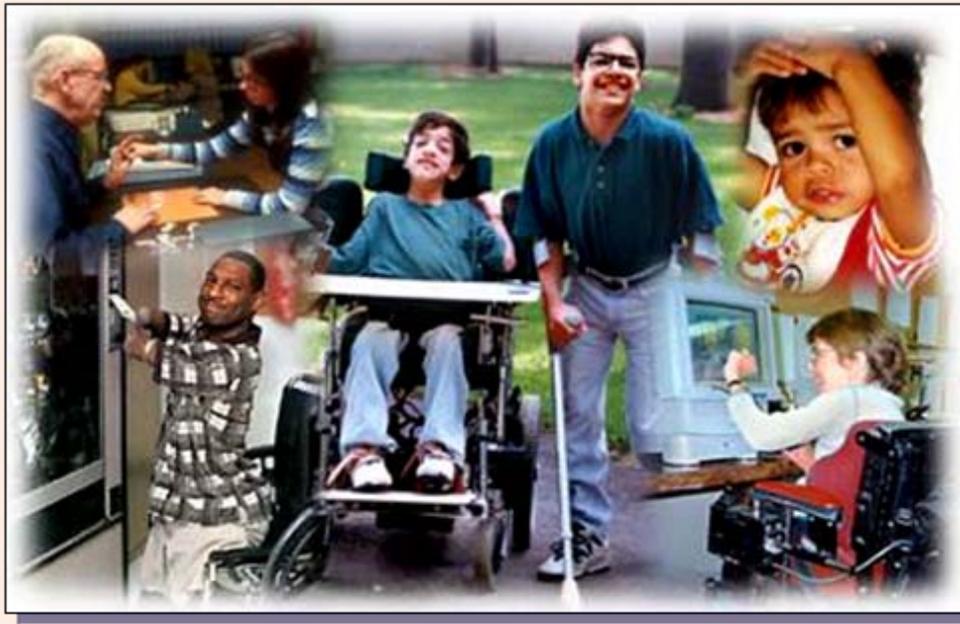




Overview of Special Education



Fred Balcom, Director
Special Education Division

CALIFORNIA DEPARTMENT OF EDUCATION
Tom Torlakson, State Superintendent of Public Instruction



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Purpose

- to provide information on legal and philosophical principles which are basic to special education services, programs, funding, and outcomes.



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Special Education

Special education is defined as instruction, supports, and services that are specially designed, at no cost to parents, to meet the student's unique needs.

Specially designed instruction means adapting the content, methodology, or delivery of instruction:

- to address the unique needs of the student that result from a disability
- to ensure the student's access to the general curriculum so that he or she can meet educational standards

Special education can include supports and services, including instruction conducted in the classroom, home, hospitals and institutions, jails, and in other settings.



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Laws and Regulations

- Individuals with Disabilities Education Act (IDEA)
- IDEA Regulations (34 Code of Federal Regulations (CFR) Part 300)
- Part 30 of the California *Education Code* (30 *EC* 56000 et seq.)
- Title 5 of the *California Code of Regulations*
- Case Law



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Evaluation

- Before a student with a disability can receive special education and related services for the first time, a full and individual initial evaluation of the student must be conducted.
- Informed parent consent must be obtained before this evaluation may be conducted.



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Eligibility

A student with a disability has been evaluated ***and***:

- The IEP team determined, through this evaluation, the student has one or more of the disabilities ***and***
- Because of the disability needs special education and related services.



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Eligibility–Cont.

- The disabilities included in IDEA are:
 - Intellectual disabilities
 - Hearing impairment, including deafness
 - Speech or language impairment
 - Visual impairment, including blindness
 - Serious emotional disturbance (hereafter referred to as emotional disturbance)
 - Orthopedic impairment
 - Autism
 - Traumatic brain injury
 - Other health impairment
 - Specific learning disability
 - Deaf-blindness
 - Multiple disabilities



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Part C of IDEA

Infants and Toddlers

- Mandate to serve solely low incidence
- 1980–81 mandate
- Collaboration with Regional Center
- Individualized Family Service Plan
- Early Intervention Services
- Annual IEP and six month review
- Transition to IDEA Part B at age three



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Part B of IDEA

Free Appropriate Public Education (FAPE) Ages 3–21

Special education and related services

- Are provided to children and youth with disabilities at public expense, under public supervision and direction, and without charge
- Meet the standards of the State Educational Agency (SEA), including the requirements of the IDEA
- Include preschool, elementary school, or secondary school education in the state
- Are provided in keeping with an individualized education program (IEP) that meets the requirements of law



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Individualized Education Program (IEP)

- An IEP is a written document for a student with a disability
- Two general purposes of the IEP are:
 - To establish measurable annual goals, including, as appropriate, benchmarks or short-term objectives, for the student
 - To state the special education and related services and supplementary aids and services that the public agency will provide to, or on behalf of, the student



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Special Education Enrollment

Year	General Education K-12 Enrollment			Total Number of Students Birth Through Age Twenty-two Receiving Special Education Services
	All Students	Students Receiving Special Education Services		
	Number	Number	Percent of All Students	
2000-01	6,050,895	609,749	10.1	650,719
2001-02	6,147,375	621,402	10.1	663,220
2002-03	6,244,403	631,838	10.1	675,332
2003-04	6,298,774	636,191	10.1	681,980
2004-05	6,322,083	634,510	10.0	681,969
2005-06	6,312,102	625,067	9.9	683,178
2006-07	6,286,943	619,982	9.9	679,648
2007-08	6,275,469	616,364	9.8	677,875
2008-09	6,252,031	613,833	9.8	678,105
2009-10	6,190,425	614,031	9.9	680,164
2010-11	6,217,113	612,443	9.9	678,929



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Number and Percentage of Students by Disability From 2000–01 to 2010–11

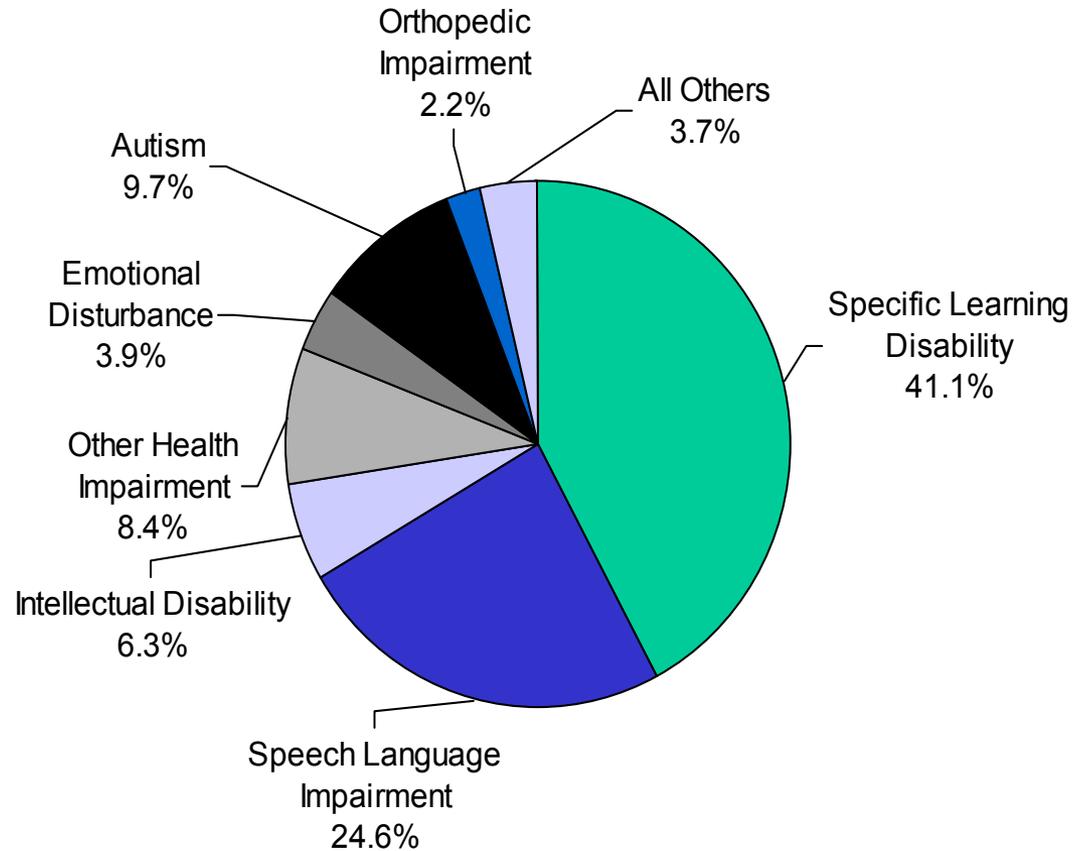
Disabilities	2000-01		2010-11		2000 - 2010	2000-2010
	Number	Percent	Number	Percent	Percent of Relative Change	Percent of Absolute Change
Autism	14,039	2.2	65,908	9.7	7.5	369.5
Other health impairment	21,025	3.2	57,344	8.4	5.2	172.7
Traumatic brain injury	1,336	0.2	1,783	0.3	0.1	33.5
Emotional disturbance	22,348	3.4	26,438	3.9	0.5	18.3
Intellectual Disability	40,717	6.3	43,032	6.3	0	5.7
Hard of hearing	6,261	1	9,630	1.4	0.4	53.8
Speech or language impairment	165,496	25.4	166,886	24.6	-0.8	0.8
Orthopedic impairment	14,583	2.2	14,849	2.2	0	1.8
Deaf-blindness	198	0	154	0	0	-22.2
Visual impairment	4,616	0.7	4,339	0.6	-0.1	-6
Deafness	4,536	0.7	4,003	0.6	-0.1	-11.8
Specific learning disability	349,038	53.6	279,274	41.1	-12.5	-20
Multiple disabilities	6,526	1	5,289	0.8	-0.2	-19
All categories	650,719	100	678,929	100	0	4.3

Special Education by Disability

2010–11



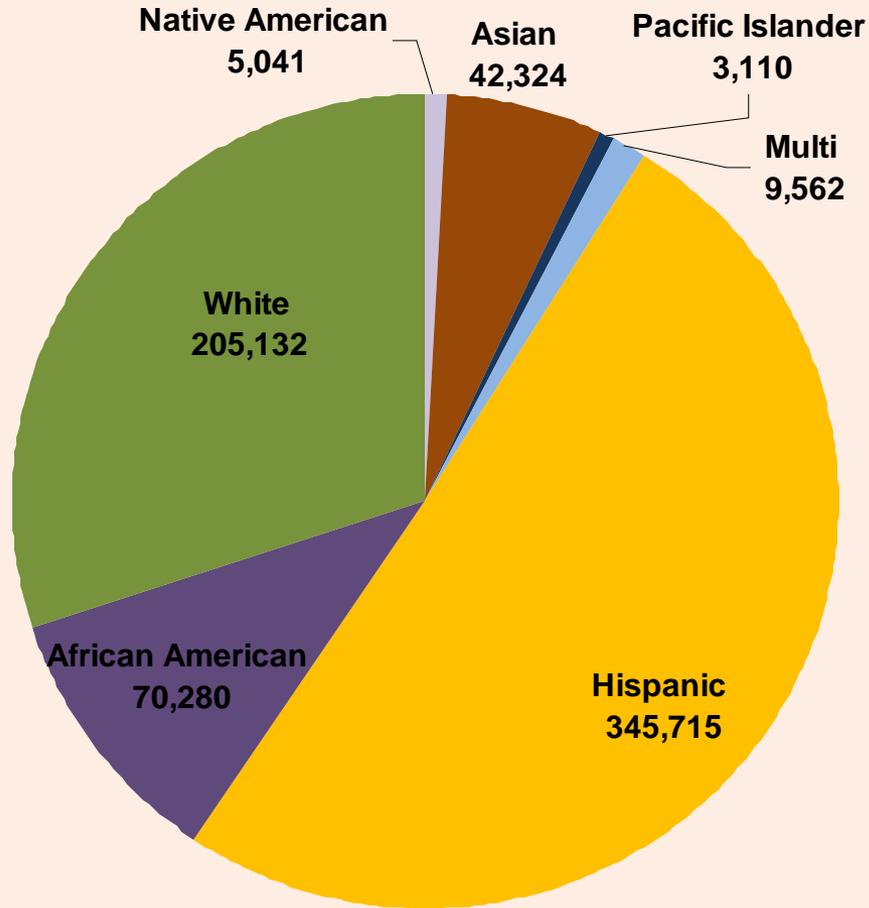
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Special Education by Ethnicity 2010–11



