



COMMUNITY **A**DVISORY
COMMITTEE
CAC
PARENT HANDBOOK

SEPTEMBER 2017

(707)253-6807

<http://www.napacoe.org/programs-schools-districts/selpa/>

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Dear Parent(s),

This handbook was developed to help you become familiar with the special education process, as mandated by the State of California and the Federal Government. It is our hope that you actively participate as a collaborative partner with school district personnel in the development and implementation of your child's Individual Education Program (IEP). The IEP should always be focused on ensuring your child has equal access to a free appropriate public education (FAPE) and a meaningful educational opportunity in the least restrictive environment (LRE).

You play a very important role in the education of your child. As a parent, you have expert knowledge of your child. We encourage you to team up with your child's teacher and school staff and make them your equal partners in the educational process. Building and nurturing your relationships with school staff is important, as is making your views known in a positive and constructive manner. Communication is a critical part of this process. The planning, implementation, and on-going support of programs are greatly enhanced when parents are involved.

Parents are encouraged to talk with their child's teacher(s) about volunteer opportunities. Getting involved is a great way to build a positive relationship with your child's teacher and other school personnel. Keep your teacher(s) informed of your child's behaviors at home. You should always attend scheduled teacher conferences, PTA Meetings, Community Advisory Committee (CAC) meetings, and other school functions whenever possible.

The Napa County SELPA Local Educational Agencies (LEA) are proud of their programs and are dedicated to helping your child grow, learn and receive full educational opportunity.

Napa County SELPA CAC

ACKNOWLEDGMENT

We want to thank the North West Santa Clara County SELPA I and South North Orange County SELPA for sharing their Parent Handbooks that served as a guide for the Napa County SELPA Community Advisory Committee's Parent Handbook.

**NAPA COUNTY SELPA LOCAL EDUCATIONAL AGENCIES (LEA)
CONTACT INFORMATION**

District Number:	Special Education Department Phone
Calistoga Joint Unified School District	(707) 942-4398
Howell Mountain Elementary School District	(707) 965-2423
Napa Valley Unified School District	(707) 253-6865
NCOE Early Start Program	(707) 253-6932
Pope Valley Union School District	(707) 965-2402
St. Helena Unified School District	(707) 965-5010

If you need additional assistance beyond your Local District/County Office or wish general information regarding Special Education programs, services and policies within the Napa County Special Education Local Plan Area (SELPA), you may access the SELPA website at: <http://www.napacoe.org/programs-schools-districts/selpa/> or you may contact the SELPA office at (707) 253-6807, Fax: (707) 253-6989.

TERMS AND DEFINITIONS

Adapted Physical Education (APE)

APE is specially designed physical education program, utilizing services, accommodations or modifications tailored to the needs of students who require developmental or corrective instruction.

Age of Majority: Rights are transferred from the parent to the student on the student's 18th birthday. This must be addressed by the IEP team prior to the student reaching age 18.

Alternative Dispute Resolution (ADR)

This is an informal method of settling disagreements that may arise during an IEP meeting. Alternative Dispute Resolution uses specific options of this process to promote understanding, open communication, and satisfying solutions to conflict that support and strengthen relationships.

Accommodations

Changes in an educational program that allow a child with a disability to participate fully in an activity, such as extended time for taking exams, different test formats and alterations in a classroom.

Assessment

This includes all testing and diagnostic processes leading up to the development of an appropriate, individualized educational program (IEP) for a student with special needs.

Assistive Technology

Assistive technology includes equipment (such as a Braille printer, slant board, pencil grip, etc.) to increase or improve function of students with disabilities.

Community Advisory Committee (CAC)

The CAC is a committee whose membership includes parents of school children (with and without special needs), school personnel, and representatives of public, community, and private agencies. This committee advises school administrators and local school boards regarding the Local Plan for Special Education, assists with parent education, and promotes public awareness of individuals with special needs.

Due Process

Due Process is protected under the Individuals with Disabilities Education Act (IDEA), and provides parents with the right to resolve disputes with your child's school district.

Early Intervention

Programs for infants and toddlers with developmental delays through 35 months of age; designed to help prevent problems as the child matures.

Extended School Year (ESY)

Extended school year services are special education and related services that are provided beyond the traditional academic year. The child's IEP determines if the child needs extended school year services.

Facilitated IEP

A facilitated IEP is a component of the SELPA ADR process. District or parents may request to have a facilitated IEP by contacting the SELPA. A facilitated IEP is developed by a collaborative team whose members share responsibility for the meeting process and results. Decision making is managed through the use of essential facilitation skills.

Free Appropriate Public Education (FAPE)

A free appropriate public education is special education and related services, that have been provided at public expense, meet state standards, are appropriate and provided in conformity with an IEP.

Inclusive Education

Inclusive education serves students with disabilities in local neighborhood schools in general education classrooms, with appropriate supportive services.

Independent Educational Evaluation (IEE): An evaluation conducted by a qualified examiner who is not employed by the district responsible for the education of the child.

Individualized Education Program (IEP)

An IEP is a written contract that states goals, objectives, and services for students receiving special education.

Individualized Education Program Team (IEPT)

An IEP team includes: parents, special education teachers, at least one general education teacher, a district representative, and school personnel providing service to the student. The committee may also include medical professionals and other relevant parties.

