Understanding the Assessment and IEP Process

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SEPTEMBER 28, 2022
If parents, or school staff have a concern about a student’s academic, behavioral, or social emotional progress, they should make a referral to the Student Study Team.

Multi-Tiered Systems of Support (MTSS) and the Student Study Team (SST) is the process by which targeted, systematic, interventions are provided and documented by the school.

Targeted interventions must be implemented with fidelity, 6-8 weeks and then progress measured.
The law states that anyone who works with a child who has concerns that the child may have a disability can refer the student for Special Education. (Usually parent or school staff)

Referrals should be in writing, signed, and dated, and specify the areas parent wants assessed.

The district must RESPOND to such requests within 15 days of receiving them.
A student shall be referred for special education instruction and services only after the resources of the regular education program have been considered and used where appropriate. (Education Code 56303)
To Test or Not to Test? That is the Question

- If it is determined that testing is appropriate, an assessment plan is sent home within 15 calendar days.

- If testing is deemed not appropriate, an SST is scheduled within 15 days, if it has already been done. School implements the interventions per RTI pyramid, monitor the progress and re-meet in 6-8 weeks to monitor student progress.
Assessment Plan

- Lists the areas that will be assessed and the qualified professionals who will conduct them.
  - School psychologist- Cognitive testing, social emotional, ADHD assessments
  - Special education teacher- academic assessments
  - Speech therapist- Speech assessment
  - Occupational Therapist- OT assessments

- Sign and return the assessment plan to school within 15 days.

- The district has 60 calendar days to complete the assessments and hold an IEP meeting.
Meaningful Parent Participation

- Parents must be meaningfully involved in the assessment and IEP process. The legal term is “meaningful participation”.

- Have Assessment plan explained
  - Interviews, checklists during assessment
  - Advance notice of meetings
  - Interpreter provided if needed at meeting
  - Ask questions of assessors and IEP team
  - Be informed of student progress throughout the year.
Qualifying for Special Education - 3 Criteria

- Student must have a disability
- The disability must prevent student from accessing the curriculum
- To the extent that the student needs special services.
Federal Disability Categories under IDEA

- Autism (AUT)
- Deaf-Blindness (DB)
- Deafness (DEAF)
- Emotional Disturbance (ED)
- Hearing Impairment (HI)
- Intellectual Disability (ID)
- Multiple Disabilities (MD)
- Orthopedic Impairment (OI)
- Other Health Impairment (OHI) - includes ADHD
- Specific Learning Disability (SLD)
- Speech or Language Impairment (SLI)
- Traumatic Brain Injury (TBI)
- Visual Impairment, including Blindness (VI)
Compliance

- Initial and then IEP every year (annual)
- Triennial (reassess every three years)
- Know the due date for your child’s IEP.
- Parent must know in advance if an IEP team member is going to be missing.
IEP INFORMATION

- IEP TEAM
- Administrator
- General education teacher
- Special education Provider
- Related services Provider
  (speech, OT, APE, PT, etc.)

Invitation will list who is attending.

- Parent may bring anyone they choose to IEP.
- 24 hour advance notice if parent brings an attorney.
Meeting Agenda

- Procedural Safeguards
- Parent/ERH Concerns
- Assessments/Present Levels
- Eligibility
- Areas of Educational Need
- Goals
- Placement/ Services
- Offer of FAPE
- Review notes

- Ask questions!
- Ask to have any acronyms explained.
Free, Appropriate, Public Education (FAPE)

- At the conclusion of the IEP meeting, in which parent has meaningfully participated, the district makes an offer of FAPE.

- FAPE is an offer of placement and services in which the students needs can best be met in the least restrictive environment. The goal is consensus.

- Parents have the right to agree or disagree with the offer of FAPE.
After the Meeting

- Parents should leave the meeting with a copy of the IEP and any assessments.
- Parents do not have to sign consent at the meeting.
- Parents can consent to all, parts, or none of the IEP.
- An IEP, including goals, placement, and services cannot be implemented without parent consent.
Implementation

- Implement as soon as possible after consent received.
- Parents need to be regularly informed of student’s progress at same intervals as general education.
- If student is not progressing on goals, parents should be notified and an IEP held.

- Parents can request an IEP at any time.
- District must hold an IEP within 30 days of parent request.
SUCCESS!!!!

Students make progress and meet goals!