



Partners in Lifelong Support

# Guide to Your Child's School Years





# Lanterman Regional Center’s Guide to Your Child’s School Years

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## Introduction

A child's school years begin when he or she turns 3 and makes the very important transition into school. This is his or her entry into a new era of growth and discovery, during which the child will gain new skills and knowledge that will help him or her develop academically and learn social and cultural behaviors and life skills that teach them how to be a part of their communities. School also provides a natural place to foster friendships, independence, acceptance and inclusion.

This is also the time when responsibility shifts from Lanterman's Early Intervention Unit to a unit specializing in school-age children, ages 3 to 16. The primary responsibility for many of the services the child receives also shifts from the Regional Center to the school.

The purpose of this booklet is to provide parents with the resources to help them make the most of their child's school years. This booklet begins with a brief review of the changes that occur when a child turns 3. A large part of the booklet is then devoted to a discussion of special education and how a child and his or her family can make the most of the school years. The booklet then discusses the educational program that guides a child's education, including how it is developed, implemented and modified, and it addresses the rights and responsibilities that parents have with regard to their child's education. Finally, the booklet talks about inclusion and also presents some of the steps that parents can take during their child's early school years to better prepare him or her to take on responsibilities, and to better prepare themselves to be an effective advocate for their child. Many of the things we discuss are appropriate for inclusion in a child's Individualized Education Program.

*Lanterman has a separate booklet that addresses the specific transition that takes place at age 3, including what happens in the months prior to turning 3, as well as tips and strategies that will make this transition as smooth as possible. For school-age children 16 and older, Lanterman has a separate booklet that addresses the transition out of school and into adulthood. You can print a copy from Lanterman's Web site ([www.lanterman.org](http://www.lanterman.org)), get a copy from the Koch♦Young Resource Center or request one from your service coordinator.*



## About Your Child's Education

The major change that occurs with a child's transition from early intervention into school age is that the primary responsibility for many of the services he or she receives shifts from the Regional Center to the local public school. During transition, the Individualized Education Program process is initiated to determine what services and supports the school will assume responsibility for providing to the child.

Typically, by age 3, transition has completed and services are primarily provided through the schools rather than through the Regional Center.

The Individuals with Disabilities Education Act (IDEA) mandates that the school must provide any service that your child requires in order to benefit from his or her school program. This may include therapies such as occupational, physical and speech; assistive technologies, including communication devices; and other services and supports such as behavioral services, transportation, a one-to-one aide and resource specialist services.

The Regional Center continues to provide service coordination, although the plan guiding services is called the Individual Program Plan (IPP) rather than the Individual Family Service Plan (IFSP) that guides services from birth to 3. In addition to service coordination, the Regional Center may provide a child and his or her family with information, and additional services and supports that are needed.

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

The Individuals with Disabilities Education Act (IDEA) is the federal law that describes how children with disabilities must be educated and includes schools' responsibilities for their education. Originally passed in 1975, the law was last amended

in 2004. California has its own laws governing special education, however, these laws are generally similar to IDEA.

IDEA was passed by the federal government to ensure that every person with a disability between the ages of 3 and 22 receives a free and appropriate public education that "meets his or her unique needs and prepares him or her for employment and independent living."

Amendments to IDEA have made special mention of two issues of importance to the education of children with disabilities. These include:

- ❖ "having high expectations for [these] children and ensuring their access [to] the general curriculum to the maximum extent possible; and
- ❖ strengthening the role of parents and ensuring that families of such children have meaningful opportunities to participate in the education of their children at school and at home."

More specifically, the law guarantees a child four things:

1. A free and appropriate public education
2. Education in the least restrictive environment
3. Fair assessment procedures
4. Parent involvement in educational decision making

Additionally, the law requires the following:

- ❖ That each child have a written Individualized Education Program (IEP)
- ❖ The right of due process if parents disagree with the school about their child's education program

**1. A free and appropriate public education.** IDEA says that a child with a disability is entitled to services and supports necessary for the child to benefit from his or her educational program, and that these services and supports are provided at no cost to the parent. Furthermore, this educational program must be appropriate for the child.



This means two things: first, that the program is based on an individualized assessment and planning process; and second, that the child receives educational benefit from it. It is important to note that IDEA does not mandate that the school district provide the “best” or “better” educational program. It only requires that the plan be appropriate and that it enable the child to progress toward achievement of goals identified in the education plan.

**2. Education in the least restrictive environment.** The least restrictive educational environment for a child with a disability is a regular classroom with typical children of the same age in the neighborhood school. IDEA says that a child may only be served in a more restrictive setting, such as a special day class or a special school, if the child has demonstrated that he or she cannot be successful in a less restrictive environment with supports.

The following are examples of environments that are more restrictive than the regular classroom:

- ❖ Part of the day in a regular classroom, but with some part of the day spent in a separate room working with a resource specialist.
- ❖ Education in a separate classroom serving only children with disabilities, but with some part of the day spent in activities with non-disabled children.
- ❖ The full day in a special day class.
- ❖ A special school or center serving only children with disabilities.

**3. A fair assessment.** An assessment consists of a set of tests and observations by a team of professionals that forms the basis for a child’s educational program. The assessment must include all areas thought to be affected by his or her disability, such as health and development, vision and hearing, language, general ability, academic performance, self-help and other adaptive behaviors, motor, orientation and mobility, career and vocational abilities and interests, and social and emotional functioning.