Individualized Family Service Plan (IFSP)

A process of providing early intervention services for children (ages 0 to 3) with special needs. Family based needs are identified, and a written plan is developed and reviewed periodically.

Individual Transition Plan (ITP)

This plan starts the year the student turns age 16 and addresses areas of post-school activities, post-secondary education, employment, community experiences, and daily living skills.

Least Restrictive Environment (LRE)

Least restrictive environment is the placement of students with special needs in a manner promoting the maximum possible interaction with the general school population. Placement options are offered on a continuum including regular classroom with no support services, regular classroom with support services (aides and/or resource specialist program), designated instruction services, special day classes, private special education programs or institutionalization or hospitalization.

Local Plan

A plan developed by a SELPA and submitted to the State Department of Education for approval. The document outlines the plan for delivery of support services to eligible students living within the geographic boundaries of the plan area.

Manifestation Determination: If a disciplinary action is taken that involves a removal of student with a disability that constitutes a change in placement then a review must be conducted of the relationship between the child's disability and the behavior subject to the action.

Multidisciplinary Team

A group that evaluates a child's levels of functioning in various areas to determine if the child is disabled and if so, supports preparation of his or her IEP based on assessment results, is led by a case manager (parents, school psychologist, special education teacher, related services personnel as appropriate) and includes the general education classroom teacher.

Related Services

Related services are services that are required to allow the student to benefit from his or her special education program.

Resource Specialist Program (RSP)

A program that provides instruction, materials, and services to students with identified disabilities who are assigned to general classrooms for the majority of the school day.

Special Day Class

An SDC is self-contained special education class which provides services to students with intensive needs that cannot be met by the general school program.

Specialized Academic Instruction (SAI)

Specialized Academic Instruction is defined as: "Adapting, as appropriate to the needs of the child with a disability the content, methodology, or delivery of instruction to ensure access of the child to the general curriculum, so that he or she can meet the educational standards within the jurisdiction of the public agency that apply to all children."

Special Circumstance Instructional Assistance (SCIA)

The Napa County SELPA has *Special Circumstance Instructional Assistance (SCIA)* guidelines that assist the IEP teams in determining if a student needs additional staff support to access their special education program.

Special Education

Special education is specially designed instruction, at no cost to parents, to meet the unique needs of child with a disability.

Special Education Local Plan Area (SELPA)

A SELPA could be a single school district or group of school districts within a geographic area that administers the delivery of special education services.

State Schools

Residential schools operated by the State of California for students who are blind or deaf.



ACRONYMS

AAC	Augmentative Alternative Communication
ADA	American with Disabilities Act
ADHD	Attention Deficit Hyperactivity Disorder
ADR	Alternative Dispute Resolution
ALJ	Administrative Law Judge
APE	Adapted Physical Education
AUT	Autism
CAC	Community Advisory Committee
CCS	California Children Services
CDE	California Department of Education
DB	Deaf/Blind
DEAF	Deafness
ED	Emotional Disturbance
ESY	Extended School Year
FAPE	Free and Appropriate Public Education
HH	Hard of Hearing
ID	Intellectual Disability
IDEA	Individualized with Disabilities Education Act
IEE	Independent Educational Evaluation
IEP	Individualized Educational Program
IFSP	Individual Family Service Plan
ITP	Individual Transition Plan
LEA	Local Educational Agency
LRE	Least Restrictive Environment
MD	Multiple Disabilities
NBRC	North Bay Regional Center
OAH	Office of Administrative Hearings
OHI	Other Health Impairment
OI	Orthopedic Impairment
OT /PT	Occupational Therapy and Physical Therapy
PS	Program Specialists
PWN	Prior Written Notice
RSP	Resource Specialist Program
RtI ²	Response to Instruction and Intervention
SAI	Specialized Academic Instruction
SCIA	Special Circumstance Instructional Assistance
SDC	Special Day Class
SELPA	Special Education Local Plan Area
SELPA	Special Education Local Plan Area
SLD	Specific Learning Disability
SLI	Speech/Language Impairment
TBI	Traumatic Brain Injury
VI	Visual Impairment

INTRODUCTION

You are a partner in the education of your child, and everyone involved in the processes of special education wants your child to be successful. You won't know everything at the beginning. We are all constantly learning how to help our children. Ask for help when you need it, both from your school district as well as from parent groups like the PTA at your school, ParentsCAN, Napa County SELPA or the Napa County SELPA Community Advisory Committee. Other parents are a great resource for finding out how to navigate through the system. We hope this handbook helps you to find the right solutions for your child.

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



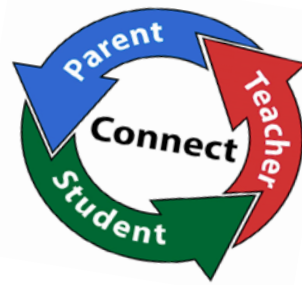
SPECIAL EDUCATION LAW

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 (FAPE) in the *least restrictive environment* (LRE).

The main purposes of the *Individuals with Disabilities Education Act* (IDEA) are: to ensure that all children with disabilities have available to them a *free appropriate public education* (FAPE) that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment and independent living and to ensure that the rights of children with disabilities and parents of such children are protected.

