


CAC Parent Handbook

EDCOE
EL DORADO COUNTY
OFFICE OF EDUCATION

 **EL DORADO COUNTY SELPA**
Special Education Local Plan Area

This handbook was created by the El Dorado County SELPA in collaboration with local school districts and parents, to serve as an informative resource for families within El Dorado County.

Community Advisory Committee Parent(s)/Guardian Handbook

Community Advisory Committees (CACs) are vital components of effective Special Education programs in California. CACs have specific roles and responsibilities, such as: advising The SELPA Governing Board, SELPA Administrator, and Special Education Administration about the Special Education Local Plan, annual priorities, Parent (s)/guardian education, and other Special Education-related activities. Every SELPA within California is required to have a CAC. The California Education Code ([Part 30, Chapter 2, Article 7](#)) describes the roles and responsibilities of the CAC Community Advisory Committees are composed mainly of Parent (s)/guardians. They may include educators, pupils and adults with disabilities, representatives of public and private agencies, and persons concerned with the needs of individuals with disabilities. To become a board-approved member, the Parent (s)/guardian must contact their local school district for the locally determined selection process.

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What Is the Role of the Community Advisory Committee (CAC)?

The purpose of the Community Advisory Committee (CAC) is to act in support of individuals with disabilities by representing broad interests in the community and promoting maximum interaction of Parent(s)/Guardian and community members with the Department of Special Education and the LEA/district by following the Education Code and the El Dorado County Special Education Local Plan Area (SELPA) —Local Plan.

Parent(s)/Guardians comprise a majority of the membership of the Community Advisory Committee. Of these members, the majority must be Parent(s)/Guardians of students receiving special education services. Each LEA/district can have one board-approved representative.

Members of local Parent(s)/Guardian/teacher groups (PTAs), special education teachers, general education classroom teachers, other school personnel, students with disabilities, or representatives of related public and private agencies may also be represented.

The CAC is advisory to the SELPA. The primary responsibilities and activities of the CAC include, but need not be limited to:

- Advising the administration of the (SELPA) and the Director/Superintendent of the LEA/district regarding the development and review of programs and services;
- Making recommendations and suggestions for annual priorities to be addressed;
- Assisting in Parent(s)/Guardians education and in recruiting Parent(s)/Guardians, volunteers, and agencies who may contribute to the implementation of the Local Plan;
- Encouraging community awareness and involvement in the development and review of the
- Local Plan;
- Supporting activities on behalf of individuals with special needs; and
- Facilitating communication between LEA/District, Parent(s)/Guardian, and the community.

Participation in the CAC meetings helps keep members well-informed about current programs and legislation. It facilitates closer communication and a better understanding of the mutual goals of school administrators, faculty, Parent(s)/Guardian, and the community.

The El Dorado County Special Education Local Plan Area (SELPA) office hosts the Community Advisory Committee meetings at our Main EDCOE campus at 676 Green Valley Road, Placerville, CA 95667. Please get in touch with the El Dorado County SELPA office at 530.295.2476 for the dates and times or visit our website at [https://edcoe.org/educational-services/selpa-special-education-local-plan-area/for-parent\(s\)/guardians/parent\(s\)/guardian-resources/community-advisory-committee-cac](https://edcoe.org/educational-services/selpa-special-education-local-plan-area/for-parent(s)/guardians/parent(s)/guardian-resources/community-advisory-committee-cac)

CAC meetings are open to anyone, and we encourage Parent(s)/Guardian participation.

Meeting Times and Locations

The CAC shall establish regular meeting times and locations, with all meetings open to the public. The CAC shall meet as frequently as necessary but at least three times between September and June. Special meetings of the CAC may be scheduled when necessary. A notice and agenda of all regularly scheduled meetings shall be posted for review before the meeting.

Voting

A quorum shall exist when most of the LEAs/districts with appointed members have representatives present. A quorum is defined as 50% plus one member of board-approved members, and they must be present before any valid business can be transacted.

Implementation of CAC Responsibilities

Members of the CAC have the responsibility to assist in the development and implementation of the Local Plan and to set priorities for special education programs by:

- Actively participating and providing input at regularly scheduled CAC meetings;
- Maintaining contact with the LEA/district special education staff regarding special education programs provided by the LEA to gain insight into local needs;
- Periodically reporting CAC activities to LEA Governing Boards; and
- Serving on standing and special committees of the CAC.

Community Advisory Committee members assist with Parent (s)/guardian education by:

- Organizing and participating in Parent(s)/Guardian support groups;
- Developing and distributing informational materials of interest to Parent(s)/Guardians (e.g., CAC Parent(s)/Guardian Handbook);
- Organizing, attending, and participating in local, regional, and state CAC workshops and conferences

CAC Representatives

If you want more information regarding CAC, please call the El Dorado County SELPA office at 530.295.2476 or contact your LEA/district.

Individuals with Disabilities Education Act (IDEA)

The Individuals with Disabilities Education Act (IDEA) is a law that makes available free appropriate public education to eligible children with disabilities throughout the nation and ensures special education and related services to those children.

The IDEA governs how states and public agencies provide early intervention, special education, and related services to eligible infants, toddlers, children, and youth with disabilities. Congress reauthorized the IDEA in 2004 and most recently amended the IDEA through Public Law 114-95, Every Student Succeeds Act, in December 2015.

The purpose of the IDEA is:

- to ensure that all children with disabilities have available to them a free appropriate public education that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living;
- to ensure that the rights of children with disabilities and parent(s)/guardians of such children are protected;
- to assist States, localities, educational service agencies, and Federal agencies in providing for the education of all children with disabilities;
- to assist States in the implementation of a statewide, comprehensive, coordinated, multidisciplinary, interagency system of early intervention services for infants and toddlers with disabilities and their families;
- to ensure that educators and parent(s)/guardians have the necessary tools to improve educational results for children with disabilities by supporting system improvement activities; coordinated research and personnel preparation; coordinated technical assistance, dissemination, and support; and technology development and media services;
- to assess and ensure the effectiveness of efforts to educate children with disabilities.

For additional information for Parent(s)/Guardians and families regarding IDEA, please click [IDEA](#).

Pre-Referral Process for Special Education Assessment

Parent(s)/Guardian or educational rights holders will be contacted when there is a concern about their child's academic or social-emotional performance. Many LEAs/districts may initiate a Student Study Team (SST) Meeting. During the meeting, the Student Study Team can document school concerns and which strategies are being implemented or will be implemented to attempt to address the Student's needs related to their learning. Areas that are important to discuss and document during the SST meeting are:

- Developmental/medical history
- Attendance/school enrollment history
- Review of vision, hearing, speech, and language screenings
- Behavior: Social and emotional
- Academics: Performance and results of interventions

Although a referral for special education assessment may be initiated by a Student Study Team (SST), Parent(s)/Guardians/or educational rights holder, teacher, Student, or other people with knowledge of the Student, current law requires that all interventions in the general program be implemented before a referral to special education is made. These options may include, but are not limited to, the following:

- Accommodations within the general education program
- Research-based instructional strategies and interventions, including universal screening, "tiered" interventions, progress monitoring, and problem-solving teams within the general education program (see pages 12 and 13)
- Consultation with appropriate staff
- Referral to alternative programs within the LEA/district
- Referral to professionals or agencies outside of the LEA/district for which the LEA/district would be responsible for the cost

All options must be explored and documented by the general education staff before a referral for special education. The procedure to be followed when a student is first seen as having difficulty with academics, social-emotional learning, and behavior will be the responsibility of the general education staff.

When all the general education resources have been exhausted, the Student may be referred for special education assessment and consideration.

Assessment Plans

An Assessment Plan (AP) is a document that outlines the assessment tools and methods used to determine eligibility for special education services as well as present levels of performance, the types of measurements used to collect this information, and the individual(s) responsible for the collection/review of data. Assessments will comprise data from multiple sources and require a multidisciplinary team of specialists to gather and interpret the data.

An assessment plan can be initiated for several reasons. Some examples may include the following:

- Upon Parent(s)/Guardian request
- To initiate an assessment for an initial evaluation
- To initiate an assessment for an eligibility evaluation

- If a student is identified as having a new possible area of need, such as behavior or speech and language

PLEASE NOTE:

A formal assessment cannot be conducted without the Parent(s)/Guardian's written consent. Conducting formal assessments while the Student receives interventions suggested through the SST process may also be appropriate.

Parent(s)/Guardian consent is not required before reviewing existing data or administering a test or other assessment administered to ALL students unless consent is required of the Parent(s)/Guardians of all the students before administering that test or assessment.

Parent(s)/Guardian Request for Assessment

If a Parent(s)/Guardian/ or educational rights holder requests an assessment formally, the LEA/district must respond within 15 days of the request. Parent(s)/Guardian can request an evaluation for special education at any time.

The LEA/district may deny the Parent(s)/Guardian's request for an initial assessment or additional assessments using a Prior Written Notice (PWN) if the team feels that the Student is receiving a Free Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE). The LEA/district shall include data in the PWN to ensure that the Student does not require assessment.

Suppose a Parent(s)/Guardian would like to refer their child to the Student Study Team. In that case, they should write a specific request to the attention of the child's principal, teacher, or Special Education Administrator, asking for a Student Study Team meeting (see sample letter on page 14). Or, if a Parent(s)/Guardian suspects a disability, they may write a letter requesting that a referral to assess eligibility for special education services be initiated, including why the Parent(s)/Guardian suspects that the child may have a disability. Parent(s)/Guardians should keep a copy of the request for the child's records (see the sample request for a referral for assessment on page 15).

Assessment Timelines

Any time a referral to assess a student is proposed, an Assessment Plan (AP) will be developed and sent to the Parent(s)/Guardian for review within 15 calendar days of receipt.

