



# Special Education Process

When a child is having trouble in school, it's important to find out why. While not all school troubles are the result of disability, by law, schools must determine if this is the case. Schools must provide special help to eligible children with disabilities. This help is called special education and related services.

There's a lot to know about the process by which children are identified as having a disability and in need of special education and related services.

The following 10 basic steps provide a brief overview of the special education process. Once you have the big picture of the process, it's easier to understand the many details under each step.

## Step 1. Child is identified as possibly needing special education and related services.

Each District is required by the Individuals with Disabilities Education Act (IDEA) to identify, locate, and evaluate all children with disabilities within the District who need special education and related services.

There are two primary ways in which children are identified as possibly needing special education and related services: by referral of parent or school personnel.

A school professional may ask that a child be evaluated to see if he or she has a disability. In this case the parent must be notified that their child has been referred for evaluation. Parents may also contact the child's teacher or other school professional to ask that their child be evaluated. It is best to put verbal requests in writing. Once received by the District, a determination must be made **within 25 school days** whether an evaluation will be conducted. Evaluations can only be completed with parent consent. If parent consent is not provided, the evaluation cannot proceed. This determination is typically made and parent signature for consent collected in a team meeting called the MDT1.

If you have concerns about the development or educational progress of your child you can contact your child's school or call the Special Services office (509) 222-5026.

## Step 2. Child is evaluated.

Evaluation is an essential early step in the special education process for a child. It's intended to answer these questions:

- Does the child possess a disability?
- Does the disability impact the education?
- Does the child require specially designed instruction?

The evaluation must assess the child in all areas related to the child's suspected disability and must be completed **within 35 school days** following the MDT1 when consent is received.

The evaluation results will be used to decide the child's eligibility for special education and related services, student needs and to make decisions about an appropriate educational program for the child.

If the parents disagree with the evaluation, they have the right to request an Independent Educational Evaluation (IEE) at no cost.

### Step 3. Eligibility is decided.

A group of qualified professionals and the parents look at the child's evaluation results at a meeting called the MDT2. Together, they decide if the child is a "child with a disability," as defined by IDEA. If the parents do not agree with the eligibility decision, they may ask for a hearing to challenge the decision.

### Step 4. Child is found eligible for services.

If the child is found to be a child with a disability, as defined by IDEA, he or she eligible for special education and related services. **Within 30 calendar days** after a child is determined eligible an the MDT2 is held, a team of school professionals and the parents must meet to write an individualized education program (IEP) for the child.

### Step 5. IEP meeting is scheduled.

The school system schedules and conducts the IEP meeting. School staff must:

- contact the participants, including the parents;
- notify parents early enough to make sure they have an opportunity to attend;
- schedule the meeting at a time and place mutually agreeable to parents and the school;
- tell the parents the purpose, time, and location of the meeting;
- tell the parents who will be attending; and
- tell the parents that they may invite people to the meeting who have knowledge or special expertise about the child.

### Step 6. IEP meeting is held and the IEP is written.

The IEP team gathers to talk about the child's needs and write the student's IEP. Parents and the student (when appropriate) are full participating members of the team. If the child's placement (meaning, where the child will receive his or her special education and related services) is decided by a different group, the parents must be part of that group as well.

Before the school system may provide special education and related services to the child for the first time, the parents must give consent. The child begins to receive services as soon as possible after the IEP is written and this consent is given. If the parents do not agree with the IEP and placement, they may discuss their concerns with other members of the IEP team and try to work out an agreement. If they still disagree, parents can pursue resolution through dispute resolution through the dispute resolution options outlined in the procedural safeguards.

## Step 7. After the IEP is written, services are provided.

The school makes sure that the child's IEP is carried out as it was written. Parents are given a copy of the IEP. Each of the child's teachers and service providers has access to the IEP and knows his or her specific responsibilities for carrying out the IEP. This includes the accommodations, modifications, and supports that must be provided to the child, in keeping with the IEP.

## Step 8. Progress is measured and reported to parents.

The child's progress toward the annual goals is measured, as stated in the IEP. His or her parents are regularly informed of their child's progress and whether that progress is enough for the child to achieve the goals by the end of the year. These progress reports must be given to parents at least as often as parents are informed of their nondisabled children's progress but typically at the end of each academic term when report cards are issued.

## Step 9. IEP is reviewed.

The child's IEP must be reviewed by the IEP team **at least once each year**, or more often if the parents or school ask for a review. If necessary, the IEP may be revised. Parents, as team members, must be invited to participate in these meetings. Parents are equal participants in the IEP process and should make suggestions for changes or additions to the child's program. The team must consider these requests and decisions of the team will be provided in the form of prior written notice to the parent.

If parents do not agree with the IEP and placement, they may discuss their concerns with other members of the IEP team and try to work out an agreement. There are several options, including additional testing, an independent evaluation, or asking for mediation, or a due process hearing.

## Step 10. Child is reevaluated.

At least **every three years** the child must be reevaluated. This evaluation is sometimes called a "triennial evaluation." Its purpose is to find out if the child continues to be a child with a disability, as defined by IDEA, and what the child's educational needs are. However, the child must be reevaluated more often if conditions warrant or if the child's parent or teacher asks for a new evaluation.