For more information about the IDEA go this website: <http://idea.ed.gov/explore/home.html>



PARENTS' ROLES

Parents as Partners

Parents are valued partners, and parent participation is one of the outstanding features of current legislation concerning children with special needs.

As a parent you are entitled to an active role in the special education process. From the referral to special education and related services, 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 written 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.



Community Advisory Committee (CAC)

An important organization to become aware of and be involved in is the Community Advisory Committee for Special Education (CAC). The law requires that a majority of its members be parents and a majority of those be parents of children with disabilities. Representatives of public and private agencies, community groups, special and general education teachers, students with disabilities, school personnel, and other concerned citizens make up the rest of the committee. This organization plays an important role in special education in Napa County SELPA. The CAC's responsibilities and activities include:

- Advising the Napa County SELPA administration and SELPA Executive Board regarding the development and review of special education programs.
- Making recommendations on priorities to be addressed under the local special education plan.
- Acting in support of children with disabilities.
- Assisting in the evaluation of how well the Local Plan for Special Education is meeting the needs of our children.
- Assisting in parent education and the development of public information materials such as this handbook.

You are encouraged to attend the monthly Community Advisory Committee (CAC) meetings. For more information visit the website: the Napa County SELPA Website to get more information about the CAC <http://www.napacoe.org/programs-schools-districts/selpa/>.

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); and 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 interests 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.



SPECIAL EDUCATION SERVICES

Early Start (Birth to Age 3)

The Napa County Office of Education and the North Bay Regional Center (NBRC) offer special programs to families who have infants or toddlers under the age of three years with health, learning, behavioral or developmental concerns. Families may have received a diagnosis for their child, or they may have questions or concerns about their child's development. In these cases, there are professionals and other parents who can help by answering questions and providing the necessary services to assist the child and family.

In the Napa County SELPA the Napa County Office of Education is responsible for providing educational programs for infants who meet the following criteria:

- Have solely low incidence disabilities, defined as conditions that are solely visual, hearing, or severe orthopedic impairments, or any combination thereof;
- Are eligible for special education; and
- Are not eligible for services from a regional center.

If you are concerned about your child's development, the first step is to refer the child for evaluation and assessment. You may call the Early Start program directly at (707) 253-6932 and request an assessment. With your permission, the staff will assign a service coordinator to your family and will work with you to plan an assessment, whereby all areas of the child's development will be evaluated.

Within 45 days after you make your referral to Early Start, the assessment process should be completed and, if the child is eligible, an Individual Family Service Plan (IFSP) will be developed. The IFSP is a document that addresses both the unique needs of the child as well as the needs of the family to enhance their child's development. It includes a statement of the infant's current developmental level; the family's concerns, priorities, and resources; the expected outcomes; and specific services including frequency, intensity and duration. A family assessment is voluntary.

The IFSP is reviewed every six months (or more often if requested). Development of the IFSP must be coordinated with all other agencies providing services to the child and family (such as California Children Services, North Bay Regional Center, etc.).

The IFSP is a joint effort among your family, professionals who will be working with the child, and the community supports needed to meet the special needs of the child. Research has shown that family-centered interventions during the first three years of a child's life can make a profound difference in the child's future. These services can improve the developmental progress of a child, can reduce feelings of isolation, stress, and frustration in families, and help children with disabilities to grow up and be productive and independent.

Services identified in the IFSP can be delivered in the home, at childcare, or at the Early Start Center. It is your service coordinator's job to assist you to access the services you need for your child. Services are designed to meet the developmental needs of the child and are to be provided at no cost to you. They include:

Assistive technology, psychological services, audiology (hearing) services, family training, counseling, home visits, respite, service coordination (case management), some health services, social work services, medical services for diagnostic or evaluative purposes only, nursing, nutrition counseling, occupational therapy, physical therapy, special instruction, speech and language services, transportation services, vision services, and others as needed.

When the child is 2 ½ years old, a transition IFSP for your child must be developed which describes the steps to be taken to continue special school services, if needed, and may involve your district of residence. You will begin to think about a special education preschool for your child, and your service coordinator will help you to think about making this change, or "transition". There should be no interruption of services for your child when he/she leaves early intervention services and transitions to a preschool if continued services are required.

For more information, contact the California's Early Start Program for infants and toddlers at (800) 515-2229, or earlystart@dds.ca.gov.

Preschool Program

The Napa County Office of Education (NCOE) serves all eligible preschool children in Napa County SELPA. Students in the NCOE preschool program are served in the general education preschool programs (full inclusion). Special education and related services are provided within the regular preschool program. Some students may only require speech and language services.

K-12 Special Education Services

Within the Napa County SELPA, there are a variety of service delivery models of Specialized Academic Instruction (SAI) to meet the diverse learning needs of students. There are three basic services delivery models that can be found include collaborative/consultative, pull-out, and self-contained classrooms. In collaborative and consultative models, students are not removed from the general education classroom; rather, support providers deliver support in the general education setting. In pull-out SAI instructional models, students are removed from the general education classroom for limited periods of time to receive instruction in a separate classroom or support in a learning center. The final model of SAI, found within Napa County SELPA are special day classes. In these classes, students are grouped in smaller special education classroom settings.

Related Services

These support services are provided when they are determined appropriate to allow a student with special needs to access their specially designed instruction.