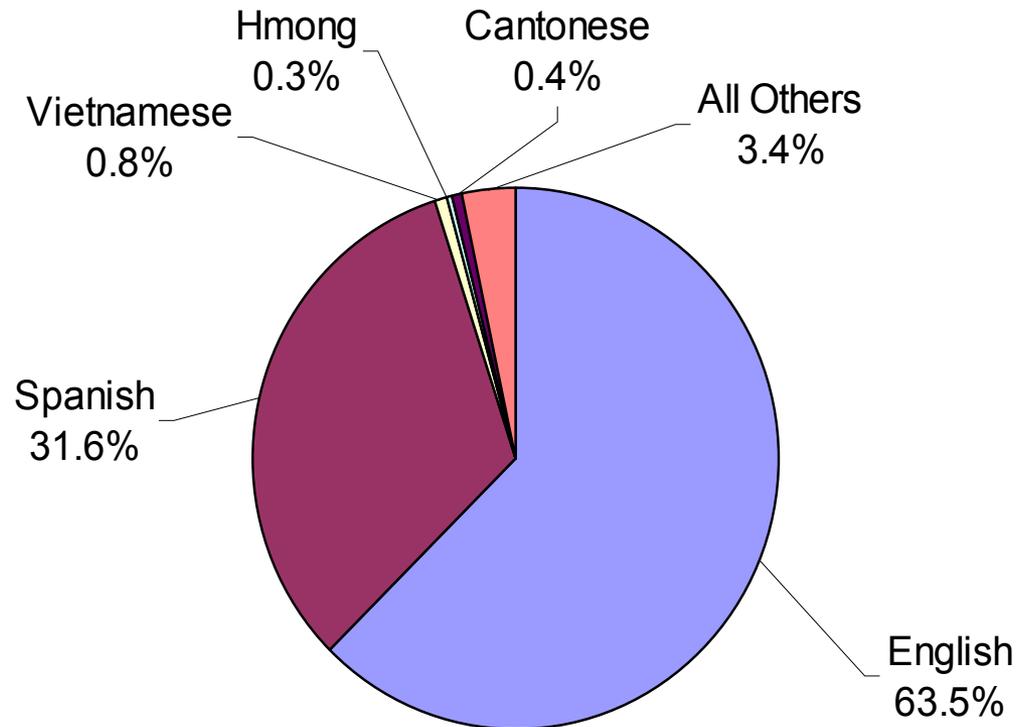
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Special Education by Home Language 2010–11



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Related Services

Related services are defined in regulations as transportation and such developmental, corrective, and other supportive services as are required to assist the student with a disability to benefit from special education, including, but not limited to:



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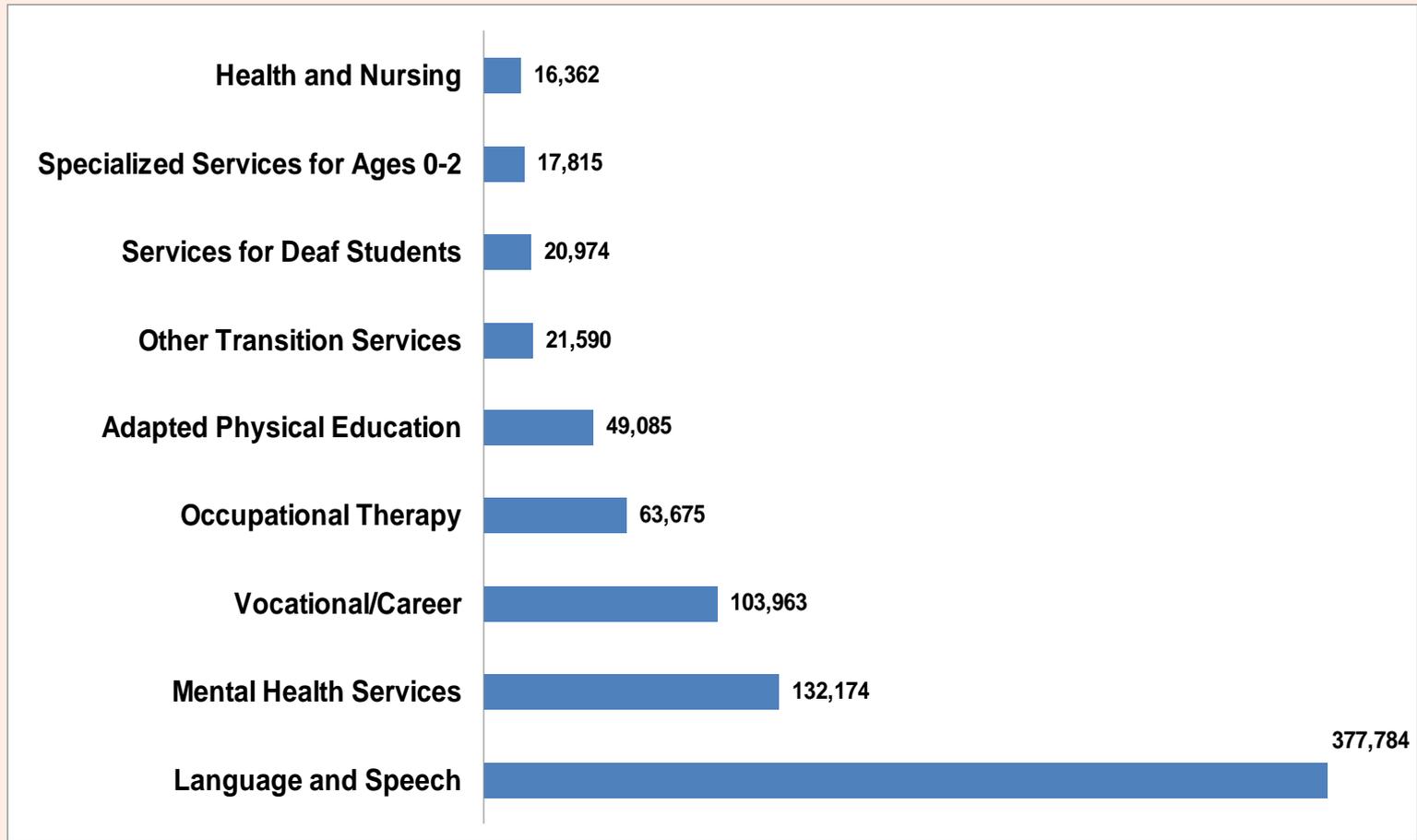
Related Services–Cont.

- Speech-language pathology and audiology
- Psychological services
- Physical therapy and occupational therapy
- Recreation, including therapeutic recreation
- Early identification and assessment of disabilities in children
- Counseling services, including rehabilitation counseling
- Orientation and mobility services
- Medical services for diagnostic or evaluation purposes only
- School health service
- Social work services in schools
- Parent counseling and training



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Most Common Special Education Related Services 2010–11





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Least Restrictive Environment

- Once the IEP team examines and discusses the student's educational needs, it determines what special education and related services are appropriate for the student.
- It also considers *where* the student will receive special education and related services.



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Least Restrictive Environment–Cont.

- Districts and SELPAs are responsible for having a continuum of placement options.
- The continuum ranges from full-time general education classroom to separate schools.
- Students with disabilities are removed from the general education classroom only if the nature or severity of their condition is such that their education in general education classes (with the use of supplementary aids and services) cannot be achieved satisfactorily.



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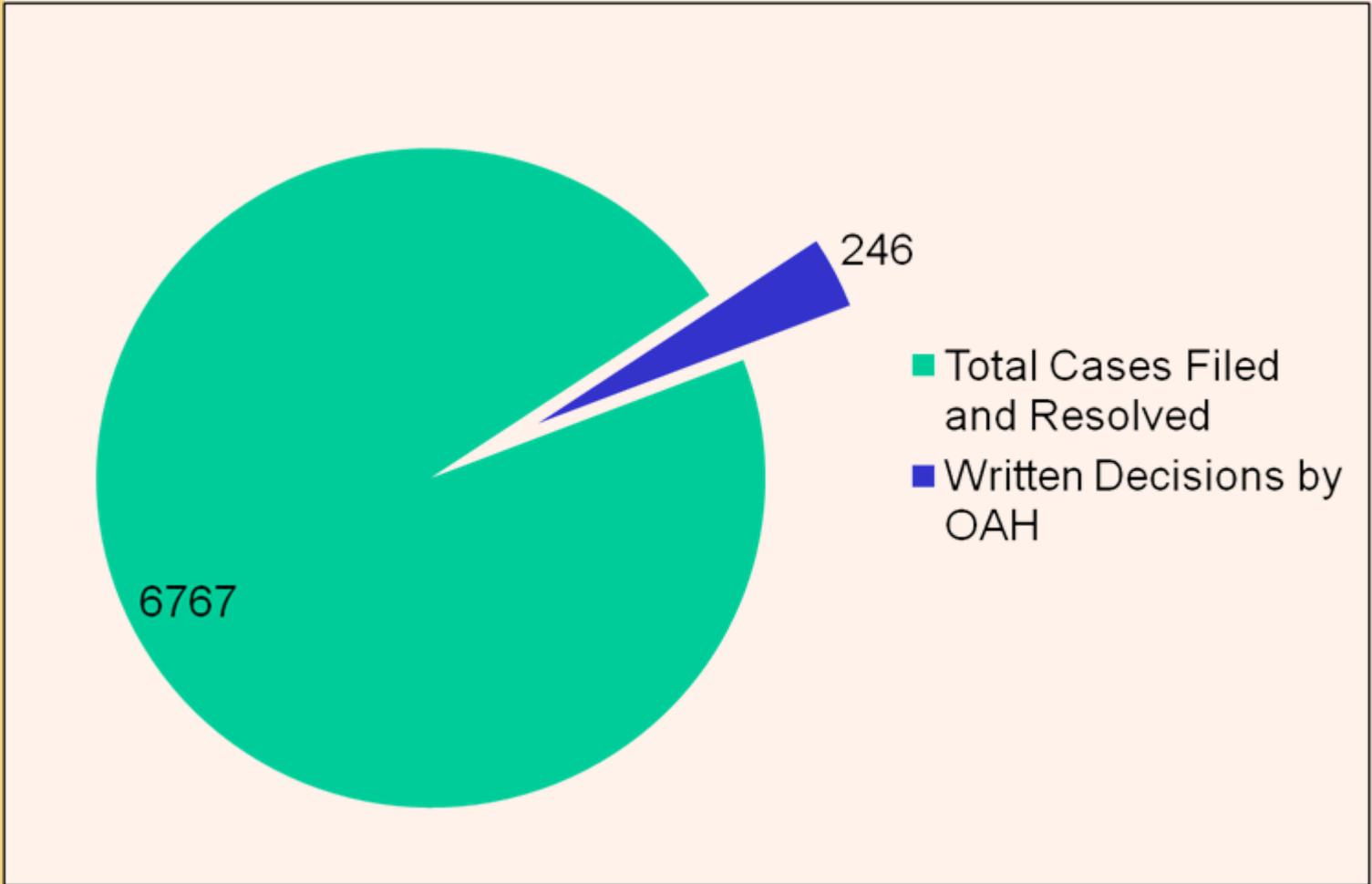
Procedural Safeguards