A fair assessment is one that gives an accurate and complete picture of the child. A child must be assessed individually, in his or her primary language, and the tests the child is given must be fair for him or her so as not to disadvantage the child based on language, gender, race or cultural background.

Standardized tests are generally used, but when they are not suitable, other methods, such as observations and interviews may also be conducted by qualified professionals.

IDEA requires that a child be assessed at least every three years and that parents give consent for their child to be assessed. After consent is received, the school develops an assessment plan that describes what kind of tests and measures the school will use and who will administer the assessments. A notice of due process is sent to parents along with the assessment plan that explains the rights parents have to disagree with the school district about their child’s assessment plan.

**4. Parent involvement in educational decision making.** IDEA strongly supports parent involvement in the education of their children. One important way that parents can be involved is by participating in the development of their child’s Individualized Education Program (IEP). Parents also have a role to play, however, in the assessment process and in implementing the IEP.

It is also possible for parents to be involved at a higher level with the educational system. Every Special Education Local Planning Area (SELPA) which may be a single school district or multiple school districts joined together, has a Community Advisory Council (CAC). The CAC is made up of parents and interested community members who advise the SELPA’s director of special education on matters related to the special education program. CACs usually have monthly meetings that any parent may attend.

If you are interested in participating with your local CAC, following is contact information for the SELPAs in Lanterman’s service area.

***Los Angeles Unified School District SELPA***

333 South Beaudry Avenue  
Los Angeles, CA 90017  
213.241.6701

***Pasadena Unified School District SELPA***

351 South Hudson Avenue  
Pasadena, CA 91109  
626.795.6981

***Foothill SELPA***

223 North Jackson Street  
Glendale, CA 91206  
818.241.3111, x. 509

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

The Individualized Education Program is a written plan that describes how a child will be educated and what the goals for the coming school year will be. The IEP is created by a multidisciplinary team that includes parents, and is actually a written guarantee that a child will receive the services determined by the team to be necessary and appropriate for his or her education. The IEP helps ensure that all reasonable efforts are made to help the student reach the goals and objectives set out in the plan, but it does not guarantee that the goals and objectives will be achieved.

The IEP has five components:

**1. A child’s present level of performance and functioning.**

The document includes a description of the child’s strengths and abilities and how he or she functions academically and socially, as well as in areas such as language, self-help, motor and pre-vocational skills. The description should be based on formal assessments and should not be merely a reporting of test scores.



Rather, it should state in plain language what the child can do in each area. These descriptions should match a parent’s knowledge of their child’s abilities. This section of the IEP also describes the child’s classroom performance and how the disability affects his or her participation in the general education curriculum.

**2. Annual goals and short-term objectives.** The goals and objectives combine to form a comprehensive picture of what the child will work towards during the school year, how he or she will get there, and how long it will take.

Goals are longer-term, usually the entire school year, and they describe knowledge, skills and behaviors that the child will achieve during the year. Objectives are more short-term and describe things that the child needs to accomplish on the way to achieving his or her goals. Goals and objectives should be “measurable” so it is clear whether or not they have been achieved. The teachers and other specialists who work with the child design learning tasks and activities that will work towards achieving the objectives and goals.

IEP goals are not the only educational goals that the child will work on during the year, but they represent the things that are considered most important for the child at the time the IEP is written.

**3. A description of the child’s classroom placement and how much he or she will be included in the regular school program.** The plan specifies the number of hours the child will spend in each classroom setting each day, what type of support he or she will receive in each setting, and how much time he or she will spend in the company of non-disabled peers.

**4. Related services that the child will receive.** Related services, also called designated instructional services (DIS) are services and supports that the child needs to benefit from his or her special education program. The IEP specifies each service or support, when each will begin, its frequency and duration, how long it will continue, and who will provide the service.

Examples of related services are: transportation, speech and language therapy, physical and occupational therapy, audiology services, psychological services, mobility instruction, adaptive physical education, career preparation and vocational training, counseling and guidance, behavior management, parent education, and school health services.

**5. Evaluation and review.** This section of the IEP describes how the child’s progress will be measured and specifies the annual IEP review date, which is the date when the team will meet to review and revise the IEP. The plan must be reviewed at least annually, or more often if requested by the parents or the school, if either party feels the plan is not working satisfactorily for the child.

At least once every three years the team must take a comprehensive look at how the IEP has been working for the child, reassess him or her, and revise the plan as necessary.

## Development of the IEP

The IEP is developed by a multidisciplinary team that includes at least the following people:

- ❖ Parents and the child, if appropriate
- ❖ Two teachers, one representing general education and one who is involved in special education
- ❖ A school district representative with authority to commit resources to the IEP
- ❖ The person who assessed the child or someone qualified to explain the assessment results
- ❖ Any other people invited by the family

People who might be valuable team members are a specialist or therapist who has worked with the child, or a friend or relative who is knowledgeable about special education or who can support the parents at the meeting. Lanterman’s Peer Support Partners are also able to provide assistance with advocacy and support during the IEP process.