Related Services include, but are not limited to, the following:

- Speech and language therapy
- Audiological services
- Orientation and mobility instruction
- Instruction in the home or hospital
- Adapted physical education
- Occupational therapy
- Physical therapy
- Vision therapy

- Counseling and guidance services
- Psychological services other than assessment and development of the IEP
- Parent counseling and training
- Health/nurse services
- Specially designed vocational education and career development
- Specialized services for low incidence disabilities such as readers, transcribers, and vision and hearing services
- Transportation

Nonpublic School (NPS)

Nonpublic school placement is only considered by the IEP team when a student's needs cannot be met within the public school programs. A NPS placement is more restrictive than a public school placement. Residential placements are an even more restrictive placement as the student is not residing in the home.

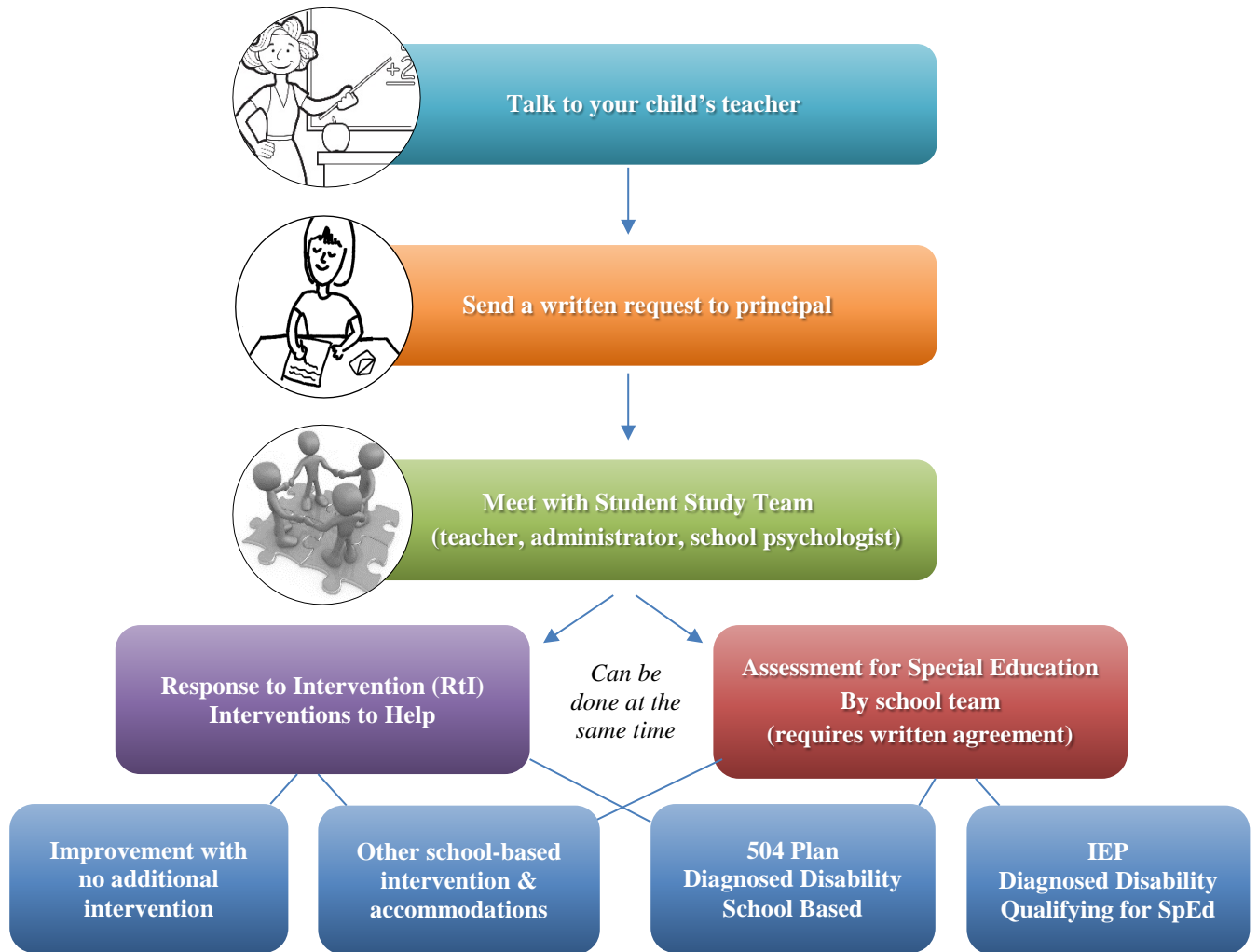
State Special Schools

The State of California operates a School for the Blind and a School for the Deaf. The IEP team makes the determination if the student needs to be placed in this setting.

Home and Hospital

Home and hospital is an educational program option available to students with disabilities who cannot be educated in a public school setting. Typically, students in this type of placement have significant health needs or significant behavioral challenges.

Your child is having difficulties in school?



SPECIAL EDUCATION: THE STEPS

Child Find is an ongoing process used by Napa County SELPA educators and administrators to identify children and youth from birth through age 21 (inclusive) who may be eligible to receive special education and related services because they have developmental delays or disabilities. Each school district and county office of education are responsible for locating, identifying, assessing, and evaluating (with parental consent) students ages 5-21, who may have a disability and determine if they require special education and related services.



