

## Special Education Learning Lunch

### PART I

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*"Every student can learn,  
just not on the same day,  
or the same way."*

Terminology  
The Ten Steps to  
Special Education  
Procedural  
Safeguards



## Terminology

- **IDEA** – *I*ndividuals with *D*isabilities *E*ducation *A*ct
- **FAPE** – *F*ree *A*ppropriate *P*ublic *E*ducation
- **IEP** – *I*ndividual *E*ducation *P*lan
- **IFSP** – *I*ndividualized *F*amily *S*ervice *P*lan
- **ESER** – *E*valuation *S*ummary and *E*ligibility *R*eport
- **LRE** – *L*east *R*estrictive *E*nvironment

## Section 1400(d)



*"To ensure that all  
children with disabilities  
have available a free  
and appropriate public  
education that  
emphasizes special  
education and related  
services to meet their  
unique needs and  
prepare them for further  
education,  
employment and  
independent living."*

## THE 10 STEPS TO SPECIAL EDUCATION

### The 10 Steps to Special Education

1. Child is *identified* as possibly needing special education and related services.
2. Child is *evaluated*.
3. *Eligibility* is decided.
4. Child is found *eligible for services*.
5. IEP meeting *scheduled*.
6. IEP meeting is *held* and the IEP is *written*.
7. Services are *provided*.
8. Progress is *measured*.
9. IEP is *reviewed*.
10. Child is *re-evaluated*.

## 1. Child is Identified

### Child Find

Each state is *required* to locate, evaluate and identify *all* children with *disabilities* who might need special education.

Annual Public Notice  
Screenings  
Referrals



## Referrals and requests

- Infant Learning Programs should refer eligible kids within 90 days of their 3<sup>rd</sup> birthday.
- Referrals can be made by *anyone*: parents, family, friends, private schools or community agencies.
- Requests by parents should be submitted *in writing* and appropriate *documentation* or information provided.
- There may be pre-referral *interventions* tried and documented.

## 2. Child is Evaluated

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- A pre-evaluation meeting is held.
- Parent signs a *Consent for Evaluation*.
- If no current need is seen or parents refuse, the parents must be provided a written notice no later than 10 days.
- Evaluation begins.



The Consent for Evaluation must be signed by a parent.

**PARENT:**  
 (1) A *NATURAL PARENT*,  
 (2) AN *ADOPTIVE PARENT*,  
 (3) *FOSTER PARENT*,  
 (4) *LEGAL GUARDIAN*,  
 (5) AN INDIVIDUAL *ACTING AS A PARENT* IN THE ABSENCE OF A PARENT OR GUARDIAN, OR  
 (6) IN THE CASE OF A STUDENT RECEIVING SPECIAL EDUCATION, A PERSON ACTING AS THE PARENT OF A CHILD OR A *SURROGATE PARENT* APPOINTED IN ACCORDANCE WITH STATE REGULATIONS.

**Affirmation for Foster Parents**


**Directions:**  
**A student currently in state custody (OCS or DJJ) who is receiving special education or 504 services or is being considered for special education or 504 must have an "affirmed" foster parent OR surrogate parent.**  
**A person who is the student's natural family member is automatically eligible to be affirmed.**  
**A foster parent who is not a natural family member is eligible if he/she meets all the following:**

**(1) the child has been placed with them for at least six weeks**  
**(2) he/she is willing to make special education decisions**  
**(3) has received a copy of the Alaska Notice of Procedural Safeguards**  
**(4) knows of no plans to move the child within the foreseeable future**

I am serving as the foster parent for \_\_\_\_\_ with a birth date of \_\_\_\_\_, who \_\_\_\_\_ has been living in my home since \_\_\_\_\_. The student is currently assigned to the following OCS social worker, or DJJ Probation Officer: \_\_\_\_\_, contact # \_\_\_\_\_.

It is reasonable to assume that \_\_\_\_\_ will not be moving to a different foster situation in the foreseeable future.

If for any reason his/her foster placement should change, I will notify the Surrogate Parent Program at 742-4272 Immediately.



Must be done by trained and knowledgeable personnel.

Are administered so as to not reflect language, racial or cultural factors

Gather comprehensive information to help determine the child's strengths and needs.


Guide decision making about appropriate interventions, accommodations and programs (IEPs).

## Evaluations

## 3. Eligibility is Decided

## ESER

- In Alaska, the school districts have 45 school days to complete an evaluation, once the Consent for Evaluation is signed.
- Evaluation Summary and Eligibility Report (ESER)
- Eligibility is determined by the IEP team.