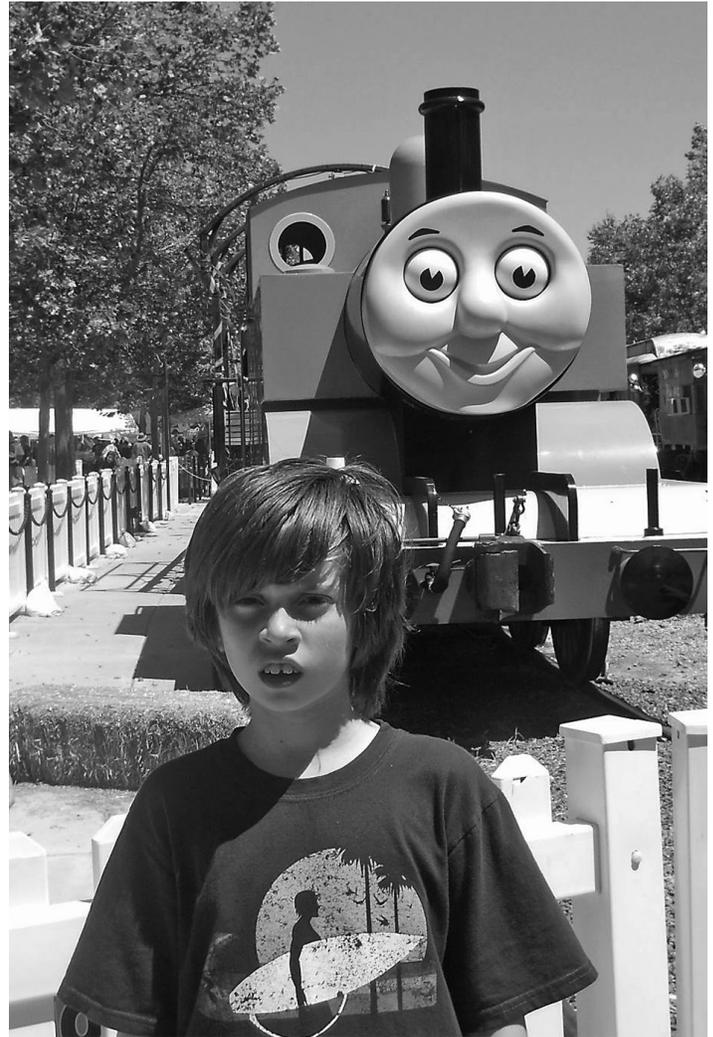
Parents should also consider asking their child’s Regional Center service coordinator to be a team member. Since he or she knows the child and understands the IEP process, he or she can help parents prepare for the meeting and accompany them to the meeting to provide advocacy support.

*The school district will not allow a child’s service coordinator to attend the IEP meeting unless the child’s parents invite the service coordinator to be at the meeting, so be sure to invite the child’s service coordinator and tell the school that you are doing so. Also, if you do wish for the child’s service coordinator to attend the meeting, be sure to give plenty of notice. Service coordinators schedules fill up quickly and without enough notice, he or she may already have other obligations scheduled.*

A list of names for everyone parents invited to the meeting should be provided to the school district. Parents should also sign a release of information to give the team access to medical reports or other documents that will be helpful in development of the IEP.

### Timelines in the IEP Development Process

The following chart describes the important parts of the process that is followed when a child is referred for special education. It also gives some important timelines for the school district leading up to the IEP meeting, creating the IEP, and putting the plan in place. *The timelines are expressed in calendar days, however an exception to a timeline occurs for any school vacation longer than five days and days between regular school sessions.*



Component	Procedures	Timelines
<b>Identification</b>	<ul style="list-style-type: none"> <li>❖ Referral and initial screening</li> <li>❖ Consultation: interview and observation</li> </ul>	<ul style="list-style-type: none"> <li>❖ School has 15 days from initial referral or of parent’s written request to complete a written assessment plan</li> </ul>
<b>Assessment</b>	<ul style="list-style-type: none"> <li>❖ Referral for assessment</li> <li>❖ Assessment plan developed</li> <li>❖ Parents give consent for assessment</li> <li>❖ Assessment completed</li> </ul>	<ul style="list-style-type: none"> <li>❖ Parents have 15 days after the assessment plan is submitted to them to decide whether the plan is acceptable and if they will consent to assessment</li> </ul>
<b>Planning</b>	<ul style="list-style-type: none"> <li>❖ Team meets and develops IEP and placement recommendation</li> <li>❖ Parents approve IEP and placement</li> <li>❖ Student is placed and program implementation begins</li> </ul>	<ul style="list-style-type: none"> <li>❖ Assessment must be completed and an IEP meeting held within 60 days</li> <li>❖ If no assessments are required, the IEP must be held within 30 days of the original referral</li> <li>❖ The IEP should be implemented immediately</li> </ul>
<b>Review</b>	<ul style="list-style-type: none"> <li>❖ IEP program review</li> <li>❖ IEP revision based on new assessments</li> </ul>	<ul style="list-style-type: none"> <li>❖ The IEP must be reviewed at least annually</li> <li>❖ The IEP must be revised every three years</li> </ul>

## Parents' Rights in the Educational Process

When IDEA was written, legislators who drafted it considered parent participation in the education of their child with a disability so important that they included in the law specific rights and responsibilities for parents. First, parents were given very specific rights with regard to the IEP process. These rights are listed in the sidebar.

### *Parents' Rights and Responsibilities Related to Their Child's Education*

In addition to parents' rights relative to the IEP, parents have additional, more general rights with regard to their child's educational program and the parents' relationship with the school. With these rights also come responsibilities.

