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## WORKSHOP OVERVIEW

-  Presentation
-  Activities
-  Discussion

An introduction to the basic rights and responsibilities of families of students with special needs under the law.

Participants will learn:

- details of the special education process and parental rights and responsibilities
- to identify dreams and goals for their student
- advocacy strategies to help them reach those goals

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## What SPAN Provides

- TRAINING
- TECHNICAL ASSISTANCE
- INFORMATION
- SUPPORT

...to parents of children with disabilities and special health and emotional needs, or who are at risk of inappropriate classification.




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## Basic Rights of IDEA

- Provision of a free, appropriate public education (FAPE) in the least restrictive environment (LRE)
- Development of an individualized education program (IEP)

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## Purpose of the Law

- To ensure that children with disabilities receive educational benefit that allows them to progress from grade to grade, learning the knowledge and skills of their non-disabled peers
- To provide the services and supports needed for your child with disabilities to become a productive adult, contributing to the community

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## Your Role

- An equal partner in decision-making, with the right to give or withhold consent for each evaluation and for initial services
- To be at every decision-making meeting
- To share your concerns for enhancing your child's education

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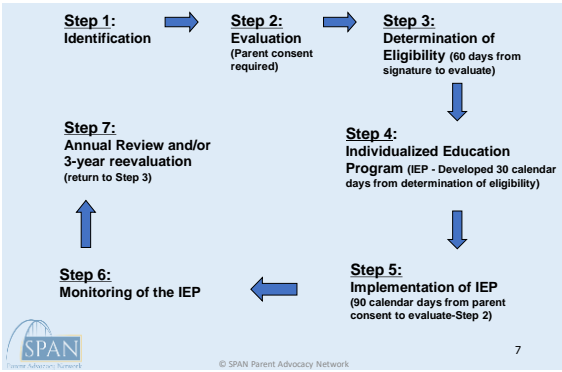
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# Special Education Delivery Cycle




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## Step 1: IDENTIFICATION

- Also called a "referral". Parents can refer their own child – must be in writing!
- Meeting held within 20 days to determine need for evaluation
- Parent must provide written consent to the initial evaluation and all future evaluations.

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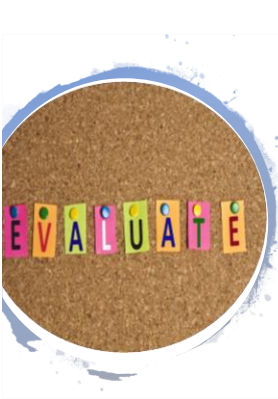
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## Step 2: EVALUATION

- At least two, but can be more, evaluations must be conducted.
- The evaluations should be conducted in your child's language and conducted in all areas of "suspected" disability
- If your child has challenging behaviors, a functional behavior assessment (FBA) should be part of the evaluation.

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## Step 2: EVALUATION

- You have a right to an **independent evaluation** at the district's expense if you disagree with the evaluation.
- An independent evaluation is done by a qualified person outside of your school district.
- Needed if evaluations do not accurately reflect your child's strengths and needs.
- Your request must be in writing!

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- Your child has an identified, covered disability
- The disability affects his/her ability to learn
- Your child requires special education &/or related services to benefit from education

## Step 3: ELIGIBILITY

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## Step 3: ELIGIBILITY

Auditorily Impaired	Multiply Disabled	Specific Learning Disability
Autistic	Deaf/Blindness	Traumatic Brain Injury
Cognitively impaired	Orthopedically Impaired	Visually Impaired
Communication Impaired	Other Health Impaired	Preschool Disabled*
Emotionally Disturbed	Social Maladjustment	Eligible for Speech/Language Services Only**

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My child has an I.E.P.  
Involved Educated Parent

### Step 4: The IEP

**THE IEP TEAM:**

- Parent
- At least one general education teacher
- Someone qualified to provide or supervise special education
- Someone who can interpret evaluation results
- Someone who can make commitments on behalf of the district
- Student, when appropriate

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### Step 4: The IEP



**COMPONENTS:**

- Present levels of academic achievement and functional performance (PLAAFP)
- Measurable annual goals tied to general curriculum
- Special education & related services
- Placement in the least restrictive environment (LRE) with opportunities to interact with non-disabled peers

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### Step 4: The IEP



**COMPONENTS:**

- Parental concerns
- Transition Plan
- Participation in assessment
- Student Needs
  - Behavior
  - Language
  - Communication
  - Assistive Technology
  - Extended School Year (ESY)
  - Participation in non-academic activities
  - Needs of students who have visual or hearing impairments

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Step 5:  
IEP  
IMPLEMENTATION

**PLACEMENT:**  
Your child has the right to be educated in the "least restrictive environment" (LRE) where their IEP can be implemented and they can make progress toward their annual goals.

