
Special Education and IEPs:

The Essentials

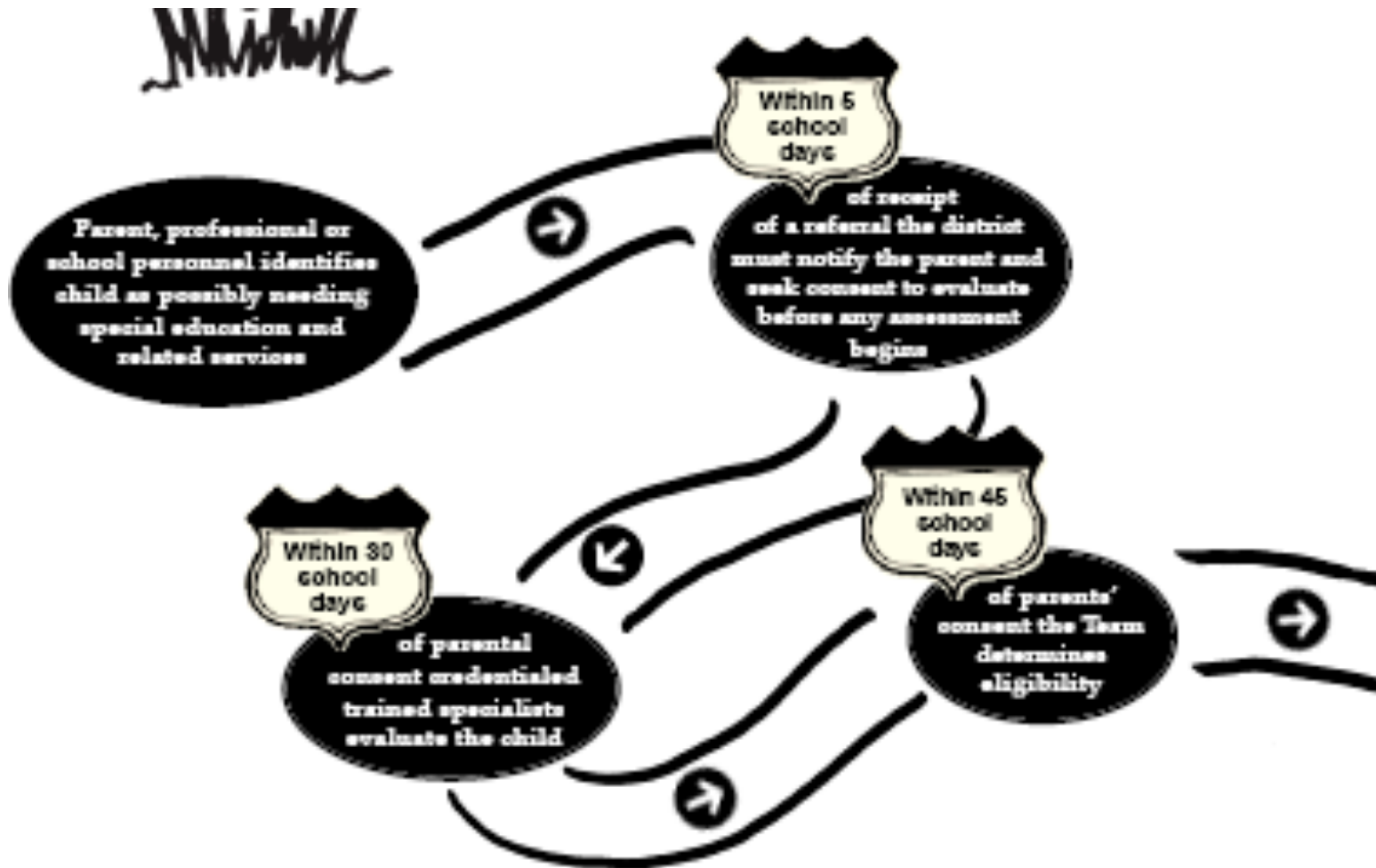
Special Ed and IEP's The Essentials

- Rights under Federal and State Law
- How the special ed process works
- IEP Process
 - Preparing for the Team meeting
 - Participating in the meeting
 - Monitoring Outcomes
- Important Resources

What are the Basics?

- The Special Ed Process
- The Legal Underpinnings
- Key Principals
- Resources
 - Based on *A Parent's Guide to Special Education*
Federation for Children With Special Needs
www.fcsn.org/parentguide/parentguide.pdf

The Special Ed Process



Throughout the IEP period qualified professionals provide special education and related services

At least as often as the parents of non-disabled students receive written progress reports the school will measure progress toward IEP goals and report that progress to parents in writing

At least annually

Team reviews and rewrites IEP

At least every 3 years

School reevaluates child

THE TEAM MUST INCLUDE:

- Parent
- Special Education Teacher
- Regular Education Teacher
- District Representative
- Person Qualified to Interpret Evaluation Results
- The Student if Over 14 yrs. of age
- Others (see page 15)