Areas of Assessment

The Assessment Plan must be comprehensive and allow for assessing the Student in all areas related to the suspected disability, including, if appropriate:

1. Health and developmental history
2. Vision, including low vision and hearing
3. Motor abilities
4. Speech and language function
5. General intelligence or cognitive level
6. Processing skills
7. Academic achievement
8. Adaptive skills
9. Orientation and mobility skills
10. Career and vocational interests (transition planning)

11. Social and emotional, and behavioral status
12. Any other area of suspected disability

For a student to meet eligibility for special education services under IDEA, a student must meet the criteria and be identified under one of the following categories:

- Autism
- Deafness
- Deaf-Blindness
- Emotional Disturbance
- Hard of Hearing
- Intellectual Disability
- Multiple Disabilities
- Other Health Impairment
- Orthopedic Impairment
- Specific Learning Disability
- Speech or Language Impairment
- Traumatic Brain Injury
- Visual Impairment

Code of Federal Regulations for Disabilities

In addition to being identified under one of the above categories, the team must determine that the Student requires that the school provides students an education that is "reasonably calculated to enable a child to make progress appropriate in light of their circumstances (*Endrew F v/ Douglas County School 2017 Court Opinion*).

Response to Intervention (RTI)

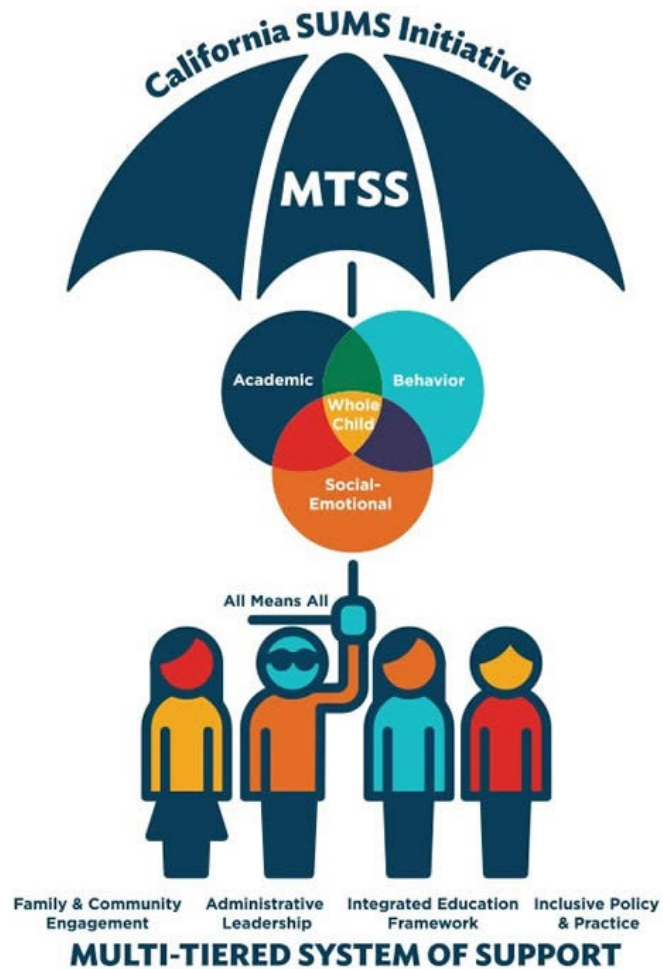
Response to Intervention (RTI) is a multi-tiered approach to identifying and supporting students with learning and behavioral needs early. The RTI process begins with high-quality first instruction and universal screening of all children in the general education classroom. Struggling learners are provided with interventions at increasing intensity levels to accelerate their learning rate. Various personnel may provide these services, including general education teachers, special education teachers, and other specialists. Data is closely monitored to assess individual students' learning rates and levels of performance. Educational decisions about the intensity and duration of interventions are based on individual student responses to instruction. RTI is designed for use when making decisions in general education and special education, creating a well-integrated system of instruction and intervention guided by child outcome data.

For RTI implementation to work well, the following essential components must be implemented with fidelity and in a rigorous manner:

- *High-quality, scientifically based classroom instruction:* All students receive high-quality, research-based instruction in the general education classroom.
- *Ongoing student assessment.* Universal screening and progress monitoring provide information about a student's learning rate and level of achievement, both individually and in comparison with the peer group. The data is used when determining which students need closer monitoring or intervention. Throughout the RTI process, student progress is monitored frequently to examine student achievement and gauge the effectiveness of the curriculum. Decisions regarding students' instructional needs are based on multiple data points taken in context over time.
- *Tiered instruction.* A multi-tier approach is used to differentiate instruction for all students efficiently. The model incorporates increasing intensities of instruction, offering specific, research-based interventions matched to student needs.
- *Parent(s)/guardian involvement.* LEA/District implementing RTI inform Parent(s)/guardian about their child's progress, the instruction and interventions used, the staff delivering the instruction, and their child's academic or behavioral goals.

Multi-Tiered System of Supports (MTSS)

A Multi-Tiered System of Support (MTSS) is a term used to describe a model of schooling that uses problem-solving based on data. This model combines academic and behavioral instruction, delivering the intervention to ALL students at varying intensity levels. The interventions are provided to students based on multiple-tiered support systems and determined by student needs. Students that need minimal academic and behavioral help will receive the supports they need. In contrast, those with higher academic and behavioral needs will get higher interventions. "Needs-driven" decision-making seeks to ensure that LEA/district resources reach the appropriate students at the proper levels to accelerate the performance of ALL students. The Scaling Up MTSS Statewide (SUMS) Initiative focuses on developing resources for MTSS within an LEA that aligns the academic, behavioral, and social-emotional supports in a district/LEA to serve the whole child. It involves family and community engagement, administrative leadership, integrated education frameworks, and inclusive policy and practice.



Sample Letter – Requesting a Student Study Team (SST) Meeting

PLEASE NOTE: Before using a letter such as this, please be sure you have had the opportunity to communicate with your child's teacher or SST.

Mr./Ms. Parent(s)/Guardian

Address

City, State, Zip Code

Telephone Number

Date

Mr./Ms. Principal

School Name

Address

City, State, Zip Code

Dear Mr./Ms. Principal:

I am the Parent (s)/Guardian of *(Student's name)*, who is currently enrolled at the *(School Name)* in the *(XX)* grade. *(Student)* is not doing well in school, and I am concerned about their academic performance.

Therefore, I request a Student Study Team meeting to develop educational strategies and interventions for *(Student)*.

Sincerely,

Parent(s)/Guardian

Sample Letter – Referral for Special Education

PLEASE NOTE: Before using a letter such as this, please be sure you have had the opportunity to communicate with your child's teacher or SST.

Mr. /Ms. Parent(s)/Guardian

Address

City, State, Zip Code

Telephone Number

Date

Mr. /Ms. Principal

District/LEA Address

City, State, Zip Code

Dear Mr./Ms. Principal:

I am the Parent (s)/Guardian of (Student), who is currently enrolled at the (School Name) in the (XX) grade. We have had a Student Success Team (SST) meeting, and the recommendations of that team have been implemented. (Student) is still not doing well in school:

(define here what those concerns are) _____.

I am writing to make a referral for assessment to determine my child's eligibility for special education services. I am requesting that the school district give (Student) a comprehensive assessment in the following area(s) of suspected disability(ies): _____ to determine if s/he is eligible for special education and related services under IDEA or Section 504. I am requesting all written reports be provided to me before the meeting for my review.

I look forward to receiving an assessment plan within 15 days. If you have any questions, please feel free to contact me. Thank you for your cooperation and assistance.

Sincerely,

Parent(s)/Guardian

cc: Director of Special Education

Assessment Plan Development

After a student is referred for special education assessment, a representative of the LEA/district will contact the Parent(s)/Guardian to develop or review an assessment plan. The LEA/district representative will:

1. Review the reason(s) for referral;
2. Explain the evaluation process and the methods or tests used to obtain more information about the Student. Testing will be done in the Student's native language or other means of communication unless other provisions are necessary. Assessment areas will be specified in the assessment plan and decided upon collaboratively with the school and parent(s)/guardian input. All areas of suspected disability should be assessed as part of this assessment.
3. Explain the rights of the Parent(s)/Guardian to:
 - review all relevant information;
 - obtain an independent education evaluation, if the parent(s)/guardian(s) disagrees with the assessment;
 - have an impartial due process hearing if they are not satisfied with the assessment results (including Alternative Dispute Resolution);
4. Ask the Parent(s)/Guardian to provide written consent for an assessment by having the Parent(s)/Guardian sign the Assessment Plan.

The evaluation process, Parent(s)/Guardian rights, and the assessment plan may be offered at an SST meeting in which the initial referral has been made. However, this process may happen afterward.

The assessment process has two primary purposes:

1. To gather all information possible about the Student and assess their needs through observation, testing, and gathering information from those who have worked with the Student, including the Parent(s)/Guardian, teachers, nurses, therapists, and psychologists, and any other pertinent information is written or otherwise; and
2. To determine if the Student is eligible for special education programs and services.

The school has 60 calendar days (excluding days during school breaks of more than five school days) from receiving the signed Parent(s)/Guardian consent for the assessment to complete all assessments, prepare assessment results, schedule, and hold the initial IEP team meeting.

To gather as much pertinent information about the Student as possible, the school may ask the Parent(s)/Guardian to sign an *Authorization For Use and Disclosure of Information* form. This form would allow the appropriate school personnel to contact outside service providers working with the Student (see page 17).



AUTHORIZATION FOR USE AND/OR DISCLOSURE OF INFORMATION

Completion of this document authorizes the disclosure/release and/or use of **confidential** individually identifiable information, as set forth below, consistent with Federal and State Laws concerning the privacy of such information. Failure to provide all information requested may invalidate this authorization.

Name of student (list other names used)

Medical Record Number (if applicable)

Date of Birth

Address of student

Phone No.

Other Phone No.