1. Child Find

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.

2. Referral

If you notice problems in your child's school performance, you may request a meeting with the teacher to discuss what might be the cause. The teacher should notify the parents if there has been a noticeable gap in academic performance, possible learning difficulties, or problems with attendance or behavior. After interventions by the general education teacher are implemented, and if progress is still a concern, the Student Study Team (SST) may recommend an assessment to determine eligibility for special education and related services.

If you decide there is a need to have your child assessed for special education, at any time you may request an assessment. This request must be made in writing, or have a teacher or administrator assist you in writing a request for assessment.

3. Assessment

The assessment process has two major purposes:

1. To determine if a student is eligible for special education services, and
2. To assess the needs or gather all of the information in all suspected areas of disability in order to determine if the student requires special education and/or related services

The parent's written consent is necessary before an initial 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 the district receives the referral for a special education assessment.

The proposed assessment plan must meet all of the following requirements:

1. Be in language easily understood by the general public;
2. Be provided in the native language of the parent or guardian or other mode of communication used by the parent or guardian, unless to do so is clearly not feasible;

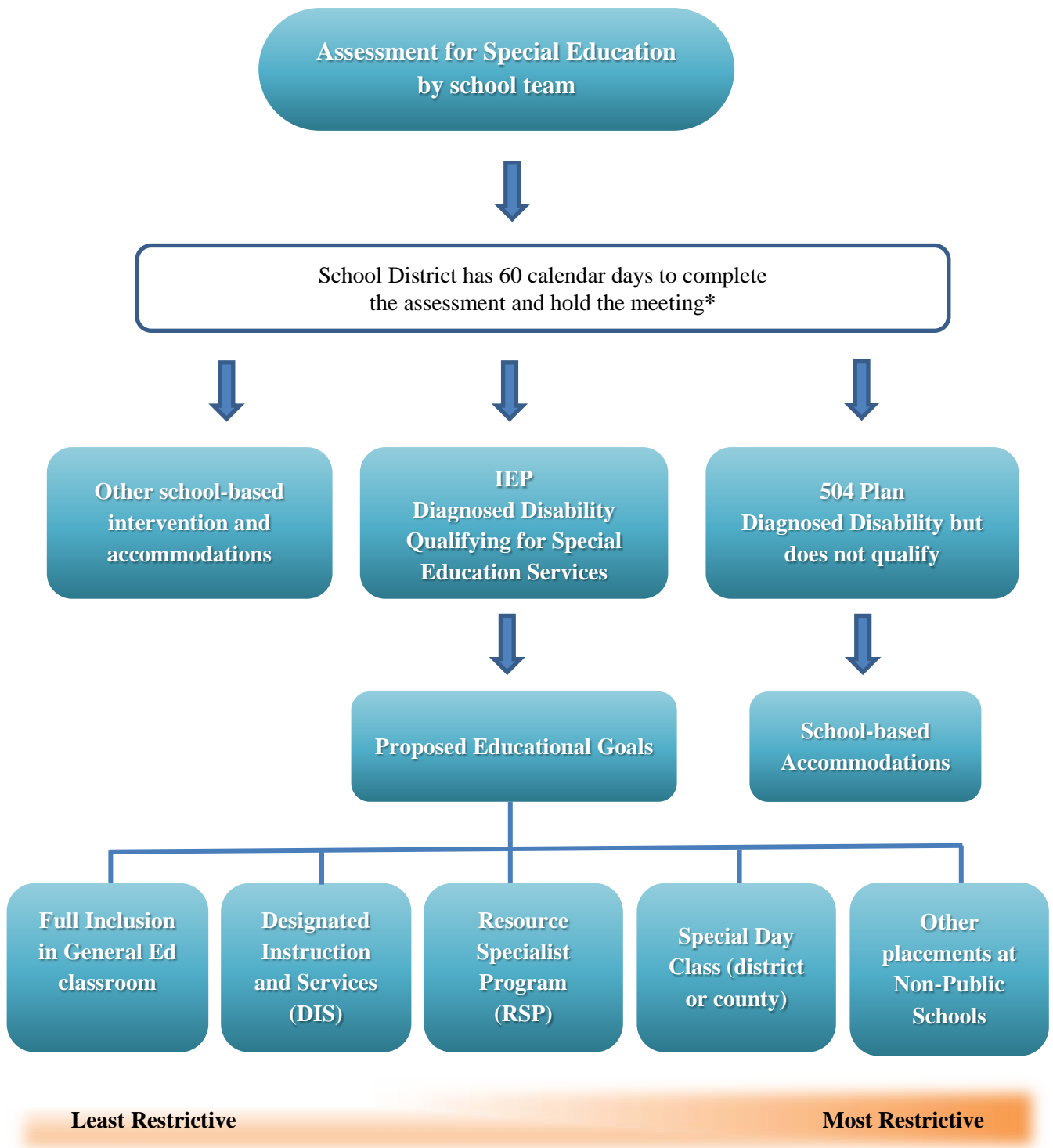
3. Explain the types of assessments to be conducted;
4. State that no IEP will result from the assessment without the written consent of the parent;
5. A description of any recent assessments conducted, including any available independent educational evaluations and any assessment information the parent requests be considered; and
6. The student's language proficiency in the primary language and in English.

