, medical and agency persons.

Your notebook/file could be organized in this way:

- **Medical History**

This section should include developmental history starting with pregnancy and birth information. Include the name and addresses of any doctors or clinics you have consulted. All medical reports (pediatrician, allergist, etc.), therapy reports (speech, physical therapy, etc.) and agency reports (Regional Center, mental health, etc.) should be included.

- **School**

This section should include copies of IEPs; assessment reports (academic, speech, psychological, physical, vocational); periodic examples of schoolwork (dated); report cards. Also keep a record of letters and phone calls you have made regarding special education, and letters you have received from school staff.

- **Personal/Social History**

Include a record of the child's interest and activities, organization, camps, awards, social involvement, and some photographs.

- **Current Information**

Include a copy of your school rules and regulations, the school calendar, a copy of Parents' Rights and Responsibilities in Special Education, and information on community resources.

## **Parents' Rights and Responsibilities**

Individuals with disabilities and their parents have certain protections provided by the IDEA. These protections include rights related to the assessment process and the development of the IEP. In addition, you may appeal a decision if you disagree with the school district, or you may file a complaint if you feel that the proper procedures have not been followed.

“Due process” is now a part of our everyday vocabulary. It is a legal way of saying that certain principles and practices exist and must be respected to insure that each child is treated in a manner that guarantees his right to equal educational opportunities. Due process ensures there are specific procedures and timelines that must be followed when and if significant changes are made (or even proposed) in a child's educational program. Due process is guaranteed to us by the Constitution of the United States. It is there as a safeguard so that every individual has the means of protecting and asserting his own rights.

Parents have the right to be informed of all procedural safeguards and rights of appeal in language easily understood by the general public and in the parent's primary language. Notice should include:

- A description of the action the school proposes to take;
- An explanation of why the school proposes to take the action;
- A description of any options the school considered but did not recommend;
- The reasons why those options were rejected;
- A description of each evaluation procedure, test, record, or report used as a basis for the action.

### **If a problem arises:**

*First:* 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.

*Second:* If necessary you may contact your special education director for further assistance.

*Third:* 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. Arrange for an advocate to assist in the IEP.

*Fourth:* Contact the Assistant Superintendent for Student Services at (650) 312-7700, FAX (650) 358-4039, or mail 51 W. 41<sup>st</sup> Ave., San Mateo, CA 94403 to request Alternative Dispute Resolution (ADR).

*Lastly:* If you can not reach an agreement with the school district

- A. And the issue is in the development of the current IEP (identification, assessment or placement), you can file for a due process hearing. 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  
 Special Education Unit  
 1102 Q Street, 4<sup>th</sup> floor,  
 Sacramento, CA 95814  
 Phone (916) 323-6876  
 Fax (916) 322-8014

- B. And the issue is failure to implement a developed IEP, you could file a compliance complaint. You may file a complaint by writing the following address:

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

**Other help available for solving problems:**

- Community Alliance for Special Education (CASE).....(415) 431-2285
- Parents Helping Parents.....(408) 727-5775
- Office for Civil Rights, US Department of Education, San Francisco, California  
 .....(415) 556-4275
- Procedural Safeguards and Quality Assurance.....(800) 926-0648
- Protection and Advocacy, Inc.(serves individuals with developmental and mental disabilities)  
 .....1-800-776-5746
- Area Developmental Disabilities Board VII (Advocacy for children and adults with  
 developmental disabilities).....(408) 246-4355

# Transition

Students with disabilities should have the continuity of age appropriate and developmentally appropriate peers that is equivalent to that of non-disabled peers to the extent possible.

Children with exceptional needs are entitled to a plan that facilitates the smooth transition from special education programs in five levels: infant to preschool, preschool to elementary school, elementary/middle school to high school, and high school to the world of work or post-secondary education.

## Individual Transition Plan (ITP)

Transition refers to the movement from school to the adult world of work and community life. It is defined as an outcome-oriented process that involves a coordinated set of activities that promote this movement. The purpose is to prepare students with disabilities for employment and independent living. Ideally, transition should represent a balance of teaching everyday living skills, personal and social skills, and vocational skills. Thoughtful planning is known to improve the employment rates of students with disabilities.

When students with disabilities reach the age of 18 (also known as age of majority), the legal rights regarding special education services moves from the parents to the student. Parents and students are notified one year before the student's 18<sup>th</sup> birthday that transfer of educational rights will occur. If parents/guardians believe their son or daughter is unable or incapable of making sound educational and/or independent living decisions, some options include: conservatorship, limited conservatorship, and estate planning and trust funds.

For more information contact: Protection and Advocacy, Inc (PAI) at 1-800-776-5746 or online at [www.pai-ca.org/pubs/500501.htm](http://www.pai-ca.org/pubs/500501.htm).

The California Department of Education has identified five Core Messages for Transition. These are:

- Student focused planning based on the student's interests and preferences;
- Student development activities which develop the student's academic, social, and employability competencies;
- Interagency collaboration which involves all stakeholders;
- Family involvement which recognizes parents as equal partners on the IEP team; and
- Program structures that include a range of options that support meaningful connections to the workplace and community.

