Step by Step Outline of the Special Education Process
Step 1. **The Referral**
Parent, Teacher/Administrator
Child Find /Outside Provider

Step 2. **School District Responsibility**
Within ten (10) School Days of receipt (in the District Special Education Office) of a written request for an initial evaluation, and before any formal evaluation to determine eligibility for special education programs and services, the district must contact/meet with or schedule a meeting with, the parent and, when necessary request written consent to evaluate.

Step 3. **Educational Assessment**
An assessment is conducted by a team of appropriately credentialed staff including observations, individual ability and academic testing, interviews and records review, based upon the referral, in order to understand the educational needs of the child.
Step 4. **Eligibility / Ineligibility Decision**

The assessment information provided by the team and the parents is used to determine whether or not there is an educational eligibility for special education supports and services and guides the team decision making for the child. “The time from referral or from receipt of parental consent to an initial evaluation to the completion of the individualized education program or the determination of ineligibility shall not be more than 30 school days.” R 340.1721c

**Step 4A.** Child found eligible for special education programs and services – Proceed to Step 5.

**Step 4B.** Child is found ineligible:

- Parents must receive a copy of:
  - Assessment report, MET and IEP with determination of ineligibility;
  - Information about what they can do if they disagree with the eligibility decision;
  - Right to request mediation or a due process hearing to resolve a dispute about the child’s identification;
  - Right to obtain an IEE.

- A child who has a disability, but who is not eligible under IDEA, may be eligible for the protections afforded by other laws. It’s not uncommon for a child to have a 504 plan at school to address disability-related educational needs (instead of an IEP).

- Teachers and parents will need to work together to design interventions for the child to use in the classroom that will ensure continued success.
Step 5. Schedule the IEP Meeting
An IEP is held within 30 school days of the signing of the consent for evaluation. The IEP team consists of the assessment team, parents, district representative, student (if appropriate and others (as necessary). The IEP team writes the IEP and determines all the appropriate programs, services and supports needed based on the assessment and Present Level of Academic Achievement and Functional Performance (PLAAFP). District provides an offer of FAPE to the parents.

Step 6. Implementation of the IEP Programs and Services
Services must begin as soon as possible after IEP development. All service providers and parents must have access to the IEP.

Step 7. Progress Monitoring
The IEP will specify how the child’s progress will be measured. Reports are shared with parents.

Step 8. Annual Review
IEP is reviewed at least once per year. Document is revised to address any lack of expected progress. Either the school or parents can request a review.

Step 9. Re-evaluation
A re-evaluation must occur at least every three years. The re-evaluation of educational data is used to establish continued special education eligibility and child’s current educational needs.
Know Your Parental Rights
Know Your Parental Rights

Parent Rights:

- Schools are to provide parents of a child with a disability a copy of their rights:
  - During an initial referral or request for evaluation;
  - Once a year, at the time of the annual review;
  - At the time of a State Complaint;
  - At a time of disciplinary action requiring a change in placement; and
  - Upon parent request.

Rights described and included in the Procedural Safeguards:

- General information regarding notices, native language, consent for evaluation and services, how to revoke consent and how to obtain an Independent Educational Evaluation (IEE).
- Confidentiality of information: definitions, rights, hearing procedures, safeguards, and student rights.
- Mediation.
- State complaint procedures: the difference between due process hearings and state complaints
- How to file a complaint.
- Due process complaint procedures: resolution process, child’s placement while the due process complaint and hearing are pending and model forms; hearings and appeals.
- Procedures for disciplining children with disabilities: school authority change of placement, determination of settings, appeals, placement during appeals, protections for children not yet eligible and referral to and action by law enforcement.
- Requirements for unilateral placement by parents of children in private schools at public expense.
Let’s Talk About Special Education
Let’s Talk About Special Education

What is Special Education?

Special education is a free service provided by public school staff. Special Education is a service, not a place. Special education programs and services are provided to allow children to access the curriculum.

Can my child receive special education programs, supports and services?

Yes, any child can receive special education programs and services if they qualify under one of the following areas:

- Cognitive impairment
- Emotional impairment
- Hearing impairment
- Visual impairment
- Physical impairment
- Other health impairment
- Speech and language impairment
- Early childhood developmental delay
- Specific learning disability
- Severe multiple impairment
- Autism spectrum disorder
- Traumatic brain injury
- Deaf-blindness
How can I go about getting special education services for my child? How do I ask for an evaluation?

