



SPECIAL EDUCATION / SELPA

1800 South Sutter Street • Stockton, CA 95206
Office (209) 933-7120 • FAX (209) 943-7716

PRIOR WRITTEN NOTICE RE SCHOOL CLOSURE

March 26, 2020

Dear Stockton Unified School District Families & Students,

This letter is written prior notice by the Stockton Unified School District (SUSD) pursuant to 34 CFR § 300.503, regarding the closure of your student's school that was recently extended through April 17, 2020, returning on April 20, 2020.

As it was previously explained in SUSD notices, including the prior written notice dated March 19, SUSD has determined that it is necessary to close its school(s) to prevent/contain the spread of COVID-19, in consultation with the Center for Disease Control (CDC) the County Office of Education (COE), and the Department of Public Health (DPH), as well as Governor Newsom's Executive Orders, including the shelter-in-place order.

The decision to close the school until April 20, 2020 is based on the current information and advice from governmental and public health agencies. If the situation changes, and we need to be closed for a longer period of time, we will again reach out to update you regarding next steps.

The Governor also signed emergency legislation Senate Bill ("SB") 117, which included several provisions that affect special education.

Under SB 117, certain timelines for special education were extended; however, timelines that exist under the federal IDEA laws and regulations were not waived or extended. The timelines that were not changed include several that are related to your child's IEP. Nevertheless, the U.S. Department of Education ("USDOE") recognizes the practical problems school districts face in attempting to comply with the IDEA's procedural requirements during the current crisis. The USDOE has stated that: "School districts and postsecondary schools have significant latitude and authority to take necessary actions to protect the health, safety, and welfare of students and school staff. School officials have discretion to make educational decisions based on local health needs and concerns, and [the Office for Civil Rights] recognizes this decision-making authority." (OCR Fact Sheet, March 16, 2020.)

To this end, the USDOE has issued guidance that special education teams are not required to meet in-person while schools are closed. It has also acknowledged that “[i]f an evaluation of a student with a disability requires a face-to-face assessment or observation, the evaluation would need to be delayed until school reopens. Evaluations and re-evaluations that do not require face-to-face assessments or observations may take place while schools are closed, so long as a student’s parent or legal guardian consents.” (Id.) The California Department of Education has also stated that: “LEAs should do their best in adhering to IDEA requirements, including federally mandated timelines, to the maximum extent possible.” (CDE Special Education Guidance for COVID-19, March 23, 2020.)

Thus, while federal requirements for convening special education meetings still exist, both the federal and state governments have expressed their intent to evaluate a district’s compliance liberally, in light of the need to ensure the health, safety and welfare of students and staff and abide by all health and safety restrictions that may be in effect.

The District understands that certain federal timelines and requirements apply to the development of your student’s IEP, such as evaluations, annual reviews, and transition meetings. The District will, to the maximum extent possible, make efforts to hold required IEP meetings through alternate means such as telephone or video conferencing provided you are in agreement with proceeding in this manner. Any face-to-face assessments or observations will be delayed until school reopens.

During the school closure, SUSD will continue to provide grade-level appropriate materials for your child to continue their learning independently at home for the purpose of maintaining skills. SUSD will also be taking steps to ensure your student has access to their special education and/or Section 504 supports and services, to the greatest extent possible, in order to ensure they can access their online/distance learning plan and benefit from the educational program options to the same degree as other students and in light their unique circumstances. Please be advised that the exceptional circumstances we are facing will affect how the supports and services are provided, and the District anticipates all students will make less progress as a result of receiving little instruction during this time. When school reopens, SUSD will return to implementing your student’s individual education plan with fidelity.

We recognize that the impact of school closure will vary substantially among students, their families, teachers and staff, as well as the entire community. SUSD’s primary concern is to prioritize the long term health and well-being of its students, families, and employees, and it is committed to mitigating the impact of school closure on each student upon reopening.