Under the IDEA, each eligible student is required to have an Individual Transition Plan (ITP) beginning at age 16. This plan is developed by a team which includes the student, parents, school staff, Regional Center case manager, vocational specialist, and anyone else who can contribute to the process. This planning process must begin by identifying the student's post-school goals. Students and families should be supported in thinking about their long-range goals. The ITP team then moves on to develop a

statement of needed transition services in the areas of instruction, vocational training, integrated employment, independent living, and community participation. A functional vocational evaluation should be completed as needed.

The ITP serves as a "blueprint" for guiding delivery of services to the student. Within each area, functional and measurable goals and objectives should be explicitly stated. These goals and objectives should be designed to ensure that students will gain the skills needed to achieve their desired post-school goals. Thinking about these questions may help you in thinking about your child's transition plan.

- What courses does the student need to complete to gain the skills s/he needs?
- Does the student need related services to benefit from special education? If so, are the necessary linkages in place to ensure that these services will continue when the student leaves the public school system?
- Has the student been exposed to a broad range of experiences in the community, such as shopping, transportation, recreation or leisure activities, or using community facilities such as a library?
- Are there opportunities for career exploration and experiencing a variety of on-site job training activities?
- Does the student need instruction in daily living skills such as preparing meals, home maintenance, shopping and caring for clothes, grooming, and money management?
- Has the student had a functional vocational assessment?

Remember, transition is a plan, not a program! Your child's transition plan should demonstrate that it is outcome-oriented; focused on meeting the student's needs, interests, and preferences; identify the instruction and services needed to achieve the student's goals' and should clearly state the linkages after exit from the school system to ensure that post-school supports are in place.

In the San Mateo-Foster City School District, most students with severe disabilities attend the Post-Senior Program administered by the San Mateo County Office of Education after high school, and remain in that program until age 22. At that time, they are awarded a Certificate of Completion.

More information about transition planning can be obtained by:

Special Education Department San Mateo-Foster City School District

Parents Helping Parents 408-727-5775

Other resources include:

Transition to Adult Living: A Guide for Secondary Education

[www.cde.ca.gov/spbranch/sed/](http://www.cde.ca.gov/spbranch/sed/)

Transition Services in the IEP

[www.nichcy.org](http://www.nichcy.org)

IDEA '97 Transition Requirements: A Guide

<http://interact.uoregon.edu/wrrc/trnfiles/intro.htm>

Transition Coalition

<http://www.transitioncoalition.org/>

Northern California Diagnostic Center

<http://www.dcn-cde.ca.gov/>

# Resources

- Special Education Local Plan Area (SELPA).....(650) 802-5464
- Special Education Subcommittee of the PTA
- Golden Gate Regional Center (GGRC).....(650) 574-9232
- Exceptional Family Support Education & Advocacy Center.....(530) 876-8321
- Parents Helping Parents of San Francisco.....(415) 841-8820
- Support for Families of Children with Disabilities.....(415) 282-7494
- Matrix, A Parent Network & Resource Center.....(415) 884-3535
- Disability Rights Education Defense Fund (DREDF).....(510) 644-2555
- Community Alliance for Special Education (CASE).....(415) 431-2285
- Parents Helping Parents Santa Clara & Midpeninsula.....(408) 727-5775
- Schwab Foundation for Learning (SCHWAB).....(650) 655-2410
- Special Olympics Northern California.....(650) 579-1758
- National Information Center for Youth & Children with Disabilities.....(800) 695-0285  
*Provides information on special education on its Web site and through printed materials.*
- California Services for Technical Assistance & Training (CalSTAT).....(707) 206-0533  
*Provides training on IDEA through workshops and Internet coursework.*
- Protection and Advocacy, Inc.....(800) 776-5746  
*Funded federally to advocate for people with disabilities.*
- Resources in Special Education (RISE).....(707) 206-0533 Ext 103
- RISE Library.....(408) 727-5775 Ext 110

## Utilities

- Pacific Gas and Electric.....(800) 743-5000
- PG&E has a program called “Medical Baseline Rate” for individuals who require a life-support device, or special heating or air-conditioning needs. Call number above to obtain application. Must be certified by physician. Also, “Balanced payment Plan” for individually metered customers. Contact the number shown on your bill for further information.

**SBC**

Universal Lifeline telephone service is a basic service at half price, for customers with low income. There are two types of Lifeline service available in most areas: Flat Rate – \$4.18 per month offers unlimited local calling, this is usually better if you make more than 2 local calls per day or Measured Rate - \$2.23 per month offers 60 untimed local calls, calls over 60 cost \$.08 each. If you have questions about Lifeline service, call the toll-free Pacific Bell number on page 1 of your bill under “adding, changing, or disconnecting service.

