



Advocates for Justice and Education, Inc.

The Parent Training and Information Center for the
District of Columbia



Understanding the Special Education Process

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What is special
education?



Special Education means specially designed instruction, at no cost to parents, to meet the unique needs of a child with a disability.



STEP 1: CHILD FIND

- The public school agency is required to identify, locate and evaluate all children who are disabled and in need of special education and related services.
- The public school agency is also required to identify, locate and evaluate children who are suspected of being disabled and in need of special education, even if they are passing from grade to grade.
- A referral for evaluation of a child who may have a disability may be made by the:
 - (1) The parent(s) or legal guardian(s);
 - (2) A child (self-referral) who is between the ages of 18 and 22 years;
 - (3) A professional staff employee of the public school agency; or
 - (4) A staff member of the public school agency who has direct knowledge of the child.

Example #1

- Johnny is a 5th grader at Davis Elementary School.
- Johnny never participates when it's time to read aloud.
- When it's reading time, Johnny leaves the room to roam the hallways.
- When asked if he has homework in reading, Johnny always says no.
- Johnny is in jeopardy of receiving a failing grade in reading this advisory.
- How can Child Find help Johnny?



STEP 2: FORMAL REQUEST and CONSENT TO EVALUATE THE CHILD

- A Parent or Legal Guardian must give his or her written consent before a child can be evaluated.
- The written consent and request for evaluation may be given to the principal of the child's home/neighborhood school, even if the child does not attend that school.
- The home/neighborhood school must provide the parent with the necessary form(s) to complete when the parent requests an evaluation.
- Once the parent submits the written request and consent for evaluation, the public school agency has 120 days from that date to evaluate the child.

Example #2

- Susie is a 9th grader at Ballou Senior High School.
- She is having difficulty keeping up with her work.
- You believe she may have a learning disability.
- You go to the school and ask to speak with someone about getting her evaluated.
- What should the school do?



STEP 3: INITIAL EVALUATION

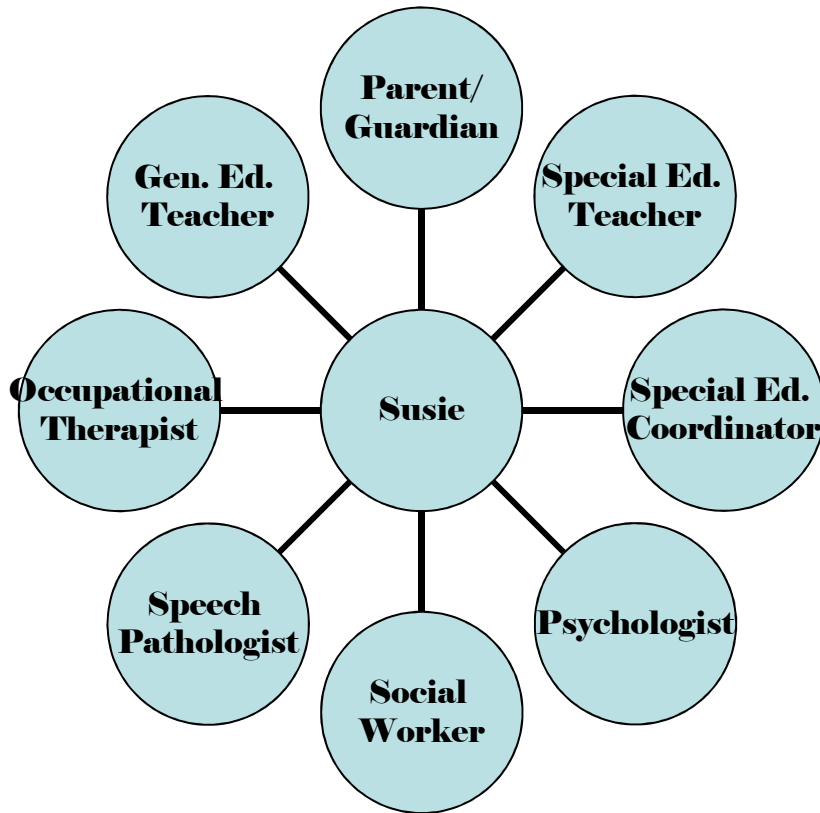
- Following the formal request and consent for evaluation the multidisciplinary team (MDT) must meet to review existing data and information on the child and identify what evaluations are needed



WHO IS PART OF
THE
MULTIDISCIPLINARY
TEAM (MDT)?



Members of the MDT include:



the child's parents or legal guardian

at least one regular education teacher of the child

at least one special education teacher of the child

a representative of the public school agency (can be the special education coordinator, etc.)

professionals who can interpret the evaluations to be conducted on the child (for example, a psychologist, a speech pathologist, etc.)

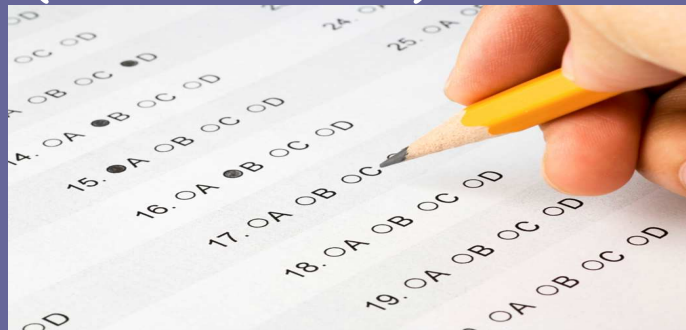
and the child if appropriate.

The public school agency must not use just a single procedure as the sole basis for determining whether a child is a child with a disability and the educational needs of the child.