I authorize the following individual or organization to disclose the above named individual's information as described below:

Individual or Organization Disclosing/Receiving Information:	Individual or Organization Receiving/Disposing Information:
<input type="text"/> <i>Disclosing party</i>	<input type="text"/> <i>Receiving Party</i>
<input type="text"/> <i>Address</i>	<input type="text"/> <i>Address</i>
<input type="text"/> <i>City, State, Zip Code</i>	<input type="text"/> <i>City, State, Zip Code</i>
<i>Telephone:</i> <input type="text"/> <i>FAX:</i> <input type="text"/>	<i>Telephone:</i> <input type="text"/> <i>FAX:</i> <input type="text"/>

Duration: This authorization shall become effective immediately and shall remain in effect until (date) or for one year from the date of signature if no date is entered.

Revocation: I understand that I have the right to revoke this authorization, in writing, at any time by sending such written notification to the releasing agency. Written revocation will be effective upon receipt, but will not apply to information that has already been released in response to this authorization.

Redisclosure: I understand that the **Requester** (School) will protect this information as prescribed by the Family Equal Rights Protection Act (FERPA) and that the information becomes part of the student's educational record. The information will be shared with individuals working at or with the School for the purpose of providing safe, appropriate, and least restrictive educational settings and school health services and programs.

Health Info: I understand that authorizing the disclosure of information is voluntary. I can refuse to sign this authorization, and I do not need to sign this form in order to assure a **free appropriate public education**.

Specify Record(s): Indicate type of information to be disclosed:

Medical
 Medication
 Psychiatric
 Mental Health

Drug/Alcohol
 Educational
 Assessments
 Other:

Any and all information with regard to the above records may be released except as specifically provided here:

I request that the information released pursuant to this authorization be used for the following purposes only:

Educational Assessment
 Educational Planning
 Other:

A copy of this authorization is as valid as an original. I understand that I have a right to receive a copy of this authorization for my records.

Signature of Student or Student's Representative

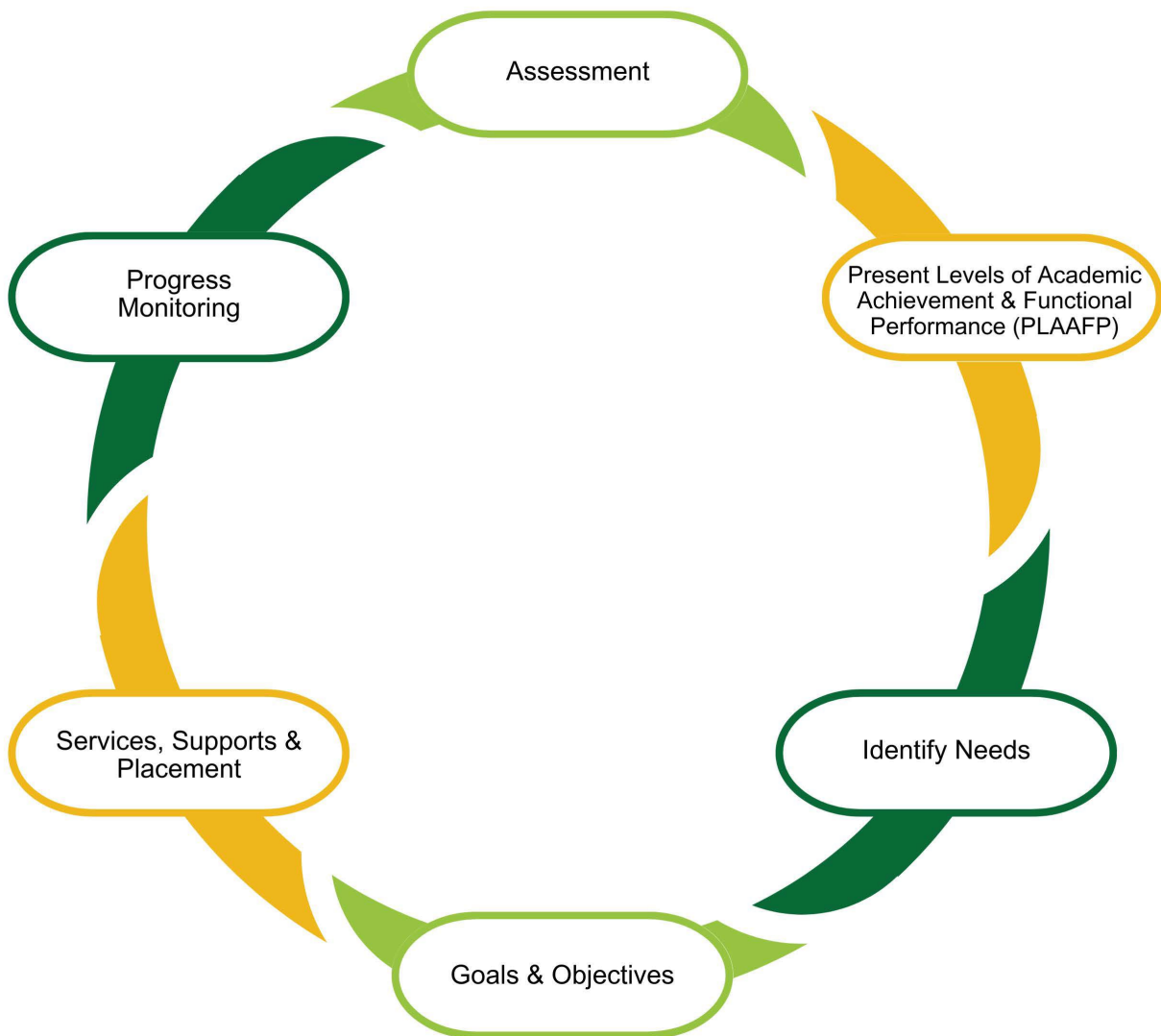
Relationship to Student

Date

Form #11 (7/18)

Quality First Instruction

“In order to participate with success in the general curriculum, students with disabilities, as appropriate, may be provided additional supports and services, such as, instructional supports for learning based on the principles of Universal Design for Learning (UDL) which foster student engagement by presenting information in multiple ways and allowing for diverse avenues of action and expression” (Applications to Students with Disabilities, Common Core State Standards).



1. Identify the age appropriate, grade-level standard.
2. Determine the intent of the standard.
3. Describe what the standard entails and what the student must know and be able to do.
4. Chunk the standard into core skills required of the student.

IEP Team Meeting

Once assessments are completed, a meeting will be held within the 60-day timeline to review the results and determine special education eligibility. Suppose the Student is found eligible per the IDEA eligibility criteria. In that case, the team will develop an Individualized Education Program (IEP) designed to identify what areas will be targeted for intervention and how such an intervention will occur. Before the Student receives special education services, this program must be developed at the IEP team meeting, and Parent(s)/Guardian must provide written consent. Parent(s)/Guardian have the right and are encouraged to present information during the IEP team meeting or before to develop the most appropriate IEP for the Student. Parent(s)/Guardian may request, in writing, the assessment results and draft IEP forms to become familiar with the documents and other information pertinent to the IEP, such as drafted reports or goals, before the IEP team meeting. As a reminder, as the Parent(s)/Guardian, you may invite someone to attend the meeting with you, such as a CAC representative or other support person.

Several items make up the Individualized Education Program (IEP). They include:

- Statements of the Student's level of educational performance and needs provided by the Parent(s)/Guardians and staff;
- Information of yearly goals and who is responsible for helping accomplish the goals;
- Criteria and evaluation procedures for measuring the achievement of the educational goals;
- A statement of the specific special education program, the related services needed by the Student, and the degree of participation anticipated in the general education program;
- The date that special education service(s) will begin and how long the service(s) should continue; and
- Determine how the Student will participate in state and district-wide assessments.

Parent(s)/Guardian will be asked to give written approval of the newly developed IEP.

Parent(s)/Guardian are not required to sign the IEP immediately after the meeting ends.

Parent(s)/Guardian may review each page before providing written consent. The Parent(s)/Guardian must permit a change in the Student's educational placement, goals, or program to be implemented.

The Student's program is a cooperative effort between the school, the home, and the Student.

Communication between home and school should continue after the IEP team meeting. Requests for informal conferences with the Student's teachers request to visit the Student's classroom, and notes or phone calls are all ways of learning about the Student's program and performance.

It is the team's right and responsibility to request an IEP team meeting or review at any time of concerns or when requested by a Parent(s)/Guardian. An IEP meeting will be held at least annually. This meeting will be called a Plan Review to review the IEP and the Student's educational progress. In addition, the Student will be re-evaluated no less than every three years. This meeting will be called an Eligibility Evaluation to determine continued eligibility for special education services.

If the Student does not qualify for special education services, the Student may still be eligible for services under Section 504 of the Rehabilitation Act of 1973. This handbook reviews 504 plans further (see page 44), or you may contact your LEA/district.

IEP Team Membership

The following individuals have required members of an IEP team for the purposes of developing, revising, or reviewing the IEP, determining eligibility, and recommending placement for a student:

1. An administrator or an administrative designee (other than the Student's case manager) knows the appropriate program options for the Student. This person must be authorized to make decisions and allocate resources.
2. Not less than one general education teacher who knows the Student and can speak to the curriculum and how the Student engages in class. Suppose the Student does not have an available general education teacher. In that case, the teacher with the most recent and complete knowledge of the Student and qualified to teach a student their age should attend.
3. The Student's special education case manager and service providers, if appropriate.
4. The Student's Parent (s)/Guardian/Surrogate Parent/ or an individual selected by the Parent(s)/Guardian. It is important to note that no individual or agency is authorized to sign with consent to an IEP unless they possess educational rights for the Student.

