

Oakland Unified School District Programs for Exceptional Children Special Education Overview



Olivia Mandilk
Executive Officer

Kara Oettinger
Executive Officer

John Rusk
Coordinator

Rosa Bay
Supervising Attorney
East Bay Community Law Center

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Agenda



- What is Special Education?
- Important Laws & Concepts in Special Education
 - Individuals with Disabilities Act (IDEA)
 - Section 504
 - Free Appropriate Public Education (FAPE)
 - Least Restrictive Environment (LRE)
- Child Find, Referral & Assessment Process
- The IEP Document & IEP Meeting
- OUSD PEC Programs and Services

What is Special Education?

Specially designed instruction, at no cost to the parents, to meet the unique needs of a student with a disability

Students with IEPs are general education students who require specialized instruction.

Special education is a service, not a place.



Important Concepts & Laws in Special Education



IDEA

Individuals with Disabilities Education Act

Students with disabilities have a right to a Free Appropriate Public Education (FAPE)....

in the Least Restrictive Environment (LRE)
as described in the Individualized Education Plan (IEP)
which is “reasonably calculated” to provide “educational benefit”



Section 504 of the Rehabilitation Act of 1973

- 504 Accommodation Plan
- Accommodations to provide equal access to education, work, events, and facilities



What is Section 504 of the Rehabilitation Act of 1973?

Section 504 is a federal law designed to protect the rights of individuals with disabilities in programs and activities that receive Federal financial assistance from the U.S. Department of Education (ED). Section 504 provides: "No otherwise qualified individual with a disability in the United States shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

The Office for Civil Rights (OCR) enforces Section 504 in programs and activities that receive Federal financial assistance from ED. Recipients of this Federal financial assistance include public school districts, institutions of higher education, and other state and local education agencies. The regulations implementing Section 504 in the context of educational institutions appear at 34 C.F.R. Part 104.

The Section 504 regulations require a school district to provide a "free appropriate public education" (FAPE) to each qualified student with a disability who is in the school district's jurisdiction, regardless of the nature or severity of the disability. Under Section 504, FAPE consists of the provision of regular or special education and related aids and services designed to meet the student's individual educational needs as adequately as the needs of nondisabled students are met.

Parents of students who may have a disability under Section 504 shall be informed of their rights by the OUSD. **A person with a disability is defined as a person who has a physical or mental impairment which substantially limits one or more major life activities, excepting disabilities that are transitory (6-months duration or less) and minor. Major life activities include functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.**

FAPE

Free Appropriate Public Education

Federal Regulations require that school districts... ensure access of the student to the general curriculum, so that the student can meet the educational standards within the jurisdiction of the public agency that apply to all students.

[34 CFR 300.39\(b\)\(3\)\(ii\)](#)



The Rowley Standard

(Board of Education, Hendrick Hudson Central School District v. Rowley 458 U.S. 176)



- Is calculated **to provide educational benefit**, according to the student's individual needs as assessed at the time the offer of FAPE is made
- Is likely to produce more than trivial educational advancement
- **No requirement to maximize student's abilities**, or what a parent might desire as an optimum program or service
- Does not rely solely on grade advancement as a measure of progress; and
- **Places the student in the LRE**, even if superior educational benefit might result from a more restrictive placement

“Reasonably Calculated” means...

Based on procedural requirements, including:

1. The assessment is complete and the student is assessed in all areas of suspected disability.
2. The IEP team identifies needs related to:
 - the student’s disability
 - involvement and progress in the general curriculum
3. Current baselines are established, & goals are established in each area of need
 - Benchmarks are developed for students taking CAPA
4. Services are planned to support:
 - Progress towards all goals
 - Progress in the general curriculum
 - Participation in the general education environment
 - Education with other students with disabilities and typically developing peers

LRE

(Least Restrictive Environment)

To the maximum extent appropriate, students with disabilities are educated with students without disabilities



Key Concepts of LRE

The general education class is always the first choice considered

LRE applies to **all** students with disabilities

Must be individually determined & based on each student's individual needs

Consideration & use of supplementary aids, services & supports to make the general education class a first & viable choice **is required**



