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Introduction

When a child turns 3, he or she makes the very important transition into school, and responsibility for service coordination shifts from Lanterman Regional Center's Early Intervention unit to a unit specializing in school-age children. This transition is a very important step for your child. It is his or her entry into a new era of growth and discovery during which your child will gain new skills and knowledge that will help your child take his or her place socially, emotionally and vocationally in the adult world.

This section of the "Guide to Lanterman Regional Center" was written especially for parents like you who have a school-age child, age 3 to 14. If your child is a teenager, you should also request a copy of the guide insert, "Transition to Adulthood." You can get a copy from the Koch♦Young Resource Center or request one from your service coordinator.

This section begins with a brief review of the changes that occur when a child turns 3. A large part of the section is then devoted to a discussion of special education and how your child and family can make the most of the school years. The section also discusses the educational program that guides your child's education, including how it is developed, implemented and modified, and it addresses the rights and responsibilities that you have with regard to your child's education.

Finally, this section presents some of the steps that you can take during your child's school years to better prepare him or her to take on the responsibilities of adulthood, and to better prepare yourself to be an effective advocate for your child. Many of the things we discuss are appropriate for inclusion in your child's Individualized Education Program.

About Your Child's Education

The major change that occurs with your child's transition from early intervention is that the primary responsibility for many of the services he or she receives shifts from the Regional Center to the school. Typically at the point of transition, services provided by the Regional Center are terminated, and the Individualized Education Program process is initiated to determine what services and supports the school will provide to your child. The Individuals with Disabilities Education Act mandates that the school must provide any service that your child requires in order to benefit from his or her school program. This includes therapies such as occupational, physical and speech; assistive technologies, including communication devices; and other services and supports such as adaptive physical education, 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, or IPP, rather than the Individual Family Service Plan, or IFSP, that guides services from birth to 3. In addition to service coordination, the Regional Center may provide your child or family with services and supports that are needed but clearly not education-related.

Let's begin our look at education by examining the very important federal law that describes schools' responsibilities for the education of children with disabilities and what this law means to you and your child.

What is the Individuals with Disabilities Education Act (IDEA)?

The Individuals with Disabilities Education Act, known as IDEA, is the federal law that describes how children with disabilities must be educated. Originally passed in 1975 as the Education for All Handicapped Children Act, the law was given its current name when it was amended in 1990. The law was amended again in 2004, but most of the changes –

except for one creating a requirement for a mandatory resolution session – affected very few if any Regional Center clients. 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.” More specifically, the law guarantees your child four things:

1. **A free and appropriate public education.** IDEA says that your child with a disability is entitled to services and supports necessary for your child to benefit from his or her educational program, and that these services and supports are provided at no cost to you. Furthermore, this educational program must be appropriate for your child. This means two things: first, that the program is based on an individualized assessment and planning process; and second, that your 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.
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 in the neighborhood school. IDEA says that your child may only be served in a more restrictive setting, such as a special day class or a special school, if your 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 your child’s educational program. The assessment must include all areas thought to be affected by his or her disability. A fair assessment is one that gives an accurate and complete picture of the child. Your child must be assessed individually, in his or her primary language, and the tests your child is given must be fair for him or her. For example, a test should not be culturally-biased in a way that disadvantages the child being tested. IDEA also requires that your child be assessed at least every three years.

- 4. Parent involvement in educational decision making.** IDEA strongly supports parent involvement in the education of their children. One important way that you can be involved is by participating in the development of your child's Individualized Education Program, or IEP. You 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, or SELPA, which may be a single school district or multiple school districts joined together, has a Community Advisory Council, or 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 the CAC, contact your local special education department and ask to be put on the monthly mailing list for announcements and agendas.

What is the Individualized Education Program (IEP)?

The Individualized Education Program is a written plan that describes how your child will be educated and what he or she will be taught. The IEP is created by a multidisciplinary team that includes parents, and is actually a written guarantee that your child will receive the services determined by the team to be necessary and appropriate for his or her education.

The IEP has five components:

- 1. Your child's present level of performance and functioning.** The document includes a description of your child's 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 your child can do in each area.
- 2. Annual goals and short-term objectives.** The goals and objectives combine to form a comprehensive picture of what your 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 your child will achieve during the year. Objectives are more short-term and describe things that your 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.
- 3. A description of your 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 your

child will spend in each classroom setting each day and how much time he or she will spend in the company of non-disabled peers.

4. **Related services that your child will receive.** Related services, also called designated instruction and services, or DIS, are services and supports that your child needs to benefit from his or her special education program. 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. The IEP specifies each service or support, when each will begin, its frequency and duration, and how long it will continue.
5. **Evaluation and review.** This section of the IEP describes how your child's progress will be measured and specifies the annual IEP review date. The plan must be reviewed at least annually, or more often if requested by you or the school.