Tests must be valid for the specific purpose used and be administered by trained personnel. Tests must accurately measure a child's aptitude or achievement and assess specific areas of educational need. No single procedure or test is to be used for determining an appropriate educational program for a child.

The assessments must be given in the child's native language unless the child has been determined to be competent in English or other mode of communication. If this is not feasible, an interpreter must be used.

Testing and evaluation materials must be selected and administered so as not to be racially, culturally, or sexually discriminatory.

The school must provide the parents a copy of the assessment report at the IEP meeting. A parent may request that a copy of the written assessment report be provided prior to the IEP meeting. Any report provided prior to the IEP team meeting should be considered a draft of the report, with the final version presented at the meeting.



**excluding any school break over 5 days.*



INDIVIDUALIZED EDUCATION PROGRAM (IEP)

IEP Timelines

- An IEP meeting must be held within 60 calendar days after the date of the receipt of written consent to an assessment from parent or guardian (timelines are suspended for more than 5 days of vacation).
- An IEP must be held at least annually.
- An IEP must be held within 30 days of a parent request.

Notice of Meeting

You will be notified of the time and place of the IEP meeting, which should be a mutually agreed upon time. Parents will be asked to consent to the IEP meeting time and date. Parents may choose to audio record the IEP meeting, but must provide written notice to the district at least 24 hours ahead of the scheduled meeting.

Notice of Procedural Safeguards

The local educational agency (LEA) is responsible for ensuring that parents/guardians understand their rights and procedural safeguards. Interpreters, for non-English speakers, and for parents/guardians who are deaf may be requested. Please give the district adequate notice if you require an interpreter.

IEP Team

The required members of the IEP team are:

- Parent(s)
- At least one of your child's general education teachers
- At least one of your child's special education service providers
- A school district representative who is qualified to provide or supervise the special education instruction, is knowledgeable about the general education curriculum and is knowledgeable about district resources
- An individual who can interpret the instructional implications or evaluation results
- Others who have knowledge or expertise about your child
- The child, if appropriate (If the team will be considering your child's secondary transition needs, the team just invite your child to the meeting.)



Determining Eligibility

This initial meeting will be to determine eligibility for special education and related services under one of the thirteen federally defined disabling conditions:

1. Autism (AUT)
2. Deaf-blindness (DB)
3. Deafness (DEAF)
4. Emotional Disturbance (ED)
5. Hearing Impairment (HI)
6. Intellectual Disability (ID)
7. Multiple Disabilities (MD)
8. Orthopedic Impairment (OI)
9. Other Health Impaired (OHI)
10. Specific Learning Disability (SLD)
11. Speech or Language Impairment (SLI)
12. Traumatic Brain Injury (TBI)
13. Visual Impairment (VI)

There are two prongs to eligibility for special education

1. The child must meet the criteria on one or more the 13 eligibility categories, and
2. The child must also need specially designed instruction or services and the needs that cannot be met with modification of a regular environment.

[Cal. Ed. Code Sec. 56441.11(b) (2) & (3).]

For more information on Eligibility Criteria go the SELPA website at: <http://www.napacoe.org/programs-schools-districts/selpa/> and click on *Eligibility Criteria Guidelines*.

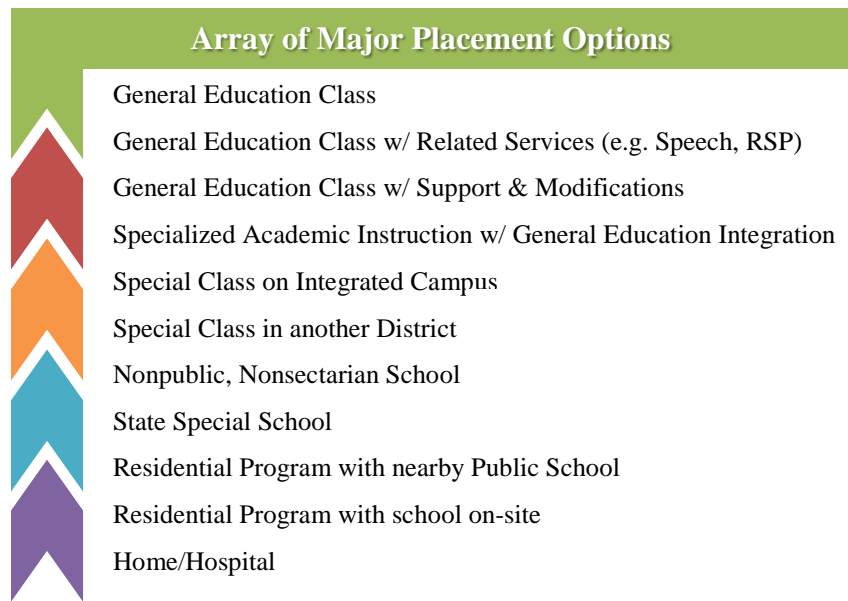
Required Components of the IEP

- A statement of your child's strengths in each listed area and results of the most recent assessments.
- 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.
- A reason for placement if it is other than the school regularly designated for attendance.
- A statement indicating the extent to which the child will not participate in a general education classroom and extracurricular activities. There must be an explanation if the student is not participating in general education activities.
- A statement of your concerns relevant to your child's educational progress.
- 7) A statement of measurable annual goals. 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.
- A statement of special education and related services and supplementary aids and services to be provided.
- 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 next annual IEP.
- 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.
- A statement of projected date for beginning services and their anticipated frequency, location, and duration.
- A statement regarding your child's participation in district-wide standardized assessments, including accommodations and/or modifications, if any.
- A statement regarding your child's behavior and whether or not it impedes his/her learning or that of others. If so, then behavioral goals and/or a behavior intervention plan must be developed which addresses the identified behavioral concerns.
- A statement addressing your child's transition service needs starting at age 16, focusing on courses of study, interagency responsibilities and linkages and post-secondary goals.
- 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.
- 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.
- A statement regarding the need for assistive technology devices and/or services for your child.