- These safeguards are designed to protect the following rights of parents and students with disabilities:
 - Confidentiality
 - Independent evaluation
 - Stay-put
- These safeguards also give families and public agencies a mechanism for resolving disputes by:
 - Formal complaint procedure
 - Alternative dispute resolution
 - Mediation
 - Resolution session
 - Due process



Due Process Results

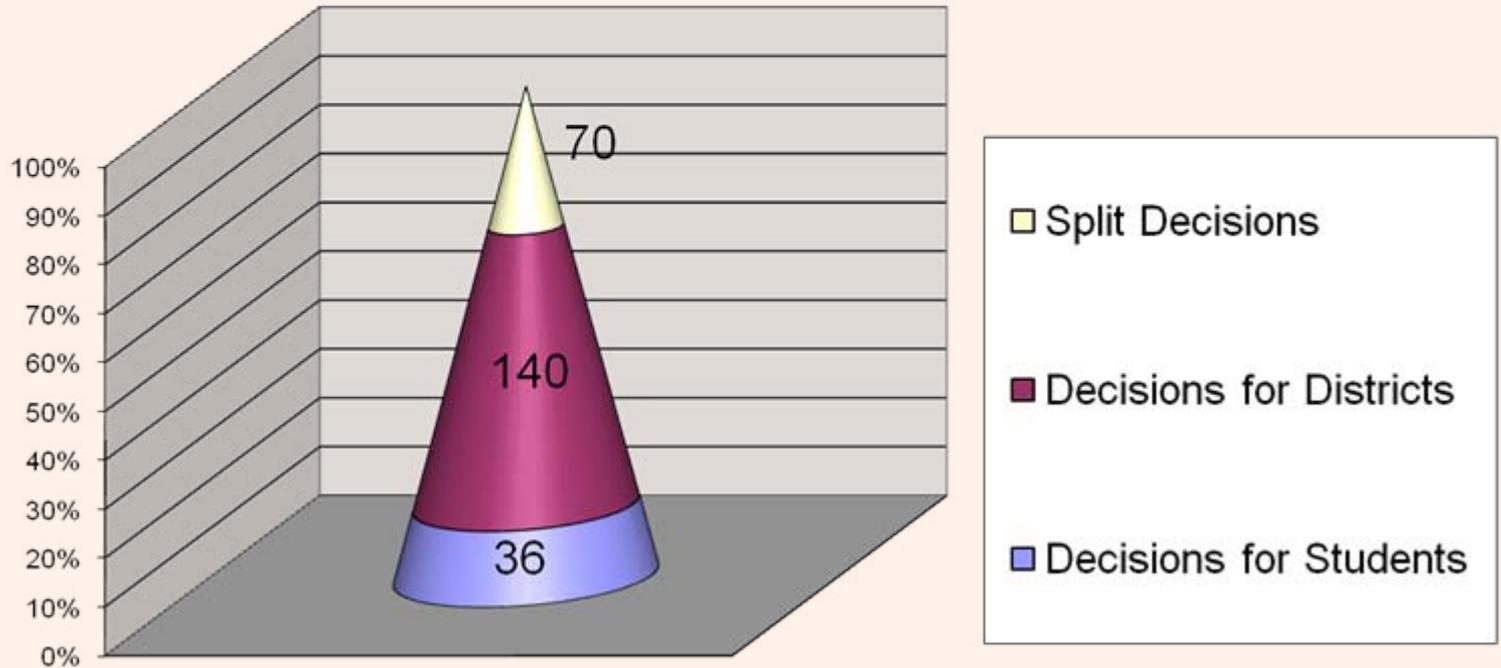
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Distribution of Decisions

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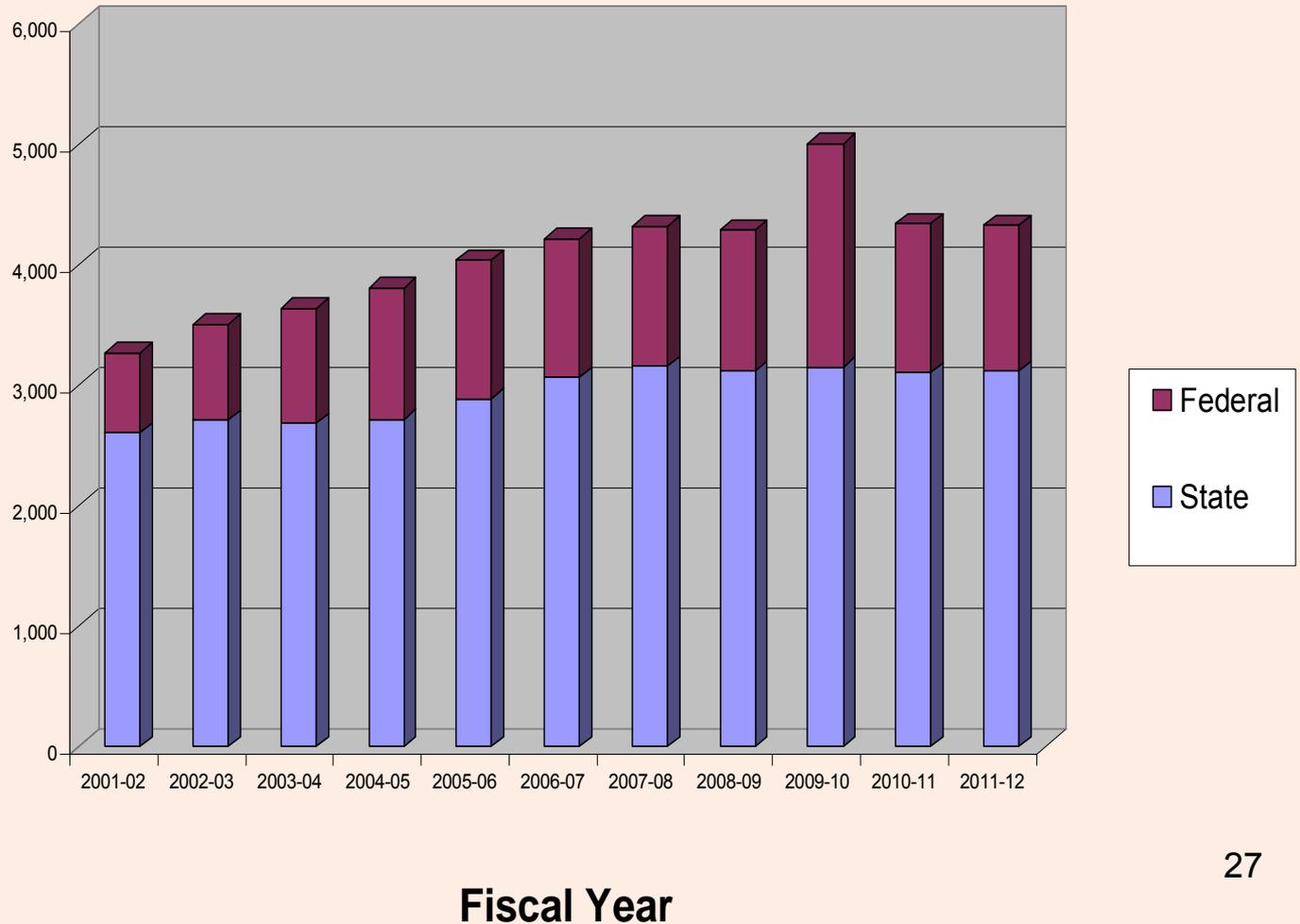
Special Education Funding

- About 10 percent of California's public school students qualify for Special Education services.
- Funding comes from both federal and state government programs, and from local school districts.



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State and Federal Budget Allocations (in millions)





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Special Education Funding– Cont.

- Federal IDEA Funds
 - SELPA grant award is determined according to a statewide three-component formula calculation:
 1. Base Amount: 1999 Special Education Enrollment, ages 3–21
 2. Population Amount: Prior year Public and Private School Enrollment, K–12
 3. Poverty Amount: Prior year Free and Reduced Meal Count, K–12



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Special Education Funding— Cont.

- **State General Funds—AB 602**
 - Assembly Bill 602 (1997) changed special education funding from a resource-based unit of placement to a population-based average daily attendance (ADA).
 - Beginning in 1997–98, each Special Education Local Plan Area's (SELPA) special education funding was based on its total K–12 ADA.



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Special Education Funding– Cont.

- **State General Funds–AB 602**
 - Generally, the AB 602 funding model provides funding to the SELPAs based on proportion of its total K–12 ADA.
 - Under AB 602, all SELPAs may receive annual adjustments for cost of living adjustments (COLA) and growing SELPAs also receive funding for growth in ADA.



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Special Education Funding– Cont.

State General Funds–Mental Health

- Budget Act of 2011–12 provides four funding sources that can be used to pay for IDEA related services to address mental health
 1. Local Assistance (Prop 98) \$249.8 million **apportioned to SELPAs** on a per ADA basis
 2. Local Assistance (Prop 98) \$3.0 million **apportioned to Necessary Small SELPAs.**



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Special Education Funding– Cont.

State General Funds–Mental Health

3. County Mental Health Funding (Mental Health Service Fund–Proposition 63) \$98.5 million **apportioned to county mental health agencies** (CMHA).
4. Federal Local Assistance (IDEA) \$69.0 million **apportioned to SELPAs**.



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Role of SELPA Administrative Units

- The Special Education Local Planning Areas (SELPA) Administrative Unit is the legal entity that receives funds and is responsible for seeing that every eligible child receives appropriate services.
- Cost for the Administrative Unit is provided by special funding from the state.