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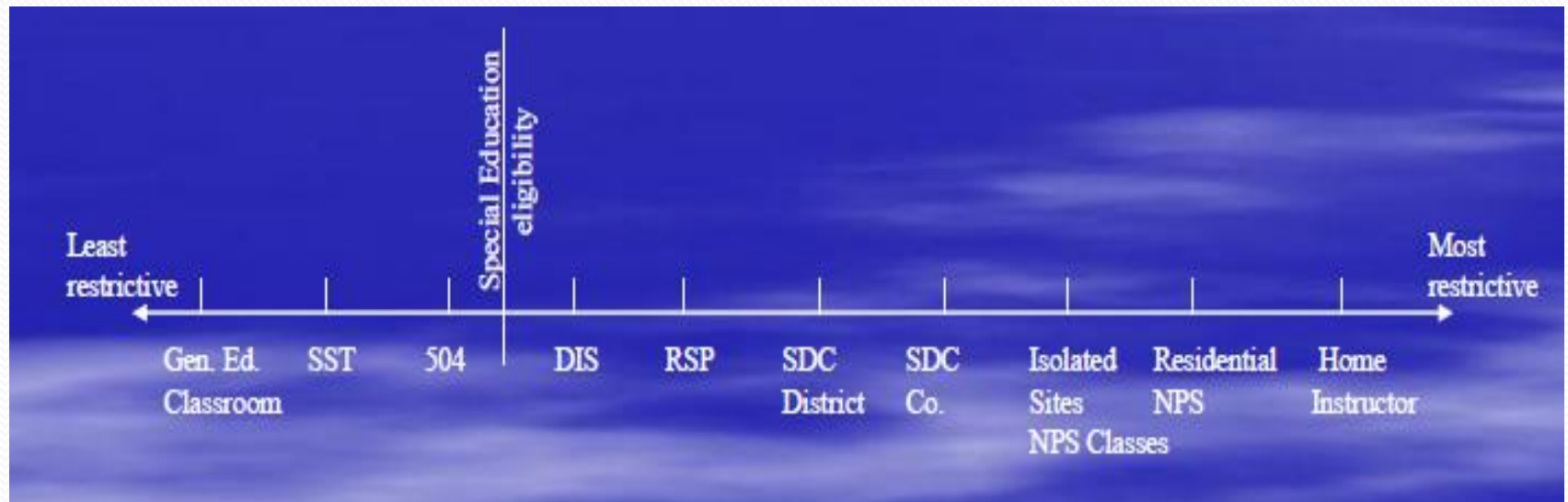
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FLAIR FOR THE DRAMATIC.

The Educational Continuum

IDEA Section 300.114(a)(2)(i) and Section 300-115(a) states:

To the maximum extent appropriate, students with disabilities are educated with students who do not have disabilities.

Each public agency shall ensure that a continuum of services is available.



IDEA 2004

Set a Higher Standard for FAPE

High expectations for all students

Prepare students to lead productive & independent adult lives,
to the maximum extent possible

Prepare students for further education, employment & independent living



Child Find, Referral & Assessment



What is Child Find?

Schools are required to locate, identify and evaluate all children with disabilities from birth through age 21. The Child Find mandate applies to all children who reside within a State, including children who attend private schools and public schools, highly mobile children, migrant children, homeless children, and children who are wards of the state. (20 U.S.C. 1412(a)(3))



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AFTER A HASTY SPECIAL EDUCATION
PLACEMENT FOR BEHAVIOR PROBLEMS,
SCHOOL OFFICIALS WERE EMBARRASSED
TO LEARN THAT MARTY REALLY DID HAVE
ANTS IN HIS PANTS.

The Referral & Assessment Process

SPECIAL EDUCATION TIMELINES										
	15 Calendar Days		At Least 15 Days	60 Calendar Days (not counting school breaks longer than 5 days)			Date on IEP	1 Year		
	REQUEST FOR ASSESSMENT	ASSESSMENT PLAN NOT LATER THAN 15 DAYS	INFORMED CONSENT	RECEIPT OF PARENT GUARDIAN CONSENT	ASSESSMENT BEGINS	IEP TEAM MEETING	DEVELOPMENT OF IEP	IMPLEMENTATION OF IEP	ANNUAL REVIEW OF IEP NOT LATER THAN DATE OF LAST IEP	
WHAT NEEDS TO HAPPEN	By parents Guardians	Give plan to parent / guardian for informed consent	Parent/ guardian permission in writing	Assessment begins	Review Records	Determine eligibility for special education	Provide parent/ guardian with notice of rights	Provide instruction and necessary related services	Provide parent/ guardian with notice of rights	
	Stating reason for referral in writing	Reason for assessment			Review medical, developmental, academics information	If eligible go to next column	Develop goals & objectives		Review of teachers' & specialists' reports	
		Language used for assessment				Conduct observations of student			Determine related services (if needed)	Modify or add goals & objectives
		Type of test or procedures to be used				Conduct tests in areas of concern			Determine placement	Determine appropriate services
	Notice of Parent / Guardian Rights				Write Reports		Obtain parent/ guardian informed consent		Parent/ guardian informed consent	

