

POWAY UNIFIED SCHOOL DISTRICT

# Parent Handbook for Special Education

Developed by the



**In collaboration with PUSD Special Education Department**

**CAC Mission Statement**

Promoting and encouraging positive connections among students, parents, and PUSD and providing guidance in special education, so all students become successful life-long learners.

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## Parent to Parent

As you read this handbook, it is our hope that it will answer some of your questions regarding Special Education. The Poway Unified School District Community Advisory Committee (CAC) developed the handbook so that you might better understand your role as an equal member of your child's Individual Education Plan (IEP) team.

The CAC is a collaborative team of parents, school personnel and community members that meet regularly to promote high quality programming, empower parents and facilitate engagement on behalf of students receiving special education services within Poway Unified School District. The CAC meets on a regular basis to provide input to the school district regarding development and implementation of Special Education programs, to assist and educate parents, and to encourage community involvement. The meetings are open to all stakeholders and participation is welcomed.

The CAC meets the second Tuesday of each month from 6:30 – 8:00 pm.

## Section I: What is Special Education?

### A. Individual with Disabilities Act (IDEA)

The Individuals with Disabilities Education Act (IDEA) is a law that makes available a 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 more than 7.5 million eligible infants, toddlers, children, and youth with disabilities.

Infants and toddlers, birth through age 2, with disabilities and their families receive early intervention services under IDEA Part C. Children and youth ages 3 through 21 receive special education and related services under IDEA Part B.

### B. Defined

Special education means specially designed instruction, at no cost to the parent, to meet the unique needs of a child with disabilities. This instruction can include classroom instruction, home instruction, instruction in hospitals and institutions, instruction in other settings, and instruction in physical education. Special education also includes speech-language pathology or any other related service if the service is considered special education under state standard, travel training, and vocational education. California law adds to the federal definition of special education by requiring that special education be provided to those students with disabilities whose educational needs cannot be met with modification of the regular instructional program. [20 U.S.C. Sec. 1401(29); 34 C.F.R. Sec. 300.39; Cal. Ed. Code Sec. 56031.]

Special education is an integral part of the overall total public education system and provides education in a manner that promotes maximum interaction between pupils with disabilities and those without disabilities in a manner which is appropriate to the needs of both.”

#### Free Appropriate Public Education (FAPE)

F: free means the government pays for the education of students with disabilities. There is no cost to families

A: appropriate means that kids who qualify get an Individualized Education Program (IEP) with services to meet their unique needs

P: public means supervised by the public school

E: education can include special education, related services (speech therapy, occupational therapy, etc.), counseling, or even transportation

### C. Continuum of Services - Options available in the Poway Unified School District

Poway Unified School District offers a continuum of programs and services to meet the diverse needs of eligible students in the least restrictive environment (LRE). The program options include the following:

**1. Specialized Academic Instruction (SAI)**

Under the SAI model, students with specific learning disabilities are assigned to general education classrooms for the majority of the school day but receive supportive instruction and consultation services by the Resource Specialist Teacher, either in a learning center or the general education classroom.

**2. Special Day Classes (SDC)**

These classes provide services to students with more intensive needs that cannot be met within the general education class or the Resource Specialist Program. Students are enrolled in special day classes for a majority of the school day and are grouped with students who have to similar instructional needs. The two types of Special Day Classes are ASD-A for mild/moderate disabilities and ASD-SDC for moderate to severe disabilities.

**3. Related Services**

These services include speech therapy, adapted physical education, counseling, audiological services, and services for students with visual or hearing impairments.

**4. Full Inclusion**

Full inclusion and partial inclusion services are additional options. A student may participate in a general education class for all or part of the day with special education support to promote interaction with general education peers in a manner that is appropriate to the needs of both.