General Fund Expenditures for Instruction–Special Education, By Type of Expense (Object Code) Statewide, 2009–10



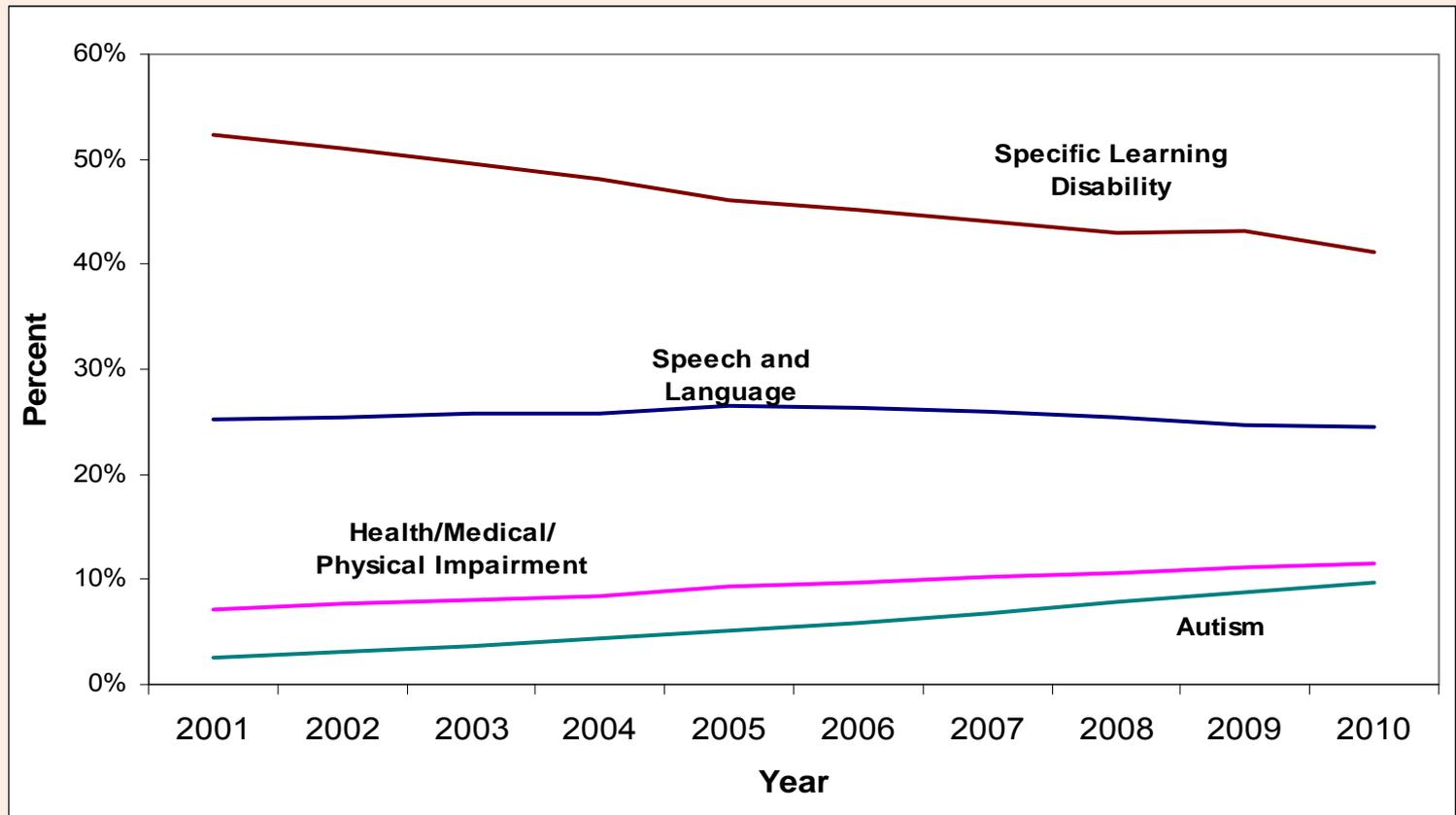
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Object Codes	Type of Expense	Expenditures		
		Unrestricted	Restricted	Total
1000-1999	Certificated Personnel Salaries	\$2,197,256	\$2,498,309,449	\$2,500,506,705
2000-2999	Classified Personnel Salaries	1,339,415	1,239,724,189	1,241,063,604
3000-3999	Employee Benefits	5,208,411	1,265,165,878	1,270,374,289
4000-4999	Books and Supplies	1,097,202	64,018,153	65,115,355
5000-5999	Services and Other Operating Expenses	1,780,954	943,156,737	944,937,691
6000-6999	Capital Outlay	5,928	3,090,745	3,096,673
7000-7499	Other Outgo (excl. 7300-7399)	0	0	0
7300-7399	Transfers of Indirect/Direct Support Costs	0	0	0
Total Expenditures for Instruction–Special Education		\$11,629,166	6,013,465,152	\$6,025,094,317
<p>Note: Detail may not add to totals due to rounding Reflects General Fund expenditures only</p>				
<p>Source: California Department of Education, School Fiscal Services Division–SACS Unaudited Actual Data</p>				



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Percentage of Special Education Students by Disability for Years 2001–2010



Health/Medical/Physical Impairment includes Orthopedic Impairment, Other Health Impairment and Traumatic Brain Injury

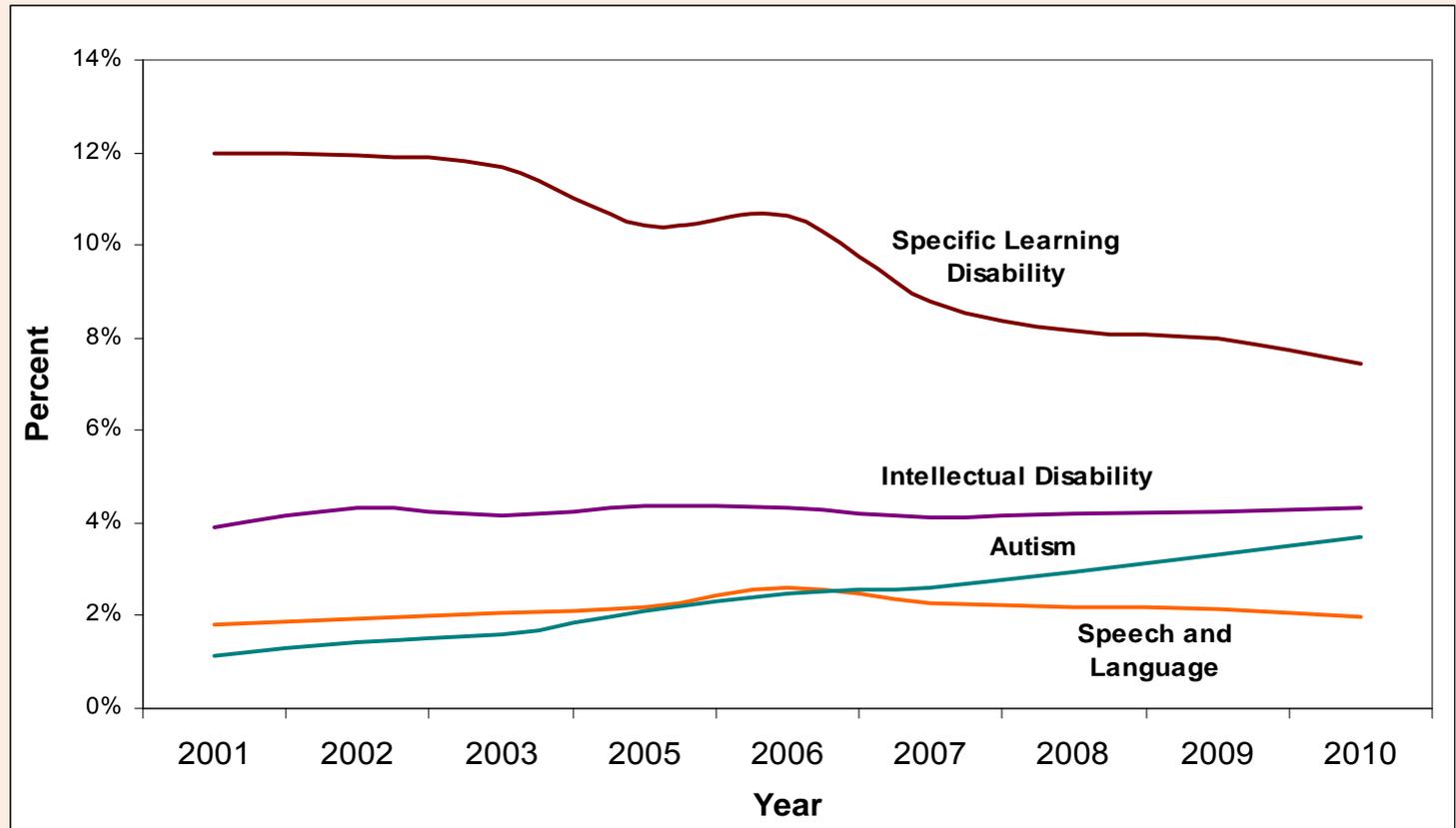
Multi-Disabilities Not Included in Analysis

Not Included in Chart: Visual or Hearing Impairment, Intellectual Disability, Emotional Disturbance



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Special Education Students Out of Regular Class More Than 60 Percent of the Day



Health/Medical/Physical Impairment includes Orthopedic Impairment, Other Health Impairment and Traumatic Brain Injury

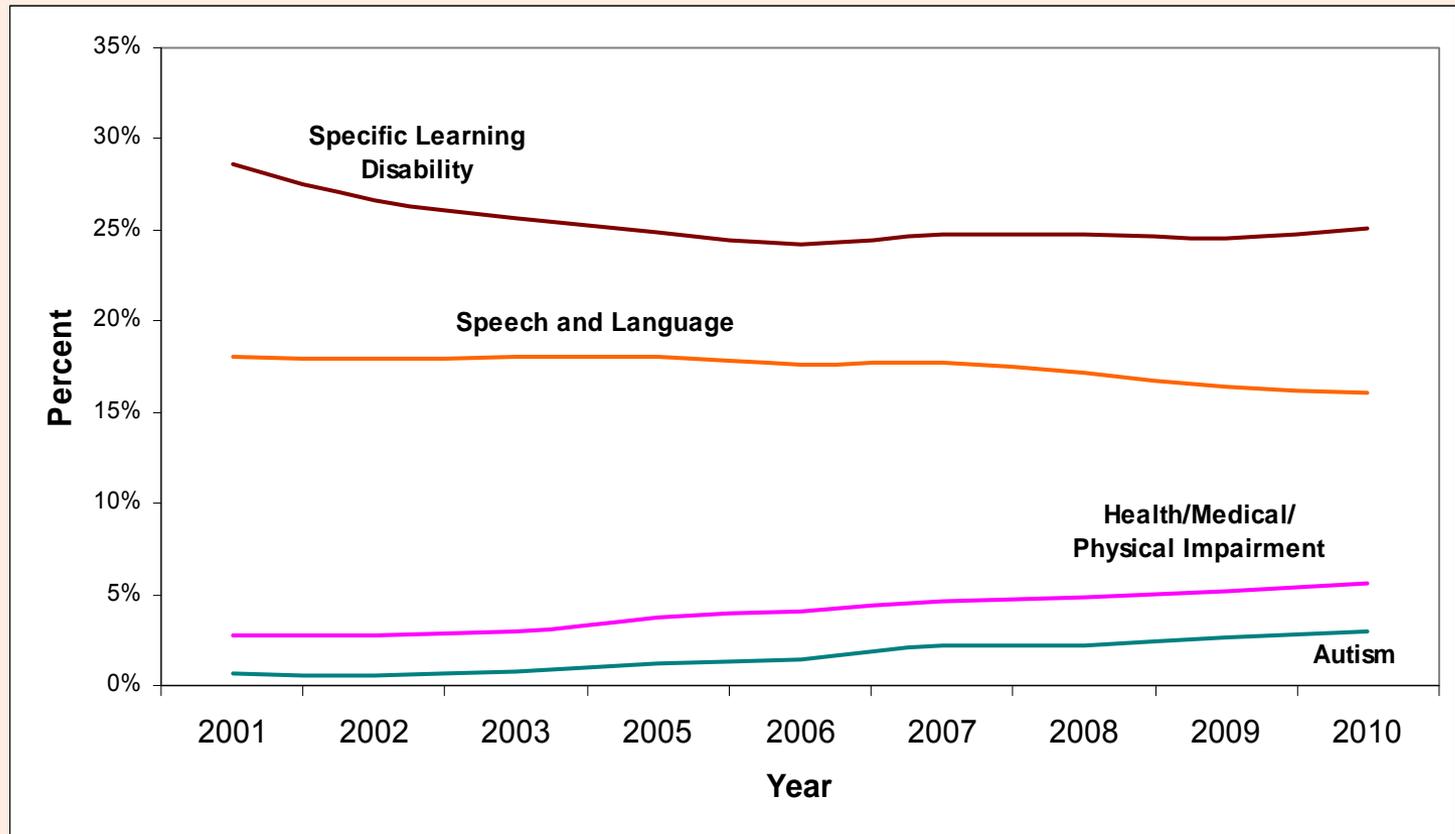
Multi-Disabilities Not Included in Analysis

