

Overview of Special Education Process

The purpose of this guide is to provide a brief description of the steps in the Special Education process.

Special Education means specially designed instruction, at no cost to the parents or guardians, to meet the educational needs of a student with a disability as defined by the Individuals with Disabilities Education Act. The Special Education process may appear to be an overwhelming maze of forms, initials, new terms, rights, people, and programs. Generally, once you become somewhat familiar with the process, the reason behind each step becomes clearer.

The process exists to ensure parental involvement and to ensure that identified students with disabilities receive an appropriate education.

It is important to note that Special Education is a federal program, meaning that it is available in every district in every state in the country. The basic processes described below will not vary much from district to district or from state to state.

CHILD FIND, PRE-REFERRAL AND REFERRAL: Some disabilities are obvious. Others take a more trained eye to catch. Generally, people that spend a lot of time with a child begin to recognize problems.

At some point a parent or teacher might suspect that the child may have a disability that is impacting their learning and educational performance. The school student services team begins the process by implementing Pre-Referral Interventions. Pre-Referral Interventions are those things that the classroom teacher and/or parent try with the student to remedy the concern. Experience has shown that through fairly simple approaches done in the home or classroom the concern is taken care of.

If the student is still experiencing difficulties after pre-referral interventions have been tried, the school student services team may decide to make a written Referral for a Special Education evaluation. The parent will be informed that a referral has been made. Teachers are not the only ones who can make a referral. Anyone who has an interest in the welfare of the student can make a referral, including parents.

If you suspect your child has a delay in one or more areas of development that may impact his or her ability to learn, please contact your child's teacher or the district Special Education Department.

EVALUATION: Once the referral is received on a student, the parent is contacted to give consent to begin an evaluation. Written consent of the parent is required before an evaluation can occur.

Consent is obtained through a Permission to Evaluate form which lists several areas of assessments which will be done by members of the school team. The evaluation is conducted by school staff who are trained to do the assessments and interpret the results.

The evaluation may consist of a series of written tests, classroom observations, and/or questionnaires that are completed by parents and teachers. The student may be observed in various settings and at different times during the school day. The student's classroom work will be reviewed and evaluated along with the student's performance on state tests such as the end of year criterion reference tests (CRTs).

DISABILITY DETERMINATION: Once the evaluation is complete, the parent and the school staff who participated in the evaluation will come together and discuss the results.

The team will determine (1) if the student has a disability as defined by the Individuals with Disabilities Education Improvement Act, (2) if the disability is having an adverse affect on the student's educational performance, and (3) if the student needs specialized instruction and/or related services. If all three of these conditions are met, the team, including the parent, will make a classification determination and sign a Determination of Eligibility form.

DEVELOPMENT OF THE INDIVIDUALIZED EDUCATION PLAN (IEP): Every student who is eligible to receive special education and related services has an Individualized Education Plan (IEP). This must be developed before the student can receive special education services.

The IEP is developed by the IEP team which consists of the parent, student (if appropriate), special education teacher, regular education teacher, the Principal (or representative), and others who may provide services to the student such as a speech therapist or occupational therapist. The parent may invite other individuals who have knowledge or expertise about the student.

At the IEP meeting, the student's educational needs are discussed. A number of other factors must be considered. The IEP team, including the parent, completes a document that includes the student's present level of functional and academic performance, annual goals and short-term objectives (if the student has functional needs), the amount of special education and related services the student will receive. A statement of transition service needs and transition services to help the student move from school to post-school activities is included for students 16 years of age or older. The IEP team will also determine any supplemental aids or services that the student will need for support in the regular education class and how the student will participate in required district and statewide assessments.

The IEP sets forth in writing a commitment of the resources necessary to serve the student. The IEP also serves as an evaluation device, and IEP team can reconvene to review and revise the IEP if it is deemed necessary.

PLACEMENT: After the team has finished the IEP, they then determine where the specialized instruction will be delivered. This is referred to as the placement. The team asks, "Where can these services be delivered?" The student must be served in the Least Restrictive Environment (LRE) appropriate for that child. This means that to the maximum extent appropriate that students with disabilities are educated with students who are not disabled.

Depending on the needs of the student, a placement could range from merely being monitored in the regular education classroom to receiving specialized instruction in a resource class for part of each day to being a full-time student in a special education classroom.

The placement is usually determined at the same meeting that the IEP is developed. At a minimum, the IEP team must meet and review and/or revise the IEP annually.

ANNUAL REVIEW: The IEP team, including the parents, need to meet at least annually to review the student's IEP and develop a new IEP with new annual goals and services. A review of the student's placement will also occur.

RE-EVALUATION AND EXITING SPECIAL EDUCATION: Every student with an IEP must be re-evaluated at least every three years. The purpose of the re-evaluation is to determine if the student still qualifies for special education services.

SUMMARY

While it can appear overwhelming, the processes associated with Special Education have just one purpose: To ensure that students with disabilities get an appropriate education. This can only be accomplished through the teamwork of parents and professionals.

Parents have the right to disagree with the school members of the IEP team at any point in the process. In the event that this occurs, the Individual with Disabilities Education Improvement Act includes a number of due process rights, including mediation, that are outlined in the law. These rights are explained in the Procedural Safeguards, which are provided to parents at least annually. A parent may request a copy of their Procedural Safeguards at any time in the process.