

An Introduction to Special Education in Indiana

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Indiana Institute on Disability and Community
Indiana's University Center for Excellence on Developmental Disabilities
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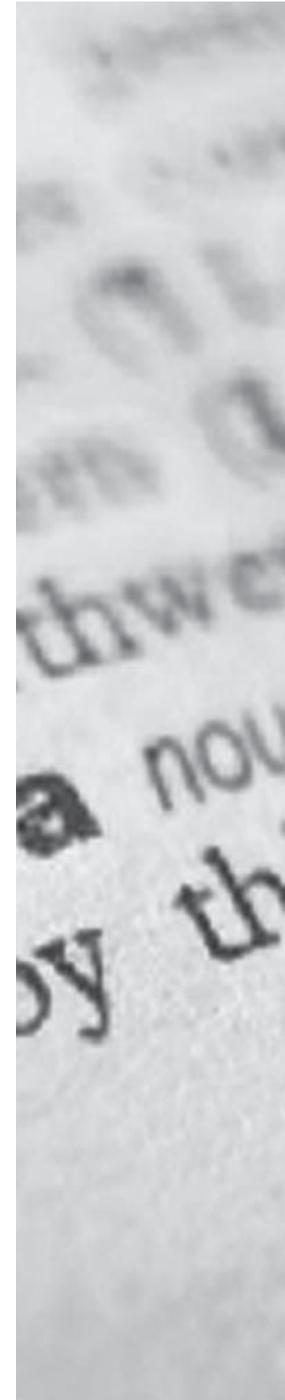


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About this Booklet...

Each year, Indiana preschoolers with disabilities receive special education services through their local public schools. Most families are experiencing this process for the first time.

The challenges families face are learning about special education law, how it applies to their child, and how to participate and make informed decisions about their child's education.

This booklet includes an explanation of Indiana's special education law, Article 7, and includes tips, suggestions, explanations, and a list of state and national resources. Specific references to Article 7 are included throughout the booklet, and are presented in brackets. Some of the language related to special education may be unfamiliar to you. These terms are italicized and defined in the section *Words and Terms to Know*.

An Introduction to Special Education in Indiana is focused on early childhood special education. If you would like to know more about special education in Indiana, see *Navigating the Course: Finding Your Way Through Indiana's Special Education Rules*, an online resource published by the Indiana Department of Education. You can find links to this document in the Resources section at the end of this booklet.

Remember, you know your child best! I hope this booklet will help you as you make important educational decisions about your child.

Cathy Beard
Family Support Specialist

What is Special Education

Special education refers to individualized educational services for eligible students with disabilities provided by your local public school. This may include academic instruction by licensed teachers, therapy by licensed therapists, and any related services your child might need to benefit from public education. Special education and related services are written into an *Individualized Education Program (IEP)*.

Public schools have a responsibility to identify children, ages three (3) through 21 years, who are in need of special education and related services. Schools have written procedures in place to ensure the "location, identification and evaluation" of:

- Students who live within its jurisdiction;
- Students who attend a nonpublic school, who are served by an agency, or who live in an institution located within the jurisdiction of the public school;
- Students who are homeless, wards of the state, or highly mobile, including migrant students; and
- Students who are suspected of being students with disabilities in need of special education, even though they are advancing from grade to grade.

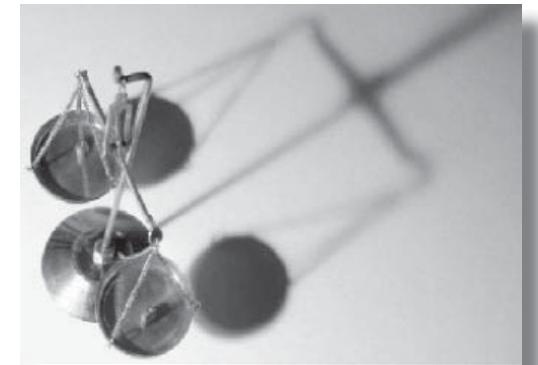
This section will introduce the state and federal laws that contain specific legal requirements for special education services and then briefly describe other laws that impact the education of young children with disabilities.

Special Education is Mandated by Federal and State Law

Special education is defined by law as a free appropriate public education (FAPE) provided in the least restrictive environment (LRE).

LRE means educating a child with disabilities alongside children who do not have disabilities, for all or part of the school day, or as much as possible. The following state and federal laws authorize special education services.

The Individuals with Disabilities Education Improvement Act of 2004, referred to as either "IDEA 2004" or just "IDEA," is the federal law that requires a free, appropriate public education (FAPE) provided in the least restrictive environment (LRE) for students with disabilities. IDEA is the framework for each state's law governing special education in the public schools. IDEA describes how states and public agencies (schools) provide early intervention, and special education and related services to eligible infants, toddlers, and children and youth with disabilities.



Infants and toddlers with disabilities (birth to age 3) and their families receive early intervention services under **IDEA Part C**. Children and youth (ages 3 through 21) receive special education and related services under **IDEA Part B**. IDEA is enforced by the United States Department of Education, Office of Special Education and Rehabilitative Services (OSERS).

Title 511, Article 7, Rules 32-47 or “Article 7” is Indiana’s special education law that implements or carries out IDEA. State laws may provide more services than are required by IDEA, but not less. Article 7 is enforced by the Indiana Department of Education.

Both IDEA and Article 7 include several major provisions that are important for families to know. Three major provisions will be touched on in this section:

- Free Appropriate Public Education (FAPE);
- Eligibility guidelines for special education services, and
- Procedural safeguards and parent rights.

A Free Appropriate Public Education (FAPE)

FAPE ensures that parents of students with disabilities do not pay extra for the specialized, individualized instruction, therapies, and other related services their child receives. Parents are responsible for fees that are normally charged to parents of students without disabilities as part of the general education program, such as textbook rental, classroom materials, field trips, lunch, or other incidental fees.

Schools are required to provide an “appropriate” education for students with disabilities. An appropriate education is individualized and determined by the case conference committee.

Use of Public and Private Insurance

The school may ask for permission to bill public benefits such as Medicaid, or, very rarely, to bill private insurance for certain services in the IEP. You are not obligated to grant permission. Billing Medicaid can help schools cover the costs of providing IEP services without affecting your child’s eligibility or benefits. Schools cannot require you to sign up for any programs or cause you to incur out of pocket expenses, such as a co-pay or deductible. Schools cannot access your private insurance if it will decrease lifetime available coverage or result in increased premiums, etc. (which is why they rarely, if ever, request consent to bill private insurance). If you are concerned about giving consent to bill private insurance, ask the school for more information and consult your insurance agent or benefits coordinator. If you are concerned about giving consent for the school to bill Medicaid, ask the school for more information, consult your case worker, and see: *Schools Billing Medicaid: Information and Answers for Parents* at <http://www.aboutspecialkids.org/publications/Schools-Billing-Medicaid.pdf>.

While schools are not required to provide the best, or to “maximize the potential” of a student, it doesn’t mean that what you ask for can’t actually be the best; present your request as appropriate for your child’s needs.

FAPE also means that students with disabilities have an equal opportunity to participate in school activities and receive services that are available to all other students.

FAPE is available until the end of the school year in which the student turns 22 years of age, unless the case conference committee decides that the student will exit school earlier, or if the student graduates from high school with a regular diploma.

Remember – The purpose of public education is to prepare students for life after school; FAPE ensures that this extends to students with disabilities as well.

A Child Must be Found Eligible for Special Education Services

There are specific requirements and criteria that must be met before a child can receive special education services. First, a child must be at least 3 through 21 years of age. The school must conduct an *initial educational evaluation* to help the case conference committee determine if the eligibility criteria defined in Article 7 has been met and if the disability adversely affects the child’s educational performance.

Children are found eligible for special education based on a primary eligibility category, and in some cases, an additional or secondary eligibility category (e.g., a child with a primary cognitive disability and a secondary category of language or speech impairment). If you are unsure of your child’s eligibility label, ask the school to clarify this information. Your child’s eligibility label does not limit, restrict, or prescribe any type of services; the unique educational needs of the student must be met.

Important – The presence of a diagnosed disability or health impairment does not automatically qualify your child for services. The disability must negatively affect your child’s education.

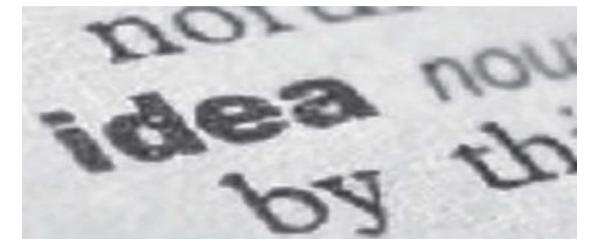
Your child’s eligibility category is included in your child’s school records. Please see Appendix 1 at the end of this booklet for a list of eligibility categories in Article 7.

Procedural Safeguards and Parent Rights

Procedural safeguards refer to the rights and protections that parents and eligible students have under federal and state laws. These rights are described in a document entitled “Notice of Procedural Safeguards and Parent Rights in Special Education,” but usually referred to as “Parent Rights.”

Schools will give parents a copy of this document at least once per school year, but must provide it when there is:

- A referral for educational evaluation;
- A formal disagreement between parents and school;
- A discipline issue that involves the school removing a student to a different educational setting; or
- Whenever a parent requests a copy.



Other Laws Affecting Students with Disabilities

Americans with Disabilities Act or “**ADA**” is a national mandate for the elimination of discrimination against individuals with disabilities and guarantees equal access to employment, public services, public accommodations, and telecommunications. For example, public schools must ensure that buildings and playgrounds are accessible. Community programs, including child care facilities, may not refuse to enroll a child simply because the child has a disability. The ADA is enforced by the United States Department of Justice.

The Family Educational Rights and Privacy Act (FERPA) is a federal law that requires public schools, with certain exceptions, to obtain your written consent prior to the disclosure of personally identifiable information from your child’s education records. This means any information that could be used to identify a child or family with reasonable certainty, including a child’s diagnosis, personal characteristics of a child or family member, name, address, and similar information. However, schools are permitted to disclose directory information without parent consent. Directory information is information that is generally not considered harmful or an invasion of privacy if released. Schools must first notify parents about directory information and inform them that they can request that this information not be published. Check with your school for a list of information it has designated as directory information. If you do not want the school to disclose directory information from your child’s education records without your prior written consent, you must notify the school in writing.