Federal law, the Individuals with Disabilities Education Act as amended in 2004 (IDEA), provides the legal right to a special education evaluation. States, through local school districts, have a “Child Find” responsibility and have the obligation to “identify, locate, and evaluate every child who may have a disability requiring special education services.” When there is suspicion that a child has a disability, parents, guardians and/or advocates have a right to request a full, individual, comprehensive, multi-disciplinary educational evaluation. Parents/guardians (or an advocate) may request an evaluation in writing providing a copy of the letter to the principal and the school district’s special education director.

When writing a letter to request a special education evaluation, it is important to keep the letter short and to the point.

Start your letter by asking yourself the following questions and state the answers in your letter:

- Why am I writing to request a special education evaluation?
- What are my specific concerns my child’s academic performance and/or behavior?
- What questions do I have regarding my child’s academic performance and/or behavior?
- What would I like school personnel to do for my child?
- What sort of response do I want from the school: a letter, a meeting, a phone call.
Your letter to the school should include the following basic information:

- The date.
- Your address.
- A phone number(s) where you can be reached.
- Your child’s full name and date of birth.
- Name of your child’s main teacher and current class placement.
- What you desire, rather than what you don’t want.
- End your letter with a “thank you.”

How old does my child need to be to receive special education?

In Michigan children from the ages of birth thru 25 are eligible to receive special education programs, supports and services.

From birth to age 3 services will be provided through a local Early On or Early Intervention Services. After age 3 services are provided by local school programs in your county/district.
Let’s Talk About Special Education cont.

How long does an evaluation take?

What happens when the Individual Education Plan (IEP) is over?

When a request for an initial evaluation is received at the district parental consent to evaluate a child suspected of having a disability must be obtained/received within 10 school days, counted from the date the district receives the request.

Within 30 school days, counted from the date the district receives the Parental Consent to Evaluate to the District’s offer of a free and appropriate public education (FAPE).

- If the parent and the district agree, the timeline for initial activities may be extended beyond 30 school days. (Initial evaluations only—the decision to extend the timeline beyond 30 days is permissible provided the decision is mutual and documented.)

The IEP Team is convened, within the 30 school days, to determine eligibility or ineligibility.

If eligible:
- The team, including the parent, develops an IEP for the child;
- The District makes an offer of a Free Appropriate Public Education (FAPE).

If ineligible:
- Parents must receive a copy of:
  - Assessment report, Multidisciplinary Evaluation Team and IEP with determination of ineligibility;
  - Information about what they can do if they disagree with the eligibility decision:
    - Right to request mediation or a due process hearing to resolve a dispute about the child’s identification;
    - Right to obtain an Independent Educational Evaluation (IEE).

- A child who has a disability, but who is not eligible under IDEA, may be eligible for the protections afforded by other laws. It’s not uncommon for a child to have a 504 plan at school to address disability-related educational needs (instead of an IEP).

- Teachers and parents will need to work together to design interventions for the child to use in the classroom that will ensure continued success.
What is an IEP?

An Individualized Education Program (IEP) is a legal written document, of the educational program designed to meet a child's individual needs. Every child who receives special education services must have an IEP. That's why the process of developing this vital document is of great interest and importance to educators, administrators, and families alike. Here's a crash course on the IEP.
Where does my child go to get special education services? What special education services will my child receive?

A walk thru the State of Michigan IEP Form.