It must ensure that a full and individual evaluation is conducted for each child being considered for special education and related services and must evaluate the child in all areas related to the suspected disability.

TYPES OF EVALUATIONS

- Psychoeducational (general intelligence and academic performance)
- Clinical Psychological (social and emotional status)
- Occupational/Physical Therapy (motor abilities)
- Medical (physical, vision, hearing, psychiatric, neurological)
- Speech/Language (communication)
- Vocational



- Each evaluator must draft a written report describing the results of the test and recommendations.



- Parents must get a copy of the evaluations before the MDT meeting to review.

Example #3

- The requested evaluations are complete and you are meeting with Johnny's MDT.
- Everyone is there except Johnny's 5th grade teacher and the school social worker.
- The Special Education Coordinator wants to move forward with the meeting. He tells you that it's not necessary for the teacher or social worker to be there.
- What should you do?



STEP 4: ELIGIBILITY FOR SPECIAL EDUCATION

- To be eligible for special education and related services, a child must be between ages three (3) and twenty-two (22) and have a disability that adversely affects his or her ability to learn or make progress in school.



DISABILITY CLASSIFICATIONS

- Autism
- Deaf-Blindness
- Deafness
- Developmental Delay
- Emotional Disturbance (ED)
- Hearing Impairment (HI)
- Multiple Disabilities
- Orthopedic Impairment (OI)
- Visual Impairment (VI)
- Traumatic Brain Injury
- Other Health Impairment (OHI), such as ADHD
- Learning Disability (LD)
- Speech or Language Impairment (SI)
- Mental Retardation (MR)

- The MDT must determine eligibility and disability classification.
- IMPORTANT: parents are members of the team and must have a meaningful opportunity to participate in the eligibility determination process.
- In determining eligibility, the MDT must draw upon information from a variety of sources, including aptitude and achievement tests, parent input, teacher recommendations, physical condition, social or cultural background, and adaptive behavior.
- Parents have a right to challenge eligibility, classifications of disability, and/or evaluations.
- If it is determined that a child has a disability and needs special education and related services, an Individual Educational Program (IEP) must be developed for the child.

WHAT IS AN
INDIVIDUALIZED
EDUCATIONAL
PROGRAM
(IEP)?

The IEP is a written document that outlines objectives, measurable goals, specialized instruction and related services for a child's unique needs.



In developing the child's IEP, the IEP team must consider: the child's strengths; concerns of the parent for enhancing the education of the child; results of the initial or most recent evaluation; and as appropriate, the results of the child's performance on any District-wide assessment programs.



WHO IS PART OF THE IEP TEAM?

the child's parents or legal guardian

at least one regular education teacher of the child

at least one special education teacher of the child

a representative of the public school agency (can be the special education coordinator, etc.)

professionals who can interpret the evaluations to be conducted on the child (for example, a psychologist, a speech pathologist, etc.)

and the child if appropriate.



Parents must have input into the development of the IEP and have a right to bring an advocate or anyone else to the IEP meeting.



If there is a disagreement about the IEP, the team should complete as much of the IEP as possible to ensure the child gets some services while the dispute gets resolved.

Example #4

- The IEP team is meeting to discuss Sally's disability classification.
- She has been diagnosed with ADHD by her physician and you have shared this information with the IEP team.
- She is constantly talking in class and rarely completes assignments.
- Based solely on that information, her teacher wants to classify Sally as Emotionally Disturbed. The other members of the IEP team agree and put that as her disability classification. You strongly disagree.
- No psychological evaluation has been conducted on Sally.
- What should you do?



STEP 6: PLACEMENT



- Once the IEP Team determines the special education and related services the child needs, the IEP Team must determine the educational placement of the child.
- The child's placement must be as close as possible to the child's home.
- The child must be placed in the Least Restrictive Environment (LRE)

WHAT IS LEAST
RESTRICTIVE
ENVIRONMENT
(LRE)?

LRE MEANS:

- to the maximum extent appropriate, children with disabilities are educated with children who are nondisabled and are removed from the regular education class only if the nature or severity of the child's disability is such that education in the regular classes, with the use of supplementary aids and services, cannot be achieved.





- If the public school agency cannot provide a child with the services required by the child's IEP, the IEP team can consider having the child placed into a private placement at public expense.
- Parents have the right to challenge any proposed placement and the child has the right to stay in his or her last current placement while the dispute gets resolved.

STEP 7: ANNUAL REVIEW

- A child's IEP and placement must be reviewed at least once a year
- The purpose of the annual review is to determine the child's progress, to modify or develop a new IEP, and to revisit the student's disability classification and placement level.
- Note - Parents may request a review at any time during the year

Example #5

- It has been approximately one year since Johnny's IEP was reviewed.
- You call the Special Education Coordinator and request a meeting.
- The Special Education Coordinator tells you that a meeting is not necessary.
- She asks you to just come to the school to sign the new IEP.
- What should you do?



STEP 8: TRIENNIAL REVIEW

- A child must be fully reevaluated every three (3) years, unless the parent and the public school agency agree that a reevaluation is not necessary
- The purpose of the triennial review is to reconfirm the child's disability, instruction and related service needs
- Note - Parents may request reevaluations at any time during the three year period if there are concerns; however, a reevaluation may not occur more than once a year unless the parent and the public school agency agree otherwise.

For More Information Visit or Contact Us:



**Advocates for Justice and Education, Inc. (PTI)
2041 Martin Luther King, Jr. Ave. SE
Suite 400
Washington, DC 20020
(202) 678-8060 phone
(202) 678-8062 fax**

Or

**4201 Georgia Ave, NW
Washington, DC 20011
(202) 265-1432**

www.aje-dc.org