#### Parents have...

- ❖ The *right* to information about their child and their child's program, and the *responsibility* for seeking and maintaining this information.
- ❖ The *right* to review their child's records and the *responsibility* for asking questions when they do not understand terms or reports.
- ❖ The *right* to be a full partner in their child's program and the *responsibility* for becoming and remaining an active member of the team.
- ❖ The *right* to stand up for their child to make sure he or she gets the services needed and the *responsibility* to base their actions on accurate information.
- ❖ The *right* to make suggestions and recommendations about their child's program or services and the *responsibility* for doing so.
- ❖ The *right* to a vision for their child's future and the *responsibility* for helping their child achieve it.

It is clear from these rights and responsibilities that parents are expected to participate fully in their child's education, be fully informed about his or her needs, advocate to see that these needs are met, and base any actions on complete and accurate information.

## Time and Place of the IEP Meeting

The IEP meeting must be held at a time and place convenient for all participants, and all members of the team are expected to attend. Parents may refuse to attend a meeting if one or more team members are unable to be there. **Very importantly, the meeting may not be held without parents if they want to attend.** Parents' presence at the IEP meeting is considered so important that the law requires the school to keep a record of its attempts to schedule the meeting at a time convenient for the parents.

## Parents' Rights in the IEP Process

### *Parents have the right...*

- ❖ To receive written notice of the time and place of the meeting and who will participate.
- ❖ To have the meeting scheduled at a time and place convenient to you and agreeable to all participants.
- ❖ To attend the meeting and invite others to attend.
- ❖ To present information and participate as an equal member of the team.
- ❖ To have an interpreter present at the meeting, if one is necessary.
- ❖ To receive a copy of the IEP document, if requested.
- ❖ To have the IEP reviewed annually.
- ❖ To have the IEP implemented as soon as possible.



## Preparing for the IEP Meeting and Being an Effective Member of the Team

Parents are expected to be a full partner with other members of the IEP team in planning and implementing their child's educational program. Following are some things parents can do to prepare themselves to be an effective team member.

### *Keep Good Records*

In preparation for the meeting, parents should ask the school for a copy of all assessment results. Parents should ask early enough so they have time to review the results thoroughly before they go to the meeting. The law says that parents should be given copies of school records within five calendar days of their oral or written request.

Additionally, parents should keep all the other information they have received from service providers and professionals working with their child well organized and accessible. A great way to organize this information is in a binder with tabbed dividers using categories such as these:

- ❖ Developmental history
- ❖ Medical history
- ❖ Family health history
- ❖ Psychological and other therapy reports
- ❖ Educational history
- ❖ Assessment results, IEPs and progress reports, and goals to include in your child's IEP
- ❖ Samples of the child's school work
- ❖ Regional center records
- ❖ Correspondence, including a log of phone calls and visits with schools and service providers

### *Parents' Goals for Their Child*

Parents should also think about the things that they would like their child to learn during the coming year. Think of these things as goals that can become part of the IEP. Writing goals is not difficult and parents do not need special training. All they need to do is to be able to clearly state what they would like their child to achieve by the end of the school year.

While it may seem that goals for a school-based educational plan should be academic, that is not necessarily the case. Remember that the primary purpose of IDEA is to prepare each child for "employment and independent living." For this reason, IEP goals may be academic, or they may address other areas, such as the child's social development or preparation for a job that will help the child learn to enhance his or her independence at home, in the community and in a work setting.

It is never too early to begin teaching the child the skills we all need to master to be productive members of society – respect for authority, following rules, being on time, following through on

tasks and assignments, and getting along with others. While these behaviors should consistently be reinforced at home and through community experiences, the child's educational program can maximize his or her development in these critical areas as well.

## Steps for Writing a Goal and Sample IEP Goals

A goal describes knowledge, a skill or behavior a parent would like to see their child master or do better. Most goals fall into one of five areas:

- ❖ Academic (reading, writing, spelling, math)
- ❖ Self-help (eating, dressing, shopping)
- ❖ Motor (riding a bike, climbing stairs)
- ❖ Social/emotional (sharing, making friends)
- ❖ Pre-vocational/vocational (being on time, completing a task)

Here are three steps to follow when preparing goals to bring to the IEP meeting:

**Step 1:** Make a list of things you as parents would like the child to be able to do. For each item on the list the parent should be able to answer yes to these four questions:

- ❖ Is it stated in a positive way what the child will be able to do?
- ❖ Does it describe knowledge, a skill or behavior that the child will be able to demonstrate at the end of some time period, such as the child will be able to communicate versus the child will receive speech therapy?
- ❖ Can it be achieved within a reasonable period of time?
- ❖ Is it clear how progress toward the goal will be measured?

**Step 2:** Prioritize the list of goals for the child so that the one that is most important to you as the parent and to the child is number one and continue until all goals are numbered.

**Step 3:** Bring your list of goals to the IEP meeting and be prepared to:

- ❖ Explain why the goal you developed is important and why you think the child should work on it.
- ❖ Adjust parental goals to reflect additional information the team gives you, the parent, about what is realistic or important for the child at this time.
- ❖ Accept goals for the IEP that school personnel think are important and that you agree with.

### *Other Helpful Information for the IEP Meeting*

In addition to bringing the child's records and a prioritized list of parent goals, a parent should also bring a list of their child's abilities and strengths, a list of their child's needs, and information about their child's skills at home.