## Acronyms & Glossary

### Acronyms

<b>ADA</b> .....	Americans with Disabilities Act
<b>ADA</b> .....	Average Daily Attendance
<b>APE</b> .....	Adapted Physical Education
<b>BIP</b> .....	Behavior Intervention Plan
<b>CAPA</b> .....	California Alternative Performance Assessment
<b>CBEDS</b> .....	California Basic Educational Data System
<b>CCS</b> .....	California Children’s Services
<b>CDE</b> .....	California Department of Education
<b>CMH</b> .....	County Mental Health
<b>COE</b> .....	County Office of Education
<b>CTC</b> .....	Commission on Teacher Credentialing
<b>DIS</b> .....	Designated Instruction and Service (or related services)
<b>ED</b> .....	Emotionally Disturbed
<b>FAPE</b> .....	Free and Appropriate Public Education
<b>FEP</b> .....	Fluent English Proficient
<b>FTE</b> .....	Full-time equivalent
<b>GGRC</b> .....	Golden Gate Regional Center
<b>HI</b> .....	Hearing Impaired
<b>HOH</b> .....	Hard of Hearing
<b>IDEA</b> .....	Individuals With Disabilities Education Act
<b>IEP</b> .....	Individualized Education Program
<b>IFSP</b> .....	Individual Family Service Plan
<b>LD</b> .....	Learning Disability
<b>LEA</b> .....	Local Education Agency
<b>LEP</b> .....	Limited English Proficient
<b>LRE</b> .....	Least Restrictive Environment
<b>MH</b> .....	Multi-handicapped
<b>NPS/NPA</b> .....	Nonpublic Schools/Nonpublic Agencies
<b>NSH</b> .....	Non-severely Handicapped
<b>OCR</b> .....	Office of Civil Rights
<b>OH</b> .....	Orthopedically Handicapped

<b>OHI</b> .....	Other Health Impaired
<b>OI</b> .....	Orthopedic Impairment
<b>OT</b> .....	Occupational Therapy
<b>PT</b> .....	Physical Therapy
<b>RSP</b> .....	Resource Specialist Program
<b>SDC</b> .....	Special Day Class
<b>SDL</b> .....	Severe Disorders of Language
<b>SELPA</b> .....	Special Education Local Plan Area
<b>SH</b> .....	Severely Handicapped. Includes MH and ED
<b>SLD</b> .....	Specific Learning Disability
<b>SLI</b> .....	Speech/Language Impairment
<b>SST</b> .....	Student Study Team
<b>STAR</b> .....	State Testing and Reporting
<b>VI</b> .....	Visually impaired

**Glossary**

<b>Accommodations</b>	Supports or services provided to help a student have access to the general curriculum and validly demonstrate learning.
<b>Advocate</b>	Someone who takes action to help someone; also, to take action to help someone.
<b>Annual Goal</b>	A statement in a student’s individualized education program (IEP) that describes what a child can reasonably be expected to accomplish within a 12-month period in the student’s special education program. There should be a direct relationship between the annual goal and the present level of educational performance.
<b>Appeal</b>	To make a request for a change of a decision.
<b>Assessment</b>	Collecting information about a child’s social, psychological, and educational needs by observing, testing, collecting, and analyzing data.
<b>At Risk</b>	A term used to describe children who have, or could have, developmental problems that may affect learning.
<b>Behavior Intervention</b>	A program usually outlined or developed during an IEP meeting for the purpose of developing desirable behaviors and/or eliminating undesirable ones.
<b>Behavior Modification</b>	The positive reinforcement of desired behaviors.
<b>Case Management</b>	Entails continuous evaluation of the effectiveness and appropriateness of the program plan, periodically consulting with, and providing feedback to, the other members of the Interdisciplinary Team who may be working on one or more aspects of a child’s Special Education Plan.

<b>Confidentiality</b>	A guarantee that personally identifiable information about a child or family remains private and may only be shared among agencies with written permission of the parent.
<b>Developmental Delay</b>	A general term used to describe children who cannot perform the same skills that other children of the same age can usually do.
<b>Developmental Disability (Federal Definition)</b>	<p>A developmental disability as specified in federal Public Law 100-146 means a “severe, chronic disability of a person which:</p> <ol style="list-style-type: none"> <li>1) is attributable to a mental or physical impairment or combination of mental and physical impairments;</li> <li>2) is manifested before the person attains age twenty-two;</li> <li>3) is likely to continue indefinitely;</li> <li>4) results in substantial functional limitations in three or more of the following areas of major life activity: <ol style="list-style-type: none"> <li>a) self care,</li> <li>b) receptive and expressive language,</li> <li>c) learning,</li> <li>d) mobility,</li> <li>e) self-direction,</li> <li>f) capability for independent living, and</li> <li>g) economic self-sufficiency; and</li> </ol> </li> <li>5) reflects the person’s need for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services that are of lifelong extended duration and are individually planned and coordinated.”</li> </ol> <p>42 USE 6001 (5)</p>
<b>Developmental Disability (California State Definition)</b>	Under the state definition, a developmental disability means “a disability which originates before an individual attains age 18, continues, or can be expected to continue, indefinitely, and constitutes a substantial handicap for such individual...this term shall include mental retardation, cerebral palsy, epilepsy, and autism. This term shall also include handicapping conditions found to be closely related to mental retardation or to require treatment but shall not include other handicapping conditions that are solely physical in nature.” - Welfare and Institutions Code Section 4512 (a)
<b>Developmental History</b>	Recording the age at which a child has reached developmental milestones (crawling, walking, etc.).
<b>Due Process</b>	Procedures established to protect a child’s right to entitled services.
<b>Early Intervention</b>	Services and programs for infants and young children who have special needs.

