

Parents' Rights and Responsibilities



Special Education Department

Director of Student Services: Jessica DeLorenzo

Team Chairs:

Traci Costa: Bryantville Elementary

Kristen Sciulli: Hobomock Elementary

Valerie Charpentier: PK and North Pembroke Elementary

Erica Swift: PCMS

Meghan Collum: PHS and Out of District Coordinator

Liaisons:

Special Education Teachers, Service Providers

Goals of Presentation

Provide

Provide information to parents/caregivers regarding the special education process

Educate

Educate parents/caregivers on their rights regarding special education

Reiterate

Reiterate the importance of a collaborative team: the partnership between home and school personnel

Guiding Laws and Regulations

- IDEA-Individuals with Disabilities Education Act
- General Law-71B-Massachusetts General Laws
- 603 CMR Section 28.00-Special Education Regulations
- FAPE-Free and Appropriate Education
- LRE-Least Restrictive Environment

Making a Referral Special Education Testing

- Parents/caregivers can request an evaluation if they believe that their child is not making effective progress and they suspect their child may present with a disability
- Instructional Support Team

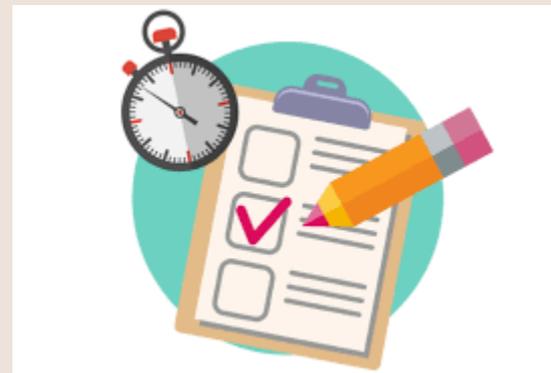
Process

- After referral, or parent request for testing is made, the district has 5 school days to issue a consent for testing
- Once consent is received signed and returned, the district has 30 school days to complete testing
- The district has 45 school days to meet and issue either an IEP or a letter of no eligibility
- Following the development of an IEP, the team must issue an IEP within 5 school days
- When an IEP is accepted, and received back by the school, an IEP is immediately implemented

Evaluations

Testing in the area of suspected disability

- Academic
- Psychological
- Behavioral
- Occupational Therapy
- Physical Therapy
- Speech and Language
- Social Pragmatics
- Vision/Hearing
- Orientation and Mobility
- Educational Assessments
- Observations



The Team/Parent and Student Participation

The Team consists of a chairperson (someone who can commit to resources), special education teacher, related service providers, general education teacher, parent/caregiver (s) and student over the age of 14

Parents/caregivers have the right to participate in all special education planning and decision making

Student is the focus and the student's vision should guide the process

It is the obligation of the team to make strong efforts to ensure parental and student participation

Special Education Eligibility



Eligibility Flowchart

A student is eligible if:

1. The student has one or more disabilities
2. The student is not making effective progress with the curriculum and instruction
3. The lack of progress is a result of of the student's disability (s)
4. The student requires specialized instruction or related services to make effective progress or to access the general education curriculum

Types of Disabilities

- Autism
- Developmental Delay
- Intellectual
- Sensory: Hearing, Vision, Deaf-Blind
- Emotional
- Neurological
- Communication
- Physical
- Specific Learning
- Health

Individualized Education Program (IEP)

An IEP is a road map that designs a plan to enable students to access the curriculum/instruction

Parent/caregiver concerns

Student and Team Vision Statements

Student Profile

Current Performance (academic, communication, social/emotional, other)

Transition Planning

Accommodations, Modifications

Participation in statewide assessments

Goals

Services

Related Services (transportation, extended school year)

Placement

Next Steps

IEPs are generally written for one year

They can be written for less time but cannot be written for more than one calendar year

The Team will meet at least annually to discuss progress and propose a new IEP

At least every three years the team must reevaluate the student for eligibility

Progress reports on student's progress towards their goals will be given each time a report card is issued to all students



Parents' Notice of Procedural Safeguards

- Provided to all parents once a year
- Provided each time an evaluation is proposed
- Provided if anything is rejected/denied
- Right to discuss proposed evaluations with evaluators
- Right to consent or refuse an evaluation (s)
- Right to request an independent evaluation if you feel that the evaluation (s) was not comprehensive or appropriate
- Right to reject an IEP (in whole/part)
- Right to appeal a decision of no finding
- Right to request mediation/hearing

Parent's Notice of Procedural Safeguards

Background

This notice explains the Notice of Procedural Safeguards (NPS) that you will receive from the school district. It is a legal document that explains your rights and the school district's responsibilities. It is a legal document that explains your rights and the school district's responsibilities. It is a legal document that explains your rights and the school district's responsibilities.

Right to Consent or Refuse

You have the right to consent to or refuse any evaluation, assessment, or intervention for your child. You have the right to consent to or refuse any evaluation, assessment, or intervention for your child. You have the right to consent to or refuse any evaluation, assessment, or intervention for your child.

Options for Disagreements

PRS (Problem Resolution System)

- Responsible for handling complaints about students' educational rights and the legal requirements for education
- Assists if a publicly funded education provider is not implementing the requirements of any federal or state education related law or regulation
- Decisions issued: "finding of compliance" or a "finding of non-compliance"

BSEA (Bureau of Special Education Appeals)

- **Mediations:** Informal, voluntary and confidential alternative for dispute resolution. Mediators are neutral and facilitate negotiation between the parties. Parties have an opportunity to craft their own agreement, with the help of the Mediator.
- **Due Process Hearings:** formal, evidentiary proceeding used to resolve a dispute regarding a student's special education eligibility, evaluation, appropriateness of IEP or placement

Section 504 Plan

Section 504 is a part of the Rehabilitation Act of 1973 that prohibits discrimination based upon disability

Section 504 is an anti-discrimination, civil rights statute that requires the needs of students with disabilities to be met as adequately as the needs of the non-disabled are met

Documented Disability

Disability significantly impacts a life function

504 Plan outlines the accommodations that are necessary for a student to access their day-to-day routines, learning and environment

Building based

Section 504 Plan Eligibility

Sources of Data (diagnosis/disability)

Does the student have a physical or mental impairment? (neurological, digestive, mental/psychological, physical, emotional, specific learning)

Does the impact substantially limit one or more major life activities? (walking, speaking, standing, thinking, concentrating, communicating, respiratory, digestive)

What accommodations (or supports) are necessary to support the student's access to the major life function

Section 504 Coordinators

Jessica DeLorenzo: District 504 Coordinator

Principals: Building Coordinators

Guidance at Secondary Level: Chairs



Questions?