**5. Nonpublic (NPS) or State Special Schools**

If a student's special education needs cannot be met through the local programs, a nonpublic school program may be provided. State special schools may be an option for some students. This is the most restrictive option. The IEP team determines placement. In planning for the type of educational placement your child will receive, you have the right to request that your child, to the maximum extent appropriate, receives the following:

1. Be educated with their peers in the general education setting as much as possible
2. Be educated in the neighborhood school

## Section II: How Children Are Placed in Special Education

*It is very important to understand that some all students with learning challenges do not require Special Education services. Students must meet eligibility criteria and demonstrate an educational need. The education team can help develop a plan of action, implement evidence-based intervention and monitor progress over a period of time before determining whether or not to assess a student for special education.*

### A. Step 1: Identification

School personnel are responsible for identifying children who may have special needs. A referral may also come from parents, teachers, doctors, or community agencies. If your child is not in special education and you suspect your child might need extra support, establish an appointment with the classroom teacher to discuss your concerns. As a result of this discussion, your child may be referred to the Intervention Assistance Team (IAT).

*Child Find: Under federal law, public schools must look for, find and evaluate students who need special education. This is called Child Find, and it covers children from birth through age 21. It applies to all children, including those who are homeschooled or in private school settings, plus children who are migrants or without homes.*

### B. Step 2: Referral

The schools use a two-step referral process. A students may be referred to an Intervention Assistant Team (IAT) or 504 Coordinator to develop and implement an evidence-based instructional plan that will be monitored for effectiveness. These plans are considered Tier 1 and Tier 2 interventions and are unrelated to special education. The first step is referral to the Intervention Assistance Team (IAT). IAT members may consist of general education teachers, school administrators, Special Education teachers, and other specialists such as speech pathologists, counselors, or reading specialists. The IAT reviews what has been done in the general education class and determines if the child's needs can be met by changing curriculum or methods in the general education program. If the IAT determines the child might be disabled and require Special Education services, a request for Special Education assessment is made. You will be contacted by your school asking for your written consent prior to your child being assessed. A copy of Procedural Safeguards will be included with the assessment plan. The assessment must be completed, and a placement meeting conducted within 60 days of the date the school receives your written consent for assessment.

[Notice of Procedural Safeguards-English](#)

[Notice of Procedural Safeguards-Spanish](#)

[Notice of Procedural Safeguards- Farsi](#)

### C. Step 3: Assessment

The Assessment of your child should be a well-rounded process conducted by a team of specialists that will tell how your child is doing in all areas of the suspected needs for additional support. Information about your child may be gathered in different ways: by talking to people who know him or her, including doctors and professionals; by conferring with classroom teachers; by meeting with you; by observing your child; and by administering psychoeducational

and academic tests to him or her. No single test procedure may be the sole means of making a decision about placement in an educational program. Your firsthand knowledge of your child is important information. Talk to members of the assessment team about your own observations of your child's behavior.

All methods used for testing and assessment must be racially and culturally non-discriminatory. If a child's language is other than English, tests must be given in that primary language or other mode of communication. The results of testing and assessment should be explained to you in clear terms and in your own language. Ask questions if anything is not clear to you.

*Special Education Directory*

#### **D. Step 4: Placement**

Placement decisions are made by the consensus of the Individualized Education Program team (IEP team) including parents, teachers, school officials and psychologists or others who have conducted the assessments. If the IEP team determines that your child has a disability and/or needs additional support and is eligible for Special Education services, then an Individualized Education Program (IEP) will be developed. The development of the IEP is an important step in the process because this written plan outlines the services to be provided for your child.

## Section III: What is an Individualized Education Program? (IEP)

### A. Defined

The law requires that an Individualized Education Program (IEP) be written for each child who is eligible for Special Education. Each student's IEP must be reviewed at least once a year (annual) and must be changed as the student's needs change. As stated by IDEA, schools are required to re-evaluate students with IEPs at least once every three years; triennial re-evaluation. The purpose of the triennial evaluation is to see if a student's needs have changed. It is also to see if they still qualify for special education services.