<b>Education, California Department of (CDE)</b>	In addition to providing education services to individuals without disabilities, CDE is the state agency responsible for assuring the provision of appropriate special education and related services to school age (0-22) individuals with exceptional needs.
<b>Eligibility</b>	Determination of whether a child qualifies for services based on meeting established criteria.
<b>Entitlement</b>	The legal right to certain services and benefits.
<b>Evaluation</b>	The collection of information about a child's learning needs, strengths, and interest.
<b>Evaluation, Psychological</b>	Evaluation by psychologists to determine current emotional and cognitive status.
<b>Evaluation, Speech and Language</b>	Evaluation by Speech-Language Pathologists (aka Speech Therapists) to determine functioning of the oral mechanism for speech production, and current status of articulation, voice, fluency, receptive and expressive language abilities.
<b>Extended School Year</b>	Instruction given beyond the 'regular' school year in order to: prevent significant regression
<b>Fair Hearing</b>	A process by which people may question or challenge the decision of an agency regarding the type or amount of service to be rendered.
<b>Fine Motor</b>	Of or pertaining to small motor functions (e.g. handwriting, cutting, drawing).
<b>Fluency</b>	The smooth, uninterrupted, effortless flow of speech; speech that is not hindered by excessive dysfluencies.
<b>Free &amp; Appropriate Public Education (FAPE)</b>	A guarantee, through IDEA, that students with disabilities will be educated free of charge
<b>Full Inclusion</b>	Refers to a situation in which all students, regardless of handicapping condition or severity, are in a regular classroom or program full time. All services must be rendered to the child in that setting.
<b>General Curriculum</b>	The standards and benchmarks adopted by a local educational agency (LEA) or schools within the LEA that apply to all children – with disabilities and without.
<b>Gross Motor Skills</b>	Use of large muscle groups.
<b>IDEA</b>	Individuals with Disabilities Education Act.
<b>Inclusion</b>	Total integration of a child with disabilities into all activities of a general education program.

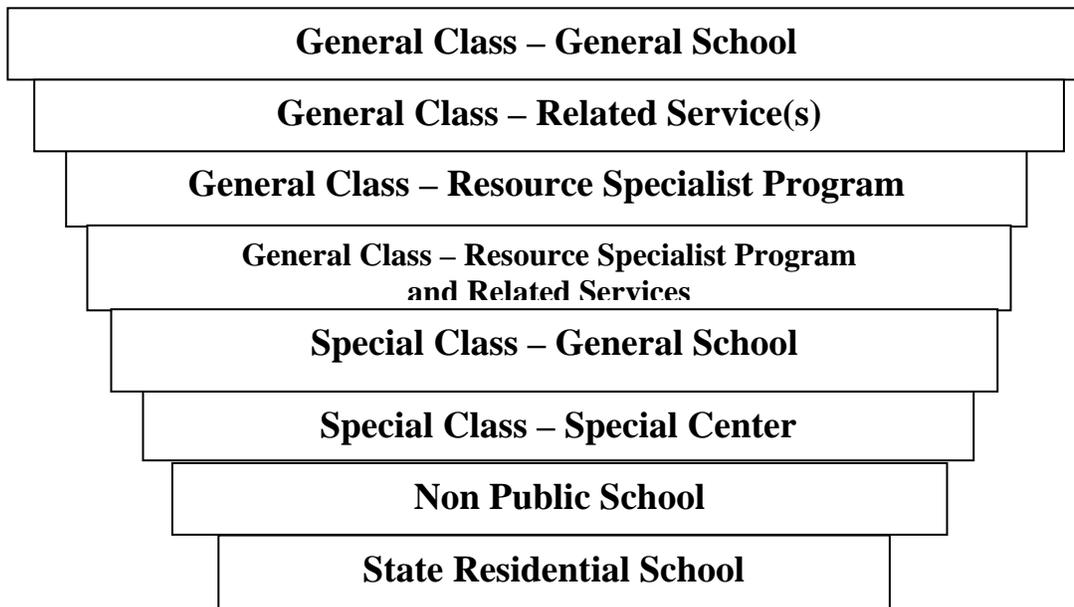
<b>Independent Educational Assessment</b>	Evaluation conducted by professionals not employed by the LEA responsible for the child.
<b>Individualized Education Plan (IEP)</b>	<p>A written plan comprised of goals and objectives to meet a particular student's needs developed by a team including parent(s), teacher, special education staff, administrator, and child (if appropriate). An IEP must include:</p> <ol style="list-style-type: none"> <li>1) The student's present levels of academic performance</li> <li>2) Annual goals for the student</li> <li>3) Short-term instructional objectives related to the annual goals</li> <li>4) Special education and related services that will be provided and the extent to which the child will participate in regular education programs</li> <li>5) Plans for starting the services and the anticipated duration of services</li> <li>6) Appropriate plans for evaluating, at least annually, whether the goals and objectives are being achieved</li> <li>7) Plans for the transition of older students</li> </ol>
<b>Individual Education Program (IEP)</b>	A program established for individuals who are eligible for special education services prepared by an individualized education program team which determines services to be provided under the mandates of the IEP. Also, a written statement summarizing assessments, goals/objectives, placement and services.
<b>Individualized Education Program Team (IEPT)</b>	A team of special education and regular education teachers/staff, school administrator and parents who meet to plan educational services suited to the needs of the student.
<b>Individualized Family Service Plan (IFSP)</b>	A written plan for an infant or toddler and the family documenting the level of development, strengths and needs, major goals or outcomes expected, services needed, date of the next evaluation, and the starting date.
<b>Informed Consent</b>	A parent's written permission to assess their child, to provide services for the child, or to place the child in special education.
<b>Instructional Services</b>	Specially designed instruction and accommodations provided by instructional personnel to eligible individuals.
<b>Language Delay</b>	Lag in the development of a child's ability to use or understand language.
<b>Learning Disability</b>	Problems using language, memory, concentrating, following instructions, reading, calculating, or learning through listening or looking.
<b>Least Restrictive Environment (LRE)</b>	An education setting that provides a child with disabilities the chance to work and learn to the best of his or her ability and which provides as much contact as possible with children without disabilities.

