

Frequently Asked Questions for Parents

What is special education?

Special education is specially designed instruction, at no cost to the parent, to meet the unique needs of a child with a disability. Michigan's Mandatory Special Education Act (P.A. 451) of 1976) and the Individuals with Disabilities Education Act (IDEA) Amendments of 1997 (P.L. 105-17 of 1997) guarantee all persons with disabilities (ages 0-25) the right to a free and appropriate public education (FAPE).

Who is a "child with a disability?"

The definition includes the following qualifications:

Children from birth through age 25 who have not graduated from high school, and children who have the characteristics for a specific disability as defined in the Michigan Administrative Rules for Special Education. (The special education categories are listed in this book.) Because of that disability, the child needs special education and related services.

What happens in an evaluation?

Before a child is evaluated for the first time, the school must notify the parents. The notice describes any evaluation that the school proposes to conduct. The parents must give their informed consent for the child to be evaluated. The next step involves gathering and reviewing existing information on the child by an IEP team. This includes evaluations and information provided by the parents, current classroom-based assessments and observations, and teacher and other service providers' observations. After the information is reviewed, if the questions listed above still need answers, additional tests and evaluations will be given.

What is an IEP?

An "Individualized Education Program" is a written plan for a child with a disability that spells out the special education and related services to be received. The team that develops the IEP is comprised of the parents, school professionals, and the student when appropriate. This is done at a meeting that is scheduled at a mutually agreeable time. The written document is a record of the IEPT meeting. The IEP is reviewed annually.

What is FAPE?

Free Appropriate Public Education (FAPE) means that needed education and related services are provided at public expense, under public supervision and direction, and without charge. The services provided must meet the standards of the Department of Education for all students and follow the IEP.

Should my child go to the meetings?

Students have a place at the IEP because they often have accurate insights to their strengths and needs. When they are involved in determining the goals and objectives, they have more commitment to achieving them. Each student should have the option to be a part of the process. Students are a part of their transition planning starting at age

14. These plans are updated annually. Students who are age 17 are notified that their rights will be transferred to them upon reaching the age of majority (18).

How long will it take to get help?

(Special Education Guidelines)

10 School Days from Referral to Parent Notice:

Once a written referral is submitted to the school district or service area office, the Parent Consent form and Procedural Safeguards information must be given to the parents within 10 school days.

30 School Days between Parent Consent and the initial IEPT meeting:

During the 30 days following the parent consent:

A Multidisciplinary Evaluation Team (MET), composed of appropriate professional staff and the parent, will complete an evaluation, including gaining input from the parent and considering other evaluations or information that the parent provides. Meet with the parent to discuss the results of the evaluation and determine a recommendation for eligibility for special education services. Schedule and hold an initial IEPT meeting with the parent. The purpose of the meeting will be to determine if the child is eligible for special education services, based on state rules and regulations, and then to determine programs and services based on the students individual educational needs and current levels of performance. An Individualized Educational Plan (IEP) will be written at that time describing all decisions made at the meeting. 15 School Days between the time that the parent is notified of the placement decision and start of the IEP services. Services may actually start as soon as the districts has assigned the location and you have signed in agreement with the Individualized Educational Program plan (IEP).

One year later the IEP must be reviewed.

On a yearly basis, an IEPT must meet to review student progress and consider appropriate programs and services. Three years later, the Multidisciplinary Evaluation must be reviewed. Every three years, students who are receiving special education services must receive another evaluation, followed by an IEPT meeting to review eligibility and programs/services. The parent will meet with school staff prior to the 3 year evaluation to determine what specific areas will be addressed during the evaluation.

How do I prepare for the IEP meeting?

You may want to consider the following ideas for preparing for meetings at school:

- Obtain as much information as possible before the meeting by participating as a member of the MET team, talking with your child's teacher, and visiting your child in his/her current program.
- Share information from other agencies with school staff.
- Keep a file of reports and documents related to your child's school program.
- Bring information with you to MET and IEPT meetings.