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Step 5:  
IEP  
IMPLEMENTATION

- CONTINUUM OF PLACEMENT:**
- General education class, full time
  - General education class with pull-out
  - Self-contained class
  - Out-of-district public or private placement
  - Home or hospital instruction
  - Residential placement

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Step 5:  
IEP IMPLEMENTATION

- PARENTAL CONSENT:**
- You must consent to the initial IEP before it can be implemented
  - If you do not consent to the IEP, the district no longer has the obligation to provide FAPE
  - Parents can "withdraw" consent for services

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### Step 6: PROGRESS MONITORING



Parents have the right to be regularly informed of how their child is progressing towards mastering the goals in the IEP.

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### Step 7: ANNUAL REVIEW RE-EVALUATION



- Every year the IEP Team meets to review the past year and develop an IEP for the upcoming school year
- Every three years the IEP Team meets to determine whether the student continues to be eligible for special education services

**REMEMBER-  
THE STUDENT IS PART OF THE IEP TEAM!**

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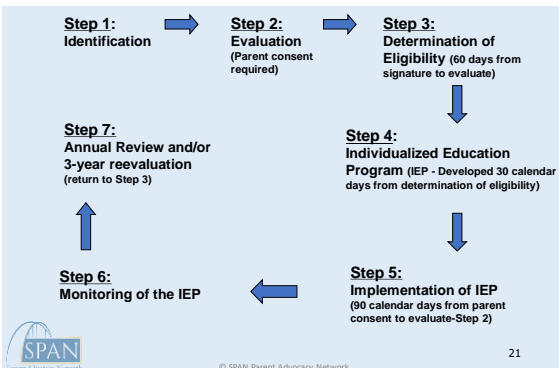
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## Special Education Delivery Cycle



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# Families Have The Right To...



- An IEP meeting upon request.
- Advance written notice of any proposed meeting.
- Meetings conducted in your language.
- Access the information you need to participate in decision making
- Bring someone with you

Let's talk about some other rights...

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## The Right To: PROGRAM ACCESS

- Access to same variety of education & support services as non-disabled peers
  - Art, music
  - Industrial arts & vocational education
  - Consumer & homemaking education
  - Honors & gifted & talented programs

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## The Right To: EXTRA CURRICULAR ACTIVITIES

Equal opportunity to participate in non-academic & extracurricular activities:

- Counseling
- Athletics/recreation
- Transportation
- Health services
- Special interest clubs
- Referrals to employment

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### The Right To: ACCESS RECORDS

- You have the right to:
- review and get copies of your child’s records before any meetings
  - keep your child’s records confidential
  - request removal of inaccurate or inappropriate information from your child’s records
  - attach your explanatory or disagreeing statement to your child’s records

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### The Right To: NOTICE and RESPONSE

- Notice of your rights in your language.
- Written responses to written requests.
- Written notice of any proposed actions

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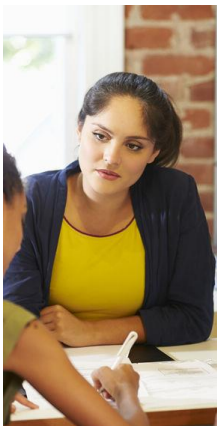
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### The Right To: DISPUTE RESOLUTION

- If you disagree with the school/district, you may request:
  - Mediation
  - Due process/impartial hearing
  - Complaint investigation
- If you request an impartial hearing, you must first give the district the chance to resolve your disagreement by participating in a “resolution session” held by the district

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## The Right To: PROCEDURAL SAFEGUARDS



- Safeguards ensure:
  - That the rights of children with disabilities and their parents are protected
  - That students with disabilities and their parents are provided with the information they need to make decisions about the provision of FAPE, an
  - That procedures and mechanisms are in place to resolve disagreements between parties.

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## HELPFUL HINTS

- Teach your child self-advocacy from the start.
- Explain each step of the process to your child.
- Help your child understand their strengths and needs.
- Bring your child to IEP meetings.
- Encourage your child to express their hopes, dreams, visions, and goals.
- Have high, but realistic, expectations for your child.

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## HELPFUL HINTS

- Get it in writing!
- Ask for what you want, in writing.
- Keep logs & copies of everything.
- Bring someone with you.
- Don't be afraid to ask, or speak up.
- Stay on top of your child's progress.

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## Want to know more?



- Parental Rights in Special Education (PRISE) Book [www.nj.gov/education/specialed/form/prise/prise.pdf](http://www.nj.gov/education/specialed/form/prise/prise.pdf)
- Special Education Frequently Asked Questions video clips. <http://www.spanadvocacy.org/content/faqs-special-education>
- SPAN website [www.spanadvocacy.org](http://www.spanadvocacy.org)
- Center for Parent Information & Resources [www.parentcenterhub.org](http://www.parentcenterhub.org)

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*thank you*

for joining us for this presentation



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