



What is Special Education, Really?

*Parents' Rights and
Schools' Responsiveness*

Presented by:

Quincy Special Education Team

The Special Education Team

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Goal of this Presentation

The goal of this presentation is to provide information so that:

- Parents will understand their child's rights and the special education process;
- Collaboration between family and school personnel will be enhanced; and
- Parents and school personnel will participate in special education matters as knowledgeable partners.

Special Education Laws

The Individuals with Disabilities Education Act -- also known as IDEA. Sometimes referred to as IDEA-04.

Massachusetts' Special Education Law

- Previously referred to as Chapter 766
- Under the purview of The Department of Elementary and Secondary Education (DESE)
- Governs much of what we do in special education

When is a student eligible for Special Education?

A student is eligible if all three of the following are true:

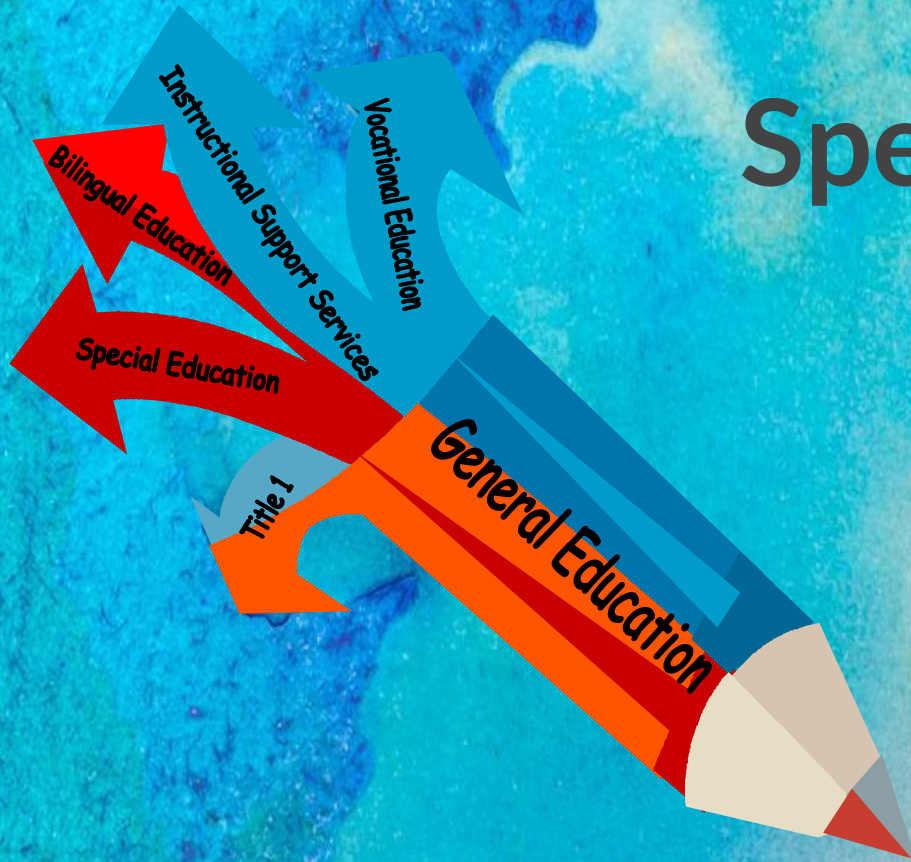
- The student has one or more disabilities.
- The student is not making effective progress in school as a result of the disability(ies).
- The student requires specialized instruction in order to make effective progress.

Types of Disabilities that may adversely affect educational progress

13 Different Types of Disabilities are defined in state and federal regulations

- Autism
- Developmental Delay
- Intellectual Impairment
- Sensory Impairment - Hearing Loss or Deafness
- Sensory Impairment - Vision Loss or Blindness
- Sensory Impairment - Deaf-blindness
- Neurological Impairment
- Emotional Impairment
- Communication Impairment
- Physical Impairment
- Health Impairment
- Specific Learning Disability
- Multiple Disabilities

Special Education



Special Education - is

- specially designed instruction to meet the unique needs of an eligible student, and/or
- related services necessary to access and make progress in the general curriculum.

Timeline

Consent to Evaluate

- 30 school working days to evaluate
- Team meeting to determine eligibility no later than 15 working days
- If eligible, development of IEP and determination of placement at that Team meeting
- Proposed IEP & Placement to parent within 10 calendar days
- Services begin upon parental consent.

45 School Working Days

Principle #1 - Parent and Student Participation

- Parents have the right to participate in all special education planning and decision-making activities.
- Students are the focus of special education and, as they grow older, students are expected to participate in planning for their own future as much as possible.
- It is the obligation of the school district to make strong efforts, in multiple ways, to ensure parental and student participation.

Principle #2 - FAPE

Free and Appropriate Public Education

- Free = At no cost to the parent.
- Appropriate = Services sufficient to enable the student to appropriately progress in education and advance toward achieving the IEP goals.
- Public = Provided by the public school district or under the direction of the public school district.
- Education = Preschool, elementary and secondary education, including extra-curricular and non-academic school activities.

Principle #3 - Appropriate Evaluation

- Initial evaluation
- 3 year re-evaluation
- Individualized assessments
- Non-discriminatory assessments
- Includes a variety of tools and strategies,
including information provided by the parent

Principle #4 - Individualized Education Program (IEP)

- **Written information on the parent's concerns and the student's skills.**
- **A written explanation of how the disability affects the student's ability to learn and to demonstrate his or her learning.**
- **An identification of specific, measurable goals which can be reached in a year's time.**
- **A listing of the services to be provided to the student.**

Principle #5 - Least Restrictive Environment (LRE)

LRE means that to the maximum extent appropriate, students with disabilities have the right to be educated in the general education environment & in the classroom they would have attended if they did not have disabilities.

LRE means the student cannot be removed from the general education classroom solely because of needed curriculum modifications.

LRE means that removal from the general education program occurs only if the nature or severity of the disability is such that education in general education classes with the use of supplementary aids and services cannot be satisfactorily achieved.

Principle #6 - Procedural Safeguards

- Right to written notice
- Right to consent/refuse
- Right to “stay put”
- Problem Resolution System
- Mediation and Due Process
- Timelines
- Confidential records
- Right to receive evaluations 2 days in advance of Team meeting, if requested

Any Questions

