

Special Education Regulations



Procedures, timelines &
FAPE

Quincy public schools

Purpose of Presentation



- ⌘ To better understand special education regulations
- ⌘ To increase understanding of FAPE
- ⌘ To emphasize the importance of the IEP process as a collaborative process

Laws Governing Special Education



- ⌘ Idea 2004
- ⌘ Massachusetts special education regulations (former chapter 766)
- ⌘ 504
- ⌘ ADA
- ⌘ No Child Left Behind
- ⌘ Massachusetts educational reform

Eligibility Criteria



- ⌘ The student has one or more disabilities.
- ⌘ The student is not making effective progress in school as a result of this disability.
- ⌘ The student requires specially designed instruction in order to make effective progress.

The Referral Process



- ⌘ Any adult involved with the child may make a referral.
- ⌘ Referring party must suspect a specific disability.
- ⌘ A referral may be made at any time.
- ⌘ School referral must cite School Curriculum Accommodation Plan

Timelines



- ⌘ Prior to evaluation, parent may request meeting to discuss what evaluations will be administered and by whom
- ⌘ 30 School Working Days to complete an evaluation.
- ⌘ 15 days to hold IEP and Placement meeting.
- ⌘ 48 hours prior to meeting, parent may request copies of the evaluations.

Types of Disabilities



Autism

Developmental
Delay
Ages 3-9

Intellectual
Impairment

Emotional
Impairment

Physical
Impairment

Health
Impairment

Specific
Learning
Disability

Neurological
Impairment

Communication
Impairment

Sensory:
Hearing Loss
or Deafness

Sensory:
Vision Loss or
Blindness

Sensory:
Deafblindness

The IEP Process



- ⌘ A Draft IEP may be brought to the meeting.
- ⌘ Parents must have input. The TEAM must make a reasonable effort to secure parent participation.
- ⌘ Students at age of 14 are requested to participate at their own IEP meeting.

Six Basic Principals



The federal and state special education laws are grounded upon 6 basic principles.

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 are expected to participate as they get older.

Free Appropriate Public Education



- ⌘ Access to the general curriculum
- ⌘ Receive FAPE in the least restrictive environment
- ⌘ Appropriate- an appropriate education is one that is formulated in accordance with all of IDEA's procedures and designed to provide student with some educational benefit: *meaningful or appreciable*

Appropriate Evaluation



- ⌘ Assessments are individualized to specific disability
- ⌘ Assessments are non-discriminatory
- ⌘ Assessments include a variety of tools & strategies
- ⌘ An Independent Evaluation is an option if dissatisfied with district's evaluation (sliding scale)

Purpose of the IEP



- ⌘ What will be done to assist the student to make effective progress in the general curriculum and in the life of the school?
- ⌘ How will the student participate in local and state assessments?
- ⌘ What goals is the student expected to achieve at the end of the IEP period?

Rights associated with the IEP



- ⌘ School must secure parental consent prior to implementation of the IEP
- ⌘ Parent may accept or reject the IEP in whole or part
- ⌘ The IEP is a contract between the school district and the parent.
- ⌘ Parent may withdraw consent at any time.

Least Restrictive Environment



- ⌘ LRE- Students cannot be removed from the general education setting solely because of needed curriculum modifications.
- ⌘ LRE- Removal from the general classroom occurs only if the nature or severity of disability is such that even with the use of supplementary aids and services, student couldn't achieve success

Procedural Safeguards



- ⌘ Consent or Refuse services
- ⌘ "Stay Put"
- ⌘ Problem Resolution System
- ⌘ Due Process
- ⌘ Mediation
- ⌘ Bureau of Special Education Appeals