Overview of Special Education for Parents

Texas Education Agency

WHAT IS SPECIAL EDUCATION?

When a child receives special education, it means that a public school provides custom services and instruction specific to the needs of that student. Special education is available because of a federal law called the Individuals with Disabilities Education Act (IDEA), which provides students with disabilities and their parents special legal rights to receive these individualized learning opportunities.

Special education is a service, not a place.

How can special education services help your child?

- If your child is eligible for special education services, your child will have access to services and supports that are specially designed to meet your child's unique needs.
- Special education services provide individualized programming at NO cost to you and may include special education teachers and service providers such as occupational therapists, physical therapists, speech-language pathologists, and providers of dyslexia instruction.

SPECIAL EDUCATION PROCESS:

Parents have a right to request a special education evaluation at any time. Schools are required to refer a student for an evaluation when a disability is suspected that might require special education services. It's important to understand the steps of the **special education process**.

Steps to Begin Special Education:

1. Referral
2. Consent to Evaluate
3. Evaluation
4. Determine Eligibility (ARD)
5. Develop the IEP

Receiving Special Education Services:

→ Implement the IEP

More information about your rights as a parent can be found below:

spedtex.org
1-855-773-3839

SPEDTEX Special Education Information Center

Special Education Help for Parents

Parents Guide to the ARD Process
bit.ly/ParentsARD

Notice of Procedural Safeguards
bit.ly/ParentsNPS

While there are other federal laws that also offer certain protections for students with disabilities - such as Section 504 of the Rehabilitation Act of 1973 - IDEA has specific rights only available under that law. This document summarizes those rights.

1 REFERRAL FOR SPECIAL EDUCATION EVALUATION IS MADE.

A referral is:

- Required by law when a public school feels that your child may have a disability that requires special education services to be successful.
- Called a *request* for a special education evaluation when a parent makes it. A request should be made in writing to the proper staff member. The school will respond with information on whether it will proceed with an evaluation.

The school must respond in writing within 15 school days.

2 YOU WILL BE ASKED WHETHER YOU CONSENT FOR THE SCHOOL TO EVALUATE YOUR CHILD.

Consent to evaluate is:

- Permission you choose to give for specially trained personnel to evaluate and assess your child in specific areas.
- Used by the school to start the timeline by which the school must complete your child's evaluation.

With some exceptions, an evaluation must be completed within 45 school days.

3 EVALUATION IS DONE BY A GROUP OF TRAINED PROFESSIONALS.

An evaluation is:

- Called a *Full Individual and Initial Evaluation* (FIIE), which includes a written report of education recommendations and information about your child's strengths, interests, and challenges. Professionals with training in the suspected disability must participate, e.g., someone like a licensed dyslexia therapist if dyslexia is suspected.
- Done at no cost to you. If you do not agree with the school's evaluation, you may ask for an *Independent Educational Evaluation* (IEE). This would be done by someone who is not employed by the school.

4 ADMISSION, REVIEW AND DISMISSAL (ARD) COMMITTEE MEETS TO DETERMINE IF YOUR CHILD IS ELIGIBLE FOR SPECIAL EDUCATION SERVICES.

The ARD committee is:

- A team, including you, teachers, school administrators, those with special expertise about your child, and professionals with special training about the suspected disability.
- In this meeting, discussing your child's evaluation report, identifying your child's strengths and areas of need, and then determining whether your child has a disability and the need for special education services.

Once the evaluation report is done, an ARD committee typically has 30 calendar days to determine eligibility and develop the IEP.

5 IF YOUR CHILD IS ELIGIBLE FOR SPECIAL EDUCATION SERVICES, THEN THE ARD COMMITTEE WILL ALSO DEVELOP AN **INDIVIDUALIZED EDUCATION PROGRAM (IEP)**.

An IEP is:

- A collection of information that identifies your child's disability, shows your child's current strengths and areas of need, identifies goals to be worked on, and shows the special education and related services that are required for your child to be successful.
- A document that a school must follow once the process for developing it is complete, and you consent to your child receiving services. Services would begin as soon as possible.

You have the right to participate in the development of the IEP and agree or disagree to your child getting special education services.

MOVING FORWARD: RECEIVING SPECIAL EDUCATION SERVICES

Once an IEP has been developed, it is the school's responsibility to implement the IEP. Schools must offer the services, accommodations, and supports described in the IEP, and school staff will monitor your child's progress toward the goals in the IEP.

- You will receive progress reports on your child's IEP goals at least once each grading period.
- The ARD committee will meet and review your child's IEP at least annually.
- As a member of the ARD committee, you will discuss the need for an updated evaluation at least every three years.
- You can ask for an ARD committee meeting at any time.
- You can revoke your consent to special education services. In other words, you can tell the school in writing that you want your child's special education services to stop being provided.
- Special rules are in place for school discipline. If your child's disability is found to be the reason why the misbehavior occurred, then the ARD committee may, in certain situations, change the disciplinary consequence.

IF DISAGREEMENT OCCURS:

During each ARD committee meeting, you will be an active participant, discussing your child's specific needs with school staff as you work to come to a consensus on the best path forward. But from time to time, you may disagree with school decisions. Under the federal law IDEA, you have formal rights to disagree with special education decisions made by the school, both in the *steps to begin special education* and while *receiving special education services*. Dispute resolution options include filing state complaints, requesting mediation, and requesting a due process hearing. State facilitators are also available to help ARD committees reach consensus on IEPs.

WHAT IS IN AN IEP?:

The IEP must address certain elements for your child, including:

PLAAFP

» *Present Levels of Academic Achievement and Functional Performance* (**PLAAFP**): The ARD committee writes down your child's skills, abilities, and challenges based on the evaluation report and other data.

Goals

» Measurable annual **goals**: Goals are developed to focus on your child's specific needs and to describe when your child is expected to make progress.

- If your child has dyslexia, for example, a goal might focus on improvement in a specific area of reading development or fluency within a certain amount of time.

Instruction & Services

» A description of the **specially designed instruction, related services, and supplementary aids and services** that will be provided. The instruction and services will vary based on the specific needs of your child. For example, if your child has been identified with dyslexia:

- The specially designed instruction would likely include a regularly scheduled time for instruction by a highly trained provider using a program that has been shown to help students with dyslexia and in accordance with the Dyslexia Handbook;
- Related services might include support to improve your child's fine motor skills from an occupational therapist if he or she also struggles with handwriting; and
- Supplementary aids and services might include documenting your child's need for speech to text options for writing assignments.

Assessments

» Information on how your child will participate in state and districtwide **assessments**, including whether accommodations like extra time are necessary.

Transition

» **Transition** services: When your child turns 14, the IEP must begin to document plans for your child after high school and how your child's special education services will be adjusted to work on those plans.

Placement

» The IEP notes the educational **placement** of your child. Placement decisions are guided by a requirement to provide education in the least restrictive environment (LRE). The goal of LRE is to have your child included in classrooms and settings with children without disabilities as much as appropriate based on your child's unique needs.

This form is a summary of rights, required to be given to parents after a referral has been made. Your signature serves only as acknowledgment that you received the form. For more information about your rights, review the Notice of Procedural Safeguards and the Parent's Guide to the ARD Process.

Student Name:	Student ID Number:

Parent Name

Parent Signature

Date