In making its determination, SUSD reviewed and considered the following:

- Recommendations from the Center for Disease Control (“CDC”);
- Recommendations from the California Department of Education (“CDE”);
- Recommendations from the United States Department of Education, Office of Special Education Programs and Office for Civil Rights;

- Recommendations from the San Joaquin County Office of Education (COE).
- Recommendations from state and local government officials, including departments of public health; and
- All other relevant information available to the District.

Finally, please be advised that the parents of a child with a disability have protection under the federal parental rights and procedural safeguards set forth in 34 C.F.R. Part 300. Copies of parental rights and procedural safeguards have been posted on the District website, to advise of your parental rights. Please contact me with questions about this letter, and you are also free to contact any agency listed in your notice of rights. District staff members are doing our very best to respond in a timely manner. Your patience with this is greatly appreciated in this evolving emergency.

Sincerely,

Vincent Hernandez, II

Vincent Hernandez II
Interim Director of Special Education
Stockton Unified School District



AVISO ESCRITO PREVIO CIERRE DE LA ESCUELA

26 de marzo de 2020

Estimadas familias y estudiantes del Distrito Escolar Unificado de Stockton:

Esta carta es un aviso previo por escrito del Distrito Escolar Unificado de Stockton (SUSD) de conformidad con 34 CFR § 300.503, con respecto al cierre de la escuela de su estudiante que se extendió recientemente hasta el 17 de abril de 2020 y regresa el 20 de abril de 2020.

Como se explicó anteriormente en los avisos de SUSD, incluida la notificación previa por escrito con fecha del 19 de marzo, SUSD ha determinado que es necesario cerrar sus escuelas para evitar / contener la propagación de COVID-19, en consulta con el Centro de Enfermedades Controladas (CDC) la Oficina de Educación del Condado (COE) y el Departamento de Salud Pública (DPH), así como las órdenes Ejecutivas del gobernador Newsom, incluida la orden de refugio en el lugar.

La decisión de cerrar la escuela hasta el 20 de abril de 2020 se basa en la información y los consejos actuales de las agencias gubernamentales y de salud pública. Si la situación cambia, y necesitamos estar cerrados por un período de tiempo más largo, nuevamente nos comunicaremos con usted para informarle sobre los próximos pasos.

El Gobernador también firmó la legislación de emergencia del Senado Bill ("SB") 117, que incluía varias disposiciones que afectan la educación especial.

Bajo SB 117, se extendieron ciertos plazos para la educación especial; sin embargo, los plazos que existen bajo las leyes y regulaciones federales de IDEA no fueron renunciados o extendidos. Los plazos que no se modificaron incluyen varios relacionados con el IEP de su hijo. Sin embargo, el Departamento de Educación de los Estados Unidos ("USDOE") reconoce los problemas prácticos que enfrentan los distritos escolares al tratar de cumplir con los requisitos de procedimiento de IDEA durante la crisis actual. El USDOE ha declarado que: "Los distritos escolares y las escuelas postsecundarias tienen latitud y autoridad significativas para tomar las medidas necesarias para proteger la salud, la seguridad y el bienestar de los estudiantes y el personal escolar. Los funcionarios escolares tienen la discreción de tomar decisiones educativas basadas en las necesidades y preocupaciones locales de salud, y [la Oficina de Derechos Civiles] reconoce esta autoridad para tomar decisiones". (Hoja de datos de OCR, 16 de marzo de 2020).

Con este fin, el USDOE ha emitido una guía de que los equipos de educación especial no están obligados a reunirse en persona mientras las escuelas están cerradas. También ha reconocido que "[i]f una evaluación de un estudiante con una discapacidad requiere una evaluación u

observación cara a cara, la evaluación debería retrasarse hasta que la escuela vuelva a abrir. Las evaluaciones y reevaluaciones que no requieren evaluaciones u observaciones cara a cara pueden llevarse a cabo mientras las escuelas están cerradas, siempre que los padres o tutores legales del estudiante consientan ". (Id.) El Departamento de Educación de California también ha declarado que: "Las LEA deben hacer todo lo posible para cumplir con los requisitos de IDEA, incluidos los plazos establecidos por el gobierno federal, en la mayor medida posible". (Guía de educación especial del CDE para COVID-19, 23 de marzo de 2020.)