Section 1: Demographic Information
- Student Information
- District Information (Resident District/Operating District)
- Parent Information
- Purpose of Meeting
- Parent Contact
- Parental Rights and Age of Majority
- IEP Meeting Participants
- Parent and District Agreement on Attendance Not Necessary
- Parent and District Agreement on Excusal prior to Meeting
- Eligibility for Special Education
Section 2-A: Present Level of Academic Achievement and Functional Performance (PLAAFP)

- Factors to consider
  - Student Strengths
  - Parent Concerns
  - Results of most recent evaluations
- Special Factors
  - Communication Needs
  - Assistive Technology
  - The following needs (as appropriate)
    - Positive behavioral supports
    - Language (ELL)
    - Braille if blind for visually impaired
    - Mode of language (deaf or hard of hearing)

Section 2-B: Present Level of Academic Achievement and Functional Performance (Option I)

Section 2-B: Present Level of Academic Achievement and Functional Performance (Option II)

Section 2-B: Present Level of Academic Achievement and Functional Performance (Option III)

Section 3: Secondary Transition Considerations (Creation of a Transition Plan)
Section 4: Goals and Objectives/Benchmarks (Option I)

- Instructional Areal
- Michigan Content Expectations (Core Curriculum)
- Baseline Data:
- Annual Goal:
  - Short-Term Objectives
  - Status
- Schedule for Reporting Progress

Section 4: Goals and Objectives/Benchmarks (Option II)

- Instructional Area
- Michigan Content Expectations
- Baseline Data
- Annual Goal
- Short-Term Objectives/Benchmarks
- Schedule for Reporting Progress
- Progress Monitoring Data
- Progress Reporting
Section 5: Supplementary Aids and Services

Supplementary aids and services are provided to enable the student to appropriately achieve annual goals, access the general curriculum, participate in extra-curricular activities and be educated and participate in activities with other students with and without disabilities.

- **Ongoing Instruction and Assessment:** scheduling, presentation, response, etc.
  - Time/Frequency/Condition
  - Location

- **Curriculum Supports and Adjustments:** directions, grading, handwriting, assignments, tests, books, etc.
  - Time/Frequency/Condition
  - Location

- **Supports and Modifications to the Environment:** classroom environment, health-related needs, physical needs, assistive technology, behavioral training needs, social interaction supports for the student, etc.
  - Time/Frequency/Condition
  - Location
Section 6: Assessment-Participation and Provisions

- General Education Assessments
  - Content Areas: Content area(s) the student will be administered general education assessment.
  - Accommodations: appropriate/standard accommodations.
- Alternate Assessments
  - Content Area – area the student will be administered an alternate assessment.
  - Need for Alternate Assessment – why the student cannot participate in the general education assessment.
  - Assessment - the assessment that will be used and explain why it is appropriate.
  - Accommodations – appropriate accommodations.

Section 7: Special Education Services and Programs

- Related Service
  - Rule Number (from the Michigan Administrative Rules for Special Education)
  - Time and Frequency (how much time and how often will services be received)
  - Location (where will services be received)
  - Duration
What if I do not agree with the team? What if my child does not get the needed supports and services?

When a parent does not agree with the IEP, or if their child does not receive the needed supports and services, parents have a number of resolution choices:

**Facilitation:** Meeting facilitation is a process that aims to assist individuals, and groups, reach an agreement before a conflict arises. A meeting facilitator is an individual who is unbiased with respect to the issues and serves to ensure that all participants in the meeting have voice.

**Mediation:** Mediation is a process used to resolve conflicts between parties, such as parents conflicts between and schools. Mediation is a voluntary process. Mediation cannot be used to deny or delay a parent’s right to a due process hearing. Mediators are trained in effective mediation and are impartial individuals to the proceedings.

**Due Process Complaint:** The filing of a Due Process Complaint is another option for parents when they are in disagreement with the IEP or the programs and services being provided. Due Process Complaints are heard in administrative hearings before an administrative law judge or a hearing officer.

**Civil Rights Complaint: Office of Civil Rights**

Where do I go if I need more help?

- ARC: 1-800-292-7851
- Autism Alliance of Michigan: 877-463-2266 (navigator@aaomi.org)
- County Parent Advisory Committee
- County Special Education Director
- District Parent Advisory Committee
- Michigan Alliance for Families: 1-800-552-4871
- Michigan Protection and Advocacy: 1-800-288-5923
- Special Education Director (Local District)
# Special Education A-B-Cs:

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<tr>
<th>Abbreviation</th>
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<td>Applied Behavior Analysis</td>
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<td>ABC</td>
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<td>Americans with Disabilities Act</td>
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<td>Attention Deficit Hyperactivity Disorder</td>
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<td>Adequate Yearly Progress</td>
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<td>Behavior Intervention Plan</td>
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IDEA Basics for Parents