



# Entering the world of IEPs

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There is a chance as a member of this organization, that you or someone close to you has either been diagnosed, is in the process of a diagnosis, or is suspected of having dyslexia. There is also a chance, that you will enter the world of IEPs in the school system. Fear not. Your TCB-IDA is here to help you.

School districts are mandated by law to ‘...actively and systematically seek out all individuals with exceptional needs, from birth to 21 years of age, inclusive, including children not enrolled in public school programs...’ Ed Code § 56300.

If you have concerns about your child having an educational disability, in this case dyslexia, you have the right to ask your district of residence for an assessment. It is suggested that if you make this request, to do it in writing. Once received by the school, the district has 15 calendar days to respond to your request. Their response is either yes, we will assess and present an assessment plan, or no, we will not assess and give you a letter known as *prior written notice* explaining why the district will not be assessing your child.

Typically districts respond to a parent’s written request with an invitation to a meeting that involves you, your child’s teacher, an administrator and special education staff. This is a time for you to expand further on your concerns. The school team, based on the information presented at the meeting, along with a review of the student’s records, will determine if there is a ‘suspicion of a disability.’ If there is, the school will go ahead and approve your request. If not, they are obligated to give you the *prior written notice*. All this occurs within the 15 days of your request.

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If your child will be assessed, the school will explain and give you a copy of the *parent’s rights and procedural safeguards*. The school will also explain the ‘assessment plan’ - what areas they are going to assess, who will do the evaluations, and typically what type of disability they are looking to rule out. Once you sign and give consent, the school has 60 calendar days to complete the evaluation.

During the evaluation period, you will be contacted by one or several of the assessors to get your input regarding your child. This is a time to describe in detail your concerns. Sometimes, you will be asked to complete rating scales regarding your child behavioral or emotional state at home. If you complete these rating scales, chances are, that your child’s teacher is also completing the same forms. These ratings allow the school to get different perspectives on the child’s behavioral and / or emotional functioning.

The tests involved in the evaluation are typically administered individually. Your child will be taken out of class and assessed during the school day. Tests are chosen based on the type of disability that is suspected. Dyslexia, falls within the ‘specific learning disability’ category, thus tests will typically include cognitive, processing areas, and achievement tests at minimum. Both the California Association of School Psychologists and IDA have listed important areas to incorporate in an educational evaluation.

The California Association of School Psychologists, on their “Frequently asked Questions California Dyslexia Guidelines’ updated in April 2019, answers the following question:

7. What areas are important to assess when evaluating a student suspected of dyslexia?

CDE Guidelines list the following as areas that should be assessed in identifying a student with dyslexia:

- Difficulties with accurate and fluent word recognition and poor spelling and decoding abilities
- Deficits in the phonological component of language
- Difficulties that are unexpected in relation to other cognitive abilities
- Difficulties that are unexpected in relation to the provision of effective classroom instruction

Information should also be collected regarding the student’s primary language, oral language proficiency, developmental and medical history, family history of dyslexia, and assessment in reading comprehension and written expression. (see chapter 9 in CDE Dyslexia Guidelines).

#### References

[www.cde.ca.gov/sp/se/ac/documents/cadyslexiaguidelines.pdf](http://www.cde.ca.gov/sp/se/ac/documents/cadyslexiaguidelines.pdf)

The *IDA Dyslexia Handbook: What Every Family Should Know* lists the following areas to be considered on an evaluation: Background Information, Intelligence, Oral Language Skills, Word Recognition, Decoding, Spelling, Phonological Processing, Automaticity/Fluency Skills, Reading Comprehension, Vocabulary Knowledge and other areas that differ by grade level. To download the free book: <https://dyslexiaida.org/ida-dyslexia-handbook/>

Close to the end of the 60 day period, you will receive a *notice of meeting*, inviting you to a meeting where tests results and determination of eligibility for special education will be discussed. See *Tips for IEPs* in this volume of the *RESOURCE*.

At this meeting, the assessors will explain their evaluation findings. They will continue to seek input from you, and as a team determine whether your child meets criteria for special education services. If yes, then the school will offer an *Individualized Educational Program*, referred to as an *IEP*. If not, then the school will typically discuss and develop a plan on how your child’s needs can be met through the general education program.

If you are not in agreement with the district’s evaluation, know that you have the right to request an Independent Educational Evaluation, I.E.E. at public expense, 34 C.F.R. § 300.502. Upon your request, the district will provide you information about where an independent evaluation may be obtained and the agency criteria for I.E.E. evaluations. The district may ask you for to provide an explanation of your disagreement, but the law does not require you to provide one. Upon a request for an I.E.E. the district has two choices, to fund the I.E.E. or file a due process hearing to defend their evaluation.

This article is meant to be succinct, general information only. It is not meant as legal advice nor does it explain all the different exceptions or offers sufficient detail to explain all the nuances of special education process, identification, law or different districts procedures.

#### Reference

<https://casponline.org/pdfs/position-papers/Dyslexua%20FAQ%20revisions%20for%20pdf.pdf>

Friedman & Fulfrot, LLP (2017). *The Green Book of Special Education Laws and Regulations, 2017 Edition*