Por lo tanto, aunque todavía existen requisitos federales para convocar reuniones de educación especial, tanto el gobierno federal como el estatal han expresado su intención de evaluar el cumplimiento de un distrito de manera liberal, a la luz de la necesidad de garantizar la salud, la seguridad y el bienestar de los estudiantes y el personal y cumplir con todas las restricciones de salud y seguridad que puedan estar vigentes.

El Distrito comprende que ciertos requisitos y plazos federales se aplican al desarrollo del IEP de su estudiante, como evaluaciones, revisiones anuales y reuniones de transición. El Distrito, en la mayor medida posible, se esforzará por celebrar las reuniones requeridas del IEP a través de medios alternativos, tales como conferencias telefónicas o de video, siempre que esté de acuerdo con proceder de esta manera. Cualquier evaluación u observación en persona se retrasará hasta que la escuela vuelva a abrir.

Durante el cierre de la escuela, SUSD continuará proporcionando materiales apropiados para el nivel de grado para que su hijo continúe aprendiendo de forma independiente en el hogar con el fin de mantener las habilidades.

SUSD también tomará medidas para garantizar que su estudiante tenga acceso a su educación especial y / o apoyos y servicios de la Sección 504, en la mayor medida posible, a fin de garantizar que puedan acceder a su plan de aprendizaje en línea / a distancia y beneficiarse del programa educativo opciones en el mismo grado que otros estudiantes y a la luz de sus circunstancias únicas. Tenga en cuenta que las circunstancias excepcionales que enfrentamos afectarán la forma en que se brindan los apoyos y servicios, y el Distrito anticipa que todos los estudiantes progresarán menos como resultado de recibir poca instrucción durante este tiempo. Cuando la escuela vuelva a abrir, SUSD volverá a implementar el plan educativo individual de su estudiante con fidelidad.

Reconocemos que el impacto del cierre de la escuela variará sustancialmente entre los estudiantes, sus familias, maestros y personal, así como también en toda la comunidad. La principal preocupación del SUSD es priorizar la salud y el bienestar a largo plazo de sus estudiantes, familias y empleados, y se compromete a mitigar el impacto del cierre de la escuela en cada estudiante al volver a abrir.

Al hacer su determinación, SUSD revisó y consideró lo siguiente:

- Recomendaciones del Centro para el Control de Enfermedades ("CDC");
- Recomendaciones del Departamento de Educación de California ("CDE");

- Recomendaciones del Departamento de Educación de los Estados Unidos, la Oficina de Programas de Educación Especial y la Oficina de Derechos Civiles;
- Recomendaciones de la Oficina de Educación del Condado de San Joaquín (COE).
- Recomendaciones de funcionarios del gobierno estatal y local, incluidos los departamentos de salud pública; y
- Toda otra información relevante disponible para el Distrito.

Finalmente, tenga en cuenta que los padres de un niño con discapacidad tienen protección bajo los derechos federales de los padres y las garantías procesales establecidas en 34 C.F.R. Parte 300. Se han publicado copias de los derechos de los padres y las garantías procesales en el sitio web del Distrito, para informar sobre sus derechos de los padres. Comuníquese conmigo si tiene preguntas sobre esta carta, y también puede comunicarse con cualquier agencia mencionada en su aviso de derechos. Los miembros del personal del distrito están haciendo todo lo posible para responder de manera oportuna. Su paciencia con esto es muy apreciada en esta emergencia en evolución.

Sinceramente,

Vincent Hernandez, II

Vincent Hernandez II
Director Interino de Educación Especial
Distrito escolar unificado de Stockton



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PRIOR WRITTEN NOTICE RE SCHOOL CLOSURE

March 19, 2020

Dear SUSD Families & Students,

As you know from the letters sent out by the Superintendent yesterday, the Stockton Unified School District (SUSD) has determined that it is necessary to close its school(s) to prevent/contain the spread of COVID-19. All SUSD classes and school-related activities have been canceled for three weeks through Monday, April 6th, 2020. This letter is being posted as further information for your student with respect to special education services and supports.