<b>Mainstreaming</b>	Placing children with disabilities in general education classroom for specified period of time.
<b>Mediation</b>	Formal intervention between parents and agencies to achieve reconciliation, settlement, or compromise.
<b>Modifications</b>	Changes made to the content and performance expectations for students.
<b>Nonpublic School/ Nonpublic Agency</b>	A school/agency approved by the California State Department of Education to receive LEA funds for providing services to Special Education Students.
<b>Norms</b>	The statistical distribution of scores from a representative sample of a given population. These norms are used to identify an individual's performance in relation to the performance of others on the same measure.
<b>Occupational Therapy</b>	Treatment of children to help improve fine motor activities and every day tasks.
<b>Physical Therapist (P.T.)</b>	Licensed therapist who evaluates, plans, then implements a therapy program that promotes self-sufficiency. Tasks related to gross motor skills are primarily stressed, such as walking. The physical therapist also provides assistance and information on the use of mechanical aids., e.g. wheelchairs and braces.
<b>Physical Therapy</b>	Treatment of children to help improve gross motor activities.
<b>Physically Handicapped (PH)</b>	A student with a disability such that his/her limited strength, vitality, or alertness adversely affect his/her educational performance.
<b>Placement</b>	The setting in which the Special Education services are delivered.
<b>Pragmatics</b>	The study of the rules that govern and describe how language is used situationally, in light of its content and environment – often referred to as social and/or survival language.
<b>Progress Monitoring</b>	A method of monitoring a student's progress that enables the IEP to discern whether changes need to be made in the IEP.
<b>Psychologist</b>	A specialist who administers psycho-educational tests; may also diagnose and treat social, emotional, psychological, or behavioral problems.
<b>Reading Comprehension</b>	Understanding that which is read.
<b>Referral</b>	A recommendation for assessment to determine if a specialized service is required and at what level.