### B. What the IEP must include

- **A statement of the student's present level of educational performance, and special needs**  
Those working with your student will share information about what the student has accomplished and is able to do as well as what he or she needs to learn based upon the assessment results.
- **Annual education goals and short-term instructional objectives/benchmarks**  
Goals and objectives/benchmarks will be established for the student for the coming year. (Short-term objectives are typically used in preschool settings).
- **Related services**  
All services necessary for the child to benefit from special education will be delineated.
- **The amount of time the child will participate in general education classes or activities.**
- **Implementation, frequency and duration of placement**  
When will a program start? How long will it continue? How often will it take place?
- **Provisions for career, vocational education, and alternatives for meeting requirements for graduation if required**  
At age 14 an Individual Transition Plan (ITP) will be established.
- **Placement**  
Following a discussion of available options, the appropriate setting for services, as well as the goals and objectives of the IEP, will be determined by the team.

### C. The IEP Team

The IEP must be written by a team, including the parents or guardians, the student's general education teacher, special education teacher and a school official. When appropriate, the student is also included. Sometimes one or more specialists may be on the team. The first time your child is eligible for services, someone who is knowledgeable about the testing must be included on the IEP Team.

## Section IV: Record Keeping

### A. Why record keeping is important

Record keeping is not mandatory for parents of children with disabilities, but maintaining good records is often helpful. You will be receiving a lot of documents during the IEP process and you will need to have a system for keeping those documents organized. A very simple way to do this is to place all of the information in a three-ring binder that you can take with you to formal and informal meetings with school staff and outside professionals.

Difficulties arise during the IEP process when parents and/or school representatives misunderstand or forget what they agreed upon. A written record of your interactions with the public school system will help to prevent confusion and strengthen your position if you feel the school has failed to implement any portion of the IEP.

### B. What you should include in your binder

Including the following items in your binder will make it easier to prepare for IEP meetings, track your child's progress, and provide support for changes you want to make to your child's IEP. Four basic categories may be useful in organizing the material:

#### 1. Medical

- Developmental history, including pregnancy and birth
- Doctor's reports (pediatrician, allergist)
- Therapy reports (speech therapy, occupational therapy, physical therapy)
- Agency reports (Regional Center, County Mental Health)

#### 2. School

- Copies of all IEPs
- Records of phone calls made on behalf of your child, including the date of the correspondence and the names of anyone you spoke with (see sample Communication Log on page 12)
- Copies of emails or letters written on behalf of your child
- Results for any test or assessment given to your child by school staff
- Educational history
- Progress reports
- Report cards
- Dated examples of school work
- Copies of vocational testing
- Your notes from any meeting you attended on behalf of your child
- The school system chain of command, including names, phone numbers, addresses, and email information for easy reference (update each year)

#### 3. Personal/Social history

- Personal notes and observations concerning your child
- Your child's interests

- Clubs, organizations, and camps your child participates in
- Family history
- Special awards your child has received
- Pictures

**4. Other Resources**

- Financial resources
- Legal documents
- Community agencies
- Copies of Federal and State laws and regulations



**School System Chain of Command**

School Year: \_\_\_\_\_

<b>Profession</b>	<b>Name</b>	<b>Phone/E-mail</b>
SELPA Director		
Parent Liaison		
School District		
Superintendent		
Director(s) of Special Education		
Psychologist		
Principal		
Program Specialist		
General Ed. Teacher		
Resource Teacher		
Resource Teacher		
Resource Teacher		
Special Education Teacher		
Special Education Teacher		
Special Education Teacher		
Physical Therapist		
Occupational Therapist		
Speech Therapist		
Adapted Physical Education Teacher		
School Nurse		
Transportation		
Room Parent		

## Section V: The IEP Meeting

The team's responsibility is to review the student's assessment(s) and any observations made about the student, and determine eligibility for Special Education services. Discussion will include the present level of the student and applicable goals and objectives that are decided upon by the team. Relevant services will be presented. The frequency and duration of those services will be determined along with the start date, person responsible, the expected completion date, and the date the objectives should be attained. A rationale for eligibility will be stated indicating the type of condition and the 'least restrictive environment' to be utilized.

Remember, decisions are made only with the active participation of all team members during the meeting.

### A. Preparing for the meeting

Planning for an IEP will be one of the most helpful things you can do for yourself and for your child. Organizing your concerns, issues and questions ahead of time will help significantly during the meeting.