No Child Left Behind (NCLB) is not a “disability law,” but is a federal law that supports every child’s right to an education. It emphasizes school accountability for the educational results of its students, parent involvement, highly qualified teachers, and research-based teaching methods. NCLB is enforced by the United States Department of Education.

Section 504 of the Rehabilitation Act of 1973 or “**Section 504**” is a civil rights law that protects the rights of students with disabilities in programs and activities that receive federal funds, including public school districts, institutions of higher education, and other state and local education agencies. Section 504 requires a school district to provide a “free appropriate public education” (FAPE) to each qualified student with a disability who is in the school district’s jurisdiction, regardless of the nature or severity of the person’s disability. Students served under Section 504 receive comparable educational services and have an individualized learning plan or “504 plan,” similar to the individualized education program in IDEA and Article 7. Section 504 has a much broader definition of disability, so it is possible for a student to qualify for services under Section 504 even if he or she does not qualify under IDEA/ Article 7. Section 504 is enforced by the Office for Civil Rights.

There are other provisions governing special education as established by federal and state laws. The following sections will introduce major components of the special education process that are important for families of young children with disabilities to know. For information on how to obtain a copy of these laws, please see the Resources section.

What is an Educational Evaluation

The *educational evaluation* refers to the process and procedures used to collect information about a student’s suspected disability to determine whether the student is eligible for special education and related services.

The evaluation usually involves:

- Collecting existing information about your child (health, vision, hearing, emotional or mental health status, general intelligence, academic performance, communication, and motor skills);
- Administering tests; and
- Possibly conducting observations of your child in his or her current setting(s).

The educational evaluation should help everyone better understand how your child learns and identify strengths, abilities, and educational needs.

In this section we will talk about the procedures used to determine if your child is eligible for special education services, including how to request an evaluation, who will conduct the evaluation, how you can participate in this process, how you will learn the results of the evaluation, and what to do if you disagree. Determining eligibility through the educational evaluation is the first step in the special education process.

The Referral for Evaluation

Asking the school to evaluate a child to determine if he or she is eligible for special education services is called a *referral for evaluation*.

A referral may be made in writing (by letter or school referral form) or verbally to **licensed personnel**. Licensed personnel include:

- Teachers
- School counselors
- School psychologists
- School social workers
- Building principals
- Other school administrators (such as the director of special education or preschool coordinator)

Start a Paper Trail!

It is always best to use written or electronic forms of communication in order to document the date of the communication, the name of the person to whom the communication was directed, and the purpose of the communication.



Timeline

After you request an evaluation, the school has ten (10) instructional days to provide you with written notice of their intent to conduct the evaluation, or their refusal to conduct an evaluation. Instructional day means any day or part of a day that students are expected to be in school.

Written notice includes a description of the evaluation process, and the timeline for completing the evaluation and holding the case conference meeting. (If the school is refusing to conduct the evaluation, their written notice will tell you why, and explain your right to challenge their decision through *mediation and/or due process hearing*).



Written notice will also include information about how to receive a copy of the evaluation report before the case conference and how to request a meeting with someone who can explain the results of the evaluation to you before the case conference.

The school will also explain that there are certain rights, safeguards, and responsibilities of the parent in the special education process. The school will give you a copy of these “Procedural Safeguards” or “Parent Rights” and a list of resources to use if you need any assistance in understanding the requirements of Article 7.

Transition from First Steps. For children enrolled in Indiana’s First Steps early intervention program, the referral process will be initiated by First Steps six (6) months prior to the child’s 3rd birthday. At that time, First Steps will send to the local public school the most recent Individual Family Service Plan (IFSP) and evaluation reports from any source. The service coordinator will also schedule a transition planning conference. A public school representative will be invited to attend and participate in this conference, with approval from the parent.

Check with your service coordinator to make sure the school representative has been invited. School personnel may participate in alternative ways, such as a telephone conference call.

Remember!

Participation in First Steps does not automatically qualify your child for public school special education services; the eligibility criteria are different.

Transition from First Steps into the public school system is a collaborative effort. Both have roles designed to help you and your child move smoothly from one system to the next.

If your family is not enrolled in First Steps, but you or someone you know expresses concern about your child’s learning or development, it is recommended that you make a referral for an educational evaluation as soon as possible. Contact the building principal of your local school or the special education department and ask for the name and number of the preschool coordinator or other “licensed personnel” who can assist you. If your child is under three years of age, you do not need to wait until your child turns three to make a referral. Again, it is recommended that you contact your local school district as soon as possible.

Written Informed Consent

After you receive *written notice*, you must provide *written informed consent*. Your signature means that you are granting permission for the school to conduct the initial educational evaluation only. It does not mean you are granting permission for your child to receive special education and related services at this time.

If a parent refuses to give permission for the educational evaluation (or does not respond), the school may either decide not to pursue the evaluation, or it may file for mediation or a due process hearing in an effort to proceed with the evaluation.

Consent means that parents have been fully informed in their native language or other mode of communication of all information relevant to the activity requiring their consent. Informed consent means you understand and agree in writing to the activity described by the school. If you are unsure why your written consent is being requested, ask the school for a further explanation.

Before the Evaluation: Information to share and questions to ask

If you have questions about the evaluation and/or have additional information to share before the evaluation takes place, call the school to let them know you wish to meet before your child is evaluated. If a meeting is not possible, ask for a telephone conference call to be arranged.

Examples of Questions You May Want to Ask

About the evaluation:

- What types of tests will be conducted and what information will be obtained?
- What will these results tell you about my child?
- What are the advantages and disadvantages of these tests as they relate to my child’s suspected disability?
- How will the information from this evaluation be used to help my child learn?
- When can I expect the results from this evaluation?
- Who will have access to this information?
- How will this information be used to develop Individualized Education Program (IEP) goals?

Reports

If you do not have copies of existing reports that you want the case conference committee to consider, you may sign a consent form and ask the school to request this information for you. Nonschool personnel such as physicians, private therapists, and childcare providers cannot share information about your child and family without your written permission.

Examples of information and reports you may have that could be helpful to the evaluation team include:

- A medical evaluation by a hospital, physician, or clinic.
- A medical diagnosis by a physician.
- A report on your child’s hearing and/or vision.
- A report from a speech therapist, physical therapist, or occupational therapist.
- A report from a private counselor, psychologist, or psychiatrist.
- A report and/or observational data from your child care provider.
- A list of any medications your child may be taking.

Examples of Questions You May Want to Ask and Information You May Want to Share

About your child:

- My child is hard to understand/nonverbal. What tests will you use?
- My child uses sign language. How will you communicate with him? What tests will you use?
- What should I do if my child is not feeling well the day of the evaluation?
- How can I best prepare my child for the evaluation?
- My child is more alert and responsive in the morning/afternoon. Can you schedule the evaluation accordingly?
- My child uses a communication book/board; please be sure she has it during testing.
- My child is on medication (list medications) and it may affect him in this way _____.
- My child has seizures and these are signs to look for _____; these are things to do if he has a seizure _____.
- My child finds _____ (activity) _____ relaxing/distracting.
- These things are reinforcing to my child: (puzzles, books, playing with toy cars, etc.).
- My child is left handed.
- These are signs that my child is frustrated (throwing objects, yelling, aggressive behavior, withdrawal, crying, biting, not talking, etc.).
- My child dislikes/fears (loud sounds, animals, being touched, being in confined spaces, etc.).



Timeline

The evaluation must be conducted and the school meeting, called a case conference, held within 50 instructional days from the day you provide informed written consent to the school.

Early Childhood Exception: For children transitioning from First Steps into public school preschool, the evaluation must be conducted, the case conference held, and services provided to eligible students **by the child's third birthday.**

REMEMBER! The 50 instructional-day timeline **does not start until you have provided written consent.** When you receive the consent form, return it as soon as possible to avoid unnecessary delay in your child's evaluation.

During the evaluation process, there are several important things to know:

- There is no charge to the parents for the educational evaluation.
- If possible, before any evaluation (or as part of the evaluation procedure), a professional from the public school should observe your child in his/her current setting. For example, a preschool-aged child might be observed at home or in a community childcare program, or if your child is already enrolled in school, observed during typical classroom interactions and activities.
- A developmental and social history will be included in the evaluation information (for example, when your child met certain developmental milestones such as crawling, walking or talking).

- The evaluation must be conducted in the child's native language and manner of communication (Spanish, sign language, etc.).
- The evaluation materials and procedures are to measure the extent of the disability and need for special education services and not the child's English language skills.
- If the child is unable to perform certain items on the test because of his or her disability (physical limitation, visual or hearing impairment, etc.), the evaluator will make *accommodations* or changes to the evaluation material to ensure the child's capabilities are reflected.
- The evaluation materials selected and administered must not be racially or culturally discriminatory.
- The evaluation must include materials that will address specific areas of educational need.
- A child cannot be denied services based on the results of only one test or because of the child's intelligence quotient (IQ) score.

For more information, please refer to Article 7, 511 IAC 7-40-3, Educational evaluations.

Who Conducts the Educational Evaluation?

The educational evaluation is conducted by a multidisciplinary team of qualified professionals as it relates to your child's suspected disability with input from the parents.

This team includes:

A school psychologist (except for a student with a suspected developmental delay, language impairment, or speech impairment):

- For students with suspected developmental delay, two (2) qualified professionals from different disciplines, based upon the needs of the child; or

- For students with suspected language impairment, a speech-language pathologist and one (1) qualified professional from a different discipline, based upon the needs of the child; or
- For students with suspected speech impairment only, a speech-language pathologist may serve as the sole qualified professional on the team.

At least one (1) teacher licensed in, or other specialist with knowledge in the area of the suspected disability, or

- For students with a suspected specific learning disability, the student's general education teacher or, if the student does not have a general education teacher, a general education teacher qualified to teach students of the same age;
- For early childhood students, an individual who holds an appropriate license to teach early childhood special education (ages 3-5 years of age only); and
- For students who are blind or have low vision, deaf or hard of hearing, or have suspected multiple disabilities, a representative of the state-operated schools may serve as part of the multidisciplinary team (with additional written parent consent).