Services and Placement

When special education eligibility has been determined, the IEP team then must determine if the student requires special education and/or related services. If the IEP team determines that a student's needs would be most appropriately met with special education/and or related services, the least restrictive environment as close to home as possible should be considered. Napa County SELPA provides a full continuum of program options for special education and related services for students ages birth through 21 years. Placements in special day classes, special schools, or any other removal 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 (LRE), which is that placement which gives the student the greatest amount of contact with their typically developing peers. Moreover, as a student achieves goals and succeeds in the present placement, a lesser restrictive environment should be considered.

Each school district must provide a continuum of services, including:



Consent to the IEP

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. There are two places where a parent is asked to sign. One signature indicates presence and participation in the IEP meeting. This signature is required. The second signature indicates consent/disagreement to all or part of the IEP. You may indicate which parts of the IEP may be implemented if you do not agree with the entire IEP. You may also disagree with all of the IEP. In this case, you will check the box that you do not consent to the contents of the IEP.

In the event that you choose to refuse to give your consent to all or part of the IEP, there will be no change to the current or existing program for your child. 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.

Napa County SELPA offers Facilitated IEP meetings as part of the SELPA's Alternative Dispute Resolution (ADR) process. Facilitated IEP meetings can be requested by the parent or by the district. A trained facilitator will be assigned to facilitate the IEP meeting. The facilitator will communicate with parent and the district prior to the IEP meeting.

Annual Review of IEP

Your child's program and progress will be reviewed at a minimum annually. Additional meetings may be scheduled during the year according to IEP goals and/or objective/benchmarks to determine the appropriateness of the program in meeting your child's needs. You may request a review or change to the IEP when necessary, by writing to your child's teacher, school psychologist, or administrator.

Re-evaluation

A complete re-evaluation is conducted every three years (triennial assessment) to determine continued eligibility for special education and/or possible program changes and needs. This assessment may be done sooner at the request of the parent/guardian or school district.

TRANSITION

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

Children with special 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.



Secondary Transition

Individual Transition Plan (ITP)

Secondary 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.

Under the IDEA, each eligible student is required to have an Individual Transition Plan (ITP) in place beginning at age 16. The ITP focuses on improving academic and functional achievement to facilitate movement from school to post-school activities (post-secondary education, vocational education, integrated employment, continuing and adult education, adult services, independent living or community participation.) The ITP is based on the student's strengths, preferences and interests and includes one goal in the following areas: education/training; employment; and if appropriate, independent living.

This plan is developed by a team which includes the student, parents, school staff, (if appropriate and if parent requests their presence, schools may invite with parent permission) Regional Center case manager, Department of Rehabilitation, 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 California Department of Education has identified five Core Messages for Transition. These are:

1. Student focused planning based on the student's interests and preferences;
2. Student development activities which develop the student's academic, social, and employability competencies;
3. Interagency collaboration which involves all stakeholders;
4. Family involvement which recognizes parents as equal partners on the IEP team;
and

5. Program structures that include a range of options that support meaningful connections to the workplace and community.

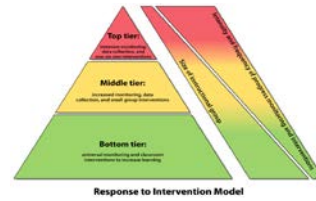
Remember, transition is a plan, not a program! Your child's transition plan should demonstrate that it is outcome-oriented; focused on meeting the student's needs, interests, and preferences; identify the instruction and services needed to achieve the student's goals' and should clearly state the linkages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

When students with disabilities reach the age of 18, also known as age of majority, the legal rights regarding special education services move from the parents to the student. Parents and students are notified one year before the student's 18th 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.

More information about transition planning can be obtained by contacting:

- Special Education Department at your local district office.
- ParentsCAN (707) 253-7444
- Your North Bay Center Case Manager (707) 256-1100
- Department of Rehabilitation (800) 952-5544

Go to the SELPA Website at: <http://www.napacoe.org/programs-schools-districts/selpa/>
Secondary Transition Planning: The Basics



POSITIVE BEHAVIOR INTERVENTION

The vast majority of behavioral difficulties can be prevented with implementation of appropriate classroom management techniques. For individual students who develop mild to moderate behavioral patterns that do not respond to typical classroom management strategies, behavioral goals and/or informal behavior plans are indicated. Students who exhibit serious behavioral concerns may require more formal intervention. Both informal and formal behavior intervention must be included in the IEP for students whose behavior impedes their learning or that of others.