Additional Timelines

3 Years	A re-assessment must be conducted every 3 years. This assessment, referred to as a “triennial” evaluation follows the same timelines as an initial request for an assessment.
30 Days	A parent may request an IEP meeting in writing at any time, and the District must schedule the meeting within 30-days.
30 Days	An IEP meeting must be held within 30-days after a student transfers from one Special Education Local Plan Area (SELPA) to another SELPA.

Who is Eligible for an IEP?

- Students between the ages of 3 –22
- Two Pronged Test:
 1. Meets the definition of an individual with a disability
 2. The disability must adversely affect the student's **educational performance**, and the student must require specialized instruction, services, or both, that cannot be provided with modification of the general education program.

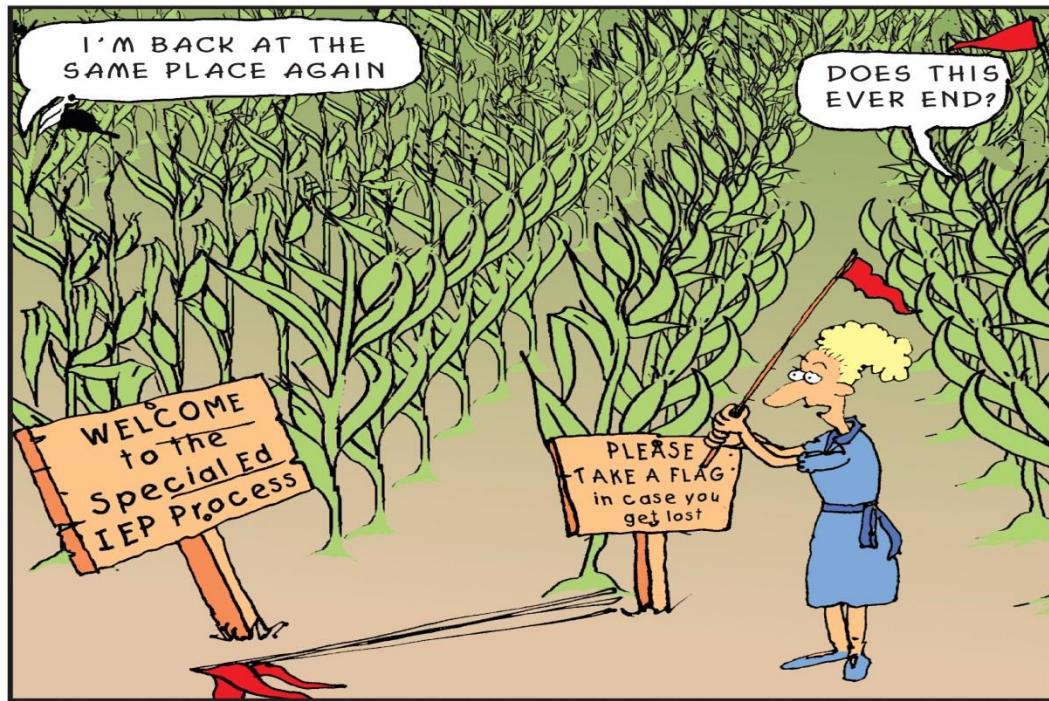


Special Education Eligibility Categories

1. Autism
2. Deaf
3. Deaf-Blind
4. Emotional Disturbance
5. Hard of Hearing
6. Intellectual Disability
7. Multiple Disabilities
8. Visual Impairment
9. Orthopedic Disability
10. Other Health Impairment
11. Specific Learning Disability
12. Speech-Language Impairment
13. Traumatic Brain Injury



Development of the IEP Document



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THE AMAZING
SPECIAL EDUCATION MAIZE

What is an IEP?