Discipline refers to a profession that requires specialized knowledge and often intensive academic preparation (e.g., speech therapy, physical therapy, occupational therapy, special education teacher, and general education teacher).

In some cases, parents and/or other qualified professionals may also be involved. Please contact your local special education department or refer to Article 7 if you have questions about how this applies to your child's suspected disability.

Before an initial educational evaluation takes place, the multidisciplinary team will review any reports, observation data, and/or evaluations that already exist about your child, including information provided by parents, teachers, childcare providers, and any others who have knowledge of your child.

The Educational Evaluation Report

After the educational evaluation has been completed, the team will compile their findings into a report. A comprehensive educational evaluation should provide "relevant functional, developmental, and academic information" about the student, including the information provided by the parent. The evaluation findings must be comprehensive enough to identify all of the student's possible special education and related service needs **whether or not commonly linked to the specific eligibility category in which the student has been classified.** (For example, a child receiving services under the category "language or speech impairment" may receive occupational therapy as a related service if it is determined to be appropriate by the case conference committee.)

The results of the educational evaluation will be discussed at the case conference and you will receive a copy of the evaluation report at that time. However, you may also indicate with your signed consent that you would prefer a copy of the report and/or would like to meet with someone to have the results explained to you before the case conference.



Timeline

The school will arrange this meeting within five (5) instructional days of the scheduled case conference. Likewise, if you are requesting a copy of the report before the case conference, it will be provided within five (5) instructional days of the scheduled case conference.

When determining eligibility for special education and related services, all of the information in the report must be considered; one assessment may not be used as the sole criterion or basis for determining eligibility or appropriate educational services.

If You Disagree with the Results of the Educational Evaluation

Any disagreement with, or objection to any part of the educational evaluation report should be discussed at the case conference. Parents may submit, in writing, a letter outlining their areas of disagreement and ask that it be attached to the evaluation report in their child's permanent file. Other options include requesting an independent educational evaluation at school expense, or obtaining an independent educational evaluation at parent expense.



Independent Educational Evaluation at School Expense

If you are not satisfied that the report is an accurate picture of your child's strengths and needs, you may request that the school pay for an independent educational evaluation. You must put this request in writing and within ten (10) business days the school will 1) notify you that the independent educational evaluation will be at school expense, or 2) initiate a due process hearing to show that the school's educational evaluation is appropriate. If the school agrees to pay for an independent educational evaluation, they will provide you with information about where an independent educational evaluation may be obtained and the school's criteria for the educational evaluation.

Reimbursement

If a parent plans to ask for reimbursement from the school for an independent educational evaluation they have paid for, the evaluation must meet the school's criteria.

Independent Educational Evaluation at Parent Expense

Parents may decide to obtain an independent educational evaluation at their own expense. If the parents agree with the results of this independent educational evaluation, they may present the results to the case conference committee for further review. If they do not agree with the results, they are not obligated to share the report. Parents may introduce their own independent educational evaluation or any other information they have to share for consideration by the case conference committee.

Due Process Hearing

If an independent educational evaluation obtained at parent expense is part of a **due process hearing**, the independent hearing officer will first determine whether the school's educational evaluation was appropriate; if it is, the school will not reimburse you for the independent educational evaluation. If the hearing officer determines that the school's educational evaluation was not appropriate, and if the parent's independent educational evaluation meets the school's criteria and is appropriate, the school will be required to reimburse the parent for the independent educational evaluation.

For more information, see Article 7, 511 IAC Rule 45, Complaints, mediation, due process procedures.

Three-Year Evaluation (Reevaluations)

After a student is found eligible for special education, any subsequent evaluations of the student are considered a "reevaluation" (even if the student is being evaluated because of a different or potentially additional eligibility category).

- A student must receive a reevaluation at least once every three (3) years unless the parent and school agree that it is not necessary.
- A student may receive a reevaluation at anytime during the 3 year period if the school needs additional information or if the teacher or parent requests a reevaluation.



Comprehensive and Coordinated Early Intervening Services

If your child is in kindergarten or grades 1-12, your school district may implement a process called Comprehensive and Coordinated Early Intervening Services (CCEIS). This allows the school to provide needed supports that may help your child succeed in school without the need for special education. Schools would take this step before referring your child for an evaluation. It is a voluntary process; it is not required and parents or the school can initiate a referral for educational evaluation at any time. Schools that implement CCEIS often use a process called “response to intervention.”

Parents of a student who participates in this process will receive written information that includes:

- The student performance data to be collected and general education services to be provided;
- The evidence-based strategies that will be used to increase the student’s rate of learning;
- The parent’s right to request an educational evaluation to determine eligibility for special education and related services;
- An explanation that the school will initiate a request for educational evaluation if the student fails to make adequate progress after a period time as determined by the parent and school; and
- If the early intervening services do not work, then the school would initiate a request for educational evaluation and provide written notice to the parent requesting written consent for the evaluation.

What is Response-to-Intervention (RTI)?

The RTI process is a multi-step approach to providing services and interventions to students who struggle with learning at increasing levels of intensity. The progress students make at each stage of intervention is closely monitored. Results of this monitoring are used to make decisions about the need for further research-based instruction and/or intervention in general education, in special education or both.

The RTI process has the potential to limit the amount of academic failure that any student experiences and to increase the accuracy of special education evaluations. Its use could also reduce the number of children who are mistakenly identified as having learning disabilities when their learning problems are actually due to cultural differences or lack of adequate instruction. Information and data gathered by an RTI process can lead to earlier identification of children who have true disabilities are in need of special education services.

A Parent’s Guide to Response-to-Intervention, the National Center for Learning Disabilities at <http://www.ld.org>.

The school would evaluate the student and hold a case conference **within twenty (20) instructional days**.

The Case Conference

The case conference refers to the meeting between school personnel and parents to review the educational evaluation results and determine the child’s eligibility for special education services. If the child is eligible, the case conference committee will develop the individualized education program or IEP. A case conference must be held at least once in a twelve-month period. However, a case conference can be requested at any time by parents or school personnel.

In this section we will talk about the responsibilities of the case conference committee, what will be discussed and decided at the case conference, and what to do if your child is found not eligible for special education services.

Responsibilities of the Case Conference Committee

The team that reviews the evaluation information and makes the eligibility determination is called the case conference committee.

When you provide permission for your child’s evaluation you become part of the case conference committee; this means you are an important and equal member of the team that is responsible for:

- Determining your child’s eligibility for services;
- Identifying what services are needed;
- Developing, reviewing, or revising the Individualized Education Program (IEP);
- Determining the least restrictive environment (LRE) where your child’s IEP can be implemented; and
- Making any other decisions related to your child’s education.

If this is the first (initial) case conference for a child who has just received an educational evaluation, the case conference committee will review the evaluation report and any other information available about the child, and determine if the child meets the eligibility criteria of Article 7.

If the child is found eligible and in need of special education services, the case conference committee will develop the child’s Individualized Education Program (IEP), discussed in more detail in the next section. Along with developing the IEP, the case conference committee will determine the special education and related services that will meet the unique needs of the child. Once the IEP is developed, the case conference committee determines the child’s placement, or the least restrictive environment, where services will be provided. This is the LAST decision of the case conference committee.

Members of the Case Conference Committee

The *initial case conference committee* refers to those individuals who will meet to review the educational evaluation and determine the child’s eligibility for special education services.

Required Members of the Initial Case Conference Committee (prior to eligibility determination)	Required Members of the Core Case Conference Committee (after eligibility is determined)
A representative of the public school: This person has the authority to commit resources and authorize the provision of special education services (case conference chairperson, preschool coordinator, principal, etc.)	Same
Parent(s) of the student (less than 18 years of age)	Same
Child or student may attend, at the discretion of the parents	The student at age 14 years of age (or grade 9) is specifically invited to participate in the case conference
Special education teacher licensed in the area of the child's suspected disability	Child's current special education teacher (teacher of record) or Speech-Language Pathologist if the child has a language or speech impairment only
A least one general education teacher representing early childhood if the child is or may be participating in the general education environment (regular class). For preschool-aged children, the general education teacher may be a teacher who provides services to children without disabilities in the school's preschool program, a kindergarten teacher, or, if the school district does not have a preschool program, an individual knowledgeable about early childhood development, curriculum, and integrated placement options	Child's general education teacher (teacher of service) if child participates in a general education classroom
An individual who can interpret the instructional implications of the evaluation results (called an instructional strategist)	Same
At least one member of the multidisciplinary team that evaluated the child	Does not participate
First Steps service coordinator (for children transitioning from First Steps) at parent request	Does not participate

The *core case conference committee* refers to the individuals who will meet, at least annually, to review the student's progress, and revise existing IEP goals, write new IEP goals, and make any other decisions as it relates to the student's educational program.

Child's Participation in the Case Conference

At the parent's discretion, your child may or may not attend the case conference meeting. Parents may choose to make alternative arrangements for their child's care if they feel he or she would be confused or feel anxious with the process, or if taking care of their child while participating in the meeting would be too distracting. Parents could also choose to involve their child at a very early age, in decisions that will affect his or her life. Parents may involve their child in only a portion of the conference if there are issues they wish to discuss privately with the teacher. This ongoing involvement provides the opportunity for children to learn to advocate and make decisions for themselves. It reflects the practice of self-determination, where people with disabilities have the right to take charge of, and responsibility for, their lives.

Teacher of Service refers to any teacher providing services to a student with a disability (the classroom teacher). For some students, the teacher of service and teacher of record could be the same special education teacher.

Teacher of Record refers to the single special education teacher to whom a student with a disability is assigned and who is responsible for monitoring the IEP. If your child is receiving services in a setting other than the public school, or has a general education teacher in the public school, the teacher of record will be a public school special education teacher who will monitor and oversee the IEP and provide assistance to the classroom teacher (teacher of service).

Who Can Attend the Case Conference?