When appropriate, the IEP team may also include the following:

- The Student
- Other persons possess the expertise or knowledge necessary to develop the IEP
- Any assessor(s) who conducted an assessment and is presenting their report for the IEP team or an individual with the appropriate qualifications to present the assessment report on behalf of an assessor

For students with suspected learning disabilities, at least one member of the IEP team, other than the Student's general education teacher, shall be a person who has observed the Student's educational performance in an appropriate setting.

IEP meetings should follow an agenda to keep everyone focused on the Student's needs throughout the IEP meeting. The agenda can be flexible depending on what the IEP meeting must cover. A Sample Agenda can be found on pg. 21.

Sample Agenda

Agenda for _____'s Plan Review (or Eligibility Evaluation) IEP Date: _____

1. Welcome/Start-Up

- Introductions
- Purpose/Expected Outcomes
- Agenda Overview
- Child/Parent Rights
- Establish Time Parameters

2. Present Levels of Performance/Eligibility and Transition for Students 16 Years and Older

- Complete Transition Paperwork in conjunction with Present Levels, Goals, and Services
- Student Strengths/Preferences/Interests
- Parent Concerns
 - Review of Reports (General Education, Specialists, other agencies, if applicable)
 - Review of Progress on Current Goals/Objectives
 - Statement of Eligibility/Non-eligibility (if appropriate to this meeting)

3. Special Factors

- Assistive Technology?
- Low Incidence?
 - Blindness or Visual Impairment?
 - Deaf or Hard of Hearing?
 - English Learner?
- Behavior?
 - Areas of Need
- Participation in State/District-wide Assessments (CASSPP)

4. New Goals/Objectives Based on Current Needs

5. Offer of Program/Services Based on Goals/Objectives

- Service Delivery Options (LRE)
- Supplementary Aids, Services, and Other Supports for School Personnel, or for the Student, or on behalf of the Student
- Accommodations/Modifications
- Special Education and Related Services
- Extended School Year?

6. Offer of Educational Setting

- % of the time in/out of general education classes/*rationale for time out of general education*
- Other Agencies, including County Mental Health, involved?
- Promotion Criteria
- Progress Monitoring/Progress Reporting
- Special Education Transportation?
- Graduation Plan (if appropriate)

7. Ending

- Confirm Agreements
- Signatures
- Follow-up

Available Special Education Programs and Services

The LEA/district provides a range of special education programs and services for eligible students from birth through age 22. Please note: Eligible students can continue to receive special education and related services documented in the IEP until they receive a high school diploma -OR- they reach the age of 22.

Students receiving special education and related services will be educated with general education peers to the maximum extent appropriate. Students receiving special education support will be integrated as appropriate per their IEP into school activities and general education classroom activities.

Special education and related services will be provided on behalf of the Student, without cost, except for those fees that are charged to general education students. As appropriate, services will be provided in a setting as close to their homes and home school. Transportation may be considered as part of the IEP services.

Least Restrictive Environment

The Least Restrictive Environment (LRE) is the placement or program that best meets an individual student's needs. It does so with a minimum loss of contact with the general education curriculum, programs, and typically developing peers.

Below lists suggested considerations for an IEP team when determining a student's least restrictive environment:

Please note: Placement in the general education classroom is the first option the IEP team must consider for all students. If the IEP team decides that the Student can be educated satisfactorily in the general education classroom, then the general education classroom placement is the LRE for that Student.

- The Individuals with Disabilities Education Act (IDEA) strongly prefers educating students with disabilities in the general education classroom with appropriate aids and services.
- What supplementary aids and services would ensure that the Student's IEP can be appropriately implemented in the general education classroom?
- The IEP team may decide that the Student cannot be educated satisfactorily in the general education classroom, even when supplementary aids and services are provided. The IEP team must then consider other placements and services.
- A complete continuum of program options must be available within the LEA/district to the extent necessary to ensure the Student receives a Free Appropriate Public Education (FAPE). These might include: specialized academic instruction within general education classes, push-in/pull-out service delivery models, special day classes, special schools, teaching in hospitals and institutions, and home instruction
- The IEP team decides which services and programs are necessary for the Student, given the Student's individual needs as identified through assessment and the importance of being educated to the maximum extent appropriate for students who do not have disabilities.

Educational Setting

LEA/district members offer a range of special education programs to meet the instructional needs of students with disabilities, which are described below. Please get in touch with the school site for additional information regarding the special education programs offered at your LEA/district.

Push-in/Pull-out Specialized Academic Instruction

The Education Specialist provides services to students with mild to moderate disabilities. The Education Specialist focuses on assisting students in accessing the grade-level curriculum. Each Student receives specialized academic instruction (SAI) and support services in areas of specific need as indicated in their Individual Education Program (IEP). Services may be provided through a push-in model, where the service is provided in the general education class, and a pull-out of the general education class model, where the Student goes to a separate location to provide the services outlined in their IEP.

Special Day Class (SDC)

The Special Day Class setting provides services to students who require a higher level of individualized support(s) and service(s) than can be provided in the general education or Educational Specialist push-in/pull-out model. Typically, students in an SDC class require support for more than 50% of the Student's school day. The SDC program allows a student to receive core content instruction at an individualized level.

State Special Schools

The California Department of Education operates state Special Schools and services for students who are blind, visually impaired, deaf/blind, deaf, and hard of hearing. The schools are available for complete diagnostic workups and may be considered placement for specific individuals with unique needs. For additional information, please visit the following website: [State Special Schools and Services Division \(CDE.\)](#)

Non-Public Schools

A Non-Public School (NPS) is a specialized private school that provides Specialized Academic Instruction (SAI) for public school students with disabilities and is a private, nonsectarian school. They enroll students, as identified in an individualized education program (IEP), and must be certified by the CDE for your LEA to consider enrollment for a student. Any Individualized Education Program (IEP) team member, including the Parent (s)/guardian/guardian, may recommend that the IEP team consider placement in a non-public day school or a residential NPS.

Home and Hospital Instruction

Home and hospital instruction is to educate a student with a temporary disability in the Student's home, hospital, or other residential health facilities, excluding state hospitals. For additional information, please visit the following website: [Home and Hospital Instruction \(CDE\)](#)

Independent Study

Independent study aims to provide an alternative education program for all students across all grade levels. Independent study programs are voluntary and use alternative instructional strategies that respond to individual student needs and learning styles. Instruction may be provided at home, on a school site, or virtually. While a student participates in independent study, the LEA/district is responsible

for providing general education, special education, and related services as deemed appropriate by the IEP team.

Related Services

Related services support students in benefiting from their special education program and accessing the general education curriculum. Based on a student's individual assessed need(s), the following services may be specified in a student's Individual Education Program (IEP):

- Instruction and services in language and speech development and remediation
- Audiological services
- Interpreters for the Deaf
- Instruction and services in Orientation and Mobility (O&M)
- Adaptive Physical Education (APE)
- Physical Therapy (PT) or Occupational Therapy (OT)
- Low vision services and therapy
- Counseling and guidance services
- Psychological services
- Parent(s)/Guardian counseling and training
- Health and nursing services
- School social work services
- Specially designed vocational education and career development
- Transportation
- Specialized services for low-incidence disabilities

EDCOE Special Services

EDCOE Special Services operates various school-based special programs for students ages 3-22 with moderate to severe disabilities on behalf of the school districts in El Dorado County. Many students with significant delays can be appropriately served in less restrictive settings in their district of residence. All options within the neighborhood school or the district of residence should be considered before referring to a more restrictive placement. For more information on Special Service's programs please use this link: <https://edcoe.org/educational-services/special-services/program-services>

Program summaries are based on general descriptions – please consult with the Program Administrator to discuss individualized placements.

Infant Development

Special Services Infant Development Program supports families with children under three who have delays in one or more areas of development. We aim to work with families to create learning opportunities in everyday routines and activities and discover teachable moments. The program also works to provide information, community resources, and activities that address your child and family's needs. <https://edcoe.org/educational-services/special-services/infant-development-program>

Preschool Programs

Small class settings with lower adult-to-student ratios serve students with a wide range of abilities who typically need additional adult support in a classroom setting. These programs address the full range of school readiness skills, focusing on communication and behavior. Each session is 2.5 hours daily, with morning and afternoon sessions available. <https://edcoe.org/educational-services/child-development-services/preschool-programs>

There are also full inclusion programs for students with disabilities, which are co-located within our Child Development Programs. Students receive individualized support and modifications to participate successfully in all class activities. General and special education teachers collaborate and share lesson planning and instruction. Most students in this setting can participate successfully in large group activities with only moderate support and accommodations. Each session is 2.5 hours, with morning and afternoon sessions available.

Elementary School Programs

Our elementary school programs provide small class settings for students with moderate to severe disabilities, including Intellectual Disability, Orthopedic Impairments, Multiple Disabilities, and Autism. Students enrolled in these programs typically have limited language skills and may require high levels of support for activities of daily living. These classes focus on developing functional skills in academics, communication, and basic living skills while addressing behavioral deficits and social skill development. All classes use a modified curriculum aligned to State Standards and a supplemental curriculum as needed and participate in the California Alternate Assessment. Programs also provide opportunities for students to participate in meaningful experiences with their non-disabled peers.

Middle School Programs

Our middle school programs serve students with moderate to severe disabilities, including Intellectual Disability, Orthopedic Impairments, Multiple Disabilities, and Autism. Students enrolled in these programs typically have limited language skills and may require supervision and support for activities of daily living. These classes focus on developing functional skills in academics, communication, and basic living skills while addressing behavioral deficits and social skill development. Students participate in Community-Based Instruction (CBI) to generalize skills and develop community awareness. All classes use a modified curriculum aligned to State Standards and a supplemental curriculum as needed and participate in the California Alternate Assessment.