Not Included in Chart: Visual or Hearing Impairment, Intellectual Disability, Emotional Disturbance



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Percent of Special Education Students Out of Regular Class Less Than 20 Percent of the Day 2001–2010



Health/Medical/Physical Impairment includes Orthopedic Impairment, Other Health Impairment and Traumatic Brain Injury

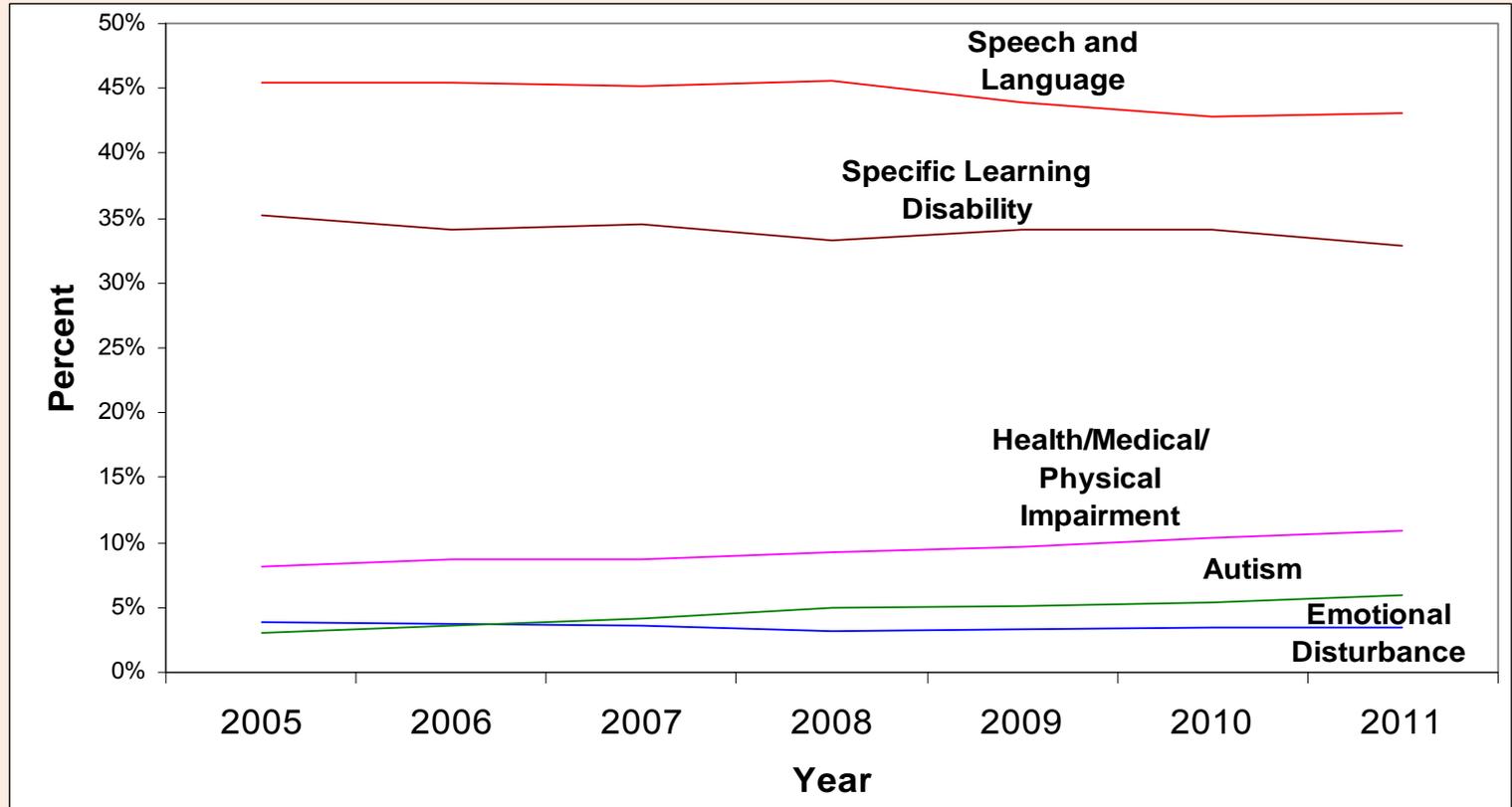
Multi-Disabilities Not Included in Analysis

Not Included in Chart: Visual or Hearing Impairment, Intellectual Disability, Emotional Disturbance



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Students Entering Special Education Yearly By Disability 2005–2010



Health/Medical/Physical Impairment includes Orthopedic Impairment, Other Health Impairment and Traumatic Brain Injury

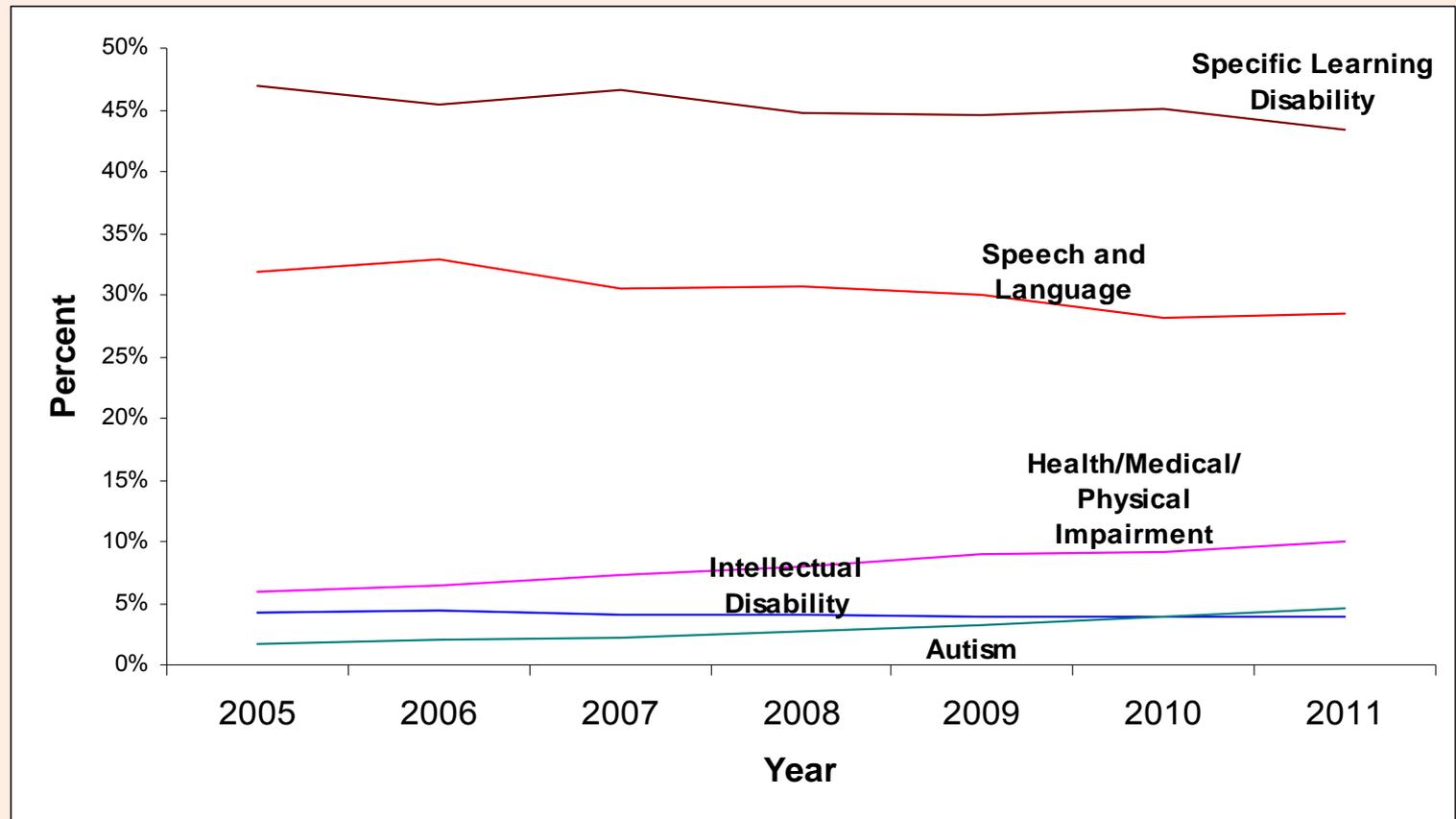
Multi-Disabilities Not Included in Analysis

Not Included in Chart: Visual or Hearing Impairment, Intellectual Disability



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Students Exiting Special Education Yearly by Disability 2005–2010



Health/Medical/Physical Impairment includes Orthopedic Impairment, Other Health Impairment and Traumatic Brain Injury