In addition to the required members of the case conference committee, the parents or schools may invite other individuals who have knowledge or expertise about the child. For example, parents may request that the school invite related services personnel involved in their child's program, such as the school nurse, physical or occupational therapist, and/or request that their input be provided in alternative ways. In addition, the parents could choose to invite their child's preschool, child care, or Head Start teacher to the case conference. They may also invite a friend, relative, or an advocate. It is the parent's responsibility to let their guests know the date and time of the conference, and, as a courtesy, let the school know in advance who has been invited.



The Case Conference Must be Held at a Mutually Agreeable Date and Time

Schools are required to schedule the case conference at a date and time that is agreeable to both the parents and the school. The school will then officially notify the parents of the date, time, and place of the case conference, the purpose of the meeting, and names of the school representatives who will be attending. They will also tell parents that they may invite other non-school persons who have knowledge or special expertise regarding the child to the meeting, and include a statement about parent and student rights and protections called *procedural safeguards*.

It is important to note that the school can hold a case conference without you. However, they must first make several attempts to reach you and must try to schedule the meeting at a time that you can attend. The school must also document these attempts for their records.

Ensure Parent Participation

If a parent cannot attend in person, the school must use other methods to ensure parent participation, including an individual or conference telephone call or video conference.

[Article 7, 511 IAC 7-42-2, Notice of case conference committee meetings]

Should you still be unable to attend, you may request a telephone conference call or you may send written comments to be read at the meeting.

Be sure to let the school know ahead of time so arrangements can be made to present your questions, suggestions, and/or concerns. In any event, decisions made at the case conference will still require your written approval.

Written consent is required to excuse a core member from a case conference.

The school representative and the parents must provide written consent to excuse a core member from a meeting. A core member may wish to be excused if, for example, their particular area of expertise is not being discussed; or, if it is being discussed, that member will have to provide written input **before** the meeting; or the member will attend only the portion of the meeting where their area of expertise will be discussed. This is a safeguard and ensures that input from all key members is received and considered during the case conference.



Timeline

Reminder!

A case conference must be held within fifty (50) instructional days after the parent has signed for the initial evaluation.

Special education services can be provided for your child only after the referral, evaluation, and case conference processes have been completed and your child has been found eligible for services.

If your child is found eligible for special education services, the next step is to jointly write the *Individualized Education Program (IEP)*.

If Your Child is Found NOT Eligible

If your child is found not eligible for special education, the school must tell you so in writing. You must also receive information about what to do if you disagree with this decision.

You may request a meeting with a school administrator (e.g., principal, director of special education).

You may appeal the school's decisions through mediation and/or a due process hearing. Ask the school for written information about these procedures.

- Ask about “*early intervening*” (Response to Intervention or RTI) services for students in kindergarten through grade 12.
- You may ask for an independent educational evaluation at school expense.
- You may pay for an independent educational evaluation.
- Ask the school for a list of community resources that may be able to provide services and support for your child and family.
- Ask the school for information about Section 504 and for the name and phone number of the school's **Section 504** coordinator. Ask how to proceed with an eligibility determination under this federal law.

Section 504

Section 504 is a civil rights law that ensures an eligible student with a disability has equal access to an education. Section 504 regulations require a school district to provide a “free appropriate public education” (FAPE) to each qualified student with a disability who is in the school district's jurisdiction.

Section 504 (cont.)

Students with disabilities must have a physical or mental impairment that substantially limits one or more major life activities, regardless of the nature or severity of the person's disability. Major life activities include: caring for oneself, walking, seeing, hearing, speaking, breathing, working, performing manual tasks, and learning.

To be protected under Section 504, a student must be determined to:

- Have a physical or mental impairment that substantially limits one or more major life activities; or
- Have a record of such an impairment; or
- Be regarded as having such an impairment.

For more information about Section 504, see the Resources section at the end of this booklet.

The Individualized Education Program

The individualized education program (IEP) is the written document that describes your child's learning goals, the specially designed instruction, and related services to be provided, and any other information that is important for the school to know about your child. It also describes how your child will be involved in the general education curriculum.



The IEP Is...

The IEP is the single most important educational tool used by parents

and educators. It should be considered a “working document,” subject to changes if necessary, throughout the school year. IEPs are not prepared before the meeting, but during the meeting with input from the parents. IEPs are individualized for the unique learning needs of a particular child and no two IEPs are the same.

In this section we will talk about the components of the IEP, writing IEP goals, services and strategies that may help support goals, related services to help a child benefit from special education services, and the least restrictive environment for preschool students.

What is included in the IEP?

The individualized education program (IEP) is more than a document of learning goals for the year; it contains a variety of information about your child.

Article 7 requires the following components to be included in the IEP:

- A statement of what your child can already do (called “present level of academic achievement and functional performance”), including how the disability affects the child’s participation in general education.

- A statement of your child’s learning goals (academic and functional goals) for a 12-month period (annual goals); these goals should be measurable, that is, you should be able to see that progress is being made.
- How these goals will be measured and when progress reports will be provided (these are different from report cards but may be issued at the same time as report cards).
- A statement of what special education, related services and *supplementary aids and services* will be provided (e.g., the specific instruction, therapy, special transportation or other related services, modifications, and adaptations).
- An explanation of the extent (if any) to which the student will not participate in the general education environment with students who do not have disabilities (including extracurricular and other nonacademic activities).

ISTAR-KR

In Indiana, all preschoolers with disabilities participate in the Indiana Standards Tool for Alternate Reporting – Kindergarten Readiness or “ISTAR-KR” assessment. All preschoolers are assessed within 6 weeks of enrollment, each year around their birth date, and when they transition to kindergarten or leave the program.

- A statement about the student’s participation in statewide or local assessments of student achievement, including any *accommodations* that are needed, or if the student will take an alternate assessment and why.
- The expected date for services and modifications to be made available and the anticipated length and frequency, location, and duration of services and modifications (when services should start, for how long, and where).

- A statement of the student’s need for extended school year services (ESY).
- The least restrictive environment (LRE) where special education and related services will be provided.

IEP Goal Selection

There are a number of factors that influence the selection of IEP goals, including the child’s age and the type and severity of disability. Goals can reflect family values and cultural background. The IEP must be individualized and unique to each student.

- Beginning not later than one (1) year before the student becomes eighteen (18) years of age, a statement that the student and the parent have been informed that parent rights under Article 7 will transfer to the student at eighteen (18) years.
- Written notes documenting the meeting of the case conference committee, including the date and purpose of the meeting, the names and titles of the participants, and the issues discussed during the meeting.

For children transitioning from First Steps, the case conference committee must consider the child’s previous Individual Family Service Plan (IFSP) in developing the IEP. For students who are deaf or hard of hearing, deaf-blind, blind or have low vision, the case conference committee should discuss any additional support and services to meet their unique needs. As appropriate for your child, the case conference committee should also discuss:

- Positive behavioral interventions and supports;
- Supports, information, or training that might be needed for teachers or other school personnel in order to implement the IEP;
- The language needs of a child with limited English proficiency (as it relates to the IEP); and
- Any need for assistive technology devices or services.

The IEP is to be developed jointly by the school and parents at the case conference. Your child’s IEP should not be filled out ahead of time.

Goals

Goals refer to what your child can be expected to learn within a 12-month period. Information about how the goals will be monitored and progress documented will be included in the IEP.

Share information!

Sharing information about your child will help the school better understand your child’s likes, preferences, dislikes, and needs. You might ask that some of your child’s preferred activities be incorporated into the daily schedule because it is enjoyable for your child.



More about Goals!

As you think about goals that may be appropriate for your child’s age, learning styles, and individual needs, also consider the purpose of the goal.

Goals can prepare your child for the future. Although it may be hard to envision now, education should be about preparing a child for adulthood – even starting in preschool! Skills such as learning how to wait and take turns, following rules, working on a class project cooperatively with others, all translate into skills that are necessary for living in the community. Ask how a skill or goal will be used in everyday life, now and in the future.

Goals can be functional and promote independence. A functional goal refers to learning skills that have immediate as well as long-term usefulness. A functional goal can be described as a skill that, if the child does not learn to do it, someone will have to do it for him. Examples of functional goals include self-care skills such as putting on and zipping a coat, putting on and tying/fastening shoes, toileting independently, washing hands, or opening a juice box. Other examples of functional goals are learning to operate a computer, DVD player, or a cell phone. Functional goals can include mobility skills needed to access the classroom environment, the playground, cafeteria or restroom, and climbing stairs. And functional goals can include communication – the ability to make wants and needs known.

Goals can reflect your child’s likes and take into account your child’s dislikes. The information you share about your child’s likes and dislikes should have an impact on what goals are written, as well as how they are written. Sometimes goals may be written to help desensitize a child to a certain activity, item, or event. If your child has a distinct fear or dislike of something specific, it is best to let the school know. For example, your child may have a fear of loud noises (school bell or sirens, fire drills) or animals (classroom pets), dislike being touched, or have an allergy or aversion to certain foods (snacks, lunch time). This information will help teachers better understand and support your child.

When developing a student’s IEP, the case conference committee must consider the strengths and specific educational needs of the student, the concerns of the parent for enhancing the education of the student, the results and instructional implications of the educational evaluation and other assessments of

the student, and the academic, developmental, communication, and functional needs of the student. Parent participation on the case conference committee helps ensure that the goals and services included in the IEP will be appropriate for their child’s unique strengths and educational needs.

Goals Should be Measurable

When writing goals for your child, be sure they are measurable, that is, worded in such a way that you will be able to tell if your child is making progress. Avoid vague descriptors like “learn to appreciate” or “be exposed to the concept of” or “make progress in the general education curriculum” – these are not measurable. You should be able to see or recognize what your child is doing and how it relates to what he or she is supposed to be learning.

Progress Reports

Article 7 requires progress reports to be included in the IEP. Progress reports are not report cards, but may be issued at the same time. Progress reports should be about your child’s progress on IEP goals and not letter grades. Exceptions might be goals designed to be measured by letter grade or a report card designed to look like an individual progress report. Regardless, ask when you may expect to receive progress reports.

Services to Support IEP Goals

Some students may require changes or adjustments to the environment, class assignments, tests, and activities in order to be successful. These adjustments are referred to as accommodations and modifications.