Typically, the IEP is reviewed on an annual basis. At least once every three years the team must take a comprehensive look at how the IEP has been working for your child, reassess him or her, and revise the plan as necessary. If at any time, however, you feel as though the plan is not working satisfactorily for your child, you may request an IEP meeting.

What are my rights, as a parent, 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 following box.

Parents' Rights in the IEP Process

You 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.
- To attend the meeting and invite others to attend.
- To present information and participate as an equal member of the team.
- To receive a copy of the IEP document.
- To have the IEP reviewed annually.
- To have the IEP put in place as soon as possible.

In addition to your rights relative to the IEP, you have additional, more general rights with regard to your child's educational program and your relationship with the school. With these rights also come responsibilities, which are highlighted in the following box.

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

You have...

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

It is clear from these rights and responsibilities that you are expected to participate fully in your 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.

Who creates the IEP?

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

- You, your spouse or partner, and your 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 your child or someone qualified to explain the assessment results
- People you invite

People who might be valuable team members are a specialist or therapist who has worked with your child, or a friend or relative who is knowledgeable about special education or who can support you at the meeting.

You should consider asking your Regional Center service coordinator to be a team member. Since he or she knows your child and understands the IEP process, he or she can help you prepare for the meeting and accompany you to the meeting to provide advocacy support. Your service coordinator is not allowed to attend the IEP meeting unless you request his or her presence at the meeting, so be sure to invite your service coordinator and tell the school that you are doing so. Also, if you do wish for your service coordinator to attend the meeting, be sure to give enough advance notice so he or she has time to clear his or her schedule of other obligations.

How should I prepare for the IEP meeting?

When your child is referred for special education services, the school has 15 days in which to develop a written plan describing how your child will be assessed to determine his or her service needs. The assessment plan must address every area that may be affected by the child's disability. This assessment plan is then submitted to you and you have 15 days to decide whether the plan is acceptable to you.

Once you and the school agree on the assessment plan, the school has 50 days to complete the assessment and hold the IEP meeting. If no assessments are required, the IEP meeting must be held within 30 days of the original referral. Once in place, the IEP must be reviewed at least annually and revised, based on new assessments, every three years.

Time and place of the 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. You 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 you if you want to attend. Your 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 you.

In preparation for the meeting, you should ask the school for a copy of all assessment results. Ask early enough so you have time to review them thoroughly before you go to the meeting. You should also think about the things that you would like your 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 you don't need special training. All you need to do is to be able to clearly state what you would like your 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's 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.

The Koch♦Young Resource Center has a wide range of materials that can help you better understand goals and objectives, and how to develop them for your child's IEP.

At the end of the IEP meeting, you will be asked to sign the IEP document to indicate your agreement with the plan. **If you do not agree with the plan, you should not sign it.**

If you agree with some but not all of the plan, you should sign the parts that you agree with and withhold your signature from the other parts. You should not feel pressure to sign the IEP document at the time of the meeting. If you're not sure about something, tell the team that you want to take a few days to think about it or to consult with other people.

What happens if I don't sign the IEP?

You may decide that you do not want to sign the IEP because one or more parts of the plan are not appropriate for your child. IDEA describes a series of steps called due process that are intended to protect your right to disagree with the school about your child's education. Due process is intended to guarantee that you, your child and the school are treated fairly as you attempt to settle a dispute.

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

- The school wants to discontinue a service or support that you believe is still necessary for your child to benefit from his or her educational program.
- You believe your child needs an additional service.
- You believe your child's placement should be changed because your child's progress in his or her current program is not satisfactory.
- You wish to change your child's program so he or she can spend more time with non-disabled students.

If you disagree with the school on an issue, you should, first, work with the IEP team to try to find a solution. If the team cannot reach agreement, you may contact the school district's special education director or you 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 you may use to contact an appropriate administrator. The hotline can be reached by calling **1.800.933.8133**.

If you are unable to find a resolution in these ways, you 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.

You should request a hearing in writing. The request should include your child's name and address; your name, address and phone number; and the reason you are requesting the hearing. The request should be sent to the 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

You 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 you 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 your satisfaction.

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

How long does it take for the hearing to occur?

There are strict timelines for due process. The time begins when the school district receives your request for a due process hearing.

Within 3 days of that time, the school district must tell you about free or low-cost legal services available to advise you on due process. Parents must go through a mandatory "resolution session" before due process occurs. Such a session must occur within 15 days of filing of a complaint and the school district has 30 days from the filing date to resolve the complaint to the satisfaction of the parents.