The decision to close the school until April 6, 2020 is based on the current information and advice from governmental and public health agencies. If the situation changes, and we need to be closed for a longer period of time, we will again reach out to update you regarding next steps for your child.

During the school closure, SUSD will continue to provide grade-level appropriate materials for your child to continue distance learning at home for the purpose of maintaining skills. Your student’s special education supports and services will resume along with the regular program when the District re-opens. We are also exploring options for providing related services (that may be part of your student’s IEP) enrichment activities as part of the distance learning. The development of these options will depend on feasibility under the circumstances, and we will update the community if and when these become available.

As discussed in the Superintendent’s letter, beginning Monday, March 23rd, 2020 learning materials will be available for distribution at the following locations and times:

Dates	Time(s)	Site
Monday, March 23rd	7:30AM-8:30AM	All SUSD schools <i>Near the daily student drop off location(s)</i>
through	11:30AM-12:30PM	
Friday, March 27th	3:30PM-4:30PM	SUSD District Office 701 N. Madison <i>Parking Lot</i>

The student learning materials being distributed are also be available online at www.stocktonusd.net/LearnFromHome and on all SUSD school websites. On this page we have also included the quick links to our adopted curriculum (e.g., i-Ready, Benchmark, Pearson, etc.) In addition, we have provided a list of free, online educational resources and support for students.



John Deasy, Ph.D.
Superintendent

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School staff, central office personnel, and community volunteers will be available to support with the distribution of student learning materials. Signage with directions will be displayed to ensure smooth pick up of learning materials that will be sorted by grade level or course. To adhere to social distancing, students and families are asked not to stay and congregate on the school premises. Please submit questions by emailing the classroom teacher or www.stocktonusd.net/COVID-19. Classroom teachers will be available during school hours to answer emails from students and parents if there are questions or additional information is needed.

Families who need support with Internet access can apply for two free months of service with Comcast through its Internet Essentials program at www.internetessentials.com or by calling 1-800-934-6489. Xfinity WiFi hotspots across the nation are also available to anyone who needs them for free – including non-Xfinity Internet subscribers. For a map of Xfinity WiFi hotspots, visit www.xfinity.com/wifi.

The student materials provided are part of a short term plan to ensure students continue to engage in learning opportunities. At this time, students are not required to complete distance learning assignments for credit or a grade. However, we are asking that students retain all completed distance learning assignments to aid your student's teachers and service providers in ascertaining the level of skill maintenance and what additional supports, if any, would be needed once schools re-open.

We recognize that the impact of school closure will vary substantially among students, their families, teachers and staff, as well as the entire community. SUSD's primary concern is to prioritize the long term health and well-being of its students, families, and employees, and it is committed to mitigating the impact of school closure on each student upon reopening.

In making its determination, SUSD reviewed and considered the following:

- Recommendations from the CDC,
- Recommendations from the CDE,
- Recommendations from the DPH, and
- All other relevant information available to the District,

Finally, please be advised that the parents of a child with a disability have protection under the federal parental rights and procedural safeguards set forth in 34 C.F.R. Part 300. We have posted a copy of the procedural safeguards on this website. If you would like a copy of the procedural safeguards mailed to you, please let me know.



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Other sources which you may contact to obtain assistance in understanding the provisions of the enclosed procedural safeguards are:

Stockton City Unified SELPA
1541 E. March Lane
Stockton, CA 95210

and

California Department of Education
P.O. Box 944272
Sacramento, CA 94244-2720

If you have any questions, please do not hesitate to call me at (209) 933.7120 ext. 2500 or email me at VincentHernandez@stocktonusd.net.

Sincerely,

Vincent Hernandez, II

Vincent Hernandez
Interim Director of Special Education
Stockton Unified School District



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NOTIFICACIÓN ESCRITA PREVIA SOBRE CIERRE DE ESCUELAS

19 de marzo 2020

Estimadas Familias y Estudiantes del SUSD,

Como ya sabrán por las cartas enviadas ayer por el superintendente, el Distrito Escolar Unificado de Stockton (SUSD) ha determinado que es necesario cerrar sus escuelas para prevenir y contener la propagación del COVID-19. Todas las clases y actividades relacionadas a la escuela han sido canceladas por tres semanas, hasta el lunes 6 de abril, 2020. Esta carta se distribuye como información adicional para su estudiante respecto de sus servicios y soporte en Educación Especial.