Accommodations allow a student to complete the same assignment or test, but with variation in time, format, setting, and/or presentation. Accommodations do not change the meaning of the student’s score. Examples of accommodations include: Braille, audio versions of text, allowing a student to take a test alone or with fewer students, or take a test orally.

Designing the learning environment and curriculum to promote learning by all children, including the child with a disability, is a concept referred to as *universal design*.

Modifications refer to adjustments to the assignment or testing situations that change the standards and the meaning of the student’s score. Examples of modifications include allowing a student to complete part of an assignment or test, or to complete an alternate assignment that is more easily achievable.

There are also a broad range of devices that can help a child compensate for an impairment and enhance a student’s ability to perform a particular daily task.

Assistive technology refers to devices that can be home-made, purchased off the shelf, modified or purchased commercially. Devices considered “low tech” include pencil grips, paper stabilizers, adapted spoons and scissors, and splints. “High tech” devices include computers, voice synthesizers, and Braille readers. Unless the case conference committee determines otherwise, the school is not required to provide basic equipment that is also required at home (e.g., wheelchair, glasses, hearing aids, and braces).

Assistive technology does not include medical devices that are surgically implanted (or the replacement of such medical devices). Assistive technology must be identified by the case conference committee as needed by the student in order to access and receive a free appropriate public education.



Related Services

Related services are to help a child access and benefit from special education. A child cannot receive related services unless he or she has been found eligible for and receives special education services.

Related services are not a menu of services from which to select, but services needed to help a child benefit from special education and to reach the educational goals in the IEP. For a list and description of related services in Article 7, see Appendix 2.

When discussing related services, think about why your child might need it in order to learn. For example, occupational therapy (OT) may be needed to help a child improve fine motor skills to turn pages in a book, hold a crayon or pencil, use a computer keyboard, button a coat or fasten shoes. Physical therapy (PT) may be needed to help a child move around the classroom area or the cafeteria, restroom or playground more independently, or go up and down stairs.

Therapy

Therapy provided by the school is educational in nature and not medical – in other words, it is not intended to take the place of all therapy your child may need.

The duration of some related services, such as occupational and physical therapy, will be included in the IEP. This may be stated as number of times per week or per month, and how many minutes per session.

It will also state where and how therapy will be provided – group, individual, in the classroom, pull out therapy, etc. Ask what the procedures are (sometimes call an interruption of services policy) if a therapist is absent or goes on vacation or medical leave, or resigns.

Speech therapy is a related service under the federal law IDEA. In Indiana, speech therapy is not a related service. A child must have a primary or secondary eligibility label of “language or speech impairment” in order to receive speech therapy.

Transportation

Students should use regular school bus transportation *if appropriate*. If your child requires special transportation, this will be written in the IEP as a “related service.” Ask how long your child will be on the bus. If the transit time is longer than for typical students, a justification must also be written in the IEP. Ask if there is a local policy limiting transit time for students without disabilities. If so, it will also apply to students with disabilities. Parents can also choose to transport their child to school, but are not required to do so.

Note:

Transportation to locations outside of the school district must be discussed at the case conference and decisions included in the IEP. Schools may not be obligated to drop a student off at a child care or other facility that is not in their district. Be sure you clarify your school’s policy on this issue.

Any reasons for special transportation arrangements must be discussed and documented in the IEP. If a parent is willing to provide their child’s specialized transportation to school, including to a state school, such as School for the Blind or School for the Deaf, that parent may enter into an agreement with the public school to provide the transportation and be reimbursed at the same rate as school employees. This is a case conference decision and must be included in the IEP. If you choose to transport your child and it is not a case conference decision, you will probably not be reimbursed.

At the case conference, talk about your expectations, and any issues or concerns you may have about transportation. Ask that the IEP include a method to share important health, medical, or behavior information with the bus driver. Ask who will be responsible for sharing this information. You may also ask that the school invite the bus driver to a meeting or case conference if you need to work out specific details such as where your child should sit, activities that might help keep your child occupied, to explain or demonstrate any special equipment used by your child, or what to do if there are any health, medical or behavior issues that impact your child’s well being (e.g. seizures).

Your local school corporation is responsible for any special transportation arrangements. If your special education department is under a joint services agreement, interlocal or cooperative arrangement, make sure you know if the schools are on the same school calendar, and who is responsible if one school is open and the other closed.

Transportation is considered a related service only if the case conference committee decides alternate/special transportation is needed and it is written in the IEP.

Extended School Year (ESY)

Extended school year (ESY) refers to services provided beyond the instructional day or the normal school calendar. The need for ESY is determined by the case conference committee and is provided at no cost to families. Schools may not limit services to a particular disability category or limit the type, amount, or duration of services. For example, extended school year cannot be restricted only to students with more significant disabilities or summer school must not be the only option for ESY.

The Technical Assistance Document: Determining the Need for Extended School Year (2005), is available to help the case conference committee better understand extended school year. It is available on the Department of Education’s website (see the Resources section at the end of this booklet).



This document says, in part “Decisions about ESY may not be postponed solely on the basis that no formal regression/recoupment data currently exists. Delaying a decision through the upcoming summer to see what happens if services are not provided is not advisable. The case conference committee should make its determination based on the best evaluation information and data that is currently available.”

The IEP is legal and binding in terms of the services the school agrees to provide (specialized instruction, therapy, special transportation and other related services). It cannot, however, guarantee that a child will accomplish all of the learning goals that are written into the IEP. For this reason, it is important for families to monitor their child's program, maintain open communication with teachers, and request additional case conference meetings, if needed, to review progress or make changes in the IEP. You may ask that a method for parent-teacher communication be included in the IEP.

The IEP must be reviewed and revised at least once a year or more often if needed. Parents or teachers may request a case conference to formally discuss progress, concerns, new information, and/or to make changes in the IEP.

After the IEP has been written, the case conference committee determines the "least restrictive environment" where special education and related services will be provided.

The Least Restrictive Environment (LRE)

The final decision of the case conference committee is to identify the least restrictive environment where the student's educational program will be provided. Placement must not be predetermined.

All discussions regarding the LRE start with the home school and general education classroom. The law says:

To the maximum extent appropriate, students with disabilities, including students in public or private institutions or other care facilities are educated with nondisabled students.

Special classes, separate schooling, or other removal of students from the general education environment occurs only if the nature and severity of the disability is such that education in general education classes using supplementary aids and services cannot be satisfactorily achieved.

The least restrictive environment includes school districts, school buildings, as well as classrooms. The general education environment refers to the local community school a child would attend if he or she did not have a disability. It also refers to educating students with disabilities in typical, same-grade classrooms alongside their classmates without disabilities. Anything that is different from the general education environment must be explained and documented in the IEP.

Supplementary aids and services refers to supports that are provided in general education classes, other education-related settings, and in extracurricular and non-academic settings, to enable children with disabilities to be educated with children who do not have disabilities, to the maximum extent appropriate.

Examples include but are not limited to:

- Modified curriculum
- Teacher training
- Effective behavior support
- Provision of a full or part-time aide, if necessary
- Furniture arrangement
- Specific seating arrangements
- Individualized desk, chair, etc.
- Adaptive equipment
- Adjustments to sensory input (e.g., light, sound)

- Environmental aids (acoustics and ventilation)
- Structural aids (grab bars)
- Social skills instruction
- Peer supports (e.g., facilitating friendships)
- Individualized behavior support plans
- Alternate ways for students to demonstrate learning
- Test modifications

A student cannot be denied placement in a general education environment or removed from a general education placement just because he/she requires modification to the curriculum. [Refer to Article 7, 511 IAC 7-42-10 for more information on the least restrictive environment.]

Early Childhood - LRE

For children ages 3-5 years, LRE may be the local community childcare, preschool, Head Start or other similar programs where 3-5 year-old children spend part of their day. Preschool services may be available in your child's home school or home-based preschool services may be provided in the family's home or home of the child's caregiver, or at the service provider's location.

The continuum of placement options for early childhood includes:

- Early childhood programs designed primarily for students without disabilities;
- Early childhood special education programs, designed primarily for students with disabilities;
- Home-based services;
- Separate nonresidential school or facility; and
- A residential school or facility.

These options are not exclusive and a combination of options may be recommended.



Instructional Day

The length and frequency of the instructional day for early childhood students, ages 3 through 5 years of age, but not yet eligible for kindergarten, is based on the developmental and educational needs of the child as determined by the case conference committee.

Schools may not limit the length and frequency of the instructional day based on a child's disability category (e.g., Autism, learning disability), age, or for administrative convenience. There should be no predetermined number of days or hours per week as the only educational placement option.

Before you sign

Parents must provide written, informed consent for their child to receive initial special education and related services. You may be asked to provide written consent for the IEP at the end of this case conference meeting. Your signature indicates you agree with what is written in the IEP.

After your initial signature is provided, the school may make changes to the IEP, however, they are required to notify you first (written notice). They must tell you what changes or actions they are proposing and why, and let you know that you may request a meeting with a school administrator, or initiate mediation and/or request a due process hearing. If you disagree with the school's changes, you must respond in writing.

[Article 7, 511 IAC 7-42-7, Sec. 7 (j) (1-3),
Written notice by the public agency and
parental consent]

If you are not ready to sign the IEP at the case conference, you may request a few days to look it over. Services for this first IEP cannot be provided until your written informed consent is provided.



Timeline

Copy of the IEP

The school will give you a copy of the IEP at the case conference meeting or will mail it to you. If mailed, the copy must be received by the parent not later than ten (10) business days after the date of the case conference. You may also receive written notice and request for written parent consent at that time. A business day means Monday through Friday, except for federal and state holidays.

For an initial case conference where eligibility has been determined and an IEP written, services must be provided **no later than 10 instructional days** after you provide written consent. An **instructional day** means any day that students are expected to be in school.

The 10 instructional day timeline does not begin until you have provided written consent.

If this is a case conference held at the end of the school year, either an annual case review or an initial case conference for a child turning three during the summer, services will begin at the start of the next school year, unless extended school year is approved.

If consent for special education is revoked, the student is no longer eligible for any of the protections or special services. To reinstate, parents must initiate and go through the initial educational evaluation process.