Within 30 days

of receipt of the IEP the Parents' consent to the IEP and placement

At the IEP Meeting after the IEP is written the Team determines Placement

Within 45 school days

of the parents' consent for evaluation the Team will develop and write an IEP for all eligible students

Team finds child eligible for special education and/or related services

Special Ed Process

1. Referral (parent or teacher)
2. Evaluation Consent (w/in 5 days)
3. Evaluation (w/in 30 days)
4. Eligibility Meeting/Team meeting (w/in 45 days)
5. Written copy of IEP (w/in 5 days)
6. IEP approval/rejection (w/in 30 days)
7. Services begin – immediately upon signed IEP
8. Progress Reporting – at least as often as report cards
9. IEP update – every 12 months
10. Re-evaluation - every 3 years

Special Ed System

Governed by:

IDEA – Federal Special Ed Law: <http://idea.ed.gov/>,
www.wrightslaw.com/idea/

Chapter 71B – State Special Ed Law:
<http://www.mass.gov/legis/laws/mgl/gl-71b-toc.htm>

To Support:

ADA – Americans with Disabilities Act
<http://www.wrightslaw.com/info/section504.ada.peer.htm>

NCLB – No Child Left Behind
www.wrightslaw.com/nclb/art.htm

6 Principles of Special Education

- Parent and Student Participation
- Appropriate Evaluation
- Individualized Education Program (IEP)
- Free and Appropriate Public Education (FAPE)
- Least Restrictive Environment (LRE)
- Procedural Safeguards

Parent and Student Participation

- Parents are **equal** members of the team
 - Request meetings at any time
 - Do so in writing
 - Hold team accountable
 - Provide input to IEP
 - **Collaborate** to come to team decisions
- Students are invited to meetings at age 14
 - Input/perspective should be solicited and considered

Appropriate Evaluation

- A referral is made by parent or school
- Child is evaluated in ***all areas*** of suspected disability by credentialed professionals
- An eligible child is re-evaluated every 3 years
- Parents may request evaluations once/year
- Private Evaluations must be “considered”
- IEP decisions are data driven
- Parents should request report 48 hours prior to meeting

Private Evaluations

- Provide copy of report to District – many tests should not be given more than once a year.
- District must “consider”- need not accept
- District may perform additional testing with your consent
- If you disagree with District’s evaluation, you have a right to request an IEE, Independent Educational Evaluation at district expense (w/in 16 mos)
- Typically more diagnostic, independent and comprehensive

How to Make a Referral

- In writing – Keep a copy
- Include:
 - Child's name, DOB, address, grade
 - Brief overview of diagnosis/concerns
 - Your contact information
 - Request that you speak/meet with the evaluator
 - Notify them of previous testing
- Samples at www.concordspedpac.org

Sample Referral Letter

Principal
School name & address

Parent Name
Address and phone

Date

Dear Principal,

Our child (name, DOB) is currently a (grade) student at The Carroll School in Lincoln MA. We are planning to have him return to name of public school system next year for (state) grade. He has been receiving extensive specialized instruction in reading, writing and organization at Carroll and is diagnosed with specific learning disabilities in the areas of reading and writing (and list anything else). We would like to initiate the Special Education Process so that he can receive appropriate services and supports once back in the public school..

(Name) had a neuropsychological evaluation and speech and language evaluation on date. We would like this data considered as part of the evaluation and eligibility process. Please have the team coordinator contact me at (contact info – phone and e-mail) so that I can learn more about the process, provide additional information about name including copies of his/her recent evaluation reports. Should you choose to administer additional tests, I would like a copy of evaluation report(s) including recommendations and all test and subtest scores at least 48 hours prior to our TEAM eligibility meeting.

We would like for you to include input from the teachers at Carroll and complete the eligibility and IEP process at a team meeting held at The Carroll School before the end of the school year. This will help to pave the way for a smooth transition to Name of school.

Sincerely (sign and type parents names)

cc: Sped Director/ Director of Pupil Services

IEP- Individualized Educational Program

- Formal Agreement about services
- Determined by Team
- Based on the needs of the child
 - Data from evaluations
 - Teacher input
 - Parent input
 - Student input
 - Not “how we do it” or “what we have”

Who is the Team?

- Parents or Guardian
- At least one special education teacher
- At least one regular education teacher if participating in regular education
- Other individuals or agencies, invited by the parent or the school district
- Someone to interpret the evaluation results and explain what services may be needed
- An individual that has the authority to commit school district resources so that decisions about services can be made at the Team meeting
- Your child if they are between the ages of 14-22

Free and Appropriate Public Education - FAPE

- All students with disabilities receive an appropriate public education at ***no expense to the family***
- *Meaningful* Progress in the General Curriculum ***and the life of the school***
- Does not mean the “best” – only a ***basic floor of opportunity***
- FAPE is determined on an ***individual basis***

Least Restrictive Environment

“LRE”

- Students with disabilities must be educated with their non-disabled peers to the maximum extent appropriate based on the student's needs.
- Continuum of services
- Must justify restrictive settings (ie self contained classroom)