- Become familiar with your rights and with special education terminology by reading your parent handbook.
- Whenever possible, have both parents attend the IEPT meeting. Also consider bringing a friend or relative who is knowledgeable about your child and can talk things through with you as needed.
- Write down your questions and concerns and take them to the meeting.
- Make a list of the things that you want your child to learn in school. You can work with school staff to develop goals and objectives for your child's program.

What if I don't like what is happening at the meeting?

Disagreements can be viewed as a sign that there are a number of people who care about the child, but have different points of view. It is important that all members of the team work together to resolve areas of disagreement.

It may be necessary to:

- Stop and listen to make sure that each person's point of view is heard.
- List areas of disagreement and address them one at a time.
- Reconvene the meeting after questions have been answered or more information is obtained.

However, the school district has the responsibility to assure that an appropriate program is designed and implemented for the child. If, at the end of the meeting, you as the parent are not in agreement with the IEP plan that is written down, you have the right to appeal the plan by signing in disagreement and requesting:

Mediation - Mediation is a method of resolving a dispute by working with a neutral third party who can assist you and the school district to find an acceptable resolution. You and the district must agree on the mediator and the mediator may not impose a decision on you.

Due Process Hearing - Due process is a formal way to resolve disagreements about IEPT decisions. There must be a written request for a hearing describing concerns and proposed resolution. A hearing officer is appointed that is agreeable to both sides. Each side presents witnesses and evidence and is allowed to question the witnesses and evidence presented by the other side. For further information about parent rights regarding mediation and due process hearings, see the Procedural Safeguards in the Parent Handbook.

Will my child always be in special education?

Special education services are provided to children who continue to need assistance in order to access the general education program or specific learning experiences related to their disability. Each year, the child's need for special education programs and services is reviewed at the annual IEPT meeting and every three years there is an evaluation to determine whether the child continues to be eligible for services.

Parents can monitor progress on specific IEP goals and objectives each time progress reports are provided, which must be at least as often as other students in the general education program.

Once identified as a student with a disability, a child may not always need special education services. If that child is able to learn specific skills or to compensate in a way so that he or she may be successful in the general education program without support services may not continue to be needed. This is why it is important for parents to participate in MET evaluations and IEPT meetings, as well as monitor progress reports, so that you are able to assess how your child is learning in school and what supports are needed for success.

Why does my child need an evaluation?

An evaluation is done to answer these questions:

- Does the child have a particular category of disability?
- How is the child currently performing in school?
- What are the child's educational needs?
- Does the child need special education and related services?
- What additions or modifications, if any, are needed to enable the child to meet annual goals in the Individualized Education Program (IEP) and participate, as appropriate, in the general curriculum?

Who makes the decisions?

A team of qualified professionals and the parents will decide if the child is eligible for special education.

What is LRE?

LRE (Least Restrictive Environment) looks at the setting in which the child receives an education. The law presumes that children with disabilities are most appropriately educated with their nondisabled peers. Attending special classes or separate schools, or removing children with disabilities from the regular classroom, occurs only when the nature or severity of the disability prevents the student from achieving satisfactorily even when supplementary aids and services are used.

How does a parent participate in the decision-making process?

Parents may be involved in a variety of ways:

- Parents have the opportunity to provide information and participate in decision making at meetings related to identification, evaluation, educational placement, reevaluation, and the appropriate education of the child.
- Parents give consent for initial evaluations and reevaluations.
- Parents will receive regular reports on their child's progress.
- Parents must notify the school district if they intend to remove their child from the public school or of their intent to file a complaint.

- Parents may be involved at the local level through the Parent Advisory Committee (PAC). The Michigan Department of Education involves parents in planning, implementing and reviewing activities.

Where do I start to get help?

In most cases, when a child is having difficulty in school, help starts with the classroom teacher and the school principal. In most buildings, there is a team of staff, sometimes referred to as the building support team or teacher assistance team, which will assist teachers and parents to address concerns related to learning problems of individual students. This is generally the place to start.

A special education referral can be made by anyone who suspects that a student may have a disability, and is a written statement describing the concern. A special education referral may be made on behalf of an individual, age 0-15 years of age.

The special education service area office serving the local school district receives referrals.