Consent is voluntary. Granting permission or providing consent to the school for any activity or service is voluntary on the part of the parent. If you change your mind, your permission can be taken back (revoked) at any time by sending a letter to the local director of special education. This action is not retroactive, meaning it does not apply to what has already taken place while your consent was on file. If consent is revoked, it applies only to future activities.

How Can I Prepare for the Case Conference

There are things you can do to prepare for your case conference. It may be helpful to review information about the special education process and your rights and responsibilities. You may also want to:

- Request a sample IEP form before the meeting;
- Request a copy of the educational evaluation before the meeting;
- Request to meet with someone to have the results of the evaluation explained;
- Read the evaluation and make notes about your questions and anything you may disagree with or don't understand; and/or
- Personalize the case conference by sharing a photograph of your child.

Make a list of your questions, suggestions, and any concerns you may have. If possible, provide copies of your list to the case conference committee members or ask the case conference chairperson to make copies for you.

Review your list and prioritize. What is most important to you? What is negotiable and what is not? Where can you compromise? Find out what your options are (your "recourse") if an agreement is not met.

Invite any nonschool professional(s) who have worked with your child and who have information to share at the meeting. You may also invite a friend, relative, or advocate to help you participate, take notes, and/or to provide moral support.

Ask how much time has been scheduled for the case conference. Do not feel pressured into making decisions because of time constraints. You may ask that more time be allotted for the conference and/or request to meet again (reconvene) as soon as possible to finish. It is important that you understand the program and services that are recommended for your child and to have your questions answered and concerns addressed.

Problem Solving

Participating in the case conference may at times be uncomfortable, especially when there are disagreements. Like anything else, it takes practice! Remember, the focus of this meeting is YOUR child, and people are there to work together to develop an IEP that is most appropriate. The following are strategies to keep in mind:

Clarify: Be sure you understand exactly what is being said. Sometimes the terminology (jargon) used is confusing.

If you do not understand, ask for a further explanation. Use phrases such as “This is what I hear you say,” or, “As I understand it, this seem to be the problem.”

Don’t Assume: Get specific – don’t assume someone will assist your child from the bus to the classroom, don’t assume that your child will receive special attention on the playground, or that the teacher will use sign language cues. Ask who will be responsible for carrying out specific tasks. Ask who will be responsible for communicating information to all teachers. Ask how you will be informed of your child’s progress.

Think First: Be sensitive to your choice of words. Try “My child needs this,” instead of “I want.” Accept ownership of your feelings instead of placing blame: “I feel uncomfortable,” or “I am worried because . . .”

Prioritize and Negotiate: Don’t get bogged down with too many issues. Prioritize and take care of what is most important for your child first. Have in mind what is negotiable and where you are willing to compromise.

Reconvene: Sometimes it is difficult to decide if the IEP you have just written is right for your child. If you are unsure of how appropriate an IEP goal is, you might want to ask that a case conference be held in, for example 4-6 weeks after the IEP has been implemented just to review your child’s progress. You want to allow enough time for your child to adjust to the new teacher and surroundings and provide enough opportunities for your child to work on the IEP goals. Ask the case conference chairperson to write it into the IEP and send you a letter of the date and time of the next meeting. You always have the option to cancel this meeting if you believe it is no longer necessary.

If You Disagree: If there are any areas of disagreement regarding the IEP you may request that the case conference committee reconvene as soon as possible to continue discussions. You may ask to sign the IEP consent form for all other areas with which you agree, but make sure the exceptions are noted. You may want to do this in order for the agreed-upon program and services to begin within the appropriate timelines.

If something is written into the IEP that you or another committee member strongly disagrees with, you may ask that the objection be noted on the IEP. This formal objection is called a *written opinion*. If informal methods to resolve disagreements are unsuccessful, more formal procedures such as mediation and/or a due process hearing may be utilized to resolve issues. Ask the school to explain these procedures and to provide you with written information.

Remember, it is always best to try to resolve disagreements at the local level first and to be aware of the procedures and the “chain of command.” When there are concerns or issues, the order to follow typically involves:

- Discussion with the classroom teacher and/or teacher of record
- Discussion with the building principal
- Reconvene the case conference
- Discussion with the director of special education
- Discussion with the superintendent
- Complaint or mediation/due process hearing

Get Organized!

The amount of paperwork, telephone calls, and meetings generated on behalf of one child can be staggering! It is important to develop a method to organize this information. A filing system will provide you with a tool to monitor your child’s program and IEP goals.

Put It In Writing

This is perhaps THE most important habit to develop. Keep a communication log or notebook (or computer file) to keep track of conversations with the school. Record the date, time, and name of the person you talked to, the purpose of the phone call, and any outcomes expected. Take a few minutes after the call to jot down the main points of the conversation.

It is sometimes a good idea to follow up a telephone conversation with a brief letter or email outlining your understanding of what was discussed, any action that will take place, and who will be responsible for completing the action. For more complicated or serious issues, put your communications in a letter or email and ask for a written response.

If you meet informally with your child’s teacher, therapists, or other specialist to discuss specific issues or concerns, document these conversations also. In some cases, you may want to send a letter or email to the participants and the case conference chairperson recapping the decisions made. Indicate that a copy of the letter should be included in your child’s permanent file.

Record Keeping

Developing and maintaining a record-keeping system helps you create a “paper trail.” This means, if necessary, you can go back and recreate conversations and decisions made that affect your child’s educational program. Although we think we will remember who, what, when and where, written documentation is the most reliable.



One method for organizing paperwork is using a 3-ring notebook with dividers. This notebook goes with you to all school meetings and case conferences as a reference. You may also want to use your laptop computer, but it not as easy to include your child’s work samples or other forms of written information.

Remember!

- Write letters of clarification
- Write letters as follow-up to phone conversations
- Save all emails and written correspondence
- Keep a log of telephone conversations

School Records

One of the provisions of special education is your right to see what has been written about your child. Ask your child’s teacher or the case conference chairperson where the records are kept. Although most records are kept in a central location (like the administration office), each school building maintains a file for each child. Also the school psychologist and therapists may have separate files in their offices. Ask what the procedures are to see records, how to obtain copies if needed, and if there is a fee for copies made.

Words and Terms to Know

Age of Majority – The chronological age when a child legally ceases to be considered a minor and assumes control over their person, actions and decisions, thereby terminating the legal control and legal responsibilities of their parents; age 18.

Alternate Assessment – Usually an alternative to a paper and pencil test; non-conventional methods of assessing achievement (e.g., work samples and portfolios).

Americans with Disabilities Act or “ADA” – A federal law and national mandate for the elimination of discrimination against individuals with disabilities; It guarantees equal access and opportunity for individuals with physical and mental disabilities.

Article 7 (Title 511, Article 7, Rules 32-47 Special Education Rules) – Indiana’s interpretation of the Individuals with Disabilities Education Improvement Act (IDEA); state law may provide more services than is required by IDEA, but not less.

Assistive Technology – A generic term that includes assistive, adaptive, and rehabilitative devices for students with disabilities and the process used in selecting, locating, and using them.

Business Days – Normal work days, Monday through Friday, except for federal and state holidays.

Calendar Days – Days of the month unless otherwise indicated as school day or business day.

Case Conference – A required meeting with the school to determine eligibility, to discuss a child’s program and progress and to develop, review, or revise the Individualized Education Program (IEP); also called an IEP meeting or Case Conference Committee Meeting.

Case Conference Committee – The group of persons (parents and school personnel) who are responsible for determining a student’s eligibility for special education, writing, reviewing, and updating the individualized education program (IEP), determining appropriate services and placement, and any other matters related to the education of the student. As the student progresses through the grades, most school personnel members will change. Parent(s) remain the one consistent member of the team throughout the child’s school career in special education.

Complaint – A written, signed allegation of procedural violation of federal or state special education law (such as failure of the school to provide a service in the IEP); a complaint may be submitted by an individual or group of individuals, agency or organization.

Curriculum – The instructional plan of skills, lessons, and objectives on a particular subject; may be authored by a state, or textbook publisher. A teacher typically implements this plan.

Directory Information – Information contained in an educational record that would not generally be considered harmful or an invasion of privacy if disclosed (name, address, email, photo, birth date, etc.).

Discipline – Profession that require specialized knowledge and often intensive academic preparation (e.g., physical therapy, occupational therapy, special education and general education teacher).

Due Process Hearing – A meeting with the public school and an independent hearing officer to resolve disagreements resulting from evaluation or placement decisions; specifically, disagreements about a child’s eligibility, the appropriateness of the educational evaluation, the student’s proposed or current level of services or placement, or any other disagreements that affect a free appropriate public education to the student (called hearable issues). Due process may be initiated by parents, the local public school, or the state Department of Education.

Early Intervening – Services provided to students in kindergarten through grade 12, with a particular emphasis on students in grades kindergarten through 3, who are not currently eligible for special education or related services, but who need additional academic and behavioral support to succeed in a general education environment.

Educational Evaluation – The procedures used to determine whether a child has a disability according to Article 7 and if the child qualifies for special education, and if so, the type and extent of special education and related services the child needs. The first evaluation to determine eligibility is called an “initial educational evaluation,” and any evaluations after that for an eligible student are called “reevaluations.”

Educational Representative – A person appointed by the school to represent and make education-related decisions on behalf of a student with a disability who has reached the age of majority (18), who does not have a legal guardian, who has requested an educational representative in writing, or who the school believes is unable to provide informed consent.

Educational Surrogate Parent – A person trained and appointed by the public school to represent a student with a disability in educational matters.

Eligibility – Able to qualify; meeting certain requirements. Eligibility for special education and related services means that the case conference committee has determined from the educational evaluation that a student has a disability or impairment that adversely affects educational performance and is therefore in need of special education and related services.

Extended School Year (ESY) – Special education and related services provided beyond the school day or school calendar for students with disabilities; ESY is determined by the case conference committee and written into the child’s IEP.

Free Appropriate Public Education (FAPE) – One of the key requirements of federal law, the Individuals with Disabilities Education Improvement Act (IDEA); FAPE requires that an educational program be provided for all eligible students, without additional cost to families, that meets the child’s needs, and is provided in the most normal or typical setting possible.

Functional Goals – Functional means nonacademic, as in routine activities of everyday living; goals that will help prepare children for life after school. A functional skill is something that, if the child does not learn to do it, someone will have to do it for him/her.