In the case of a student whose behavior impedes his/her learning or that of others, appropriate positive behavior interventions, strategies, and supports will be developed to address the behavior, including, when appropriate, the development of a *Behavior Intervention Plan* (BIP). A behavior intervention plan shall be part of the student's individualized education program and shall specify environmental and instructional changes and other techniques and strategies including positive behavioral interventions, strategies and supports. If a BIP is not effective, it can be reviewed and modified until success is attained.

A *Functional Behavior Assessment* (FBA) is generally understood to be a systematic observation of a student to determine antecedents and consequences of a behavior. An FBA is not required prior to the development and implementation of an informal behavior plan.

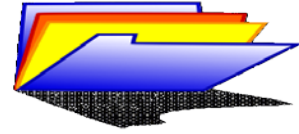
An FBA must be conducted when school authorities seek to change the placement of a student with a disability because of a violation of a code of student conduct, and the IEP Team determines that the conduct was a manifestation of the student's disability, and the LEA has not conducted an FBA prior to such determination before the behavior that resulted in the change of placement (i.e., possible expulsion or suspensions beyond 10 days in a school year).

An FBA must be conducted, as appropriate, in cases of disciplinary removals involving a change in placement in which the IEP Team determines that the conduct was not a manifestation of the student's disability.

An FBA should be considered and/or conducted if additional data is needed to develop a BIP or the IEP Team determines it would be appropriate for the student. Parental consent is required before an FBA may be conducted.

Restrictive procedures are to be used only in the case of a behavioral emergency; to control unpredictable, spontaneous behaviors which pose a clear and present danger of serious physical harm to the individual, others, or property, and which cannot be immediately prevented by a response less restrictive than the temporary application of a technique to contain the behavior.

No emergency intervention shall be employed for longer than is necessary to contain the behavior, or an amount of force that exceeds that which is reasonable and necessary under the circumstances.



STUDENT RECORDS

All student records are confidential. Parents/guardians (or the student if age 18 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 district has 5 days from your written request to provide access to your child's 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/her 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. Each district has a policy regarding such a request and how it will be handled.

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 a legal way of saying that certain principles and practices exist and must be respected to ensure 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 action.

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 (707) 253-6807 to request further assistance.
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.
7. 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.

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

NOTE: Resolution Meeting Requirement:

IDEA 2004 requires the school district to convene a resolution meeting with parents and relevant IEP team members when a due process hearing has been requested. The purpose of the meeting is to provide an opportunity for parents and educators to resolve the dispute that is the basis of the due process complain. A resolution meeting must occur unless it is waived by both parties.

Filing a Special Education Complaint

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

Other help available for resolving problems:

Napa County SELPA..... (707) 253-6807

ParentsCAN..... (707) 253-7444

Office for Civil Rights, US Department of Education, San Francisco, California(800) 368-1019

Procedural Safeguards and Quality Assurance(800) 926-0648

Protection and Advocacy, Inc. (Serves individuals with developmental and mental disabilities)(800) 776-5746

Area Developmental Disabilities Board IV (Advocacy for children and adults with developmental disabilities)..... (707) 648-4073

FREQUENTLY ASKED QUESTIONS (FAQs)



What is a Special Education Local Plan Area (SELPA)?

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 students with special needs must be guaranteed equal opportunity to become contributing members of society.

Napa County SELPA
2121 Imola Avenue
Napa, CA 94558
Phone: (707) 252-6807
Fax: (707) 252-6989
Web: <http://www.napacoe.org/programs-schools-districts/selpa/>

What is Napa County CAC?

Napa County is made up of 6 Local Educational Agencies (LEA): Calistoga Joint Unified School District, Napa County Office of Education, Napa Valley Unified School District, Howell Mountain Elementary School District, Pope Valley Union School District, and St. Helena Unified School District.

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 Napa County 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.

For more information and a list of upcoming events, please visit the SELPA Website at: <http://www.napacoe.org/programs-schools-districts/selpa/> or call (707) 253-6807

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

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 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 3 for more details).

What is a Student Study Team (SST)?

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.

Will having a “label” harm my child?

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.

May I see my child’s school records?

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. The school district has 5 days from your request to provide school records to you.

What is an assessment?

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 and related services. This involves assessment, observation by staff, parent reports and teacher reports.

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

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 educational evaluation (IEE). Please see your Parent Rights and Procedural Safeguards for a full explanation. The SELPA Policy pertaining to Independent Educational Evaluations is posted on the SELPA website at: <http://www.napacoe.org/programs-schools-districts/selpa/>

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 of eligibility under the law (IDEA). This is determined by the school district IEP team, but can be appealed.

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

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.

What is an Individualized Education Program (IEP)?

The IEP is a written contract developed for each student eligible for special education.

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

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

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.

What is a 504 Plan?

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 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.

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

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.

What are related services?

Related services determined by the IEP team. Related services are provided if your child needs such services to benefit from specialized academic instruction (SAI). 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.

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

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.

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

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.

When are transportation services provided?

Transportation is a "related service". 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.

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

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.

For how long will my child receive special education services?

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.

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

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.

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)..... (707) 253-6215

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

North Bay Regional Center (707) 256-1100

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

Social Security Administration (800) 772-1213

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

www.ssa.gov

RESOURCES AND SERVICES:

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