## Your IEP Team

- ❑ Parents!
- ❑ A general education teacher
- ❑ A special education teacher
- ❑ A representative of the school district who is qualified to supervise or provide specialized instruction (principal)
- ❑ Someone qualified to interpret evaluation results (psychologist, SLP, OT, PT)
- ❑ Other people who share expertise or special knowledge of the child
- ❑ The student
- ❑ Parent support (Stone Soup Group, LINKS, friend)



## Eligibility Categories

- Autism
- Deafness
- Dual Sensory Impairment (*Deaf-Blindness*)
- Early Childhood Developmental Delay (3-8)
- Emotional Disturbance (*ED*)
- Hearing Impairment
- Multiple Disabilities
- Cognitive Impairment (*formerly MR*)
- Other Health Impairments (*OHI*)
- Orthopedic Impairment
- Speech or Language Impairment
- Traumatic Brain Injury (*TBI*)
- Visual Impairment
- Specific Learning Disability (*LD*)

## 4. Child is Found Eligible for Services

First, the team determines whether the child has a disability under IDEA and then decides:

IEP	504 Plan
What are the child's specific educational needs?	What accommodations does the child need to access the regular curriculum?
What special education services and related services are appropriate for addressing these needs?	What supports are needed for health and safety?
IEPs are under IDEA, US Dept of Ed Special Ed laws.	504s are under ADA, the Americans With Disabilities Act

## 5. IEP Meeting is Scheduled

- Must be held within 30 school days.
- Parents must be given enough notice to attend.
- Must be at a time and place agreeable to all.
- School must say who will be attending
- Parents can bring others.
- An interpreter, including sign language, is provided, if the parents need one.



## 6. IEP meeting is held and the IEP is Written



## IEP Basics

- *Individualized*
- Written plan for a child's education
- Written by parents and school staff *together*
- Lists the special education the child will receive, *and more*
- Is both a document *and* a process
- Specific
- Measurable
- Relevant
- Time-Sensitive

## Building an IEP

- Present Levels of Educational Performance (PLEP)
- Goals :Annual Goals and Short-term Objectives
- Progress Measurement
- Related Services
- Supports, Accommodations and Instruction
- Frequency and Duration
- Participation and Placement



## 7. Services are Provided

### Let's Do This!

ASAP! No more than 10 days!

Students with disabilities should, to the *maximum extent possible*, be educated with non-disabled students (LRE).

Schools *cannot* use a lack of personnel, resources or challenges in coordinating services as an excuse.



## Transition Services

- Beginning no later than the 16<sup>th</sup> birthday
- Can be *earlier*
- The *student* should *participate*
- Includes appropriate *postsecondary* goals and the *skills* and *training* needed to reach them
- A year before the student is 18, they need to be informed of the *Transfer of Rights*



## 8. Progress is Measured

- How to measure the progress and how often it will be reported to parents is stated in the IEP.
- The same schedule as non-disabled students.



## 9. IEP is Reviewed

- The law says at least *annually*
- There is *no limit* to how many times an IEP meeting can be held
- Can be called at *any* team member's request
- Only the *parents* can *excuse* team members from attending
- After a parent makes a request for an IEP meeting, the school has *10 days* to respond





## 10. Child is Re-Evaluated

### The Triennial

At least every *three* years

Can be more *often* at a team member *request* or if there is a change in the child's diagnosis

Always *share* new info with the school



### If You Can't Agree (Procedural Safeguards)

1. Right to *all* records
2. Independent Educational Evaluation (*IEE*)
3. Prior Written Notice (*PWN*) whenever there is a proposal to *initiate* or *refuse* a change or an action
4. *Mediation*
5. *Due Process* Hearings
6. *State Complaint* to Dept of Education

### Where can I find more information?

- Stone Soup Group  
<http://www.stonesoupgroup.org/>
- Links Mat-Su Parent Resource  
<http://linksprc.org/>
- Alaska Special Education Mediation Services  
<http://www.eed.state.ak.us/tls/sped/Mediation.html>
- Disability Law Center  
<http://www.dlcak.org/>
- Wrightslaw website  
<http://www.wrightslaw.com/>
- Alaska Dept of Education & Early Childhood  
<http://www.eed.state.ak.us/>
- State of Alaska Special Education website  
<http://www.eed.state.ak.us/tls/SPED/>
- Governor's Council on Disabilities and Special Education  
<http://www.hss.state.ak.us/gcdse/default.htm>
- Alaska Standards and Grade Level Performance Expectations  
<http://www.eed.state.ak.us/standards/pdf/standards.pdf>



**Questions?**