Functional Performance – A measure of skills, behaviors, and knowledge necessary to achieve self-sufficiency, such as fine and gross motor skills, personal care skills, social emotional adjustment, and independent living skills.

General Education – Programs provided or available to all students, including elective courses, extracurricular activities and the general curriculum.

Hearable Issue – Disagreements between parents and the public school about a child’s eligibility, the appropriateness of the educational evaluation, the student’s proposed or current level of services or placement, or any other disagreements that affect a free appropriate public education to the student; may be resolved through mediation and/or a due process hearing.

IQ (Intelligence Quotient) – A measurement of thinking (cognitive) ability for comparing an individual with others in the same age group.

Independent Educational Evaluation (IEE) – An educational evaluation conducted by a qualified evaluator who is not employed by the public school of the child being evaluated; the evaluator must adhere to the public school’s criterion for evaluation.

Individual Family Service Plan (IFSP) – The written document used by families enrolled in First Steps early intervention program to document their goals and desired outcomes as well as services to be provided for the child and family.

Individualized Education Program (IEP) – The written educational plan for a student with disabilities that is developed by a team of school personnel with the child’s parents; the IEP is required by federal and state law (IDEA and Article 7).

Individuals with Disabilities Education Improvement Act, 2004 (IDEA 2004, or IDEA) – The federal law that provides for educational services for students with disabilities in the least restrictive environment. IDEA is the framework for each state’s law governing special education in the public schools.

Initial Educational Evaluation – The first public school educational evaluation conducted by qualified public school professionals to determine if a student has a disability and is eligible for special education services.

Instructional Days – Any day, or part of a school day that students are expected to be in attendance; does not include scheduled holidays, snow days, school breaks, in-service days, etc.

Least Restrictive Environment (LRE) – The most normal or typical setting possible. Students with disabilities are educated with students without disabilities, to the maximum extent determined appropriate by the case conference committee.

Licensed School Personnel: Persons licensed by the Department of Education and employed by the public school who are: teachers; school counselors; school psychologists; school social workers; building principals; and other administrators.

Local Educational Agency (LEA) – The local public school.

Mediation – A service provided free of charge by the Indiana Department of Education, Center for Exceptional Learners; a voluntary process designed to bring parents and school together to resolve certain educational issues.

Multidisciplinary Team – A group of qualified professionals who conduct a student’s educational evaluation with input from the student’s parent. (Examples include licensed general education or special education teacher, school psychologist, speech-language pathologist.)

No Child Left Behind – A federal law focusing on school success as measured by student achievement. The Act also contains four basic education reform principles: stronger accountability for results, increased flexibility and local control, expanded options for parents, and an emphasis on teaching methods that have been proven to work.

Paraprofessional – An individual who works under the supervision and direction of licensed teachers or related services professionals (e.g., therapist); sometimes referred to as paraeducator or teaching assistant. Examples include: instructional or program assistant, school bus monitor, interpreter, note taker, and job coach.

Parent Rights – The rights and responsibilities of parents in the special education process as provided for in state and federal special education laws; described in “Notice of Procedural Safeguards and Parent Rights in Special Education.”

Present Levels of Performance – The things a student is doing at the present time; what a student can do now; also called present level of educational performance/functioning.

Procedural Safeguards – Procedural safeguards refer to the rights that parents have under federal and state laws and are listed in a “Notice of Procedural Safeguards and Parent Rights in Special Education.” A copy of this notice must be given to parents at least one time per school year, or more often if a parent requests a copy.

Referral for Evaluation – The procedure for asking the school to test a child to determine if the child has a disability and if so, whether special education is needed; a referral for evaluation.

Related Services – Services that are supplementary to the student’s instructional program and are required for the student to benefit from special education.

Section 504 of the Rehabilitation Act – The federal law that prohibits discrimination based on disability and provides for the free appropriate public education of students with disabilities in the least restrictive environment.

Special Education – Specially designed instruction and related services to meet the unique needs of an eligible student. It may include instruction in the classroom, home, hospital, or other settings. It may also include instruction in physical education, travel training, transition services, and vocational education.

State Educational Agency – The Indiana Department of Education

State Operated School – Schools including the Indiana School for the Deaf and the Indiana School for the Blind.

Supplementary Aids and Services – Supports and services that are provided in the general education classroom or other education-related settings, and in extracurricular and nonacademic settings, to enable children with disabilities to be educated with children who do not have disabilities, to the maximum extent appropriate.

Teacher of Record – The special education teacher who is in charge of monitoring a student’s IEP and who act as a support to the teacher of service; the teacher of record may also be the student’s special education classroom teacher.

Teacher of Service - The classroom teacher; may be a general education or special education teacher, or speech-language pathologist for certain students.

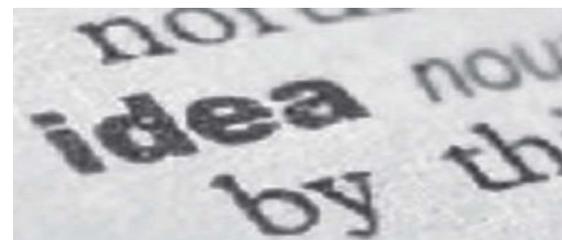
Teaching Assistant – See Paraprofessional

Transition - Describes the period between home or early intervention programs to preschool and school; annual transition from grade-to-grade; school to adult services, or any other period where careful planning is needed to ensure the continuity of programming from one setting to another. Transition also refers to movement from one activity to another within the same classroom, or from one school location to another (e.g., classroom to playground, gym, cafeteria, etc.).

Universal Design – The concept or philosophy of designing an environment (such as a classroom or school building) or materials and services that are usable (and understandable) by students and/or adults with a wide variety of abilities and needs; reduces the need for “add on” programs or services.

Written Notice – Required information presented to parents in writing from the public school to assure the parent is fully informed of the school’s proposal to begin or change anything related to the free appropriate public education of the student.

Written Opinion – To formally disagree in writing with something that is written in the Individualized Education Program (IEP) or some part of the educational evaluation; also referred to as a dissenting opinion or letter of dissent.



Resources

State

Arc of Indiana

107 N. Pennsylvania Street, Suite 800
Indianapolis, IN 46204
Phone: 317-977-2375 / Toll Free: 1-800-382-9100 /
Fax: 317-977-2385
Web: <http://www.arcind.org/>

About Special Kids (ASK)

7275 Shadeland Avenue, Suite 1
Indianapolis, IN 46250
Phone: 317-257-8683 Voice / Toll Free: 1-800-964-
4746 / Fax: 317-251-7488
Teléfono: 317-257-8683 x 130
Email: familynetw@abouthspecialkids.org
Correo Electrónico: patty@abouthspecialkids.org
Web: <http://www.abouthspecialkids.org>

Indiana Department of Education Center for Exceptional Learners

151 West Ohio Street
Indianapolis, Indiana 46204
Phone: 317-232-0570 / Toll Free: 877-851-4106 /
Fax: 317-232-0589
Email: specialed@doe.in.gov
Web: <http://www.doe.in.gov/exceptional/speced/welcome.html>

Special Education Laws: <http://www.doe.in.gov/exceptional/speced/laws.html>

Information for parents: <http://www.doe.in.gov/communications/parents.html>

Navigating the Course: Finding your way through Indiana’s Special Education Rules (July 2009) (formerly Live Learn Work Play)

Web: http://www.doe.in.gov/exceptional/speced/docs/Navigating_the_Course.pdf

Technical Assistance Document: Determining the Need for Extended School Year (2005)

Web: <http://www.doe.in.gov/exceptional/speced/docs/ESYGuide-Form-02-05.pdf>

Indiana Institute on Disability and Community

2853 East Tenth Street
Bloomington, IN 47408-2696

- Early Childhood Center
- Center on Aging and Community
- Center on Community Living and Careers (employment, community living)
- Center for Disability Information and Referral (library)
- Center on Education and Lifelong Learning (school-age)
- Center for Planning and Policy Studies
- Indiana Resource Center for Autism

Phone: 812- 855-6508 / Indiana Toll Free: 800-825-4733 / 812-855-9396 TTY / Fax: 812-855-9630 /
Email: iidc@indiana.edu
Web: <http://www.iidc.indiana.edu/>

Local

School Corp.: _____

Address: _____

Phone: _____ Fax: _____

Web: _____

Contact Name: _____

Email: _____

Indiana Protection and Advocacy Services

4701 N. Keystone Ave., Suite 222
Indianapolis, Indiana 46205
Phone: Toll Free: 1-800-622-4845, Ext. 232 / 1-800-838-1131 TTY
Web: <http://www.in.gov/ipas/index.htm>

Indiana Resource Center for Families with Special Needs (IN*SOURCE)

1703 South Ironwood Drive
South Bend, Indiana 46613
Phone: 574-234-7101 / Toll Free: 1-800-332-4433
Voice / Fax: 574-234-7279
Email: insource@insource.org
Web: <http://www.insource.org>

National

The National Dissemination Center for Children with Disabilities - NICHCY

1825 Connecticut Ave NW, Suite 700
Washington, DC 20009
Phone: 202.884.8200 (Voice/TTY) / Toll Free: 1.800.695.0285 (Voice/TTY)
Fax: 202.884.8441
Email: nichcy@aed.org
Web: <http://www.nichcy.org>

Wrightslaw – for information on law and advocacy
Web: <http://www.wrightslaw.com/>

ADA: The Americans with Disabilities Act

ADA Information Line, U.S. Department of Justice

Web: <http://www.usdoj.gov/crt/ada/adahom1.htm>

ADA Online: <http://www.ada.gov/pubs/ada.htm>

Printed materials: 1-800-514-0301

Voice or 1-800-514-0383 (TTY)

Publications are available in standard print as well as large print, audiotape, Braille, and computer disk for people with disabilities.