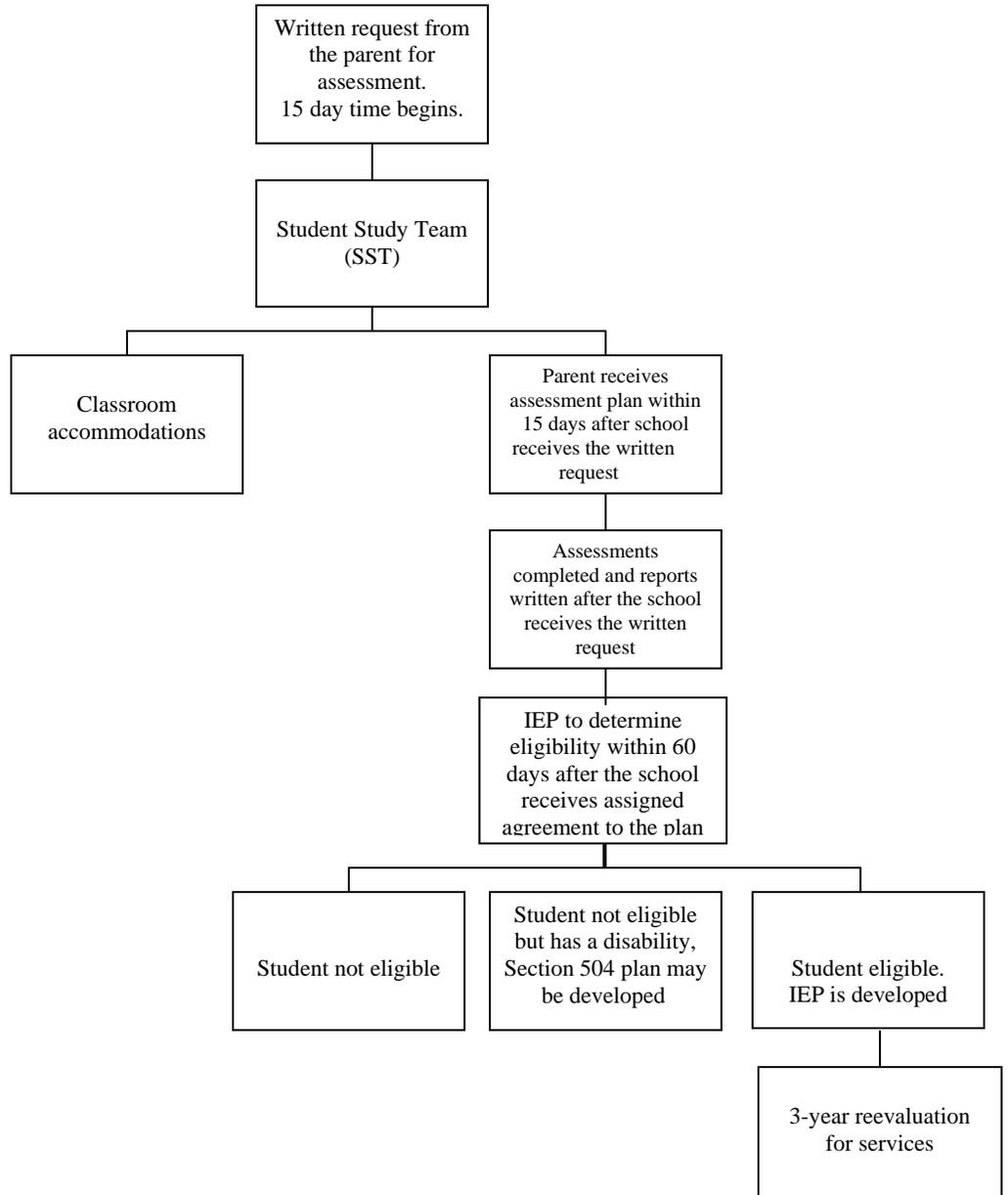
<b>Related Services</b>	Also known as Designated Instruction and Services (DIS). Refers to all services required by a child with a disability to benefit from public education (speech therapy, audiology, physical therapy, occupational therapy, etc.)
<b>Self-Help Skills</b>	Skills needed for feeding, dressing, and toileting.
<b>Severely Handicapped (SH)</b>	Individuals whose disability results in substantial limitations in several areas of functioning (mental retardation, hearing or visual impairments). A student who requires intensive instruction and training due to these conditions.
<b>Social Skills</b>	Skills needed by children to get along with adults and other children at home, in school, and in community settings.
<b>Special Education</b>	Instruction that is designed to meet the needs of children with special needs.
<b>Special Education Local Plan Area</b>	The local unit responsible for administering the comprehensive special education plan in that area.
<b>Specific Learning Disability</b>	A disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, which may show itself as an impaired ability to listen, think, speak, read, write, spell or do mechanical calculations; and resulting in a severe discrepancy between intellectual ability and achievement in one or more academic areas.
<b>Speech-Language Pathologist/Therapist/Specialist</b>	A professional person who has been trained to evaluate, remediate, and interpret disorders of voice, fluency, language and articulation.
<b>Speech and Language Therapy</b>	A program to improve and correct speech and/or language problems.
<b>Time Line</b>	The time within which entitled and mandated services must be provided; also prohibits being put on waiting list for any service to which you have a right.
<b>Transition</b>	A change from one program or situation to another (as hospital to home or from an infant program to preschool). Also refers to planning for students leaving school in preparation for adult life.
<b>Triennial Review</b>	The IEP meeting which takes place every 3 years in which updated psychological and other standardized tests from various specialties (e.g. speech) are re-administered prior to the meeting.
<b>Visually Impaired</b>	A student with vision impairment so severe that even with correction it affects his/her educational performance.

## **INSTRUCTIONAL SETTINGS – PROGRAM OPTIONS**

**FROM  
LEAST  
TO  
MOST  
RESTRICTIVE  
ENVIRONMENT**



## ASSESSMENT TIMELINE FLOWCHART



## HOW TO PREPARE FOR IEP MEETINGS

To ensure meaningful participation in the IEP process, it is highly recommended that parents prepare for the IEP meeting. The following suggestions are offered:

### Before the Meeting

- ❖ Keep an organized home file of educational, medical, and other pertinent records.
- ❖ Obtain and review appropriate student records from the district.
- ❖ Obtain and review appropriate records from outside agencies.
- ❖ Bring any records you feel might be helpful.
- ❖ Make a list identifying the strengths and needs of your child.
- ❖ Bring one idea for a goal you would like your child to master.
- ❖ If you are uneasy about the meeting, invite a second person to go with you.
- ❖ Write down any questions you may wish to ask or comments you may wish to make at the meeting.