High School Programs

Our high school programs serve students with moderate to severe disabilities, including Intellectual Disability, Orthopedic Impairments, Multiple Disabilities, and Autism. The programs emphasize age-appropriate academic instruction, independent living skills, and social/vocational skills development. All classes use a modified curriculum aligned to State Standards and a supplemental curriculum as needed and participate in the California Alternate Assessment. Programs also provide opportunities for students to participate in meaningful experiences with their non-disabled peers by integrating into all aspects of campus life and participating in general education classes with additional adult support as appropriate.

Students in these programs participate in Community-Based Instruction (CBI) to generalize skills and develop community awareness. Work experience education and pre-vocational training are also incorporated into the daily schedule and may include on-campus work experience and career exploration.

Autism Programs (Preschool – 5th Grade)

EDCOE's Special Services Autism Program is designed for students whose primary disability is Autism, whose needs cannot be met in their neighborhood school, and who would benefit from highly structured classroom behavior management systems based on the principles of Applied Behavior Analysis (ABA) and the use of Evidence-Based Practices (EBPs). However, consideration can be made for students with dual eligibility. Determination is based on the severity of the Student's other needs and is done on a case-by-case basis. The elementary autism classes use curriculum(s) aligned to state standards (Rethink, Unique Learning Systems, or Able Net) and a supplemental curriculum as needed. Students participate in the California Alternate Assessment. Programs also provide opportunities for students to participate in meaningful experiences with their non-disabled peers.

LEAD Programs: Learning Emotional & Academic Determination (Grades 1-8)

The LEAD (Learning Emotional and Academic Determination) Program provides individualized and intensive social-emotional, behavioral, and academic support and services in therapeutically enriched classrooms. Many students who meet the requirements for an Emotional Disturbance (ED) eligibility are served appropriately in less restrictive settings in their district of residence. The LEAD Program is designed for students with significant social-emotional challenges who meet the Individuals with Disabilities Education Act's (IDEA) criteria for ED and whose needs cannot be met in their current placement. Considerations can be made for students with dual eligibility that includes Emotional Disturbance. With behavioral and therapeutic support, students enrolled in the LEAD Program can succeed on a comprehensive school campus. The ultimate goal of the LEAD Program is to support students in experiencing success at school and acquiring the necessary academic and interpersonal skills to successfully transition back to their neighborhood school and a less restrictive environment.

Adult Transition Programs

A young adult program for students with moderate disabilities, emphasizing independent living skills, vocational skills, and age-appropriate social and communication skills. There are many opportunities for CBI, and the program emphasizes work experience. Students can be relatively strong communicators with more developed social skills. Some students will live in semi-independent living situations after age 22, and some students will require relatively high levels of adult support that will likely continue after age 22.

Itinerant Low Incidence Service Referrals

Special Services Itinerant Low Incidence Services, including Deaf/Hard of Hearing, Orthopedic Impairments, and Vision Impairments.

If you have questions regarding any of these programs, please get in touch with Special Services at (530) 295-2227 and ask to speak with a Program Administrator.

Transition

Parent(s)/Guardian play an essential role in their Student's transition from the educational setting to the adult living and working world. Although the formal process of transition planning is not required of a school until after the Student turns 15 and before the Student's 16th birthday, it is helpful for Parent(s)/Guardian to begin exploring the topic much sooner.

Transition, regarding individuals receiving special education services, is defined as a coordinated set of activities for a student with a disability that:

- It is designed to be within a results-oriented process focused on improving the academic and functional achievement of the Student to facilitate the Student's movement from school to post-school activities. These would include postsecondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation;
- It is based on the individual Student's needs, considering the Student's strengths, preferences, and interests; and
- Includes instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and, if appropriate, acquisition of daily living skills and functional vocational evaluation.

(Americans With Disabilities Act of 1990, 42 USC § 12101 *et seq.* (1990).
<https://www.ada.gov/pubs/adastatute08.htm>)

As a student with disabilities moves into their teen years, the Individualized Education Program (IEP) focuses more on their interests and what they hope for in the future. According to the Individuals with Disabilities Education Act (IDEA), the IEP team, including the Parent(s)/Guardian, must create a Transition Individualized Education Program (Transition IEP) to support those interests. IDEA requires Parent(s)/Guardians and students to be involved in all aspects of transition planning and decision-making.

The Transition IEP must:

- State the Student's postsecondary goals (what they hope to achieve after leaving high school);
- Be broken down into annual IEP goals that represent the steps along the way that the Student needs to take while still in high school to get ready for achieving the postsecondary goals after high school; and
- Detail the transition services that the Student will receive to support their achieving the IEP goals.

The IEP team may explore the areas listed below to determine what types of transition-related supports and services a student with a disability may need. Planning in each of these areas and developing annual goals and related services for the Student can significantly assist that Student in preparing for life after high school.

The Domains of Adulthood to Consider

- Postsecondary education
- Vocational education
- Integrated employment (including supported employment)
- Continuing and adult education
- Adult services
- Independent living
- Community participation

Types of Activities to Consider

- Instruction
- Related services
- Community experiences
- The development of employment and other post-school adult living objectives
- If appropriate, acquisition of daily living skills and provision of a functional vocational evaluation.

Part of the IEP team's responsibility is determining the agencies from which a student may receive support or services as an adult. The team may request their attendance at the IEP meeting. An agency may or may not choose to attend:

- Community College or University Representative
- County Mental Health Services
- Department of Rehabilitation
- Employment Development Department
- Medicare

- Regional Disability Support Centers
- Regional Occupational Programs
- Social Security Administration
- Community or State Department of Intellectual/Developmental Disabilities
- Disability Support Organizations (e.g., ARC, Warmline, UCP)
- Community Home Based Service agencies (group home agencies, transportation services)

The Transition IEP must

- Actively involve the Student, family, and representatives from whatever post-school services, supports, or programs will be necessary for the Student to be successful when they exit the school.
- Include an Individual Transition Plan (ITP) that is a "coordinated" effort between the Student, family, school, and the necessary post-school services and supports, adult agencies, or programs.

The Transition Plan

- It is a long-range plan for the Student's adult life
- Is person-centered with direct input by the Student
- Is not to be completed in one year
- It is not achieved only by school staff
- Includes all the activities that will prepare the Student to make their dreams for the future a reality
- Ways a student can be involved in the transition
- Participate in workshops on how to parent(s)/Guardian or help an adolescent with a disability during the transition years.
- Participate in events at school where students with disabilities share their experiences (for example, a high school student telling middle school students what to expect in high school).
- Participate in general school meetings such as back-to-school nights or meetings for a Parent(s)/Guardian-teacher organization.
- Participate with the school in encouraging students to make their own decisions and develop self-advocacy skills (for example: selecting courses to take; making career choices).
- Participate in Parent(s)/Guardian/Teacher discussions about how a student learns best at home so the Student can practice good learning habits at school and home (for example, memory tricks).
- Participate in transition workshops at school on transition topics for Parent(s)/Guardians (for example, postsecondary planning, financial planning, financial aid for students with disabilities, and guardianship).
- Read the school newsletters about transition activities.
- Participate as a volunteer to help find community opportunities for students with disabilities (for example, community service or work sites).
- Participate in school-Parent(s)/Guardian partnerships by serving on an advisory board and making decisions about program development, improvement, and use of resources.
- Participate in informal family school events, such as social events that build communication and relationships (for example, open houses).
- Utilize the school website that offers information for parent(s)/guardians (including special education and transition information).

- Participate in school field trips to adult service providers and community agencies (Department of Rehabilitation and work support agencies).
- Complete a family questionnaire for the school that provides information about the Student's current performance and your dreams for the future.
- Participate in family learning activities such as class assignments that the Student does at home with the family (for example, survey three people about their jobs or plans for college).
- Participate in informal preliminary planning sessions with the Student and the school to discuss progress and plans before writing IEP goals (for example, person-centered planning and conversation on dreams for the future).
- Participate in groups that come together to discuss the needs of families during high school transition, their views of what works, and offer advice for LEA/District.
- Attend an adult services fair/forum where you speak with representatives of service providers to get information about future options for local adult services, services at local colleges, and support groups for adults with disabilities.
- Participate in college fairs/forums where Parent(s)/Guardians/Student can speak to representatives from those colleges or universities and hear what college life will be like for the Student.

Many other resources are available within the community to enhance a Student's life as they move into adulthood. The Student's school and the transition team will assist with referrals and resources.

Notice of Procedural Safeguards

Special Education Rights of Parent(s)/guardians and Children Under the Individuals with Disabilities Education Act, Part B, and the California Education Code

Revised June 2022

Note: The term school district is used throughout this document to describe any public education agency responsible for providing your child's special education program. The term assessment is used to mean evaluation or testing. Federal and State laws are cited throughout this notice using English abbreviations, which are explained in a glossary at the end of this notification.

What is the Notice of Procedural Safeguards?

This information provides you as Parent (s)/guardians, legal guardians, and surrogate Parent (s)/guardians of children with disabilities from 3 years of age through age 21 and students who have reached age 18, the age of majority, with an overview of your educational rights or procedural safeguards.

The Notice of Procedural Safeguards is required under the Individuals with Disabilities Education Act (IDEA) and must be provided to you:

- When you ask for a copy
- The first time your child is referred for a special education assessment
- Each time you are given an assessment plan to evaluate your child
- Upon receipt of the first State or due process complaint in a school year, and
- When the decision is made to make a removal that constitutes a change of placement

(20 *United States Code [USC]* Section 1415[d]; 34 *Code of Federal Regulations [CFR]* Section 300.504; *California Education Code [EC]* Section 56301[d] [2], *EC* Section 56321, and *EC* Section 56341.1[g] [1])

What is the IDEA?

IDEA is a federal law that requires school districts to provide a "free appropriate public education" (FAPE) to eligible children with disabilities. A free appropriate public education means that special education and related services are to be provided as described in an individualized education program (IEP) and under public supervision to your child at no cost to you.

May I participate in decisions about my child's education?