#### STEP 1

- Organize your paperwork
- Familiarize yourself with the current copy of the IEP
- Write down any questions that you may have
- Write down any areas of challenge that you would like the IEP team to address
- Gather copies of assessments or schoolwork you would like to share with the IEP team
- Bring any outside assessments to share with the team
- Communicate any concerns with the case manager

Understanding/interpreting test results and paperwork can often be confusing. Please request clarification as needed.

#### STEP 2

Questions you may have include the following:

- Look at the meeting notice and determine if you understand each person's role. If not, ask your case manager.
- Have you thought about bringing a relative or a friend to the meeting?
- Will you tape record the meeting? You must let your case manager know 24 hours in advance of the meeting.
- Do you need an interpreter? Have you asked the school to provide one?
- Have you received a copy of the "Procedural Safeguards?"

### B. The IEP Meeting

Developing an IEP gives the parents, teacher, and school official the opportunity to review the assessment and educational history of the child and make plans that will meet the needs of the child.

You may bring additional individuals to the IEP meeting (people familiar with your child; people more familiar with the IEP process; advocate; etc.). The IEP meeting should be scheduled at a time that is convenient for both parents and school personnel.

Specific items that will be discussed during the IEP meeting are listed below. Remember that you are part of the team, and you may ask questions at any time during the meeting.

### **1. Formal and Informal Assessments**

- Discussion of your child's strengths, preferences, and interests
- What helps your child learn?
- What limits or interferes with learning?
- Informal observations?
- Present level of education performance (below, at, or above grade level)
- Interpretation of test scores
- Your child's primary disability will be identified

### **2. Impact of Disability on Academics and Social Skills**

- How disability affects your child's academic abilities
- How disability affects social skills/behavior
- Communication, gross/fine motor, sensory, health, and self-help skills

### **3. Goals**

- Baseline (Your child's current level of performance)
- Goals (all identified areas of need have goals)

### **4. Placement**

- Your child's participation in the general education curriculum
- When services will be provided and how it will impact amount of time your child is in the classroom
- Your child's primary disability and the degree to which it impacts learning will be a factor in the types of in-and-out classroom programs he or she will participate

### **5. Support Services, Accommodations, and Modifications:**

- Support services that will be provided
- Supplementary aids (i.e., extended time on tests, preferential seating)
- These support services are identified on the **Special Factors Section** of the IEP

## **C. Suggestions for Participating in Your Child's IEP**

You play an important role in decisions about where and how your child will be taught and your input is important throughout the IEP process. Here are some suggestions on how to actively participate in the development and implementation of your student's IEP.

1. Listen closely to what the IEP team members are saying. Don't hesitate to ask them to repeat, give additional explanation, or define terms in everyday language. Before you sign the IEP, you should understand and agree with the following:

- The placement and plan
- The goals
- The information in the special factors section
- The modifications and or accommodations
- How will progress be monitored and communicated to parents
- Who is responsible for providing services and how they are coordinated
- What can be done at home to reinforce goals of the IEP

2. Bring a list of questions and any information you would like to share about your child.

3. If you have a question or concern about any part of the IEP, you may sign for the parts you want to be implemented and plan a subsequent meeting to discuss remaining concerns.

4. You may take the IEP home before signing; however, if you have additional concerns that warrant changes, the IEP team will need to reconvene. In any case, an IEP must be in effect before special education and related services are provided. Once you have signed the IEP, make sure to get a copy for your personal records.

5. You are an important member of the IEP team. Keeping good communication with those working with your student is essential.

#### **D. Other reasons an IEP team might meet:**

- To review the results of a formal assessment
- When the student's placement or instruction is initiated, changed or terminated
- When lack of progress exists in Special Education Program
- Within 30 days of a written request by a parent for a review
- When a teacher requests a review
- At least annually
- For reevaluation every three years to reestablish eligibility for Special Education
- Within 30 days of the student's transfer into PUSD from another special education placement
- Within 60 days of receipt of written parental consent for initial assessment

