

SYSTEMS OF CARE

FOR CHILDREN AND YOUTH

SYSTEM PROFILE: SPECIAL EDUCATION*

For special education eligibility, the “entry point” would be the school/classroom. There are extensive requirements that define child find, the process of identifying, assessing, and determining whether or not a student has a disability and whether or not they need special education and related services to benefit from their education. This is done through comprehensive assessments and discussion within a student’s individualized educational program (IEP) team, which is a multidisciplinary team that includes the student’s parent. A student’s status as eligible for special education and related services should not be the determining factor in considerations leading to identification as a high needs youth.

ELIGIBILITY CRITERIA

For special education eligibility there are state and federal statutes that specify requirements districts are to follow in determining the eligibility of a student for special education and related services. The requirements include an assessment process to determine if a disability exists and the extent that disability impacts the student’s ability to access and progress on grade level academic curriculum. The assessment process documents the student’s needs and the IEP team reviews the assessment information and makes a determination on eligibility. The student’s parents are involved and provide informed consent to assessing the student for eligibility and consent prior to initiating services included the IEP as a result of the assessments.

DENIAL OF ELIGIBILITY

For special education this is done as part of the assessment and IEP process. The members of the IEP

*This document provides a summary of the Special Education System. It is not an exhaustive review of all relevant legal authorities and does not constitute legal advice.

OVERVIEW

Our goal is simple: our programs must meet the needs of the children and youth we serve. These are our collective children, and they all deserve the very best.

We recognize that it is our obligation to ensure that the services we are providing are coordinated, timely, and trauma-informed. We must come together as one government to break down silos and build a culture that is focused on delivering services that are person-centered and not program-centered.

PURPOSE

As a resource to state, county, and local staff, we developed system profiles that provide an overview of the services offered by our various systems that all serve children and youth.

This is our compendium of resources available to children and youth served by are various systems. The system profiles outline how eligibility is determined, what the denial appeal processes entail, how the system interacts with other systems or programs, how information is shared, and how referrals are made

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team are informed and the local educational agency (LEA) must provide the parent with notification of the decision consistent with the requirements for prior written notice.

APPEAL PROCESS

For special education, the parent/student has options to pursue should they disagree with the LEA's determination of eligibility. The parent may pursue an independent educational evaluation if they disagree with the results of the assessments conducted by the LEA to determine eligibility for special education and related services. The parent may also file a special education due process complaint. Due process hearings provide an avenue for a parent or a LEA to address special education issues related to the identification, evaluation, educational placement, or provision of a free appropriate public education to a child with a disability.

PROGRAM INTERACTIONS

Medi-Cal Managed Care – Some LEAs/SELPA have a working relationship with Medi-Cal Managed Care Plans. Other relationships could also exist.

Medi-Cal Fee-For-Service – Some LEAs participate as Medi-Cal providers under the DHCS Local Educational Agency Medi-Cal Billing Option Program. In this program, the LEA becomes a provider of Medi-Cal services and directly, or contracts for, Medi-Cal services that are provided to general education and special education students. The LEA bills the program for reimbursement for covered services.

Medi-Cal Specialty Mental Health/Substance Use Disorder Services – Some LEAs have become providers under their county mental health plan and can file for Medi-Cal reimbursements. In other areas the LEA contracts with the MHP to provide specialty

mental health services. Generally speaking IEPs do not address substance abuse disorders as these don't necessarily qualify as a disability under federal requirements.

Child Welfare Service – Provides services to Foster Youth who also happen to be students with IEPs. Currently staff at the special education division collaborate with staff at California Department of Social Services to assist with the implementation of continuum of care reform.

Regional Centers – Regional centers are nonprofit private corporations that contract with the Department of Developmental Services to provide or coordinate services and supports for individuals with developmental disabilities. They have offices throughout California to provide a local resource to help find and access the many services available to individuals and their families. Regional centers provide diagnosis and assessment of eligibility and help plan, access, coordinate and monitor the services and supports that are needed because of a developmental disability. There is no charge for the diagnosis and eligibility assessment. In some cases regional center clients may also be clients of other state agencies, such as foster youth, and are also eligible under the IDEA.

Early Start – The Early Start program is California's early intervention program for infants and toddlers with disabilities and their families. Early Start services are available statewide and are provided in a coordinated, family-centered system. The single point of entry to early intervention services is the regional center in your local area. All infants and toddlers potentially eligible for a regional center program will be evaluated by the regional center to determine eligibility for Early Start. Support and assistance from other parents is available to help parents navigate the Early Start system. [Early Start Family Resource Centers](#) (FRCs) provide a variety of family support services. In some cases Early

Start clients are also eligible under the IDEA and have an individualized family service plan and receive services under Part C of the IDEA.

Schools – Within the school environment, students in special education may benefit from comprehensive schoolwide programs designed to improve student outcomes.

INFORMATION SHARING

This is usually done through interagency agreements or memoranda of understanding that spell out programmatic functions and responsibilities.

In addition, for students in special education, the parent may request that other service providers with knowledge of the student attend the IEP team meeting to have a broader discussion about how to collaboratively address the needs of the student.

REFERRALS

Most likely through the IEP and associated student file.

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Our Systems of Care work has been accelerated by the implementation of Assembly Bill 2083 (Chapter 815, Statutes of 2018), which requires each county to develop and implement a Memorandum of Understanding outlining the roles and responsibilities of the various local entities that serve children and youth in foster care who have experienced severe trauma.

The legislation is focused on the child welfare system, but can and must be expanded to look at children and youth served by various other systems.

The legislation calls for the establishment of a Joint Interagency Resolution Team to provide guidance, support, and technical assistance

to counties with regard to trauma-informed care to foster children and youth.

We have identified the mission of the State Restitution Team to be:

1. Promote collaboration and communication across systems to meet the needs of children, youth and families;
2. Support timely access to trauma-informed services for children and youth; and
3. Resolve technical assistance requests by counties and partner agencies, as requested, to meet the needs of children and youth.

For additional system profiles, including mental health services, rehabilitation services, developmental services and education services, please visit our website at www.chhs.ca.gov.