An Individualized Education Plan is a written document that delineates how a Free Appropriate Public Education will be provided for a qualified student with a disability which is developed in accordance with state and federal law.

An IEP must be developed by an IEP Team on an annual basis unless a new IEP is developed sooner to replace it.

Members of the IEP Team Meeting

The IEP Team must include:

Parent/guardian of the student

General education teacher

Special education teacher/specialist

Administrator/LEA Representative

Special education specialists who have assessed the student and/or other service providers, as-appropriate

Student, as-appropriate

Types of IEP Meetings

Initial

Annual

Triennial

Addendum/Amendment

Manifestation Determination

Transition

Exit



The IEP Document Includes:

- Present levels of performance
- Measurable annual goals and (& short-term objectives for students with significant disabilities)
- Specific Statements regarding:
 - Accommodations & Modifications
 - Specialized Academic Instruction
 - Designated Instructional Services
 - Supplementary aids services, and/or supports to be provided to enable students with disabilities to be educated with typical students to the maximum extent appropriate in accordance with an e
 - An Explanation of the extent to which the student will participate in general education
- Statement regarding participation in State and Districtwide assessments
- Projected date for initiation of services
- Evaluation procedures for measuring progress on goals and objectives and a statement of how frequently the parent will receive a Progress Report
- Prevocational/employment/career education goals, if appropriate
- Alternative criteria for promotion
- Graduation, if appropriate
- A plan for transition into general education
- Specialized services and equipment, if appropriate
- Transition Plan
- Transportation
- Goals for learning English, for students identified as English Learners
- Extended School Year, if appropriate

(Education Code 56345; & Authority: 20 U.S.C. 1401(29))

What are DIS Services?

Designated Instructional Services may Include;
but, are Not Limited to...

Speech-Language Therapy

Orientation-Mobility Training

Transportation

Adapted Physical Education

Occupational Therapy

Physical Therapy

Assistive Technology

Sign Language Interpreter

Counseling

Behavior Intervention

Educationally-Related Mental Health Services

Health & Nursing Services

Meaningful Parent Participation

It is critical that parents are engaged as full participants in the IEP process. Indicators that a parent has meaningfully participated in the process include:

- Parent attended the IEP meeting;
- An interpreter was provided for non-native English speaking parents
- Parent participated and provided input in the development of the IEP
- Parent was informed of their child's progress and any educational concerns about their child.



PEC

Programs & Services



A Wide Range of Programs

- PEC has created one of largest arrays of programs in the area to serve OUSD's diverse population
- We support students in all of the 13 eligibility categories, which range from mild to severe disabilities
- Our programs are designed to address student needs and the IEP goals developed to address those needs
- Students move between our programs as their needs change and their IEP requires
- We always consider the following factors: Access to the general education curriculum and typical peers, provision of educational benefit, and appropriately meeting individual student's needs

Programs from Least to Most Restrictive

- **Mild/Moderate Inclusive Programs**
- **Resource**-Provides academic supports in general education settings
- **Reading Clinic**-Provides intensive reading interventions to students in a small group setting
- **ASIP-Autism Spectrum Inclusion Program**-Addresses social/behavioral and executive functioning needs. Students receive academic accommodations in general education settings
- **ASC-Academic and Social Competencies**- Addresses social/emotional, behavioral, and executive functioning needs. Students receive academic accommodations/modifications both in general education and special education settings

Classes for Students with Mild/Moderate Disabilities



- **Language Enriched Special Class**
Targeted instruction to students who have significant language delays
- **Non-Severe Special Class**
Students receive specialized academic instruction, social/emotional and behavioral support in a separate setting.