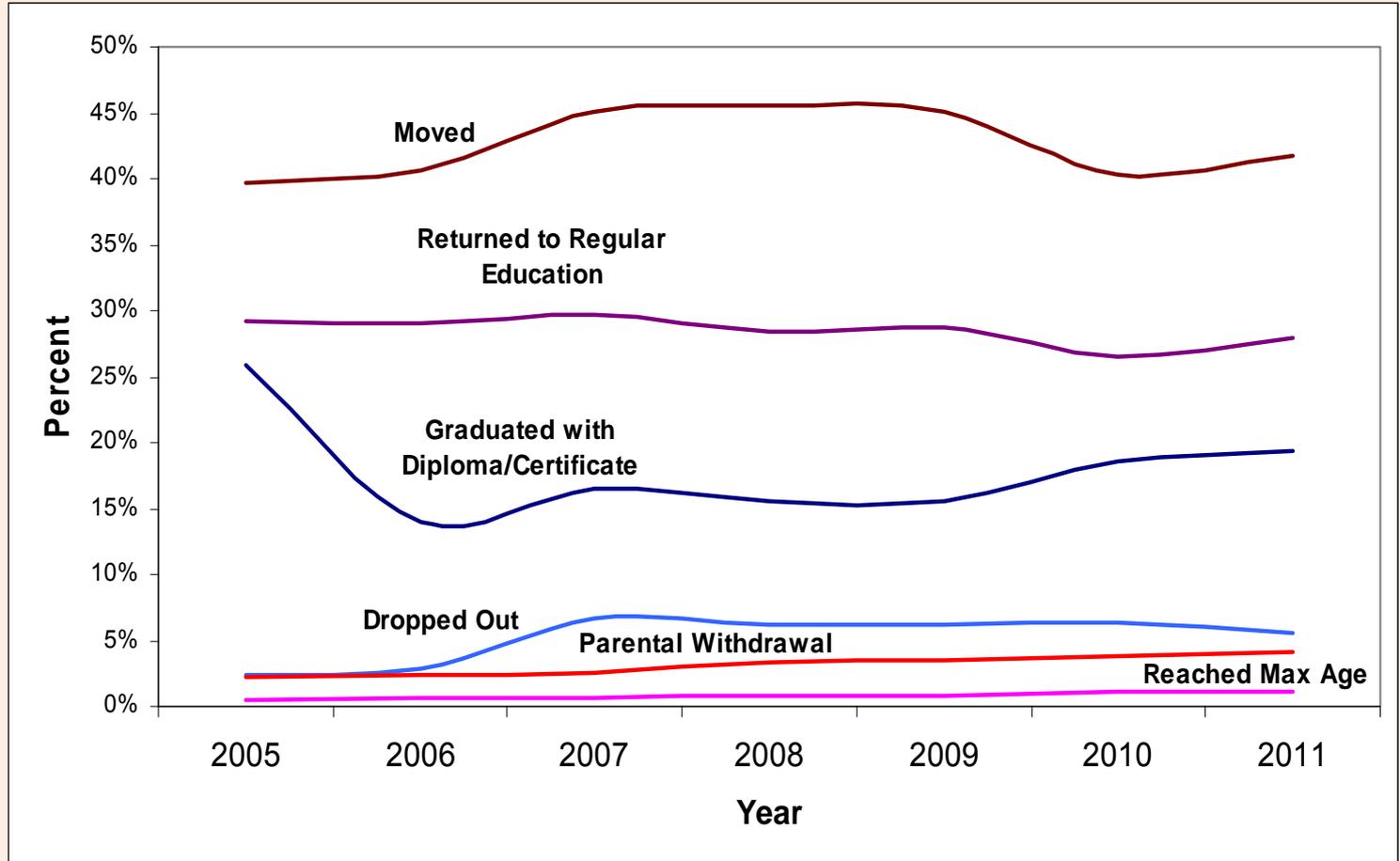
Multi-Disabilities Not Included in Analysis

Not Included in Chart: Visual or Hearing Impairment, Emotional Disturbance



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Exit Reasons 2005–2011





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Accountability

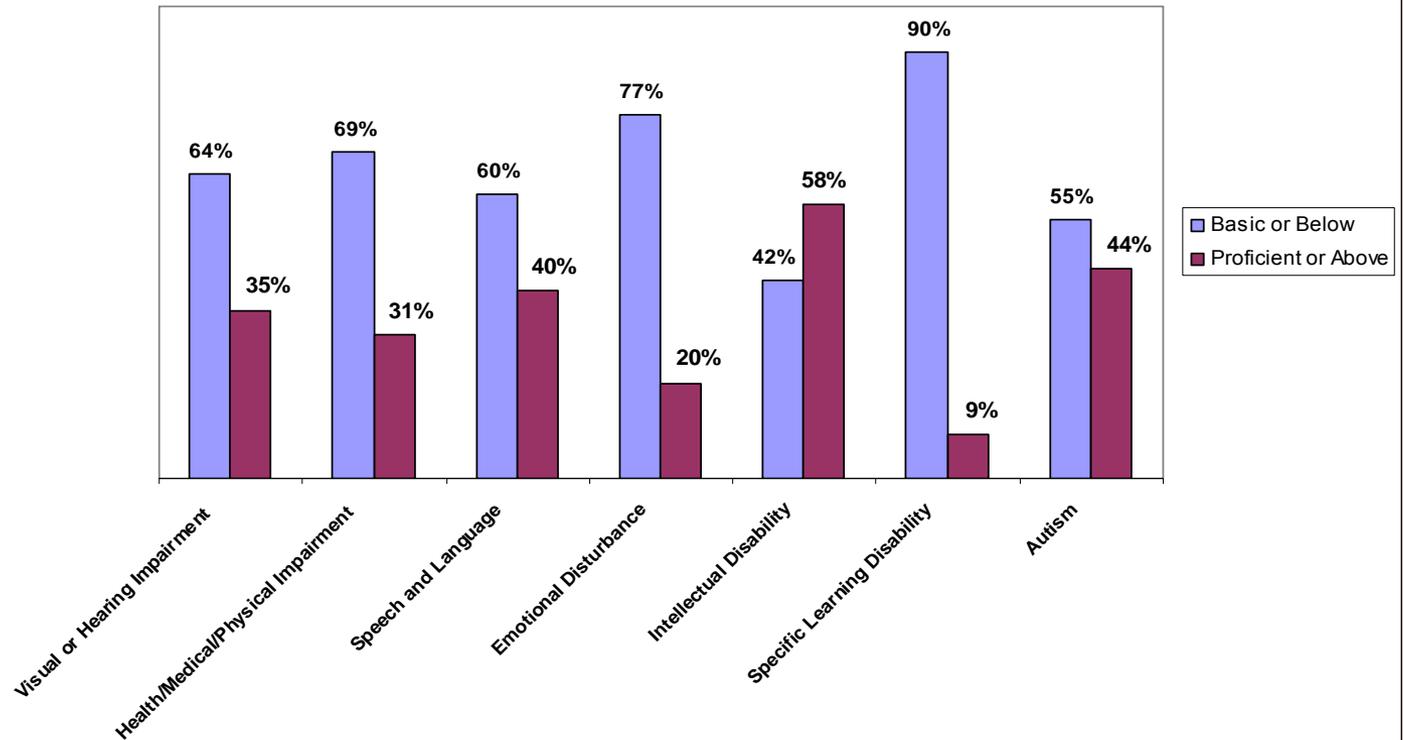
- Statewide Assessment (STAR)
 - (California Standards Test (CST), California Modified Assessment (CMA), California Performance Assessment (CAPA))
- Adequate Yearly Progress (AYP) and Academic Performance Index (API)
- State Performance Plan (SPP)
Indicators and Annual Performance Report (APR)
- Compliance determinations
- Significant disproportionality



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ELA for Grades 3-5

Percent of Proficiency Levels for English Language Arts By Disability for Grades 3-5 in 2008



Health/Medical/Physical Impairment includes Orthopedic Impairment, Other Health Impairment and Traumatic Brain Injury

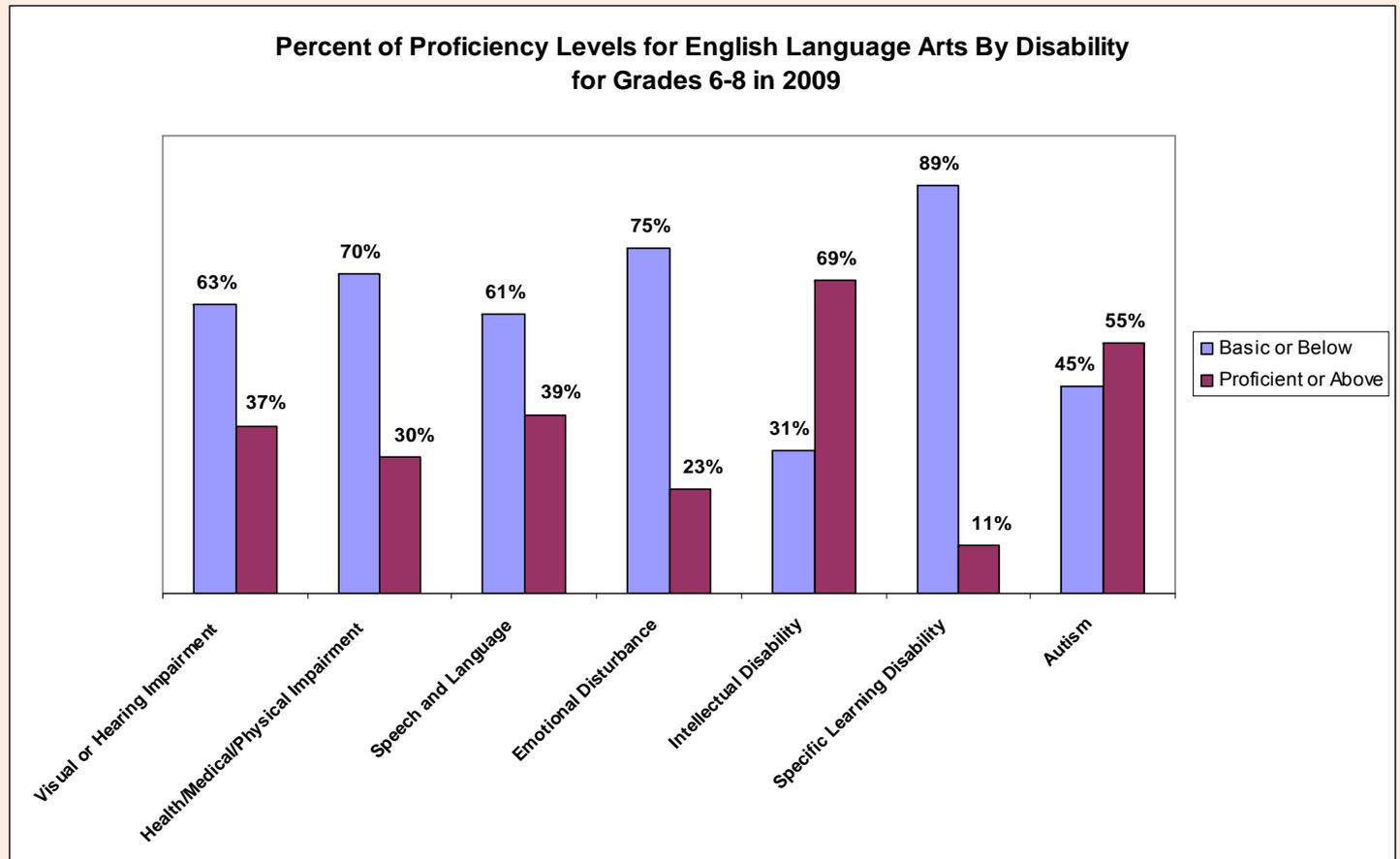
Visual or Hearing Impairment Includes Hard of Hearing, Deafness, Visual Impairment, and Deaf-Blindness

Multi-Disabilities Not Included in Analysis



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ELA Grades 6-8



Health/Medical/Physical Impairment includes Orthopedic Impairment, Other Health Impairment and Traumatic Brain Injury