You must be given the opportunity to participate in any decision-making meeting regarding your child's special education program. You have the right to participate in IEP team meetings about the identification (eligibility), assessment, or educational placement of your child and other matters relating to your child's FAPE. (20 *USC* Section 1414[d] [1]B–[d][1][D]; 34 *CFR* Section 300.321; *EC* Section 56341[b], and *EC* Section 56343[c])

The parent(s)/guardian or guardian, and the local educational agency (LEA), has the right to participate in the development of the IEP and to initiate their intent to electronically audiotape the proceedings of the IEP team meetings. At least 24 hours prior to the meeting, the parent(s)/guardian or Guardian shall notify the members of the IEP team of their intent to record a meeting. If the parent(s)/guardian or Guardian does not consent to the LEA audiotape recording an IEP meeting, the meeting shall not be recorded on an audiotape recorder.

Your rights include information about the availability of FAPE, including all program options, and all available alternative programs, both public and non-public. (20 USC sections 1401[3], and 1412[a][3]; 34 CFR Section 300.111; EC sections 56301, 56341.1[g][1], and 56506)

Where can I get more help?

When you have a concern about your child's education, it is important that you contact your child's teacher or administrator to talk about your child and any problems you see. Staff in your school district or special education local plan area (SELPA) may answer questions about your child's education, your rights, and procedural safeguards. Also, when you have a concern, this informal conversation often solves the problem and helps to maintain open communication.

You may also want to contact one of the California Parent(s)/Guardian organizations such as the Family Empowerment Centers on Disability (FECs) or the Parent(s)/Guardian Training and Information Centers (PTICs) located across the State. These organizations were established to increase collaboration between Parent (s)/guardians and educators to improve the educational system and provide information, training, and additional resources for families of students and young adults with disabilities. Contact information for these organizations is found on the California Department of Education (CDE) Special Education California Parent(s)/guardian Organizations web page at <https://www.cde.ca.gov/sp/se/qa/caprntorg.asp>.

Additional resources are listed at the end of this document to help you understand the procedural safeguards.

What if my child is deaf, hard of hearing, blind, visually impaired, or deafblind?

The State Special Schools provide services to students who are deaf, hard of hearing, blind, visually impaired, or deafblind at each of its three facilities: the California Schools for the Deaf in Fremont and Riverside and at the California School for the Blind in Fremont. Residential and day school programs are offered to students from infancy to age 21 at both State Schools for the Deaf. Such programs are offered to students aged 5 through 21 at the California School for the Blind. The State Special Schools also offer assessment services and technical assistance. For more information about the State Special Schools, please visit the CDE, State Special Schools web page at <https://www.cde.ca.gov/sp/ss/index.asp>, or ask for more information from the members of your child's IEP team.

Notice, Consent, Assessment, Surrogate Parent(s)/Guardian Appointment, and Access to Records

Prior Written Notice

When is a notice needed?

This notice must be given when the school district proposes or refuses to initiate a change in the identification, assessment, or educational placement of your child with special needs or the provision of a FAPE. (20 USC sections 1415[b][3] and (4), 1415[c][1], and 1414[b][1]; 34 CFR Section 300.503; EC sections 56329 and 56506[a])

The school district must inform you about proposed evaluations of your child in a written notice or an assessment plan within 15 days of your written request for evaluation. The notice must be understandable and in your native language or other mode of communication unless it is clearly not feasible to do so. (34 CFR Section 300.304; EC Section 56321)

What will the notice tell me?

The prior written notice must include the following:

1. A description of the actions proposed or refused by the school district
2. An explanation of why the action was proposed or refused
3. A description of each assessment procedure, record, or report the agency used as a basis for the action proposed or refused
4. A statement that Parent (s)/guardians of a child with a disability have protection under the procedural safeguards
5. Sources for Parent (s)/guardians to contact to obtain assistance in understanding the provisions of this part
6. A description of other options that the IEP team considered and the reasons those options were rejected; and
7. A description of any other factors relevant to the action proposed or refused. (20 USC sections 1415[b][3] and [4], 1415[c][1], and 1414[b][1]; 34 CFR Section 300.503)

Parent(s)/Guardian Consent

When is my approval required for assessment?

You have the right to refer your child for special education services. You must give informed, written consent before your child's first special education assessment can proceed. The parent(s)/guardian has at least 15 days from the receipt of the proposed assessment plan to arrive at a decision. The assessment may begin immediately upon receipt of the consent and must be completed, and an IEP developed within 60 days of your consent.

When is my approval required for services?

You must give informed, written consent before your school district can provide your child with special education and related services.

What are the procedures when a parent(s)/guardian does not provide consent?

If you do not provide consent for an initial assessment or fail to respond to a request to provide the consent, the school district may pursue the initial assessment by utilizing due process procedures.

If you refuse to consent to the initiation of services, the school district must not provide special education and related services and shall not seek to provide services through due process procedures.

If you consent in writing to the special education and related services for your child but do not consent to all of the components of the IEP, those components of the program to which you have consented must be implemented without delay.

If the school district determines that the proposed special education program component to which you do not consent is necessary to provide a FAPE to your child, a due process hearing must be initiated. If a due process hearing is held, the hearing decision shall be final and binding.

In the case of reevaluations, the school district must document reasonable measures to obtain your consent. If you fail to respond, the school district may proceed with the reevaluation without your consent. (20 USC sections 1414[a][1][D] and 1414[c]; 34 CFR Section 300.300; EC sections 56506[e], 56321[c] and [d], and 56346).

When may I revoke consent?

If at any time subsequent to the initial provision of special education and related services, the Parent (s)/guardian of a child revokes consent in writing for the continued provision of special education and related services, the public agency:

1. May not continue to provide special education and related services to the child, but must provide prior written notice in accordance with 34 *CFR* Section 300.503 before ceasing such services
2. May not use the procedures in subpart E of Part 300 34 *CFR* (including the mediation procedures under 34 *CFR* Section 300.506 or the due process procedures under 34 *CFR* Sections 300.507 through 300.516) in order to obtain agreement or a ruling that the services may be provided to the child
3. Will not be considered to be in violation of the requirement to make a FAPE available to the child because of the failure to provide the child with further special education and related services
4. Is not required to convene an IEP team meeting or develop an IEP under 34 *CFR* sections 300.320 and 300.324 for the child for further provision of special education and related services

Please note, in accordance with 34 *CFR* Section 300.9 (c)(3), that if the Parent (s)/guardians revoke consent in writing for their child's receipt of special education services after the child is initially provided special education and related services, the public agency is not required to amend the child's education records to remove any references to the child's receipt of special education and related services because of the revocation of consent.

Surrogate Parent(s)/Guardian Appointment

What if a Parent(s)/Guardian cannot be identified or located?

School districts must ensure that an individual is assigned to act as a surrogate parent(s)/Guardian for the Parent (s)/guardians of a child with a disability when a parent(s)/guardian cannot be identified, and the school district cannot discover the whereabouts of a parent(s)/Guardian.

A surrogate parent(s)/Guardian may also be appointed if the child is an unaccompanied homeless youth, an adjudicated dependent or ward of the court under the state Welfare and Institution Code and is referred to special education or already has an IEP. (20 *USC* Section 1415[b][2]; 34 *CFR* Section 300.519; *EC* Section 56050; *Government Code* Section 7579.5 and 7579.6)

Nondiscriminatory Assessment

How is my child assessed for special education services?

You have the right to have your child assessed in all areas of suspected disability. Materials and procedures used for assessment and placement must not be racially, culturally, or sexually discriminatory.

Assessment materials must be provided, and the test administered in your child's native language or mode of communication and in the form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to so provide or administer.

No single procedure can be the sole criterion for determining eligibility and developing FAPE for your child. (20 USC sections 1414[b][1]–[3], 1412[a][6][B]; 34 CFR Section 300.304; EC sections 56001[j] and 56320)

Independent Educational Evaluations

May my child be tested independently at the district's expense?

If you disagree with the results of the assessment conducted by the school district, you have the right to ask for and obtain an independent educational assessment for your child from a person qualified to conduct the assessment at public expense.

The Parent(s)/Guardian is entitled to only one independent educational evaluation at public expense each time the public agency conducts an evaluation with which the parent(s)/guardian disagrees.

The school district must respond to your request for an independent educational assessment and provide you with information about where to obtain an independent educational assessment.

If the school district believes that the district's assessment is appropriate and disagrees that an independent assessment is necessary, the school district must request a due process hearing to prove that its assessment was appropriate. If the district prevails, you still have the right to an independent assessment but not at public expense. The IEP team must consider independent assessments.

District assessment procedures allow in-class observation of students. If the school district observes your child in his or her classroom during an assessment, or if the school district would have been allowed to observe your child, an individual conducting an independent educational assessment must also be allowed to observe your child in the classroom.

If the school district proposes a new school setting for your child and an independent educational assessment is being conducted, the independent assessor must be allowed to first observe the proposed new setting. (20 USC sections 1415[b][1] and [d][2][A]; 34 CFR Section 300.502; EC Section 56329[b] and [c])

Access to Educational Records

May I examine my child's educational records?

You have a right to inspect and review all of your child's education records without unnecessary delay, including prior to a meeting about your child's IEP or before a due process hearing. The school district must provide you with access to records and copies, if requested, within five **business** days after the request has been made orally or in writing. (EC sections 49060, 56043[n], 56501[b][3], and 56504)

How Disputes Are Resolved

Due Process Hearing

When is a due process hearing available?

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. (20 *USC* Section 1415[b][6]; 34 *CFR* Section 300.507; *EC* sections 56501 and 56505[1])

Mediation and Alternative Dispute Resolution

May I request mediation or an alternative way to resolve the dispute?

A request for mediation may be made either before or after a request for a due process hearing is made. You may ask the school district to resolve disputes through mediation or alternative dispute resolution (ADR), which is less adversarial than a due process hearing. The ADR and mediation are voluntary methods of resolving a dispute and may not be used to delay your right to a due process hearing.