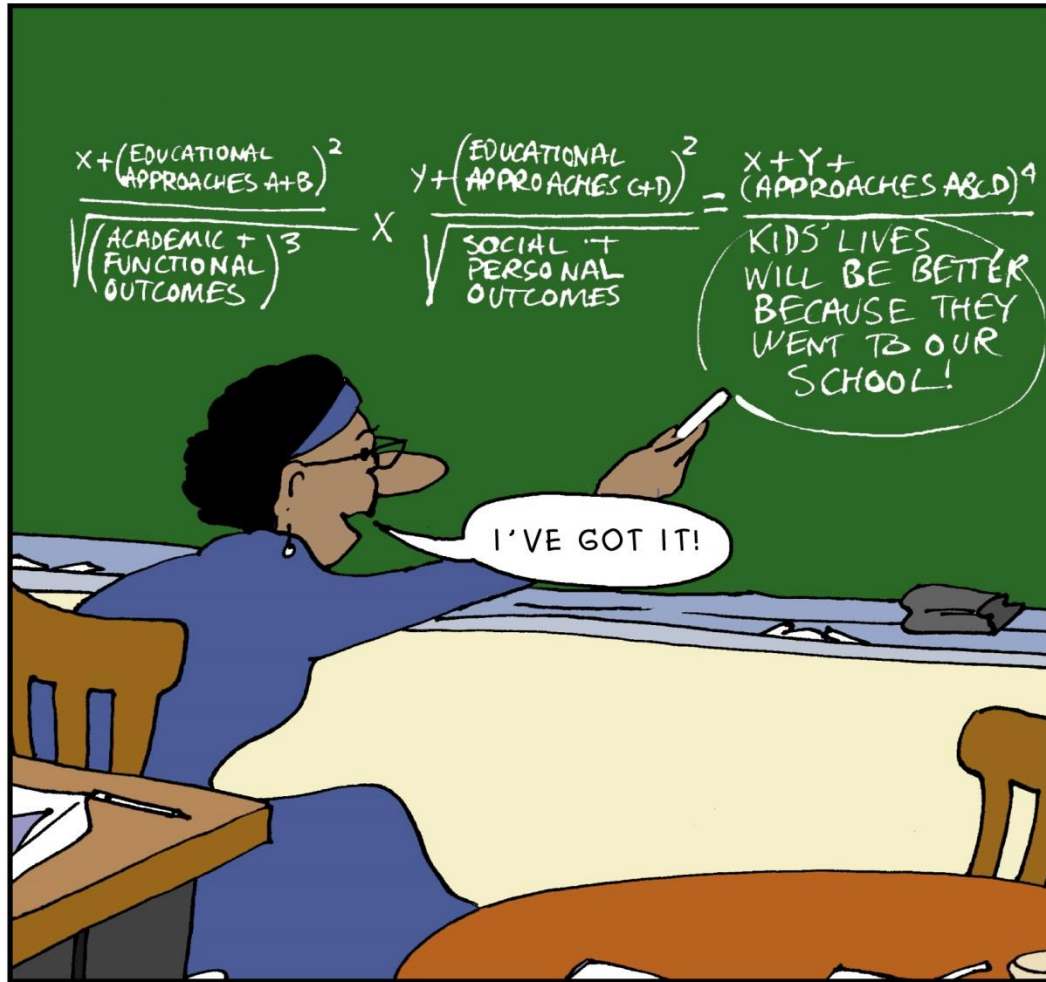
Classes for Students with Moderate/Severe Disabilities

- **Full Inclusion**-Focus on socialization, functional/daily living skills and specialized academic instruction to support independence
- **Special Class**-Focus on functional/daily living skills and specialized academic instruction to support independence
- **Transitional Special Class**-Focus on some specialized academic instruction in addition to a functional and behavioral skills curriculum
- **Special Class-Autism**-Focus on communication skills, functional/daily living skills and vocational skills
- **TACLE (Technology and Augmentative Communication and Learning Enhancement)**-Focus on the use of individualized augmentative/alternative communication devices to access & enhance learning

Additional Programs & Services



- **Deaf and Hard of Hearing (D/HOH)**-Provided birth-22 years of age and provided as both a special class or itinerant service
- **Visually Impaired**-Provided birth-22 years of age and provided as both a special class or itinerant service
- **Orientation and Mobility**-Provided as an itinerant service to support students to travel safely and efficiently at home, school and in the community
- **Community Immersion Classes**-Provide increased WorkAbility, community immersion and independent living skills for students age 18-22
- **Counseling Enriched Classes**-Promote academic achievement through helping students overcome emotional, behavioral, social and cognitive barriers
- **Day Treatment Classes**- Provide therapeutic interventions for students with significant mental health issues



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FOLLOWING FIERCE FIGURING AND FORMULATING, FERN FINDS THE COMMON DENOMINATOR OF QUALITY EDUCATION.

Sources

Sources include, but are not limited to:

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