Procedural Safeguards

- Procedures and regulations that protect the rights of the student and his or her parents
- Include:
 - Timelines
 - Consents
 - Requirements
- Notification of rights provided annually
 - <http://www.doe.mass.edu/sped/prb/>

IEP – Making it Effective

- Prepare for the meeting
- Contribute during the meeting
- Monitor and give feedback

Preparing for the IEP meeting

1. Review Records
2. Visit the School
3. Request Meeting Invitation and Agenda
4. Request District or State Assessments
5. Notify the School of guests/tape recording
6. Request a Draft
7. Develop Parent Report
8. Learn the IEP Form

Review Your Child's Records

- Compile and review the following:
 - Current (or last) IEP
 - Progress reports
 - Recent work samples
 - Recent school testing
 - Evaluation Reports
 - Any teacher communication
 - Picture
- Use the Binder Method

Logistical Details

1. Visit the School
 - Meet Special Ed Contact
 - Observe the continuum of services
2. Request Meeting Invitation and Agenda
 - Understand meeting objective
 - Review Participant list
3. Request District or State Assessments
4. Notify the School of guests/tape recording
5. Request a Draft

Develop Parent Report

Include:

- Your impression of how your child is doing in school academically, socially and functionally
- Your child's strengths, weaknesses, preferences and interests (this will be added verbatim to the IEP)
- Your and your child's concerns (about the current IEP, instructional strategies transition issues, progress, social, teacher relationships, placement etc.)
- Your Vision
- Goal areas

Learn the IEP Form

- Standard Form – sample provided
- Purpose of Each Section
- Key definitions
- What you should think about to help the team construct IEP

The Foundation to the IEP

- Concerns

- This is the parent and student section and should be included in IEP as you wish.

- Strengths

- From a “whole” student perspective

- Vision

- Should include hopes and dreams, interests and forward looking, 1-5 year outlook.
- Example: *John will make a smooth transition to High School and have the academic, self advocacy and study skills to be successful in college prep courses. He will feel he is part of the school community, develop friendships and participate in school activities. He will be accepted to a 4 year college of his choice.*

Present Level of Performance A&B

- **General statements and examples about how LD affects access to general curriculum**
 - The general curriculum is the academic portion of school that is used with non-disabled students.
- **Accommodations**
 - Changes to give the student access. Typically provided by general ed teachers in the areas of the environment, test taking, organization tools, lesson organization
- **Modifications – Changes made by a special educator such as:**
 - Specialized instruction
 - Content
 - Performance Criteria
- **Plep B – consider assistive technology**

Goals and Objectives

Goals should be skill building, matter most to parent, and make biggest difference for student:

- Start with current performance level
 - Written in specific, observable and Measurable terms
 - Reasonable
 - Objectives support the goal
 - Common Goal areas: reading, writing, math, self advocacy, communication, study skills, organization, social
-

Goal Example (social)

NOT:

Johnny will feel more comfortable with his peers. *How do we observe and measure “comfort”?*

Better:

Given unstructured time such as lunch, specials, study hall and extra curricular activities, Johnny will spend time with peers and develop and maintain social relationships as evidenced by initiating contact, interacting, sitting or working with at least 2 classmates, at least 80 % of the time as observed by guidance on 5 separate occasions.

Target Behavior, Measure, Condition

Goal Example (Academic)

NOT: Jane will improve her writing – *what would be an improvement – what aspect of writing?*

Better: Given a laptop computer and an open response test item in any curriculum area, **Jane will compose and edit an organized response** *that uses a topic sentence, proper writing conventions, grammar, key vocabulary examples and a closing sentence at least 90% of the time as measured by work samples in history, science and health.*

Target Behavior, *Measure,* Condition

Service and Delivery

Answers:

 *What services?*

 *What goal area?*

 *Frequency/Amount?*

 *Service Provider?*

 *Where delivered?*

****You should get a copy of this at the end of the meeting along with a list of goal areas****

Setting, Schedule, Testing and Transportation modifications

- Non Participation Justification
 - Must justify a more restrictive environment
- Schedule Modification
 - Longer/shorter day
 - Longer year (summer services)
- Transportation
- Statewide / District Assessment

Additional Information/Parent Response

- Additional information:
 - Other information
 - Clarification of previous sections
 - Parent Response IEP
 - Accept
 - Reject
 - Reject portions
 - Meeting request
 - Parent Response Placement
-

Finalize the IEP

- Ask for official notes
- Be sure to get Service and Delivery Grid and list of goal areas
- Wait to sign – review the IEP carefully
- Official copy should be provided within about 10 school days or less. If you don't call, the school must get it to you within 5 days.
- Approve and return w/in 30 days. Once you sign, services begin.

Post Meeting

- If there are unanswered questions, points of contention or any other need to document certain aspects of the meeting, prepare a “summary of understanding” for the record and send copy to team leader, ask to be placed in child’s file
- Explain changes to your child
- Update filing system
- Monitor progress
 - Ongoing IEP progress reports
- Prepare a summary of the IEP each year for the new teacher team

You are Ready!

- You know your rights
- You understand the process
- You are prepared
- You are ready to advocate for your child!