### At the Meeting

- ❖ Be sure you have a thorough understanding of the assessment results.
- ❖ If you do not understand something being discussed at the meeting, ask questions until issues are clear.
- ❖ Be prepared to review possible program alternatives if placement is a question.
- ❖ Be prepared to discuss methods and materials that have been effective with your child, as well as those that have not.
- ❖ Take notes.
- ❖ If possible, make arrangements through the school district to observe a prospective placement site (e.g., a resource specialist program or special day class – whatever program may be suitable for your child).
- ❖ Participating in the development of your child's IEP should be viewed as the first step of your involvement in your child's educational program. In order to keep in touch with your child's educational progress, you should maintain regular contact with your child's teacher and the other professionals involved in his or her program. It is a good idea to observe your child in the classroom whenever possible. Remember that the IEP is only a piece of paper until it is translated into meaningful, ongoing instructional activities.

### After the Meeting

- ❖ Review your notes. If any areas are unclear, ask specialists for further explanation.
- ❖ Share meeting information with your spouse or with any other individuals who have regular contact with your child.
- ❖ Tell your child about any program changes – help him or her to prepare.
- ❖ Keep the school informed about any changes in your child, or in your home, that might affect his or her classroom program.

## WHAT INFORMATION CAN YOU BRING TO THE IEP MEETING

You have much knowledge about your child. Because you are involved in the routine of everyday living, you are constantly gathering information about your child. Your special knowledge and insight can be valuable in planning your child's program. The following types of information will help the school staff in getting to know your child and planning your child's program.

### MEDICAL HISTORY AND DEVELOPMENTAL INFORMATION

- \* What type of medication does your child take?
- \* Has your child experienced any medical problem this past year which may affect his/her schoolwork?
- \* Do you have any past correspondence regarding your child?
- \* At what age did your child learn to walk? talk?

### RECENT CHANGES IN YOUR CHILD'S LIFE

- \* Have there been any recent changes in your family?
- \* Have there been any recent changes in the family's living style or environment?

### LIVING SKILLS

- \* What kind of self-help skills does your child have?
- \* What kinds of daily living skills does your child have?

### REWARDING ACTIVITIES

- \* Does your child participate in extra-curricular activities?
- \* What does he/she enjoy doing during free time?

### TECHNIQUES PROVEN TO BE SUCCESSFUL AT HOME

- \* How do you handle your child's behavior at home?
- \* In what situations does he/she seem to work best?
- \* What household tasks does your child enjoy doing at home?

### FUTURE PLANS

- \* What are your long-range goals or plans for your child?
- \* What are some short-term goals that could be achieved through your child's educational program?

## Section 504

Section 504 is a General Education function coordinated by school administrators. Section 504 of the Rehabilitation Act of 1973 was the first civil rights act for people with disabilities. Regulations became effective in 1977 and prohibited discrimination on the basis of disability in all programs that receive federal financial assistance. Each federal department, including the U.S. Dept. of Education, developed its own set of implementing regulations. Section 504 guarantees the civil right of equal access to educational services for students with disabilities, even if they do not qualify for special education under IDEA (see Section 3). Discrimination or a failure to provide a free, appropriate education to students with disabilities is regarded as a violation of basic civil rights.

Here is a summary of some of the major rights under Section 504:

### **Eligibility**

The definition of a disability is much broader under Section 504 than under IDEA, and covers many students not eligible for services under IDEA. A disability is defined as a physical or mental impairment that substantially limits one or more major life activities. This includes ADD, ADHD, specific learning disabilities, physical disabilities, sensory impairments, medical conditions, and AIDS.

### **Evaluation**

Under Section 504, students may be evaluated to determine whether they need any type of special service to enable them to benefit from their education, or to insure against inappropriate placements. Parents/guardians, of course, may request an evaluation for their child; however, school districts are also supposed to seek evaluations for children so that those who need services are able to access them. Evaluations must cover all areas of the suspected disability.

### **Least Restrictive Environment/Maximum Appropriate Integration**

Children covered under Section 504 should be educated in the general education setting and be with their non-disabled peers to the maximum extent possible. Within this setting they should receive all aids and services which they need to meet their educational needs.

### **Procedural Safeguards**

This means that parents must receive notice about any actions regarding their child's educational placement. Parents/guardians must have the ability to influence or contest any decisions regarding their child.

## **Related Services**

Students with disabilities are eligible for related services or program modifications even if they do not qualify for special education. Remember that the intent of Section 504 is to guarantee access to general education for students with special needs, and the related services provided to a child should meet that child's individual educational needs as adequately as the needs of non-disabled children are met.

**NOTIFICATION OF PARENT RIGHTS AND CHILD RIGHTS/UNDER IDEA  
AMENDMENT – ADOPTED DECEMBER 8, 2005  
SPECIAL EDUCATION COORDINATING AGENCY – GOVERNING COUNCIL**

1. Protection in Evaluation Procedures

An individualized education program required as a result of an assessment of a child shall be developed within a total time not to exceed 60 calendar days, not counting days between child's regular school sessions, terms, or days of school vacation in excess of 5 school days from the date of receipt of the parent's or guardian's written consent for assessment. The timeline may be extended with parent or guardian agreement in writing.