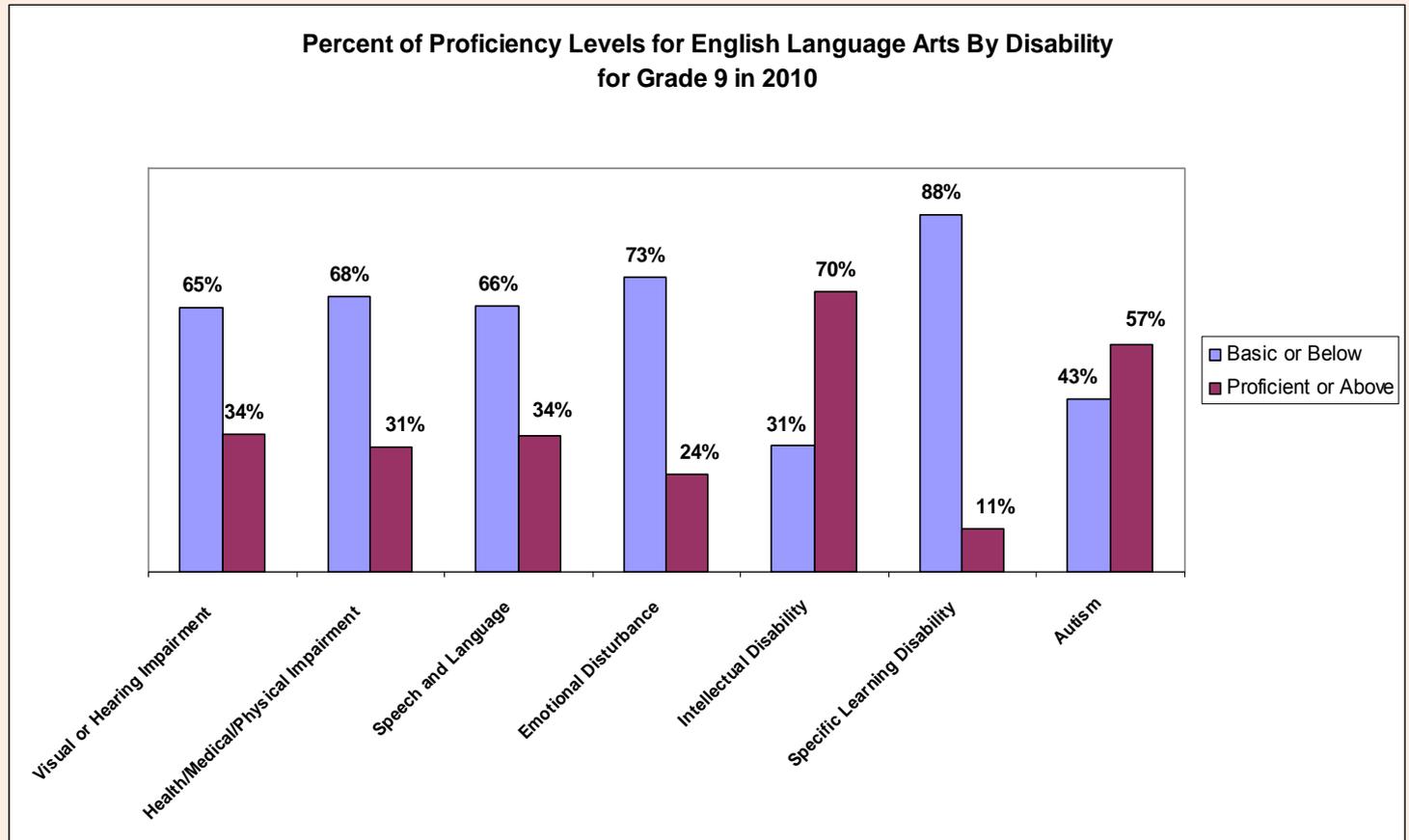
Visual or Hearing Impairment Includes Hard of Hearing, Deafness, Visual Impairment, and Deaf-Blindness

Multi-Disabilities Not Included in Analysis



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ELA Grade 9



Health/Medical/Physical Impairment includes Orthopedic Impairment, Other Health Impairment and Traumatic Brain Injury

Visual or Hearing Impairment Includes Hard of Hearing, Deafness, Visual Impairment, and Deaf-Blindness

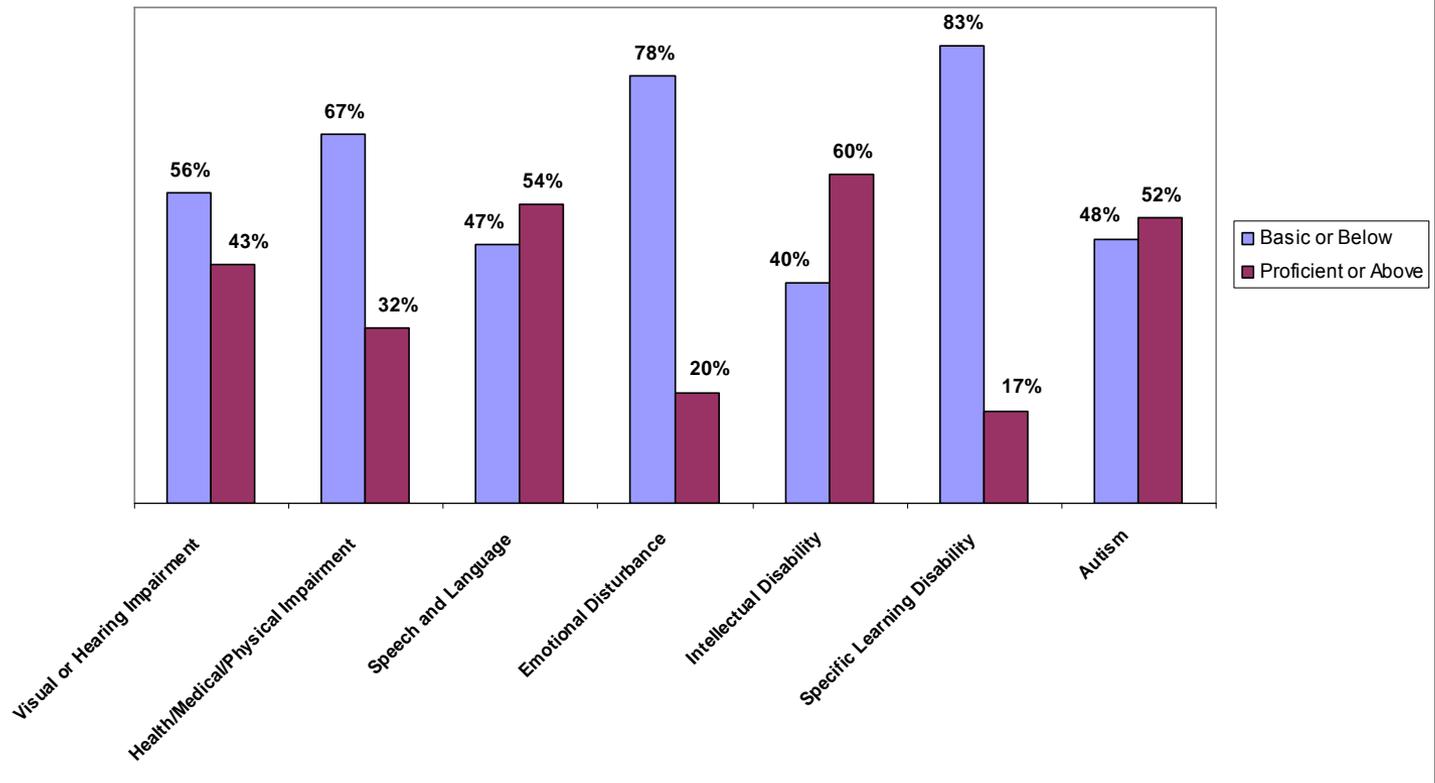
Multi-Disabilities Not Included in Analysis



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Math Grades 3-5

Percent of Proficiency Levels for Mathematics By Disability for Grades 3-5 in 2008



Health/Medical/Physical Impairment includes Orthopedic Impairment, Other Health Impairment and Traumatic Brain Injury

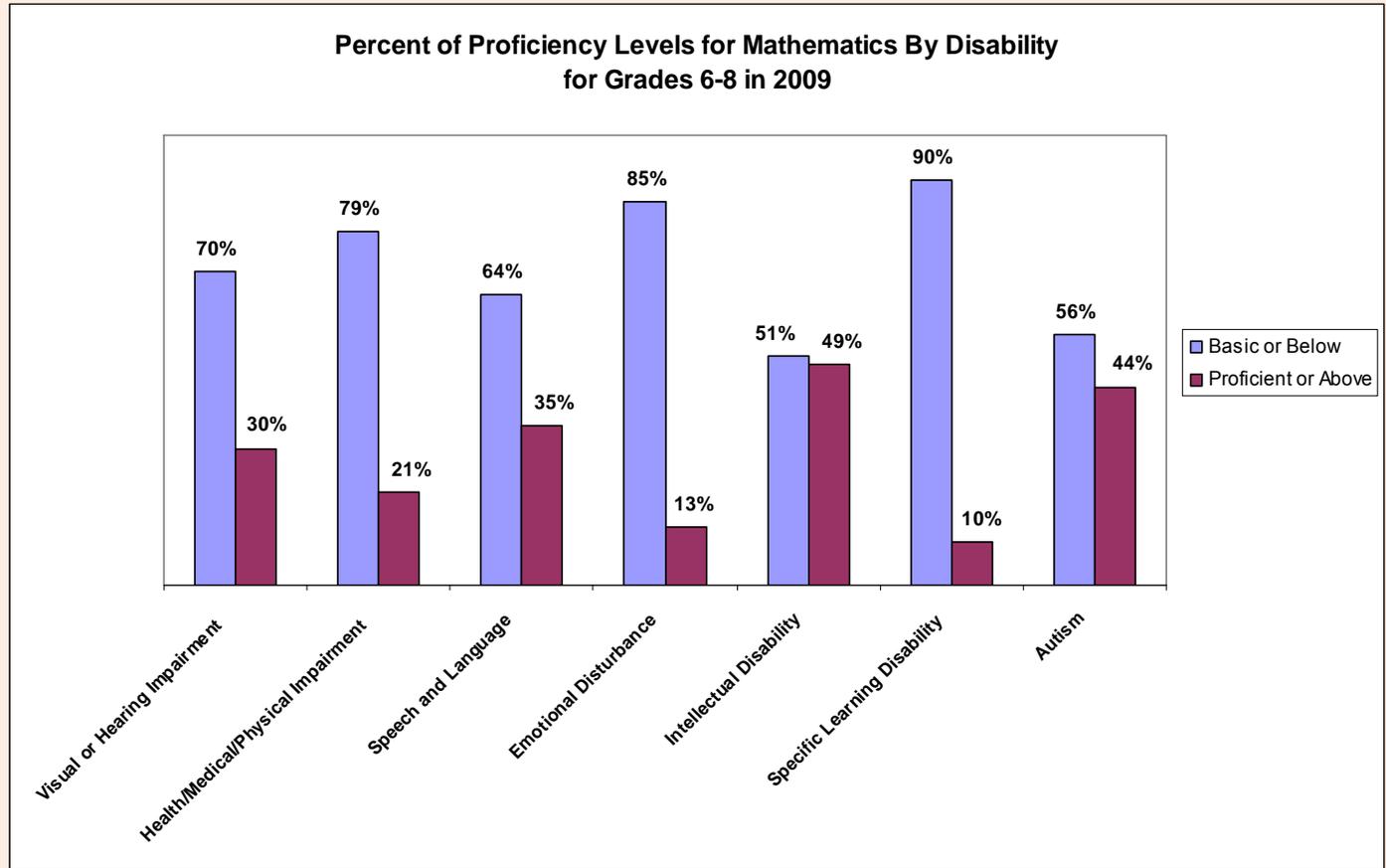
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Multi-Disabilities Not Included in Analysis