## Goal Type

## Sample Goals

### Academic

- ❖ Read at a specified grade level
- ❖ Write a simple sentence
- ❖ Make change for \$1

### Self-help

- ❖ Get dressed independently
- ❖ Pour juice into a cup
- ❖ Operate a microwave safely
- ❖ Go to the store on errands
- ❖ Use the telephone
- ❖ Ride the bus
- ❖ Cross a street safely

### Motor

- ❖ Ride a bike
- ❖ Walk up stairs unassisted
- ❖ Throw a ball
- ❖ Cut with scissors

### Social/emotional

- ❖ Play appropriately with peers
- ❖ Participate in group activities
- ❖ Learn to share
- ❖ Take turns
- ❖ Demonstrate good manners

### Pre-vocational/ vocational

- ❖ Be on time
- ❖ Complete an assigned task
- ❖ Listen and follow instructions
- ❖ Learn to type
- ❖ Fill out a job application

## Signing the IEP Document

At the end of the IEP meeting, the parent will be asked to sign the IEP document to indicate their agreement with the educational plan. **If a parent does not agree with the plan, they do not have to sign it.**

If a parent agrees with some but not all of the plan, they should sign the parts that they agree with and withhold their signature from the other parts. Parents should not feel pressure to sign the IEP document at the time of the meeting. If they are not sure about something, the parent needs to tell the team that they want to take a few days to think about it or to consult with other people.

## Resolving IEP Disagreements and Due Process

A parent may decide that they do not want to sign the IEP because one or more parts of the plan are not appropriate for their child. IDEA describes a series of steps called due process that are intended to protect parents' rights to disagree with the school about their child's education. It is also intended to guarantee that the parent, their child and the school are treated fairly as they attempt to settle a dispute.

The following are examples of the kinds of things a parent may disagree with the school about:

- ❖ The school wants to discontinue a service or support that the parent believes is still necessary for their child to benefit from his or her educational program.
- ❖ A parent believes their child needs an additional service.
- ❖ A parent believes their child's placement should be changed because the child's progress in his or her current program is not satisfactory.
- ❖ The parent wishes to change their child's program so he or she can spend more time with students without disabilities.

If a parent disagrees with the school on an issue, they should, first, work with the IEP team to try to find a solution. If the team cannot reach agreement, the parent may contact the school district's special education director or they may contact a representative of the Special Education Local Planning Area. Los Angeles Unified School District has a Complaint Response Unit/Parent Resource Network hotline that parents may use to contact an appropriate administrator. The hotline can be reached by calling 1.800.933.8133.

If a parent is unable to find a resolution in these ways, they may request a due process hearing. This is a formal fact-finding meeting chaired by an independent hearing officer hired by the State's Special Education Hearing Office. The hearing officer listens to what you and the school have to say, looks at any other evidence, and makes a decision that is binding on all parties.



Before parents request a hearing, they should talk to someone who is an expert in special education law. A child's service coordinator can direct a parent towards resources in this area. Hearing requests should be made in writing. The request should include the child's name and address; the parent's name, address and phone number; and the reason the parent is requesting the hearing. The request should be sent to:

Special Education Hearing Office  
3200 Fifth Avenue  
Sacramento, CA 95817-2705

A copy should also be sent to the school district.

### *Parents' Due Process Rights*

Parents have the right...

- ❖ To have the hearing occur within a specific time period after the written request is received.
- ❖ To be represented by an attorney and to be informed about available free or low-cost legal services.
- ❖ To voluntarily attend a mediation conference prior to the hearing, in an attempt to find a resolution.
- ❖ To have the due process hearing conducted by an impartial hearing officer.
- ❖ To present evidence, question, cross-examine and require the attendance of witnesses.
- ❖ To prevent the introduction of evidence that has not been disclosed to the parent at least five days before the hearing.
- ❖ To obtain a transcript of the hearing.
- ❖ To obtain a written report of the findings and decisions of the hearing officer.
- ❖ To appeal the final decision to the State Superintendent of Public Instruction.

- ❖ To file a lawsuit in state or federal court if the issue is still not resolved to the parent's satisfaction.

### *What does "stay put" mean?*

If a parent requests a due process hearing, IDEA says that the child must remain in his or her educational placement at the time of the request, from the time a parent files for the hearing until the due process hearing proceedings and any subsequent court appeals are completed. During this time, the child's current IEP, including all related services, must be fully implemented. This provision is usually referred to as "stay put."

### **Timelines Related to Due Process**

There are strict timelines for due process. The time begins when the school district receives the parent's request for a due process hearing. *(Please note: either party, the parent or the school district, may request an extension to the timelines below. If granted, the process is typically not completed within the 45-day timeline described below.)*

**Within three days** of the school district receiving a parent's request, the school district must tell the parent about free or low-cost legal services available to advise the parent on due process.

**Within 15 days** of filing a complaint, parents must go through a mandatory "resolution session" before due process occurs. The school district has 30 days from the filing date to resolve the complaint to the satisfaction of the parents. The parent and the school may also, at any time, decide to attend a mediation hearing to try to reach an agreement. If the parent and the school agree to use this option, a trained mediator sent by the State will meet with the parent and the school to attempt to find a resolution. The mediator has no power to force either side to accept a resolution.



**Within 30 days**, a formal hearing must take place if the mediation or resolution session has not resulted in an agreement.