#### **E. Individualized Education Program Checklist For Parents**

##### **A. How to use this checklist:**

1. Read it over before the IEP Meeting.
2. Take it to the IEP Meeting.
3. Compare proposed IEP to checklist

**B. IEP Checklist for Parents**

- Do the areas covered include your concerns? Some examples of these include the following:
  - Daily living skills
  - Difficulties with emotional development
  - Functional academics
  - General health
  - Hearing
  - Learning environment
  - Math
  - Vision
  - Peer/adult interaction
  - Physical skills
  - Psychological/general intelligence
  - School adjustment
  - Self-concept
  - Social
  - Speech and language
  - Vocational/career
  
- Did the testing seem appropriate?
- Was your child assessed in his/her area of suspected disability?
- Do the results correspond to your knowledge of your child's ability?
- Is there a long-term goal for each area in which your child is presently having difficulty?
- Is a short term, measurable, instructional objective/benchmark included for each goal?
- What changes are expected for your child and within what time frame?
- Given your knowledge of your child, are the goals and objectives appropriate and realistic?
- Could you tell if your child mastered the objective?
- What methods and materials will be used to achieve the objectives?
- What other services do you feel your child needs? Ex. speech therapy, counseling, transportation. Will they be provided? By whom? Are they adequate?
- When will services begin and end?
- How often? Frequency and duration of services
- Do you think this placement is right for your child?
- Will your child be in contact with general education peers? How often?
- Does the placement address your child's career development and physical education needs?
- Within the next year, when will the team meet to review/revise the IEP?

## SECTION VI: The IEP Forms

This section gives a brief explanation of the IEP forms to help you prepare for the IEP meeting.

### A. Front Page of the IEP

The first portion of the IEP contains demographic information about the student and the student's family.

The lower portion of the first page contains information concerning eligibility, the primary service location and percent of time services will be provided, the specific services to be provided, and other important program information.

### B. State and District Testing Accommodations

Information about the State and District tests used to evaluate educational progress, with specific accommodations and/or modifications that may be available to help your student be successful when taking these tests.

This is the last page reviewed in an IEP meeting. The parent(s) and anyone who has participated in the IEP provide their signatures on this page.

### C. Present Levels of Educational Performance

This section of the IEP is two pages in length. It reflects how the student is performing currently with respect to academics, communication development, motor development, social/emotional, health, pre-vocational/vocational, skills, and self-help skills.

In addition, on the bottom of the second page, you can find how the student's disability affects their involvement and progress in the general curriculum.

On the bottom of the page you will find areas of need to be addressed in goals and objectives.

### D. Special Factors

Provides information on what specific classes the student will be attending. In addition, it will list supplemental aide and services that will be provided so that the student can be successful within the general education environment. Assistive technology, communication, behavior, transition, and graduation are other areas covered and explained on this page.

### E. Annual Goals and BenchMarks/Short-Term Objectives

A student may have a variety of goals related to areas of need as long as the needs are documented in the Present Levels of Educational Performance section of the IEP. The IEP team discusses and agrees upon the goals.

### Individualized Transition Plan

*(Mandatory for students 16 years of age and older. May begin at 14 ½ years of age)*

This page is completed by interviewing the student. It helps the student think about where they

see themselves in the future. It also helps the IEP team to think about what classes and training the student might need in order to meet the student's needs and goals.

**IEP Meeting Notes**

This page should represent what has been said during the IEP. Every member of the team has the right to hear the notes read at the conclusion of the meeting. If a member of the team prefers to read the notes, he/she can request this.

## **Section VII: Special Education Parent Engagement Liaison**

### **A. Defined**

Under the direction of the Director of Special Education, facilitate and provide peer-level parent-to-parent support for parents of students with special needs. Serve as an advocate for a communications liaison between families, community agencies and the Special Education department. Coordinate, recruit, train, and retain volunteers to facilitate program operations.

The Special Education Parent Engagement Liaison serves as a liaison between the Special Education department and the parent of students with special needs, connecting parents with and facilitating the development of Special Education programs to highlight parent connections and support. The Parent and Community Liaison serves as a liaison between sites, departments, and parents, provide assistance and information to parents in all aspects of student registration, placement, and community resources.