La decisión de cerrar las escuelas hasta el 6 de abril del 2020 se basa en la información actual y las recomendaciones de agencias gubernamentales y de salud pública. Si la situación cambia, y nos vemos en la necesidad de cerrarlas por un periodo más largo, nos comunicaremos con usted una vez más para actualizarle sobre los próximos pasos que deberá seguir su estudiante.

Durante la clausura de la escuela, el SUSD continuará brindando los materiales apropiados al grado de su estudiante para que continúe su aprendizaje “a-distancia” (remotamente) con el objetivo de que mantenga su rutina de aprender. Los servicios y soporte de Educación Especial para su estudiante se resumirán junto al programa educacional general cuando el Distrito reabra sus puertas. Estamos, además, explorando opciones para ofrecer servicios remotos relacionados, y que puede formen parte de actividades de enriquecimiento en el Plan de Instrucción Individualizada (IEP) de su estudiante. El desarrollo de estas opciones dependerá de su viabilidad bajo las circunstancias del momento, y mantendremos a la comunidad al tanto de éstas siempre y cuando se materialicen.

Como se detalló en la carta del Superintendente, a partir del lunes 23 de marzo, 2020, habrá material educacional para estudiantes a ser distribuido en los siguientes locales y horarios:

Fechas	Hora(s)	Local
Lunes, 23 de Marzo hasta	7:30AM-8:30AM 11:30AM-12:30PM	TODAS las escuelas del SUSD <i>Próximo al sitio donde se pasa a dejar a los estudiantes todos los días.</i>
Viernes, 27 de Marzo	3:30PM-4:30PM	Oficinas del Distrito (SUSD) 701 N. Madison <i>Estacionamiento</i>



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El material de aprendizaje estudiantil que se está distribuyendo está, además, disponible para su descarga en-línea desde el sitio www.stocktonusd.net/LearnFromHome y en todos los sitios virtuales de las escuelas del SUSD. En esta página hemos, también, incluido convenientes enlaces del plan de estudios que hemos adoptado (ej., i-Ready, Benchmark, Pearson, etc.) Además, hemos agregado una lista de recursos y soportes para estudiantes, gratuitos y disponibles en Internet.

El personal de la escuela, personal de la oficina central, y voluntarios comunitarios, estarán disponibles para ayudar en la distribución del mencionado material instructivo para los estudiantes. Se fijarán letreros con instrucciones para permitir una fácil identificación del material —separado por grado y asignatura— para que lo retire. Para adherirnos al “distanciamiento social” se le pedirá a los estudiantes y familias no quedarse ni congregarse en las dependencias escolares. Sírvase dirigir toda pregunta por medio de correo electrónico al maestro(a) de su estudiante o a www.stocktonusd.net/COVID-19. De haber preguntas o necesitarse información adicional de parte de los estudiantes o sus padres durante la jornada escolar, los maestros del salón estarán disponibles para contestar sus correos electrónicos.

Las familias que necesiten asistencia con acceso a la Internet pueden postular a dos meses de servicio gratuito con *Comcast* por medio de su programa *Internet Essentials* accesible en www.internetessentials.com o telefoneando al 1-800-934-6489. Existen puntos de acceso a señal de Internet (WiFi) de *Xfinity* por toda la nación, disponibles gratis para quien sea lo necesite —incluyendo a personas que no sean clientes de *Xfinity Internet*. Para ver un mapa de puntos de acceso de *Xfinity*, visite www.xfinity.com/wifi.

Estos materiales estudiantiles que ponemos a su disposición son parte de un plan a corto plazo para garantizar que los estudiantes continúen vinculados a oportunidades de seguir aprendiendo. Por el momento, no se está pidiendo que el estudiante complete tareas de aprendizaje remoto para obtener créditos o una calificación. No obstante, lo que queremos es que los estudiantes guarden toda tarea encomendada remotamente para que los maestros y prestadores de servicios de su chico se den una idea del nivel de dominio que han mantenido y así programar que tipo de fortalecimientos requerirán, de necesitarlos, cuando se reinicien las clases.