What is a pre-hearing mediation conference?

You may seek resolution through mediation prior to filing a request for a due process hearing. The conference is an informal proceeding conducted in a non-adversarial manner to resolve issues relating to the identification, assessment, or educational placement of a child or to a FAPE.

At the prehearing mediation conference, the Parent(s)/Guardian or the school district may be accompanied and advised by non-attorney representatives and may consult with an attorney prior to or following the conference. However, requesting or participating in a prehearing mediation conference is not a prerequisite to requesting a due process hearing.

All requests for a prehearing mediation conference shall be filed with the Superintendent of the Office of Administrative Hearings (OAH). The party initiating a prehearing mediation conference by filing a written request with the Superintendent of the OAH shall provide the other party to the mediation with a copy of the request at the same time the request is filed.

The prehearing mediation conference shall be scheduled within 15 days of receipt by the Superintendent of the OAH of the request for mediation and shall be completed within 30 days after receipt of the request for mediation unless both parties agree to extend the time. If a resolution is reached, the parties shall execute a legally binding written agreement that sets forth the resolution. All discussions during the mediation process shall be confidential. All prehearing mediation conferences shall be scheduled in a timely manner and held at a time and place reasonably convenient to the parties. If the issues fail to be resolved to the satisfaction of all parties, the party who requested the mediation conference has the option of filing for a due process hearing. (*EC* sections 56500.3 and 56503)

Due Process Rights

What are my due process rights?

You have a right to:

1. Have a fair and impartial administrative hearing at the state level before a person who is knowledgeable of the laws governing special education and administrative hearings (20 *USC* sections 1415[f][1][A], and 1415[f][3][A]-[D]; 34 *CFR* Section 300.511; *EC* Section 56501[b][4])
2. Be accompanied and advised by an attorney and/or individuals who have knowledge about children with disabilities (*EC* Section 56505 [e][1])
3. Present evidence, written arguments, and oral arguments (*EC* Section 56505[e][2])
4. Confront, cross-examine, and require witnesses to be present (*EC* Section 56505[e][3])
5. Receive a written or, at the option of the Parent (s)/Guardian, an electronic verbatim record of the hearing, including findings of fact and decisions (*EC* Section 56505[e][4])
6. Have your child present at the hearing (*EC* Section 56501[c][1])
7. Have the hearing be open or closed to the public (*EC* Section 56501[c][2])
8. Receive a copy of all documents, including assessments completed by that date and recommendations, and a list of witnesses and their general area of testimony within five (5) business days before a hearing (*EC* sections 56505[e][7] and 56043[v])
9. Be informed by the other parties of the issues and their proposed resolution of the issues at least ten (10) calendar days prior to the hearing (*EC* Section 56505[e][6])
10. Have an interpreter provided (*California Code of Regulations*, Title 5 (5 *CCR*) Section 3082[d])
11. Request an extension of the hearing timeline (*EC* Section 56505[f][3])
12. Have a mediation conference at any point during the due process hearing (*EC* Section 56501[b][2]), and
13. Receive notice from the other party at least ten days prior to the hearing that the other party intends to be represented by an attorney (*EC* Section 56507[a]). (20 *USC* Section 1415[e]; 34 *CFR* sections 300.506, 300.508, 300.512 and 300.515)

Filing a Written Due Process Complaint

How do I request a due process hearing?

You need to file a written request for a due process hearing. You or your representative needs to submit the following information in your request:

1. Name of the child
2. Address of the residence of the child
3. Name of the school the child is attending
4. In the case of a homeless child, available contact information for the child and the name of the school the child is attending, and
5. A description of the nature of the problem, including facts relating to the problem(s) and a proposed resolution of the problem(s)

Federal and State laws require that either party filing for a due process hearing must provide a copy of the written request to the other party. (20 USC sections 1415[b][7], and 1415[c][2]; 34 CFR Section 300.508; EC Section 56502[c][1])

Prior to filing for a due process hearing, the school district shall be provided the opportunity to resolve the matter by convening a resolution session, which is a meeting between the Parent (s)/guardians and the relevant members of the IEP team who have specific knowledge of the facts identified in the due process hearing request. (20 USC Section 1415[f][1][B]; 34 CFR Section 300.510)

What does a resolution session include?

Resolution sessions shall be convened within 15 days of receiving notice of the Parent (s)/guardians' due process hearing request. The sessions shall include a representative of the school district who has decision-making authority and not include an attorney of the school district unless the parent(s)/guardian is accompanied by an attorney. The Parent (s)/guardian of the child may discuss the due process hearing issue and the facts that form the basis of the due process hearing request.

The resolution session is not required if the parent(s)/guardian and the school district agree in writing to waive the meeting. If the school district has not resolved the due process hearing issue within 30 days, the due process hearing may occur. If a resolution is reached, the parties shall execute a legally binding agreement. (20 USC Section 1415[f][1][B]; 34 CFR Section 300.510)

Does my child's placement change during the proceedings?

The child involved in any administrative or judicial proceeding must remain in the current educational placement unless you and the school district agree on another arrangement. If you are applying for initial admission of your child to a public school, your child will be placed in a public-school program with your consent until all proceedings are completed. (20 USC Section 1415[j]; 34 CFR Section 300.518; EC Section 56505[d])

May the decision be appealed?

The hearing decision is final and binding on both parties. Either party may appeal the hearing decision by filing a civil action in state or federal court within 90 days of the final decision. (20 USC sections 1415[i][2] and [3][A], and 1415[l]; 34 CFR Section 300.516; EC Section 56505[h] and [k], EC Section 56043[w])

Who pays for my attorneys' fees?

In any action or proceeding regarding the due process hearing, the court, in its discretion, may award reasonable attorneys' fees as part of the costs to you as Parent (s)/guardian of a child with a disability if you are the prevailing party in the hearing. Reasonable attorneys' fees may also be made following the conclusion of the administrative hearing, with the agreement of the parties. (20 USC Section 1415[i][3][B]–[G]; 34 CFR Section 300.517; EC Section 56507[b])

Fees may be reduced if any of the following conditions prevail:

1. The court finds that you unreasonably delayed the final resolution of the controversy
2. The attorneys' hourly fees exceed the prevailing rate in the community for similar services by attorneys of reasonably comparable skill, reputation, and experience
3. The time spent and legal services provided were excessive, or
4. Your attorney did not provide the school district the appropriate information in the due process request notice.

Attorneys' fees will not be reduced, however, if the court finds that the State or the school district unreasonably delayed the final resolution of the action or proceeding or that there was a violation of this section of law. (20 USC Section 1415[i][3][B]–[G]; 34 CFR Section 300.517)

Attorneys' fees relating to any meeting of the IEP team may not be awarded unless an IEP team meeting is convened as a result of a due process hearing proceeding or judicial action. Attorneys' fees may also be denied if you reject a reasonable settlement offer made by the district/public agency 10 days before the hearing begins and the hearing decision is not more favorable than the offer of settlement. (20 USC Section 1415[i][3][B]–[G]; 34 CFR Section 300.517)

To obtain more information or to file for mediation or a due process hearing, contact:

[Office of Administrative Hearings
Attention: Special Education Division
2349 Gateway Oaks Drive, Suite 200
Sacramento, CA 95833-4231
Phone: 916-263-0880
Fax: 916-263-0890]

The OAH can also be contacted by email using the Secure e-File Transmission (SFT) system. The SFT may be found on OAH's website at <https://www.applications.dgs.ca.gov/OAH/oahSFTWeb>

School Discipline and Placement Procedures for Students with Disabilities

School Discipline and Alternative Interim Educational Settings

May my child be suspended or expelled?

School personnel may consider any unique circumstances on a case-by-case basis when determining whether a change in placement is appropriate for a child with a disability who violates a code of student conduct from his or her setting to:

- An appropriate interim alternative education setting, another setting, or suspension for not more than 10 consecutive school days
- Additional removals of not more than 10 consecutive school days in the same school year for separate incidents of misconduct

What occurs after a removal of more than 10 days?

After a child with a disability has been removed from his or her current placement for 10 school days in the same school year, during any subsequent days of removal the public agency must provide services to enable the child to continue to participate in the general education curriculum and progress toward meeting the goals set out in the child's IEP. Also, a child will receive, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications, which are designed to address the behavior violation so that it does not recur.

If a child exceeds 10 days in such a placement, an IEP team meeting must be held to determine whether the child's misconduct is caused by the disability. This IEP team meeting must take place immediately, if possible, or within 10 days of the school district's decision to take this type of disciplinary action.

As a Parent(s)/Guardian you will be invited to participate as a member of this IEP team. The school district may be required to develop an assessment plan to address the misconduct or, if your child has a behavior intervention plan, review and modify the Plan as necessary.

What happens if the IEP team determines that the misconduct is not caused by the disability?

If the IEP team concludes that the misconduct was not a manifestation of the child's disability, the school district may take disciplinary action, such as expulsion, in the same manner as it would for a child without a disability. (20 USC Section 1415[k][1] and [7]; 34 CFR Section 300.530)

If you disagree with the IEP team's decision, you may request an expedited due process hearing, which must occur within 20 school days of the date on which you requested the hearing. (20 USC Section 1415[k][2]; 34 CFR Section 300.531[c])

Regardless of the setting the school district must continue to provide FAPE for your child. Alternative educational settings must allow the child to continue to participate in the general curriculum and ensure continuation of services and modifications detailed in the IEP. (34 CFR Section 300.530; EC Section 48915.5[b])

Children Attending Private School

May students who are placed in private schools by Parents/Guardians participate in publicly funded special education programs?