## B. A Letter from the Special Education Parent Engagement Liaison

I am excited to introduce myself as the Special Education Parent Engagement Liaison for the Special Education Department. I am humbled and grateful to have been a part of the Special Needs Community for the last 18 years. As a parent of a child with a disability, I understand that each child is unique and there are complexities that accompany their learning styles. For the last six years, I have had the privilege to learn and implement a variety of strategies and supports for diverse learning modalities as an Instructional Assistant in general education and special education classroom settings.

I look forward to collaborating with parents and staff to help build a bridge to Special Education and its resources. I believe that Special Education not only consists of educating the mind, but also the body and soul. My roles include serving parents in their particular season of education; helping families understand and navigate the IEP process as informed educational partners for meaningful participation; engaging families to participate in school site workshops, and initiatives; and connecting families to available resources in our community. It is my goal to assist in facilitating positive outcomes built on trust and collaborative relationships.

Following are links to some local organizations that have been compiled by the Special Education department. Many offer direct support options, workshops and other local resources:

- SPED Parent Resources for information on numerous supports: <https://www.powayusd.com/en-US/Departments/Special-Education/Special-Education>
- National Alliance for Mental Illness (NAMI): <https://namisaniego.org/about/our-mission/>
- Exceptional Family Resource Center (EFRC): <https://efrconline.org/>
- San Diego Regional Center (SDRC) (858)576-2996: <https://www.sdrc.org/>
- Learning Disabilities (includes local classes): <http://www.ldonline.org/>
- San Diego Family Magazine Special Needs Resource Guide: <http://specialneedsresourcefoundationofsandiego.org/special-needs-resource-list-san-diego/>
- YMCA Youth and Family Services: <https://www.ymcasd.org/community-support/ymca-youth-and-family-services>
- Sports for Exceptional Athletes: <https://www.s4ea.org/>
- San Diego Therapeutic Recreation Services: <https://www.sandiego.gov/park-and-recreation/activities/trs>
- The Friendship Circle: <https://friendshipcirclesd.com/>

The Special Education department and educational staff is dedicated to supporting the success of your child. I look forward to understanding your family's needs and working with you to achieve positive results!

Deborah Williford  
 PUSD Special Education Parent Liaison  
[dwilliford@powayusd.com](mailto:dwilliford@powayusd.com)

## Section VIII: How To Be Your Child’s Best Advocate

### A. Advocate Defined

An advocate is someone who speaks up for someone else, or someone who acts on behalf of another person. Naturally, a parent can be their child’s best advocate because the parent knows their child better than anyone else and is in the best position to speak for their child on his or her behalf. Here are some tips that may help you to become the most effective advocate for your child.

1. Be informed by reading about your child’s disability, asking questions and seeking answers, and attending meetings. The more you know about your child, the more comfortable you will be helping others understand your child.
2. Understand the local and state special education system and laws governing services for your child. Know your rights! Here are two wonderful resources that may be helpful in learning the laws:
  - a. Wrightslaw Special Education Law and Advocacy - <http://www.wrightslaw.com>
  - b. A Composite of Laws (California Special Education Programs – Department of Education) - call 1-800-995-4099.
3. Be a good record keeper by taking notes, obtaining copies of everything, and keeping your records organized in a file or binder.
4. Educate those around you by developing and sharing a “snapshot” of your child which may include the milestones your child has reached, strengths, weaknesses, motivators, behavioral strategies, and likes and dislikes. Make sure to update your snapshot periodically as your child changes.
5. Research and recognize resources and services that may be available to your child.
6. Work together closely with those providing services to your child by keeping the lines of communication open and striving to maintain a positive and healthy working partnership.
7. Network with other parents and professionals by attending support groups, conferences, and workshops.
8. Be involved with your local organizations and your child’s school life.
9. Help your child to learn how to advocate for him or herself.

Becoming a skilled advocate for your child can be very satisfying. With the appropriate services and support, our children can thrive.

## Section IX: What Are My Legal Rights as a Parent?

### A. Laws Governing Special Education

You, the parents, and your child with a disability have certain legal rights. Two laws have had the greatest impact on how special education programs are structured and administered. They include the following:

#### 1. Individuals with Disabilities in Education Act (IDEA – 2004).

This Federal law requires that states provide a free and appropriate public education for students with disabilities.