Estamos conscientes que el impacto del cierre de las escuelas variará sustancialmente de estudiante a estudiante, sus familias, maestros y personal, al igual que en la comunidad en su totalidad. La principal preocupación del SUSD es dar prioridad a la salud y bienestar a largo plazo de estudiantes, familias y personal, y hará lo posible por mitigar el impacto que la clausura de la escuela tenga en cada estudiante luego que se reabra.

Al tomar su determinación, el SUSD analizó y consideró lo siguiente:



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- Recomendaciones del Centro de Prevención y Control de Enfermedades (CDC)
- Recomendaciones del Departamento de Educación de California (CDE)
- Recomendaciones del Departamento de Salud Pública, y
- Toda otra información relevante y accesible al Distrito.

Finalmente, le recordamos que los padres de un menor con discapacidad están protegido bajo los derechos y procedimientos de protección a los padres que dictamina la Parte 300 del Capítulo 34 del Código Federal de Regulaciones (34 C.F.R. Part 300). Hemos cargado una copia de dichos procedimientos de protección en este portal virtual. Si usted desea que se le envíe una copia de los procedimientos de protección por correo, sírvase hacernos saber.

Otras fuentes a las que usted puede recurrir para que le ayuden a comprender las provisiones de los procedimientos de protección aquí incluidos son:

Stockton City Unified SELPA
1541 E. March Lane
Stockton, CA 95210

y

California Department of Education
P.O. Box 944272
Sacramento, CA 94244-2720

Si tiene usted cualquier pregunta, no dude en telefonarme al (209) 933.7120 ext. 2500, o escríbame al correo electrónico VincentHernandez@stocktonusd.net

Sinceramente,

Vincent Hernández, II

Vincent Hernández
Director Interino de Educación Especial
Distrito Escolar Unificado de Stockton

Parents' Rights

A Brief Summary of Procedural Safeguards for Students with Disabilities Receiving Special Education Services

Parents of children with disabilities from ages three through twenty-one have specific educational rights under the Individuals with Disabilities Education Act (IDEA). These rights are called procedural safeguards. Individuals serving as surrogate parents and students aged eighteen receiving special education services, are also entitled to these rights.

A number of staff in the child's district and special education local plan area (SELPA) may answer questions about the child's education and the parents' rights and responsibilities. When the parent has a concern, it is important that they contact their child's teachers or administrators to talk about their child and any problems they see. This conversation often solves the problem and helps maintain open communication.

Parents must be given opportunities to participate in any decision-making meeting regarding their child's special education program. Parents have the right to participate in individualized education program (IEP) meetings about the special education eligibility, assessment, educational placement of their child and other matters relating to their child's free appropriate public education (FAPE).

When a parent cannot be identified or located, a district may appoint a surrogate parent to represent a child with a disability.

What Are Parents' Rights in California Special Education?

Parents and students over age eighteen have the right

- **To Participate**
Parents have the right to refer their child for special education services, to participate in the development of the IEP and to be informed of all program options and alternatives, both public and nonpublic.
- **To Receive Prior Written Notice**
Parents have a right to receive prior written notice, in their native language, when the school district initiates or refuses their request to initiate a change in their child's identification, assessment, or educational placement in special education.
- **To Consent**
Parents must provide informed, written consent before their child is assessed or provided with any special education and related services. Parental consent must also be provided before any change in special education services may occur. The district must ensure that parents understand proceedings of the IEP team meeting including arranging for an interpreter for parents with deafness or those whose native language is other than English.
- **To Refuse to Consent**
Parents may refuse to consent to an assessment or the placement of their child in special education.
- **To Revoke Consent**
At any time subsequent to the initial provision of special education and related services, the parent may revoke consent in writing for the continued provision of special education and related services. The district must provide prior written notice before ceasing special education and related services.
- **To Be Given a Nondiscriminatory Assessment**
Children must be assessed for special education through the use of methods that are not culturally biased or discriminatory.
- **To Receive Independent Educational Assessments**
If parents disagree with the results of the assessment conducted by the school district, they have the right to ask for and obtain an independent educational evaluation (IEE) at public expense. The parent is entitled to only one IEE at public expense each time the district conducts an evaluation with which the parent disagrees. When a parent requests an IEE at public expense, the school district must, without unnecessary delay, either ensure that an IEE is provided at public expense, or request a due process hearing if the district believes their assessment was appropriate and disagrees that an IEE is necessary. The school district also has the right to establish the standards or criteria (including cost and location) for IEEs at public expense.
- **To Access Educational Records**
Parents have a right to inspect, review, and obtain copies of their child's educational records.