2. Student Discipline

School personnel may consider any unique circumstances on a case-by-case basis when deciding to order a change in placement for a child with a disability who violates a student conduct code. Within 10 school days of any decision to change the placement of a child with a disability because of a violation of code of student conduct, the local education agency (LEA), parent and relevant members of the Individualized Education Program (IEP) team (as determined by the LEA and parent) shall review all relevant information in the student's file, including the child's IEP, any teacher observations and any relevant information provided by the parent to determine if the conduct was:

- \* Caused by, or was in direct and substantial relationship to the child's disability; or
- \* A direct result of the LEA's failure to implement the IEP.

If the LEA, parent and relevant members of the IEP team determine that the conduct was a manifestation of the child's disability, the IEP team shall:

- \* Conduct a functional behavioral assessment and implement a behavioral intervention plan for the child; or
- \* If a behavioral intervention plan has been developed, review the existing plan and modify it as necessary to address the behavior.

If the behavior is a manifestation of the child's disability, the child is returned to the placement from which he or she was removed, unless the parent and LEA agree otherwise.

A school is permitted to remove a child with a disability to an alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the child's disability, in cases where a child:

- \* Carries or possesses a weapon to or at school, on school premises, or to or at a school function under jurisdiction of an LEA;
- \* Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, or on school premises, or at a school function under the jurisdiction of an LEA; or

- \* Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of an LEA.

When an appeal of a 45 day placement has been requested by either the parent or the LEA, the child shall remain in the interim alternative educational setting pending the decision of a hearing officer, or until the expiration of the time period unless the parent and the LEA agree otherwise. Such a hearing shall be arranged in an expedited manner and shall occur within 20 school days of date the hearing is requested and shall result in a determination within 10 school days after the hearing.

### 3. Free Appropriate Public Education

An Individual Education Program Team (IEPT) meeting will be held for your child not later than sixty (60) days after you have executed the assessment plan for your child, unless you agree in writing to extend the time for the meeting, or an extension as a result of a school holiday or summer session exceeding 5 days.

Participants in an IEP team meeting shall include:

- a. One or both of the child's parents, a representative selected by the parent or both.
- b. Not less than one regular education teacher of the child, if the child is, or may be, participating in the regular education environment. If there is more than one teacher, one teacher may be designated to represent the others.
- c. A special education teacher or provider (if appropriate) of the child.
- d. A representative of the school district who is qualified to provide or supervise provision of special education, is knowledgeable about the general curriculum, and is knowledgeable about the availability of resources of the district.
- e. An individual who can interpret the instructional implications of the assessment results.
- f. At the discretion of the parent or district, other individuals who have knowledge or special expertise regarding the child, including related services personnel.
- g. Whenever appropriate, the individual with exceptional needs.
- h. Transition services participants as appropriate.
- i. For a child with a suspected specific learning disability, someone who is qualified to conduct individual diagnostic examinations of children; such as a school psychologist, speech-language pathologist or remedial reading teacher.

A member of the IEP team shall not be required to attend an IEP meeting in whole or part if the parent and the district agree that the attendance of the member is not necessary because the member's area of the curriculum or related service is not being modified or discussed at the meeting.

A member of the IEP team whose area of the curriculum is being discussed and/or modified can also be excused in whole or part if the parent and the LEA agree (after conferring with the member) and the member submits in writing input into the development of the IEP prior to the meeting. The agreement must be in writing.

In making changes to a child's IEP after the annual IEP meeting for a school year, the parent and the LEA may agree not to convene an IEP team meeting for the purposes of making those changes. They instead may develop a written document, signed by the parent and by a representative of the LEA, to amend or modify the child's existing individualized education program.

All individualized education programs must include a statement of measurable annual goals, including academic and functional goals. Additionally, children that take alternative assessments (CAPA) aligned to alternate achievement standards must have included in their goals a description of benchmarks or short-term objectives. Although mild to moderately disabled students may not have short-term objectives, there may be exceptions based on the individual needs of the child as determined by the IEP team.

Beginning no later than the effective date of the IEP in effect when the student reaches the age of 16 years, or younger, if determined appropriate by the IEP team, a statement of needed transition services must be included in the student's IEP.

#### 4. Due Process Rights

Prior to a party invoking his or her right to an impartial due process hearing, the local education agency shall convene a resolution session, which is a meeting between the parents and the relevant members of the IEP team who have specific knowledge of the facts identified in the due process request. The meeting shall be convened within 15 days of receiving notice of the parent's due process hearing request. The meeting shall include a representative of the local education agency who has decision-making authority on behalf of the agency. The meeting shall not include an attorney of the LEA unless the parent brings an attorney.

The resolution session is not required if the parents and the LEA agree in writing to waive the meeting, or agree to use the state mediation process.

If the LEA is not able to resolve the hearing issue to the satisfaction of the parents within 30 days of the receipt of the due process hearing request notice, the due process hearing may occur, and all the applicable timelines for a due process hearing shall commence.

In the case that a resolution is reached to resolve the due process hearing issue at a resolution session, the parties shall execute a legally binding agreement that is signed by the parent and the LEA representative. A party may void the agreement within three business days of the agreement's execution.