### B. You are entitled to the following:

- Receive written notice from the school asking for your consent to assess your child.
- Participate in the planning and development of your child’s Individual Education Program, and to receive a copy
- Receive a full explanation of your rights
- Written notice before any proposed changes to your child’s IEP
- Review your child’s school records with a school administrator
- Participate in the annual review and revision of your child’s Individual Education
- File a complaint with the district and/or the state if you believe a law has been violated relative to special education services for your student
- Request a Due Process Hearing when you and the school cannot agree on what type of program will be most helpful for your child

### C. Alternative Dispute Resolution/Due Process

The intent of special education law is to provide a free appropriate public education for each child that will meet his or her unique needs. School personnel will try their best to make changes in your child’s program that you feel are needed. Sometimes, however, the school may not agree with you or may not be able to meet your request. If this happens, and you and the school are not able to agree over how to meet your child’s educational needs, you have the right to use the Alternative Dispute Resolution Process or Due Process procedures provided for by law.

Due Process is part of the special education law that spells out how parents and school personnel may formally pursue a disagreement. Due Process covers what to do if you and the school cannot reach agreement on any one of the following:

1. The school’s responsibility regarding their legal requirements to you and your child.
2. Identification of your child as a student who needs Special Education services.
3. The type of assessment proposed for your child and the test results.
4. The planning of the IEP.
5. Special Education services being denied, changed or stopped.
6. The belief that you or your child’s legal rights have been violated.

Most problems can be resolved through discussion with the school team, program specialists, or special education administrators. Contact these people or the parent liaison to address unresolved concerns. For more information contact the Special Education Director of Family Engagement, Support, and Resolution, Jodi Payne at (858) 521-2800 x 2816.

If, after working closely with the school and district special education personnel the matter is not resolved, you may exercise the Due Process procedures guaranteed by State and Federal law.

**D. Your Rights at a Due Process Hearing**

- The hearing must be held at a time and place which is reasonably convenient for the parents and the student
- You have the right to legal counsel, including the advice and support of any advocate not necessarily a lawyer
- You have the right to examine witnesses, present evidence, and ask questions of school representatives
- You have the right to obtain a record of the hearing and all the findings

Prior to Due Process, you may wish to consider participating in an Alternative Dispute Resolution session



## Section X: Frequently Asked Questions

Analyzing our children can be stressful for parents. We all want to do what is best, and we can sometimes feel overwhelmed by the information and decisions we need to participate in for our child's education. Here are some questions that staff frequently hear, along with some answers that may be helpful:

1. I am so overwhelmed...my child is struggling in school. I don't know why and I don't even know where to start to get help.

**Answer:** Talk with your child's teacher. They may be able to help define what problem may exist and offer some possible remedies. Visit your physician, explain what you see happening and ask for their advice. Call the Parent Liaison for assistance communicating your concerns.

2. How do I know if my child is receiving all the programs that may be beneficial for their condition? I don't think they are telling me about everything unless I know what to ask for.

**Answer:** Remember, you are a part of the IEP team that assesses testing results for your child. You are an active participant and can ask questions about services at any time. Come prepared to meetings with reports from your physician. The other members of the team want to provide all services that are available and applicable to your child's condition.

Write questions down prior to the meeting to help you remember different points that you wish to present during the meeting. If you are not sure how to phrase your questions, contact the Parent Liaison for assistance.

3. Who is the case manager in charge of my child's IEP?

**Answer:** The child's case manager is the person at the school site. Every child with an IEP is assigned a case manager. This is designated at the IEP meeting. It may be the special education teacher or speech language pathologist depending on your child's needs.

4. What if I am unsure whether my child should be considered for a Special Education program?

**Answer:** Talk to your teacher and principal about your concerns. See Section III regarding the IAT process.

5. What if school representatives think my child needs Special Education assistance but I don't?

**Answer:** Students cannot be assessed or placed in Special Education without signed parental consent.

6. What if I need more explanation of the law regarding my rights?

**Answer:** You might ask for further explanation from the staff at a local school, you advisory council, program specialist, special education director, the Associate Superintendent of Student Support Services, or the State Department of Education.