*The hearing usually takes place at the school district offices. The hearings are generally open, which means members of the public can attend. However, either you or the school district may request that the hearing be closed.*

**Within 45 days** of the initial hearing request, the hearing officer issues a written decision and mails it to you and the school.

## Preparing for the Hearing

In preparing for the hearing, parents should develop a written outline of their case, with topics in the order they will present them. Parents should state very clearly and specifically the issues that they want the hearing officer to make a decision about.

Both sides may submit documents and select witnesses to support their position and testify at the hearing or provide written testimony. Each party must give documents and witness lists to the other party at least five days before the hearing. These lists should also be submitted to the Special Education Hearing Office at least seven days before the hearing.

Parents should consider having at the meeting another person who can act as an advocate for them. This person may be a lawyer, but does not have to be. It may be another parent who is knowledgeable about special education law.

Since the rules regarding special education can be quite complicated, parents may want to consider consulting with a lawyer who knows special education law to get advice prior to the due process hearing.

If a parent believes the school is not dealing appropriately with their concerns about their child's educational program, the parent should talk with their child's service coordinator, and request assistance with finding an appropriate resource that can help them better understand the law and prepare them for the due process hearing.

## Other Kinds of Educational-Related Complaints

### *Compliance Complaint*

A parent may file a compliance complaint if they believe the school district has violated a part of the special education law. Examples include:

- ❖ Refusing to refer or assess a child for special education
- ❖ Not informing parents of an IEP meeting
- ❖ Failing to put in place a due process decision
- ❖ Failure to implement the IEP

This type of complaint is not to be used to address disagreements about what a child's education program should include, which is addressed by due process, but rather to address failures by the school district to follow the rules or do what has been agreed to in writing in the IEP, a mediation agreement or a due process hearing decision.

A compliance complaint is filed in writing with the superintendent of schools or director of special education in the child's school district. The school district then has 60 days to complete its investigation.

In most circumstances, parents may request that the State Department of Education, rather than the local education agency, investigate the compliance complaint. In this case, parents should send the complaint directly to the State Department of Education Complaint Management and Mediation Unit with a copy to the school district.

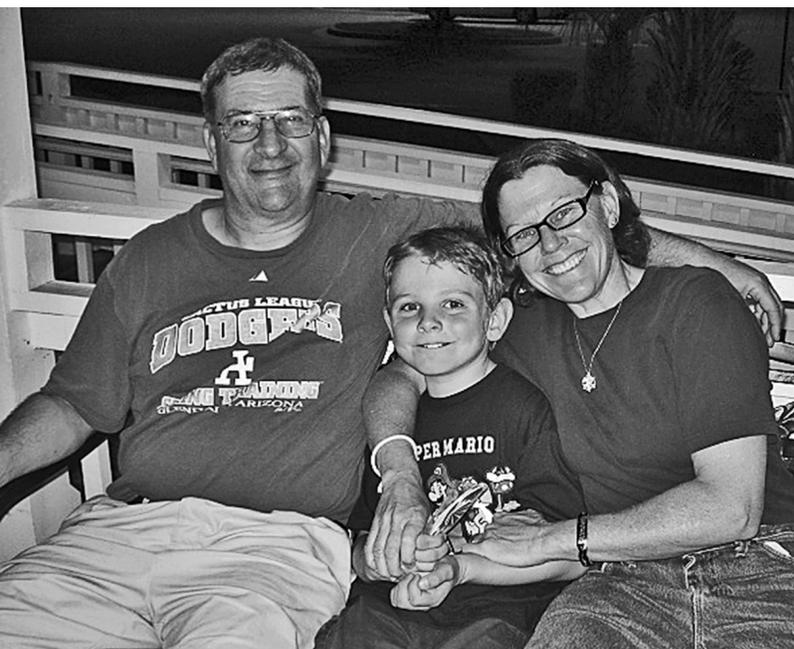
### *Discrimination Complaint*

Another type of complaint that can be filed is when parents believe their child is being discriminated against based on his or her disability. This would constitute a violation of Section 504 of the Federal Rehabilitation Act of 1973. Such a complaint is filed with the U.S. Department of Education Office for Civil Rights in San Francisco.

### *Other Complaints*

The Disability Rights California Web site ([www.disabilityrightscs.org](http://www.disabilityrightscs.org)) has extensive information related to the filing of all types of complaints against school districts.

To obtain more information about parental rights or dispute resolution, including how to file a complaint, contact the California Department of Education, Special Education Division, Procedural Safeguards Referral Service ([www.cde.ca.gov/spbranch/sed](http://www.cde.ca.gov/spbranch/sed)).





## Making the Most of a Child's School Years

A child's school years set the foundation for the rest of his or her life and the decisions that a parent makes regarding their child's education will have a lasting impact on their child's adult life.

### Inclusion

While not expressly called inclusion in the IEP, the section of the IEP that focuses on classroom placement is essentially describing whether the child is included, and if so, to what extent he or she is included.

What every parent wants is for their child to be included and accepted by his or her peers, to have friends, and to be part of school and community life. Adults with developmental disabilities also say that what they want most is to be included and accepted by their communities and to be a contributing part of everyday community happenings. Yet inclusion and acceptance are two of the hardest desires to achieve, especially once adulthood is reached.

By focusing on inclusion at a young age, the chances are much greater that as students with developmental disabilities and their classmates age, the positive experiences and benefits of children with and without disabilities being educated together will carry over into adulthood, thereby helping to break down the barriers often faced by adults with disabilities.