Children who are enrolled by their Parent(s)/Guardians in private schools may participate in publicly funded special education programs. The school district must consult with private schools and with Parent(s)/Guardians to determine the services that will be offered to private school students. Although school districts have a clear responsibility to offer FAPE to students with disabilities, those children, when placed by their Parent(s)/Guardian in private schools, do not have the right to receive some or all the special education and related services necessary to provide FAPE. (20 USC Section 1415[a][10][A]; 34 CFR sections 300.137 and 300.138; EC Section 56173)

If a Parent(s)/Guardian of an individual with exceptional needs who previously received special education and related services under the authority of the school district enrolls the child in a private elementary school or secondary school without the consent of or referral by the local educational agency, the school district is not required to provide special education if the district has made FAPE available. A court or a due process hearing officer may require the school district to reimburse the Parent (s)/Guardian or Guardian for the cost of special education and the private school only if the court or due process hearing officer finds that the school district had not made FAPE available to the child in a timely manner prior to that enrollment in the private elementary school or secondary school and that the private placement is appropriate. (20 USC Section 1412[a][10][C]; 34 CFR Section 300.148; EC Section 56175)

When may reimbursement be reduced or denied?

The court or hearing officer may reduce or deny reimbursement if you did not make your child available for an assessment upon notice from the school district before removing your child from public school. You may also be denied reimbursement if you did not inform the school district that you were rejecting the special education placement proposed by the school district, including stating your concerns and intent to enroll your child in a private school at public expense.

Your notice to the school district must be given either:

- At the most recent IEP team meeting you attended before removing your child from the public school, or
- In writing to the school district at least 10 business days (including holidays) before removing your child from the public school. (20 USC Section 1412[a][10][C]; 34 CFR Section 300.148; EC Section 56176)

When may reimbursement not be reduced or denied?

A court or hearing officer must not reduce or deny reimbursement to you if you failed to provide written notice to the school district for any of the following reasons:

- The school prevented you from providing notice
- You had not received a copy of this Notice of Procedural Safeguards or otherwise been informed of the requirement to notify the district
- Providing notice would likely have resulted in physical harm to your child
- Illiteracy and inability to write in English prevented you from providing notice, or

- Providing notice would likely have resulted in serious emotional harm to your child
- (20 USC Section 1412[a] [10] [C]; 34 CFR Section 300.148; EC Section 56177)

State Complaint Procedures

When may I file a state compliance 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 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. (34 CFR Section 300.151–153; 5 CCR Section 4600)

Complaints alleging violations of federal, and state special education laws or regulations may be mailed to:

[California Department of Education
Special Education Division
Complaint Support Unit
1430 N Street, Suite 2401
Sacramento, CA 95814]

You may also email your complaint to speceducation@cde.ca.gov

For complaints involving issues not covered by federal or State special education laws or regulations, consult your district's uniform complaint procedures.

To obtain more information about dispute resolution, including how to file a complaint, contact the CDE, Special Education Division, Complaint Support Unit, by telephone at 800-926-0648; by fax at 916-327-3704; or by visiting the CDE, Special Education web page at <https://www.cde.ca.gov/sp/se/index.asp>.

Senate Bill 511, Family Empowerment Centers

Background

The Family Empowerment Centers (FECs) were established in 2001 by enactment of Chapter 690 of the Statutes of 2001 (Senate Bill 511, Alpert), enacted as *Education Code (EC) 56400-56415*. The FECs provide services to families with children with disabilities ages three to twenty-two. The intent of the legislature is to ensure that Parent (s)/guardians, guardians, and families of children and young adults with disabilities have access to accurate information, specialized training, and peer-to-peer support.

Organization	Counties Served	Website
Plumas Rural Services, Inc.	Lassen, Modoc, Plumas, Sierra	https://www.plumasruralservices.org/
Rowell Family Empowerment of Northern California (RFENC)	Butte, Glenn, Shasta, Siskiyou, Tehama, Trinity	https://rfenc.org/Home/
South Central Los Angeles Regional Center (McClaney Family Resource Center)	Los Angeles (South Los Angeles including: Watts, Leimert Park, Florence/Firestone, West Adams, Bell, Bell Gardens, Compton, Cudahy, Downey, Huntington Park, Lynwood, Maywood, Vernon, South Gate, North Carson, Gardena, Paramount)	https://sclarc.org/
Special Kids Connect	Monterey	https://specialkidsconnect.org/
Special Parent(s)/guardians Information Network (SPIN)	San Benito, Santa Cruz	https://www.spinsc.org/
Support for Families of Children with Disabilities	San Francisco	https://www.supportforfamilies.org/
Team of Advocates for Special Kids, Inc. (TASK)	Orange	https://taskca.org/
Team of Advocates for Special Kids, Inc. (TASK)	Los Angeles (Artesia, Avalon, Bellflower, Carson, Cerritos, Harbor City, Harbor Gateway, Hawaiian Gardens, Hermosa Beach, Lakewood, Lomita, Long Beach, Manhattan Beach, Norwalk, Palos Verdes Estates, Rancho, Palos Verdes, Rolling Hills, San Pedro, Signal Hill, Torrance, Wilmington)	https://taskca.org/
Team of Advocates for Special Kids, Inc. (TASK)	Los Angeles (Signal Hill, Long Beach, Catalina Island)	https://taskca.org/
Team of Advocates for Special Kids, Inc. (TASK)	Los Angeles (Lakewood, East Lakewood, Hawaiian Gardens, Bellflower, Norwalk/Little Lake, Artesia, Cerritos)	https://taskca.org/
Warmline Family Resource Center	Alpine, El Dorado, Nevada, Placer, Sacramento, Yolo	http://www.warmlinefrc.org/
Westside Family Resource Center	West Los Angeles	http://wfrec.org/

Glossary of Abbreviations Used in This Notification

ADR: Alternative Dispute Resolution
 CFR: *Code of Federal Regulations*
 EC: *California Education Code*
 FAPE: Free Appropriate Public Education
 FEC: Family Empowerment Center on Disability
 IDEA: Individuals with Disabilities Education Act
 IEP: Individualized Education Program
 PTIC: Parent(s)/guardian Training and Information Center
 OAH: Office of Administrative Hearings
 SELPA: Special Education Local Plan Area
 USC: *United States Code*

Parent(s)/Guardians' Record Keeping

The Parent(s)/Guardian of a child with special needs will gather much information about their child from various professionals and service agencies. Record keeping is not mandatory for Parent (s)/Guardians of students with disabilities, but good records prove to be helpful in day-to-day contact.

It may be helpful to have information on the following categories:

Family History: This may include the child's birth date, place of birth, parent(s)/guardian(s) name(s), address, phone number, and family history.

Developmental History of the Child: This may include the mother's health during pregnancy and any unusual circumstances at birth. It may also include milestones and at what age the child reached them.

Medical History and Reports: This may include information on the child and family health history, nature of serious illnesses and operations, record of the child's immunization, and medications taken.

Educational History: This may include names and dates of schools attended, copies of IEPs, test results, and progress reports.

Services Received from Other Agencies: This may include copies of records from other agencies that may have had contact with the child.

Correspondence: Keep copies of all correspondence written and received by the Parent (s)/Guardian.

Section 504

Section 504 of the Rehabilitation Act of 1973 applies to persons with suspected physical or mental impairments. A 504 plan is a general education function and is not under the same requirements as an IEP. It is a civil rights act that protects the civil and constitutional rights of persons with disabilities. It

states that no person with a disability can be excluded from or denied benefits of any program receiving or benefiting from federal financial assistance.

Definition of Disability

A person is considered to have a disability within the definition of Section 504 if they:

- have a mental or physical impairment that substantially limits one or more of such person's major life activities
- have a history of such impairments; or
- are regarded as having such an impairment

School staff should consider the potential existence of a disability and possible Section 504 protections if the Student has been diagnosed, for example, with:

- Anxiety/Mood Disorders
- ADHD
- Communicable diseases
- Blood/sugar disorders
- Heart deficits

Definition of Major Life Activity

"Major life activities" include caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. When a condition does not substantially limit a major life activity, the individual does not qualify for a Section 504 plan.

LEA/District Responsibility for a 504 Plan

When an LEA/district has reason to believe that because of an impairment as defined under Section 504, if a student needs special accommodations or services in the general education setting to participate in the school program, the district must evaluate the Student. If it is determined that a student has a disability under Section 504, the LEA/district must develop and implement the delivery of all needed services and/or accommodations. Section 504 falls under the responsibility of the *general education program*.

Reasonable Accommodations









Section 504 requires a written plan that is reviewed annually, describing placement and services. Placement decisions must be based upon information drawn from various sources, and all information must be considered. A group must make the placement decisions of persons knowledgeable about the Student, the meaning of the evaluation data, and placement options. All group members, including parent(s)/guardians, must sign the "Section 504 Plan." Some examples of reasonable accommodations are:

Untimed or extended time for assessment and/or assignments;

- Provision of readers;
- Provision of audio textbooks,
- Changes in the way tests are given; and/or
- Allow for a verbal response.



El Dorado County District Information

District	Phone Number	QR Code
Black Oak Mine Unified School District	530-333-8320	 SCAN ME
Buckeye Union School District	916-985-2183	 SCAN ME
Camino Union School District	530-644-4452	 SCAN ME
El Dorado Union High School District	530-622-5081	 SCAN ME
El Dorado County Office of Education, Special Services	530-295-2227	 SCAN ME
El Dorado County Office of Education, SELPA	530-295-2476	 SCAN ME
Gold Oak Union School District	530-626-3150	 SCAN ME
Gold Trail Union School District	530-626-2595	 SCAN ME

Indian Diggings School District	530-620-6570	
Latrobe School District	530-677-0260	
Mother Lode Union School District	530-622-6464	
Pioneer Union School District	530-620-3556	
Placerville Union School District	530-622-7216	
Pollock Pines/Silver Fork School District	530-644-5416	
Rescue Union School District	530-672-4804	