5. How do I prepare for my child's IEP meeting?

**Answer:** Prepare for meetings by reviewing the information you have regarding your child and by writing down the questions you want answered. You may take a friend or professional person with you to the meeting. As a parent you have something unique to contribute to the team. A parent liaison can provide assistance or attend the meeting with you (see Section VI).

6. What if you have questions about the recommendations of the IEP team?

**Answer:** Your child's program will remain the same until agreement is reached and the IEP is signed. You can delay signing the IEP to allow yourself time to fully understand the IEP team's recommendations.

7. What if I need more information about my child's needs, program, or related matters?

**Answer:** You may work with teachers, principals, program specialists, parent facilitators, or district administrators to answer your questions.

8. What if it is determined that my child is not eligible for Special Education?

**Answer:** The school may have other programs to assist your child. Ask for a conference with your child's teacher and principal to discuss alternatives, which may include a 504-accommodation plan.

9. What is a Program Specialist?

**Answer:** A special education staff member who has had advanced training and experience in one or more areas of special education. He/she works with a number of assigned programs and provides assistance to case managers, schools, parents, and administrators.

## SECTION XI: Community Resources

### LEARNING DISABILITIES ASSOCIATION

(858) 467-9158

LDA – is the voice for individuals with learning disabilities of all ages and their families, providing support, opportunities and resources to individuals with learning disabilities, their families, educators and other professionals who serve the learning disability community.

<https://ldaamerica.org/>

### ASSOCIATION FOR RETARDED CITIZENS

North San Diego County, Vista – (760) 726-2250

ARC provides respite care, infant enrichment, parent education, and adult services.

<https://thearc.org/>

### THE BLIND COMMUNITY CENTER of SAN DIEGO

(619) 298-5021

The Center provides recreational activities for visually impaired individuals from ages kindergarten through adult. Activities include roller-skating, water skiing, trips to Disneyland, and other activities.

<https://bccsd.org/>

### CALIFORNIA STATE DEPARTMENT OF REHABILITATION

Escondido Office – (760) 480-9692

This agency provides services for handicapped individuals seeking employment, such as assessment, training, and placement.

<https://www.dor.ca.gov/>

### DEAF COMMUNITY SERVICES

San Diego – (619) 398-2441

Services are provided for hearing impaired individuals such as interpreting, counseling, job information, weekly newsletter, and quarterly magazine.

<https://deafcommunityservices.org/>

### SAN DIEGO INTERNATIONAL DYSLEXIA ASSOCIATION

San Diego – (619) 685-4413

The Orton Society links the learning disabled with other organizations that can help. They also sponsor support groups for learning disabled adults. They also have an 800 number for information on learning disabled services, 1-800-ABC-D123

<https://sdcal.dyslexiaida.org/>

### PALOMAR COMMUNITY COLLEGE

Disability Resource Center

San Marcos – (760) 744-1150. Ext. 2375

<https://www2.palomar.edu/pages/drc/>

**SAN DIEGO REGIONAL CENTER FOR THE DEVELOPMENTALLY DISABLED**

(858) 576-2996

Provides information, referral, diagnosis, evaluation, program planning, and advocacy services for the developmentally disabled (mental retardation, cerebral palsy, epilepsy, autism, and others).

<https://www.sdrc.org/>

**SAN DIEGO PARK AND RECREATION DEPARTMENT**

(619) 525-8247

The Department offers a variety of Programs and activities for handicapped children. Call for a calendar of activities.

<https://www.sandiego.gov/parks-and-recreation>

**UNITED CEREBRAL PALSY ASSOCIATION**

(858) 571-7803

UCP provides intake and referral services for the physically handicapped. Adult employment and independent living programs are also provided.

<https://www.ucpsd.org/>

**This list includes only some of the organizations that are available in the community. Contact the Special Education Office or a members of the CAC for additional resources.**

**Additional resources can be found on the PUSD website:** <https://www.powayusd.com/en-US/Departments/Student-Support-Services/Special-Education/Parent-Resources/Local-State-SPED-Resources>