- **To Stay in the Current Program If There is a Disagreement About Placement**
If parents disagree with the district regarding their child's special education placement or a proposed change in placement, the law requires the student to "stay put" in the current program until the dispute is resolved.
- **To Be Given a Hearing Regarding Disagreements About an IEP**
Parents have the right to present a complaint relating to the provision of a FAPE for their child; to have an attorney, an advocate, and the student, if appropriate, present at the due process hearing; and to make the hearing public. Under certain conditions, the hearing officer may award, reduce, or deny the reimbursement of attorneys' fees and fees paid to nonpublic institutions by parents in the settlement of a case. To request a due process hearing or to receive a complete notice of procedural safeguards related to a due process hearing, contact the Office of Administrative Hearings (see contact information below).
- **To Receive Mediation**
Parents are encouraged to consider settling disagreements regarding their child's special education program through voluntary mediation, a process through which parties seek mutually agreeable solutions to disputes with the help of an impartial mediator. Parents may seek mediation alone or separate from due process, or they may participate in mediation pending a due process hearing. Mediation cannot be used to delay parents' right to a due process hearing.
- **To File a Complaint Against Your School District**
If parents believe their child's school district has violated the law, they may file a complaint with the California Department of Education. The Department must investigate complaints alleging violations of noncompliance with IDEA, state special education laws, or regulations, and issue a written report of findings within 60 days of receiving the complaint.
- **To Be Informed of School Discipline and Alternative Placement**
There are specific rules regarding the suspension and expulsion of students with IEPs. Generally, a student with a disability may be suspended or placed in an alternative educational setting to the same extent that these options apply to students without disabilities.
If the student with a disability is in such a placement for more than ten days, an IEP meeting must be held to consider the appropriateness of the child's current placement and the extent to which the disability is the cause of the misconduct. Regardless of the child's placement, the district must provide FAPE.
- **To Be Informed of Policies Regarding Children Who Attend Private Schools**
School districts are responsible for identifying, locating and assessing students with disabilities enrolled in private schools by their parents. However, school districts are not required to provide special education or related services to these students. There is no entitlement for services, though some private schools and students attending private schools may receive some services from the school district.

Additional Resources

This notice is an abbreviated summary of procedural safeguards under federal and state laws (20 USC Section 1415(d); 34 CFR 300.504; EC sections 56301(d)(2), 56321, and 56341.1(g)(1)). Special Education Rights of Parents and Children, a more extensive description of these rights, is available from the California Department of Education, Special Education Division. A copy of the Parent Rights and Procedural Safeguards handbook can be obtained through Stockton Unified School District's Special Education Department or by contacting any special education staff at your child's school. To obtain more information about parental rights or dispute resolution, including how to file a complaint, contact the California Department of Education, Special Education Division, Procedural Safeguards Referral Service, by telephoning 800-926-0648 or writing to:

California Department of Education
Special Education Division
Procedural Safeguards Referral Service
1430 N Street, Suite 2401
Sacramento, CA 95814
Telephone: 800-926-0648
Fax: 916-327-3704

To file for mediation or a due process hearing, contact:

Office of Administrative Hearings
Special Education Division
2349 Gateway Oaks, Suite 200
Sacramento, CA 95833-4231
Telephone: 916-263-0880
Fax: 916-263-0890