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Math Grades 6-8



Health/Medical/Physical Impairment includes Orthopedic Impairment, Other Health Impairment and Traumatic Brain Injury

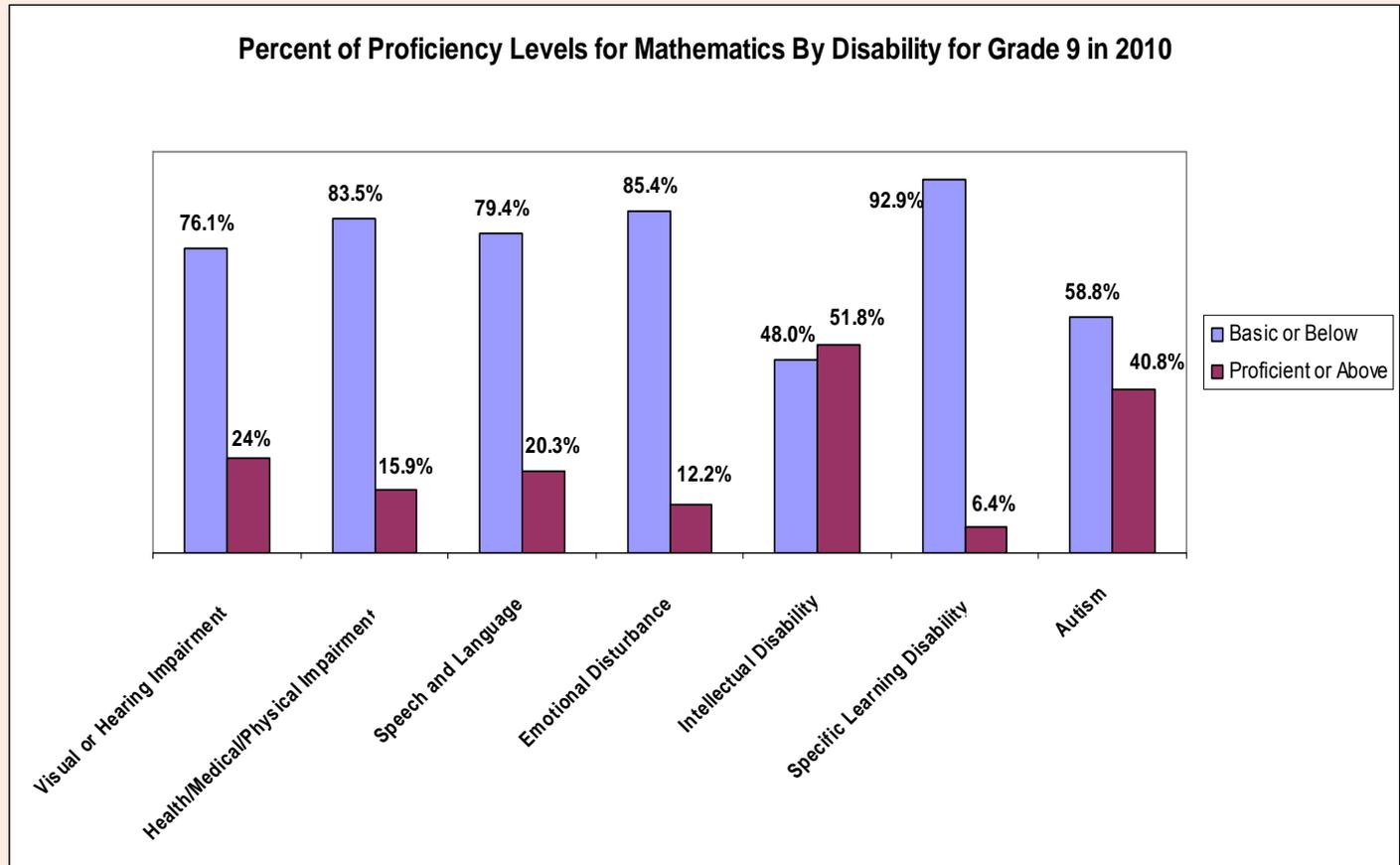
Visual or Hearing Impairment Includes Hard of Hearing, Deafness, Visual Impairment, and Deaf-Blindness

Multi-Disabilities Not Included in Analysis



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Math Grade 9



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Visual or Hearing Impairment Includes Hard of Hearing, Deafness, Visual Impairment, and Deaf-Blindness

Multi-Disabilities Not Included in Analysis



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The Annual Performance Report (APR)



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APR

- California is required to report annually to the secretary of the U.S. Department of Education (USED) on the performance and progress under the State Performance Plan (SPR) in its Annual Performance Report (APR).



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CASEMIS

- The California Special Education Management Information System (CASEMIS) data reporting and retrieval system provides LEAs with a statewide standard for maintaining a common core of special education data at the local level that is used for accountability reporting and to meet statutory and programmatic needs in special education.



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APR Data Years

- The current APR reflects data collected during Federal Fiscal Year (FFY) 2010, (equivalent to California's school year 2010–11).
- Several indicators are reported in lag years using data from school year 2009–10.



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Indicators Overview

- There are 11 performance indicators and 9 compliance indicators.
- All compliance indicators are set by the USED at either 0 percent or 100 percent.
- Performance indicator targets were established based on the recommendations of the broad-based stakeholder group, Improving Special Education Services (ISES), review by the Advisory Commission on Special Education, and the approval of the State Board of Education (SBE).



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APR Indicators 1-2

Indicators	Target	Results	Met
1. Graduation Rate	> 90%	74%	Yes
2. Dropout Rate	< 22.1%	15.4%	Yes



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Indicators 3A-3B

3. Statewide Assessment Indicator	Target	Results	Met
3A. Percent of districts meeting the State's AYP objectives for progress for the disability subgroup	> 58%	14.70%	No
3B1. Percent participation on statewide assessments by Special Education Students in ELA.	> 95%	97.40%	Yes
3B2. Percent participation on statewide assessments by Special Education Students in Math	> 95%	94.90%	No



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Indicator 3c

3C. Statewide Assessment Indicator	Target	Results	Met
3C1. Percent proficient in ELA for Special Education Students at Elementary School Districts.	> 67.6%	32.30%	No
3C1. Percent proficient in ELA for Special Education Students at High School Districts.	> 66.7%	4.00%	No
3C1. Percent Proficient in ELA for Special Education Students at Unified School Districts and County Offices of Education.	> 67%	22.90%	No
3C1. Percent Proficient in Math for Special Education Students at Elementary School Districts.	> 68.5%	28.70%	No
3C1. Percent Proficient in Math for Special Education Students at High School Districts.	> 66.1%	4.10%	No
3C1. Percent Proficient in Math for Special Education Students at Unified School Districts And County Offices of Education.	> 67.3%	17.30%	No



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Indicators 4-6

Indicator	Target	Results	Met
4A. Suspension and Expulsion Rate by Ethnicity	< 10%	2.5%	Yes
4B. Suspension and Expulsion Rate by Disability	< 0%	9.86%	No
5. Least Restrictive Environment			
5A. Percent Removed from Regular Class Less Than 21% of the Day	> 75%	54.1%	No
5B. Percent Removed from Regular Class More Than 60% of the Day	< 9%	22.4%	No
5C. Percent served in separate schools	< 3.8%	3.7%	Yes
6. Preschool Least Restrictive Environment	No Report Required	--	--



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Indicator 7A-7B1

7. Preschool Assessment Indicator	Target	Results	Met
7A1. Of those children who entered the program below age expectations in <i>positive social-emotional skills</i> substantially increased their rate of growth by the time they turned six years of age or exited the program	> 72.%	67.1 %	No
7A2. Of children who were functioning within age expectations in <i>positive social emotional skills</i> were functioning within age expectations by the time they turned six years of age or exited the program.	> 82.1%	77.7%	No
7B1. Of those children who entered the program below age expectations in <i>acquisition and use of knowledge and skills</i> substantially increased their rate of growth by the time they turned six years of age or exited the program	> 70.%	66.3%	No



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Indicator 7B2-7C

7. Preschool Assessment Indicator	Target	Results	Met
7B2. Of children who were functioning within age expectations in <i>positive acquisition and use of knowledge and skills</i> were functioning within age expectations by the time they turned six years of age or exited the program.	> 82.5%	76.2%	No
7C1. Of those children who entered the program below age expectations in <i>appropriate behaviors to meet their needs</i> substantially increased their rate of growth by the time they turned six years of age or exited the program	> 75%	69.2%	No
7C2. Of children who were functioning within age expectations in <i>appropriate behaviors to meet their needs</i> were functioning within age expectations by the time they turned six years of age or exited the program.	> 79%	78.2%	No



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Indicators 8-11

Indicators	Target	Results	Met
8. Percent of Parent Reporting the Schools Facilitated Parental Involvement	> 82%	81.1%	No
9. Overall Disproportional Racial or Ethnic Groups in Special Education	0%	2.3%	No
10. Disproportional Racial or Ethnic Groups in Disability Categories	0%	3.3%	No
11. Eligibility Evaluation Completed within 60 Days of Parental Consent	100%	95.9%	No



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Indicators 12-14

Indicator	Target	Results	Met
12. Part C to Part B Transition by Third Birthday	100%	95.3%	No
13. Secondary Transition Goals and Services	100%	27.2%	No
14. Post-School Employment or Enrollment in Post-Secondary Education			
14A. Enrolled in Higher Education Within One Year of Leaving High School	> 56%	49.5%	No
14B. Enrolled in Higher Education or Competitively Employed Within One Year of Leaving School	> 77%	66.5%	No
14C. Enrolled in Higher Education or Some Other Post-Secondary Education; or Competitively Employed or Some Other Employment Within One Year of Leaving School	> 87%	74.4%	No



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State Superintendent
of Public Instruction

Transition Details – Indicator 13

Required Elements

1. Is there an appropriate measurable post-secondary goal or goals that covers education or training, employment, and, as needed, independent living?
2. Is (are) the post-secondary goal(s) updated annually?
3. Is there evidence that the measurable post-secondary goal(s) were based on age appropriate transition assessment?
4. Are there transition services in the IEP that will reasonably enable the student to meet his or her post-secondary goal(s)?
5. Do the transition services include courses of study that will reasonably enable the student to meet his or her post-secondary goal(s)?
6. Is (are) there annual IEP goal(s) related to the student's transition services needs?
7. Is there evidence that the student was invited to the IEP Team meeting where transition services were discussed?
8. If appropriate, is there evidence that a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority?



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Indicators 15-20

Indicators	Target	Results	Met
15. General Supervision System Corrects Noncompliance Within in One Year	100%	Pending	Pending
16. General Supervision: Written Complaints Resolved in 60 Days	100%	100%	Yes
17. General Supervision: Due Process Hearings	100%	100%	Yes
18. General Supervision	> 55%	Pending	Pending
19. General Supervision: Number of Mediation Agreements	> 80%	67.2%	No
20. General Supervision: Timely and Accurate Reports		Pending	Pending
20A. Percent of State Reports Submitted on Time and Accurate	100%	Pending	Pending
20B. Percent of SELPAs Submit Data on Time and Accurate	100%	Pending	Pending