### *Defining Inclusion*

Inclusion means that individuals with special needs of all ages have the opportunity to participate equally in typical community activities with people without disabilities. The philosophy of inclusion assumes that each person has the same basic rights as all other members of the community.

Inclusion also means giving students in special education the opportunity to go to school with children their own age in regular classrooms in their neighborhood school. Although the classroom setting is outlined in the goals and objectives in the IEP, inclusion also means providing these students and their classroom teachers the supports necessary to be successful.

Given that both federal and state law require children with disabilities to be provided a free and appropriate education in the least restrictive environment and "to the maximum extent appropriate" with children without disabilities, there is a legal basis for including children with disabilities, in the setting that would provide the greatest degree of inclusion while still meeting the child's educational needs.

Parents and other members of the IEP team are able to choose the classroom setting that is least restrictive. The choices the team can make are:

- ❖ Full inclusion, with no special day class, meaning the child with special needs receives all of his or her educational services and supports in a regular classroom alongside their peers without special needs
- ❖ Partial inclusion – special day class, with some time spent in a regular classroom
- ❖ Integrated campus with special day class
- ❖ Segregated school campus

### *Choosing Inclusion*

The inclusive classroom is a natural place to foster friendships and acceptance of children with disabilities as they share the school experience with their peers. As students without disabilities interact with students with special needs, they not only develop friendships, they also begin to understand and accept differences in all people.

Inclusion is not always easy to implement, but with the vision, willingness, commitment and creativity of families, educators and communities, inclusion provides children with special needs the opportunities to interact with “typical” peers, which leads to understanding and acceptance, providing a benefit for all students.

Often, peers have little trouble accepting and working with a student with special needs, especially if children are included in early childhood. Usually it is parents and teachers that have a harder time with the idea of inclusion. Parents worry that the child with special needs might not fit in socially, that other children will not know how to interact with their child, or that the teacher will not be able to give the proper attention to both the child with special needs and the other students. Teachers worry that they will not know how to deal with the specific challenges of educating children with special needs.

The first step in getting a child placed in the general education classroom is for a parent to talk to the school district director of special education and let them know that they are considering this classroom setting. Do not wait until an IEP meeting to bring this up, let the school district know so there are at least six months of planning time to prepare information, set strategies, and develop IEP goals identifying supplemental aid that the student with special needs will need to succeed in the general education classroom.

### *Supporting Inclusion*

There are many innovative approaches to teaching students with special needs, coupled with a new found understanding of the benefits that inclusion affords to everyone – teachers, students with and without disabilities – that have led to ever greater interest in creating more inclusive schools.

The Koch♦Young Resource Center (KYRC) has a variety of training materials (books, videos and curriculum), to complement programs and techniques that have been developed over the years to help support the inclusion of children with special needs so all students learn to help each other and value diversity.

If proper planning and support are built in, most teachers and parents are enthusiastic about inclusion once they learn how it works and how it can be successful for all students.

*View the KYRC collection online at*  
<http://library.lanterman.org>.

### *Implementing Inclusion*

There is a range of supports that are available to make inclusion for the child with special needs a reality. These include: training, adapted curriculum, positive behavior intervention and use of technologies.

Classmates also fill an important role as a support to the included student. Peer interaction and tutoring can be the most effective teaching tools, as well as self-esteem builders for both

the student with and without disabilities.

The goal of any of these supports is that the student is included and becomes a valued member of the class.

### *Benefits of Inclusion*

There are many positive benefits achieved through inclusion:

- ❖ Students learn to appreciate each other’s unique strengths and abilities.
- ❖ Students are encouraged to help each other.
- ❖ Students with disabilities are able to foster friendships in a natural way and in a natural environment.
- ❖ Students without disabilities get a chance to develop positive attitudes toward people with differences.
- ❖ The sense of belonging helps build self-esteem and a feeling of achievement.
- ❖ Students often learn desirable social behaviors from each other, in a typical environment.

### **Things a Child Should Learn**

As was shared before, the purpose of special education is to prepare the child for everyday life, including accomplishing daily activities, learning to be social, and ultimately employment and independent living. Following are four crucial areas where the skills he or she learns will contribute towards enhanced independence at home, greater access to his or her community and successful employment. Many of the issues discussed are appropriate to include as goals in the child’s IEP.



## *Maintaining Good Health*

It is important for everyone to know what to do to maintain good health and lessen the likelihood of developing chronic health problems, such as diabetes, later in life. Children should be taught the importance of taking good care of their physical, emotional and oral health. A child with special needs may have more medical challenges than other children, but it is important for the child to help look after his or her health to the best of the child's ability.

“Taking care” of health means learning to take personal responsibility for things such as eating right, getting enough sleep, exercising regularly, and asking for help when help is needed. It means knowing when to consult health care professionals for preventive health screenings and tests, as well as for treatment of illnesses. For older children, it also means knowing how to ask questions of health care providers in order to better understand important health issues and what they need to do to keep themselves healthy.

Parents can help by modeling good behaviors and helping their son or daughter develop positive relationships with health care providers. The educational program can focus on knowledge about health, health care and health care providers.