An evaluation is the first step in determining if a child has a disability. Prior to the school evaluation, you must receive written notice, in your native language or principle mode of communication, that is understandable to you. This notice must describe the evaluation and why it is being requested.

Written parental consent must be obtained before the district conducts an initial evaluation. This consent is only for the evaluation. You will be given a Parent Handbook that further describes your rights as a parent and will describe the next steps in the process, including your participation in the Individualized Educational Planning Team (IEPT) meeting that will be held at the end of the evaluation. Once you give your consent for an evaluation, the district will have 30 school days to complete the evaluation, meet with you, and hold an IEPT meeting.

If you have concerns about a child who has not yet started school, you should contact the Preprimary Evaluation Team at (269) 250-9670.

What is a MET evaluation and what if I don't agree with it?

The first step in determining if the child has a disability that interferes with educational performance and meets the eligibility standards for special education services is to complete an evaluation by Multidisciplinary Evaluation Team, commonly referred to as the "MET evaluation" and "MET team."

The team includes the parent and educational specialists with knowledge of the child's suspected disability. This may include teachers, social workers, psychologists, speech therapists, etc., who will select tests, observations and other procedures for the evaluation based on areas of suspected need. The MET will define your child's strengths as well as areas of educational need. The evaluation will include your input, a

review of school records, medical history and other evaluations that you may provide for review.

As part of the evaluation, you are assured that:

- Tests will be presented in the child's primary language or mode of communication, including having an interpreter/translator present.
- There will be more than one test or evaluation procedure used to determine eligibility, so that the evaluation does not rest on just one measure.
- You will be notified of each evaluation procedure, test, record, or report the IEPT uses in determining eligibility and the need for special education programs and services.

Additional assessment safeguards are described in the Parent Handbook.

When the evaluation is completed, as a parent, you will be invited to participate in meetings where recommendations are made about eligibility, and you will have an opportunity to review evaluations before the IEPT meeting that is held to determine eligibility.

If you disagree with any or all of the evaluation, you should notify your MET members about your disagreement as soon as possible. Other evaluation procedures can be used to address your concerns.

You have the option of requesting an independent evaluation provided by someone who is qualified to conduct special education evaluations. This request must be in writing, list your concerns regarding the completed evaluation, and be sent to your local director of special education. The district must respond to your written request within 7 days. The district may disagree with your request and choose to go to a hearing to review the district's evaluation and your request.

What do I do at the IEP meeting and can I bring someone with me?

You will need to represent the interests of your child. This can be done by:

- Participating as an active member of the IEPT, sharing thoughts and ideas about the educational needs of your child.
- Asking for an explanation of information and terminology that you do not understand.
- Telling staff if information that is given does not sound like your child.
- Asking for explanations, advantages and disadvantages of services or programs that are proposed.
- Asking what you can do at home to help your child reach the IEP goals that are set.

The length of the meeting may vary. Additional time may be needed at a second meeting in order to address individual needs of the student.

- Ask for a copy of the IEP at the end of the meeting.
- Be sure you understand the contents of the MET evaluation and the IEP before you sign it. You may take it home to consider it for a day or two, if needed.
- You are encouraged to bring a friend or relative who is knowledgeable about your child and can talk things through with you as needed. It is also acceptable to contact a parent advocate who can attend the meeting with you and act as a support person to you about special education laws and procedures.

Advocates with offices in our community include:

- Community Advocates for Persons with Developmental Disabilities - 342-9801
- Children's Advocacy Center, MI Assn. for Children w/ Emotional Disorders - 343-5896
- Down's Syndrome Resource League - 343-2161

How do I continue to be involved in my child's special education program?

- Don't be a stranger at school.
- Visit the school and get to know the teachers and principal.
- Visit your child's classroom.
- Participate in the normal school activities. Both you and your child remain members of the school community. Go to open houses and after-school events and participate on the School Improvement Team or parent volunteer organizations.
- Keep positive communication going with teachers. Share information that you have about medical issues, behavior changes and family events. Report on gains in skills that you see at home.
- Request a conference with your child's teacher, a new IEPT meeting or an updated evaluation if you believe that there are other issues to address with school staff.
- Keep the IEPT report, progress reports and other educational records together for your reference.