You and the school may also, at any time, decide to attend a mediation hearing to try to reach an agreement. If you and the school agree to use this option, a trained mediator sent by the State will meet with you 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. Within 45 days, the hearing officer issues a written decision and mails it to you and the school.

How should I prepare for the hearing?

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

You may call witnesses to testify at the hearing or you may present written testimony from your witnesses.

You should consider having at the meeting another person who can act as an advocate for you. 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, you may want to consider consulting with a lawyer who knows special education law to get advice prior to

the due process hearing. The Regional Center has established a special relationship with Whittier Law School Children's Rights Clinic to provide legal assistance to parents preparing for a due process hearing. If you believe the school is not dealing appropriately with your concerns about your child's educational program, you should talk with your service coordinator. He or she has the option of recommending that you be referred to this special legal clinic. The lawyers from the clinic can help you understand the law and prepare for the due process hearing, but they will not be present at the hearing.

Things Your Child Should Know

As was shared before, the purpose of special education is to prepare your child for employment and independent living. You, as a parent, play a critical role in preparing your child to take on these adult tasks, and you should think of your child's educational program as an important tool to help you advance your cause.

Begin by thinking about the kinds of things your child will need to learn to enhance his or her independence at home, in the community and in a work setting. It's never too early to begin. Respect for authority, following rules, being on time, following through on tasks and assignments, and getting along with others are skills that we all need to master to be productive members of society. You should consistently reinforce these behaviors at home, but you should also take every opportunity to expose your child to situations in the community where he or she can practice them.

At the same time, it is important for you to discuss with the IEP team how your child's educational program can maximize his or her development in these critical areas. The elementary years are not too early to begin thinking about the kinds of things your child will need to know and do to be successful in a job or to live on his or her own with support in the community. Below we list some of the topics that you will most likely want to work on with your child, as well as discuss with the IEP team for possible inclusion in your child's educational plan. In addition, don't hesitate to consult your service coordinator or visit the Koch♦Young Resource Center for information and training opportunities that can supplement your efforts.

Maintaining Good Health

It's 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. Your child may have more medical challenges than other children, but it is important for your child to help look after his or her health to the best of your 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. You can help by modeling good behaviors and helping your 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 your child and influence the level of acceptance your 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 your child. For this reason, it is important for your 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 or to inadvertently engage in behaviors that put them at risk. Of course, as a parent you talk to your child about safety issues and personal responsibility, but at the same time, you may share the discomfort that many parents feel discussing topics, such as sexuality, with your son or daughter. An appropriate issue for your 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.

The Regional Center can also help in this regard. We provide a variety of structured opportunities for children, adolescents and young adults to learn in a neutral setting from a neutral party how to be safe and responsible. Check the Lanterman Web site at www.lanterman.org or visit the Koch♦Young Resource Center for more information about the following programs and others that may benefit your son or daughter:

- “Get Safe,” a personal safety program for young people that covers assertiveness training, community safety awareness, setting limits, defining boundaries and creating healthy relationships.
- “Birds and Bees for Adolescents: Fostering Healthy and Safe Interpersonal Relationships,” a sexuality and socialization training program for adolescents.

- “Abilities,” a sexual abuse and exploitation risk-reduction program for adolescents and young adults.

Making and Keeping Friends

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 your child to learn and practice social skills and develop friendships, and you can help your 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 your 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 social skills groups, 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 one-to-one 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 your 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.

Things You Can Do To Help Your Child

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

find and access the information and training you need to become a more effective advocate for your son or daughter, not only with the schools, but also with other public and private agencies. As you develop advocacy skills, you will also be able to help your child develop the skills necessary to advocate for himself or herself.

One of the most important things you can do to prepare yourself 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, developmental disabilities, education-related information, and planning for the future.

Workshops focused specifically on the IEP process are also sponsored periodically by groups in the Lanterman area. Information about these types of activities is available through Lanterman’s Web site at www.lanterman.org and 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 several skill-building classes for parents. They include the introductory “Parenting a Child with Special Needs,” as well as more focused workshops, such as “Behavior Management Workshop for Parents” and Behavior Management Specialty Workshop: Toilet Training.” The Regional Center may also provide supplementary in-home behavior management training for parents who need more help than they can get from these workshops.

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 your child can give your child a positive message about the confidence you have in him or her and can boost your child’s self-esteem. You should have clear and reasonable expectations that are consistent with your 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 a non-disabled sibling. At the same time, it is important to the disabled child, 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, you should keep in mind that your 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.

As was said at the beginning of this section, "Your Child's School Years," when your child entered school it was, for him or her and your family, the beginning of an exciting journey. By working collaboratively with the school and the Regional Center on this journey, you can help your 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.