Article 7: Indiana Special Education Rules, Title 511, Article 7, Rules 32-47

Toll Free: 1-800-833-2198 (request a copy)

Web: <http://ideanet.doe.state.in.us/exceptional/speced/laws.html>

Also online:

- ADA (Americans with Disabilities Act)
- IDEA (Individuals with Disabilities Education Improvement Act)
- FERPA (Family Education Rights and Privacy Act)
- NCLB (No Child Left Behind)
- Section 504 of the rehabilitation Act

Web: <http://ideanet.doe.state.in.us/exceptional/speced/laws.html>

FERPA: Family Education Rights and Privacy Act

Web: <http://ideanet.doe.state.in.us/exceptional/speced/laws.html>

DEA: The Individuals with Disabilities Education Improvement Act

IDEA online: <http://idea.ed.gov/>

U.S. Department of Education: IDEA 2004 Part B Final Regulations

NCLB – No Child Left Behind

Web: <http://www.ed.gov/nclb/index/az/index.html>

Web: <http://ideanet.doe.state.in.us/exceptional/speced/laws.html>

Section 504 of the Rehabilitation Act

US Department of Education, Office for Civil Rights

Web: <http://www.ed.gov/about/offices/list/ocr/index.html?src=mr>

Document: Free Appropriate Publication Education for Students with Disabilities: Requirements under Section 504 of the Rehabilitation Act

Web: <http://www.ed.gov/about/offices/list/ocr/docs/edlite-FAPE504.html>

NOTE: Addresses, phone numbers, and web site addresses may change without notice.

Appendix 1: Disability Categories in Article 7 Article 7, 511 IAC 7-41-1 through 7-41-13

Autism Spectrum Disorder – includes autistic disorder, Asperger’s syndrome, and other pervasive developmental disorders.

Blind or Low Vision – a disability that even with best corrections, affects the student’s ability to use vision for learning, which adversely affects the student’s educational performance.

Cognitive Disability – below average general intellectual functioning and limitations in adaptive behavior that adversely affect educational performance. May be categorized as mild cognitive disability, moderate cognitive disability, or severe cognitive disability.

Deaf or Hard of Hearing – may also be referred to as a hearing impairment that with or without amplification, adversely affects the student’s ability to use hearing for developing language and learning, educational performance, and developmental progress. Students who are deaf or hard of hearing may use spoken language, sign language, or a combination of both.

Deaf-Blind – may also be referred to as dual sensory impaired, and means a disability that includes both a hearing and vision loss or reduction in functional hearing and vision capacity, causes significant communication and adaptive behavior deficits, adversely affects the student’s educational performance, and cannot be accommodated for by use of a program or service designed solely for students who are either deaf or hard of hearing, or blind or have low vision.

Developmental Delay (early childhood only) – solely for children who are at least three years of age and not more than five years of age (but not eligible to enroll in kindergarten); includes a delay in gross or fine motor development, cognitive development, receptive or expressive language development, social or emotional, self-help or other adaptive development.

Emotional Disability – inability to learn or progress that cannot be explained by cognitive, sensory, or health factors.

Language or Speech Impairment – characterized by one of the following impairments that adversely affects the student’s educational performance: language impairments (word retrieval, phonology, morphology, syntax, semantics, pragmatics), or speech impairments (fluency, articulation, voice disorders).

Multiple Disabilities – a significant cognitive disability in addition to other disabilities that are considered lifelong, that interfere with independent functioning, and is difficult to determine which disability most adversely affects educational performance; does not include deaf-blind.

Other Health Impairment – having limited strength, vitality, or alertness, including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the educational environment that is due to: a chronic or acute health problems such as asthma, ADHD, diabetes, epilepsy, heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, sickle cell anemia, and Tourette syndrome; and that adversely affects a student’s educational performance.

Orthopedic Impairment – a severe physically disabling condition that adversely affects educational performance; may include: a congenital anomaly, disease such as polio or bone tuberculosis, or other causes, such as cerebral palsy, amputations or fractures or burns that cause contractures.

Specific Learning Disability – a disorder in one or more of the basic psychological processes involved in understanding or using language (spoken or written) that adversely affects educational performance including perceptual handicaps, brain injury, minimal brain dysfunction, dyslexia and developmental aphasia.

Traumatic Brain Injury – an acquired injury to the brain caused by an external physical force, resulting in total or partial functional disability or psychosocial impairment, or both, that adversely affects a student’s educational performance.

Appendix 2: Overview of Related Services in Article 7 Article 7, 511 IAC 7-43-1

Audiological Services – may include identification of students with hearing loss, provision of habilitation activities, such as auditory training, hearing evaluation, speech/lip reading, and speech conversation. Provided by a licensed educational or clinical audiologist.

Counseling – providing career information; may include assisting student to understand and cope with a disability, cope with a personal problem or crisis, develop and implement a behavioral intervention plan.

Early Identification and Assessment – a formal plan for identifying a disability as early as possible in a child’s life; activities designed to locate and evaluate children who may be in need of special education services; identifying students who may be in need of an educational evaluation.

Early Intervening Services – early intervening services are for students (kindergarten through grade 12) who are not currently identified as needing special education but who need additional academic and behavioral support to succeed in a general education environment.

Interpreting Services – services used for students who are deaf or hard of hearing (e.g., cued language, sign language, transcription services); special interpreting services used for students who are deaf-blind; and individuals who provide sign language transliteration and interpreting services.

Medical Services for the Purpose of Diagnosis and Evaluation – a related service if diagnosis and evaluation of a medically related disability is needed to determine eligibility for special education, or ordered by a hearing officer; must be provided by a physician with unlimited license to practice medicine.

Occupational Therapy – may include evaluation of developmental levels, gross and fine motor functioning, and self care skills; designing or adapting materials or equipment or the educational environment; consulting with parents, teachers, paraprofessionals and other related services personnel.

Orientation and Mobility – services provided to students who are blind or have low vision to enable the student to move about their school, home and community environments safely.

Parent Counseling and Training – helping parents understand the educational needs of their child, and how to participate in the individualized education program (IEP), due process, etc.; may include providing information about services available from other agencies; may be provided during a case conference or in a special meeting.

Physical Therapy – evaluating developmental levels, gross motor function, reflex levels, range of motion; designing and implementing activities or interventions; evaluating, designing and recommending adaptation of assistive devices and equipment; consulting with parents, teachers, paraprofessionals, and other related services personnel.

Psychological Services – administering psychological and educational evaluations; interpreting assessment results; consulting and working with parents and school personnel in planning and developing the IEP; providing counseling for students and parents; assisting in developing positive behavioral intervention strategies. Provided by licensed school, clinical, or child psychologist or psychiatrist.

Recreation, including Therapeutic Recreation – assessment of how a student spends leisure time as it relates to the IEP; therapeutic recreation services; recreation programs in the school, agency, and community; and leisure education.

Rehabilitation Counseling – services provided by qualified professionals in individual or group sessions that focus on career development, employment preparation, achieving independence; vocational rehabilitation services provided by vocational rehabilitation programs funded under the Rehabilitation Act of 1973.

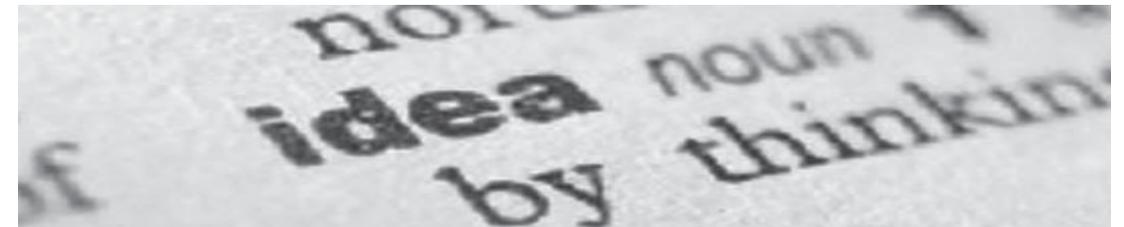
School Health Services – provision of emergency care in case of injury and sudden illness; maintenance of records and monitoring students with medically-related needs, including administration of medications as prescribed by a physician; participation in case conference meetings if required; provided by a licensed school nurse.

School Nurse Services – are health services designed to enable a student with a disability to receive a free appropriate education; include services such as developing health care plans that are integrated into the student’s IEP; provided by a licensed school nurse.

School Social Work Services – preparing social or developmental history on a student; group and individual counseling with student and family; working with parents and others on difficulties in the home, school and community that affect the student’s adjustment in the educational setting; facilitation and utilization of school and community resources to enable the student to learn; assisting in development of positive behavioral intervention strategies; provided by a licensed school social worker.

Transportation – services not provided to students without disabilities, such as special bus routes, adapted vehicles, aides, special equipment (e.g., oxygen, lifts, ramps, separate/different mode of transportation (e.g. taxi); provided by the school corporation directly, by contract, or student’s parents. Parents who agree to provide transportation are entitled to reimbursement at the same travel expense rate paid to other school employees.

Other Supportive Services – The above list of related services is not exhaustive and may include other services not listed that a child might require in order to benefit from special education. Examples of other supportive services include: peer tutor, artistic and cultural programs.



Appendix 3: General Overview of Timelines

Activity	Parent Responsibility	School Responsibility
Referral for Evaluation	Parent requests verbally or in writing to licensed personnel	School has 10 instructional days from receipt of request to provide parent with 1) written notice of intent to conduct (or refusal to conduct) the educational evaluation and 2) to provide parent with a consent form for permission to conduct the evaluation
	Parent signs and provides written informed consent	
Evaluation completed and case conference held to determine eligibility		Within 50 instructional days from the date the school receives written informed consent
Evaluation completed and case conference held to determine eligibility of preschool student transitioning from First Steps		By the child's 3rd birthday
Eligibility determined, IEP written, ESY and LRE determined		School provides IEP copy and obtains parent written informed consent for services to begin (during the case conference, or received by parent within 10 instructional days after the case conference)
	Parents provide written informed consent for services to begin	Services begin 10 instructional days after written informed consent is received by the school
		Services begin next school year if the case conference is held at the end of school year, unless extended school year (ESY) is recommended
Reevaluation	Every three years unless parents and school agree it is not necessary; more often if parent or school requests	Every three years unless parents and school agree it is not necessary; more often if parent or school requests

- **Business day** means Monday through Friday except for federal holidays.
- **Calendar day** means any day of the month.
- **Instructional day** means any day or part of a day that students are expected to be in school; does not include scheduled holidays, snow days, teacher in-service days, etc.



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