## *Attending to Appearance*

A major issue in social acceptance is how a person presents himself or herself to the world. Factors such as dress and personal hygiene affect others' perceptions of a child and influence the level of acceptance the child is likely to encounter, especially from his or her peers. Lack of attention to these seemingly obvious matters can result in unnecessary social barriers for a child.

For this reason, it is important for a child to learn to “put his or her best foot forward” by dressing appropriately and attending regularly and carefully to his or her personal hygiene needs.

## *Being Safe and Responsible*

Children with developmental disabilities may be more likely than other children to be taken advantage of by peers or other adults, be bullied by other children, or to inadvertently engage in behaviors that put them at risk. Parents should talk to their child about safety issues and personal responsibility, but at the same time, discussing topics, such as sexuality, with their son or daughter can cause discomfort for many parents. An appropriate issue for a child's IEP, then, would be opportunities for him or her to learn how to be safer and more responsible at home, in the community and in relationships, including learning how to handle bullying situations.

The Regional Center can also help in this regard. The Center provides training for children, adolescents and young adults to learn in a neutral setting from a neutral party how to be safe and responsible. Check the “Training” section on the Lanterman

Web site at [www.lanterman.org](http://www.lanterman.org) or visit the Koch♦Young Resource Center for more information about what programs are available.

## *Making and Keeping Friends by Including Children in Family and Community Activities*

For most people, friendships are an important part of a happy and fulfilling life. All children need to learn the kinds of social behaviors that will allow them to interact and develop positive relationships with peers throughout their lives. School can provide many opportunities for a child to learn and practice social skills and develop friendships, and parents can help their child make and keep friends by giving him or her many and varied opportunities to learn and practice the necessary interpersonal and social skills.

This may involve enrolling the child in organized activities with other children or it may be as simple as arranging “play dates,” which are set times when your child can join other children and engage in unstructured play. For some children whose disability makes it especially difficult for them to interact socially, the Regional Center can help identify resources, such as structured programming, that specifically target the development of these skills.

Parents are also encouraged to involve their children in integrated social and recreational activities where they can engage with typical children in typical community settings. Activities such as organized sports, scouting, musical activities and crafts encourage social interaction while helping build skills that can be used throughout your child's life. Some children may need support in activities such as this, at least at first. This is another area where the Regional Center can help by offering support for the child during the activity or with helping the supervising adults and other participants learn how to provide support.

These types of activities provide opportunities for a child to learn and practice social skills by observing the behaviors of typical peers, to develop a sense of competence, and ultimately, to make friends. It also provides other children the opportunity to feel comfortable with children with special needs through frequent exposure.

## **Things Parents Can Do To Help Their Child**

As the parent of a child with a disability, you want to be an effective advocate for the child and support him or her in every way to develop important life skills. The Regional Center offers opportunities for parents to fine-tune the skills that will make them better able to help their child realize his or her potential.

### *Developing Advocacy Skills*

Other than the very important role that all parents play in the lives of their children, parents of a child with a developmental disability have another special role – that of an advocate for

their child. The Regional Center's service coordinators can help parents find and access the information and training they need to become a more effective advocate for their son or daughter, not only with the schools, but also with other public and private agencies. As parents develop advocacy skills, they will also be able to help their child develop the skills necessary to advocate for himself or herself.

One of the most important things parents can do to prepare themselves for this role is to sign up for "Service Coordination and Advocacy Training: Navigating the Special Needs System." This class provides an overview of the regional center system, developing a partnership with your regional center, Lanterman values in action, and advocacy and the legislative process. Workshops focused specifically on the IEP process are also available. Information about these types of activities is available through the "Training" section on Lanterman's Web site at [www.lanterman.org](http://www.lanterman.org) and at the Koch♦Young Resource Center.

### *Improving Your Parenting Skills*

As their children grow older, parents often find that the quality of life for their family is improved if they acquire skills that help them better manage their children's behaviors. The Regional Center offers behavioral skill-building classes for parents. Parents should discuss their interest in and needs for this type of training with their service coordinator. While information is available in the "Training" section of Lanterman's Web site at [www.lanterman.org](http://www.lanterman.org) or through the Koch♦Young Resource Center, parents must be referred by their service coordinator for behavior classes.

### *Setting Appropriate Expectations for Your Child*

Parents' expectations are critical to any child's development. This is just as true for a child with developmental disabilities as it is for other children. Having reasonable expectations that challenge a child can give the child a positive message about his or her parents' confidence in the child and can boost the child's self-esteem. Parents should have clear and reasonable expectations that are consistent with their child's abilities, for his or her conduct, achievement in critical areas, and requirements for him or her to accept responsibility.

Social research has demonstrated repeatedly that it is particularly important for the siblings of a child with a disability to perceive fairness in the way that child is treated by parents. So, for example, rules should apply equally to all siblings in a family, as should expectations for children's responsibilities as a family member. Simple chores such as clearing the table, feeding the pet or making the bed may be more difficult or time consuming for a child with a disability than for siblings. At the same time, it is important to the child with a disability, as well as to his or her siblings, that he or she share equally in family responsibilities to the extent that he or she is able, and that your child be seen as assuming his or her rightful responsibilities.

Finally, parents should keep in mind that their child's optimal development depends on his or her being viewed first and foremost as an individual with unique strengths. The presence of a disability is not a defining characteristic of any child. By working collaboratively with the school and the Regional Center, parents of a child with special needs can help their child learn the things he or she needs to live a full, productive, satisfying life as an active and fully-included member of the community.









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