

## What is special education?

It is a wide range of services available to children who have special needs that make it difficult for them to learn in the classroom without additional help. The range of services available includes:

- ^ Special learning time with a trained teacher called a resource specialist (aka RSP teacher). *The child often leaves the regular classroom and works with the RSP teacher, usually in a small group setting. Sometimes the teacher will work with the child in the regular classroom.*
- ^ Special services such as adaptive P.E., speech and language, and counseling, provided by a special teacher outside the main classroom. *These services may be offered one-on-one or in small group settings.*
- ^ Special classes specifically designed to meet a child's unique educational needs that arise out of his or her disabilities (i.e., special day classes ("SDC")).
- ^ Special schools in which all the classes and the overall environment are geared toward servicing the needs of special education children.
- ^ Special private schools called non-public schools in which a child can be placed if the school has no suitable classes in which to educate a child.
- ^ Residential facilities in which a child can be placed that provide both a therapeutic living environment and a specially designed learning setting.

### When are services available?

Services are available for birth to 22 years of age, depending upon the child's needs. Services for children from birth to 3 years are called *early intervention services*. Services for children from 3 to 5 years are called *preschool services*. A student must be referred for special education services prior to the student's 19<sup>th</sup> birthday.

### How do I find out if my child qualifies for special education?

The general procedure is as follows:

- ^ Write a letter to the school asking to have your child tested to see if he or she qualifies for special education services. Be sure to date the letter, sign it and say why you think your child might qualify for services. *Keep a copy of this letter.*
- ^ Within 15 days the school must respond to your request by providing you with an *assessment plan*. This plan lists areas in which your child will be tested and the tests to be used. The school cannot test until you sign this plan. *Keep a copy of the signed plan.*
- ^ Once the plan is signed, the district has 60 days (excluding school breaks longer than 5 days) to complete testing. When the testing is done, a meeting is held.

^ If the meeting team (“IEP team”) decides the child qualifies for special education, an *individualized education plan* called an *IEP* will be written. It will set long term goals for your child’s development and short term objectives to help the child meet those goals. If you do not agree with part or all of the IEP, you can appeal the results of the meeting.

^ If the IEP team decides your child does not qualify for services, you can appeal this decision. You have the right to get an independent evaluation as well.

^ The IEP must be reviewed at least once a year. Parents must be invited to attend each of these review meetings. Every three years, the child is reevaluated as well.

^ If you think your child is not making enough progress at any time during the year, you may request that an interim IEP meeting be held. To do this, write a letter to the school asking for an interim meeting. It must be scheduled within 30 days of the request.

### **What can be done if a child’s behavior interferes with progress toward IEP goals?**

You can request that the school do a *functional behavioral analysis assessment*.. Usually, the school psychologist conducts the assessment that involves observing your child in the classroom to identify problem behaviors, what triggers the behavior, what consequences are given and how the child responds. The assessment should identify strategies that the teacher can use to help control a child’s problem behaviors. An IEP meeting is then held to incorporate these strategies into the IEP as a *behavioral intervention plan*.

### **What else can be done to help a child who cannot control his or her behavior?**

Behavior problems occur for a variety of reasons. Sometimes they are caused by a student’s frustration with classroom learning tasks. Other times behavior problems are caused by life trauma that results in emotional disturbance or a combination of these issues. For special education students who are experiencing serious emotional problems, services may be available under a procedure called an *AB 3632 referral*.

An AB 3632 referral is made by the school psychologist to the local department of mental health. Once the parent consents to the referral, the child’s records, behavior and history are reviewed and evaluated by a mental health professional. The timelines are similar to those for a special education referral. Once the referral is made, county mental health has 15 days to write up an assessment plan for the parent to sign and then 60 days to do the assessment. Once completed, the IEP team meets to discuss mental health services that the child might need in order to be able to benefit from his or her education.