

# Parent's Rights In the Special Education Process



Ohio Coalition for the Education of Children with Disabilities

# Special Education

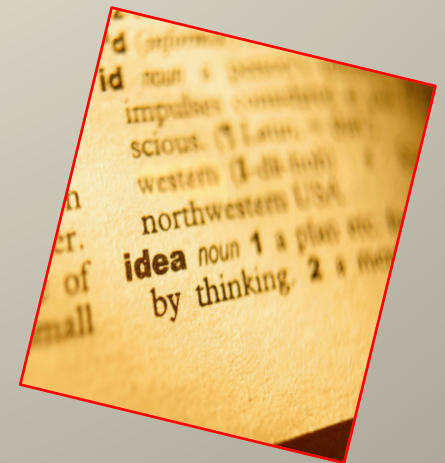
“Specially designed instruction, at no cost to the parents, to meet the unique needs of a child with a disability, including instruction conducted in the classroom, in the home, in hospitals and institutions and in other settings; and instruction in physical education, and including the terms specified in the federal regulations at 34 C.F.R.300.39”

(taken from Whose IDEA is This? June 14, 2010)

# 6 Principals of IDEA

## Individuals with Disability Education Act

- FAPE (Free Appropriate Public Education)
- IEP (Individualized Education Program)
- LRE (Least Restrictive Environment)
- Parent & Student Participation in Decision Making
- Appropriate Evaluation
- Procedural Safeguards (Your Rights)



# FAPE

## Free Appropriate Public Education

Special education and related services provided to the student as described in the Individual Education Program.

- Provided at no cost to parents
- Must meet standards of Ohio Department of Education
- Includes an appropriate preschool, elementary, high school education



# IEP

## Individualized Education Program

- Outline of educational program
  - Goals and objectives for the student (must be measurable)
  - Outlines supports and services needed
  - Specific individuals are required to attend IEP meetings
  - Must be reviewed at least once a year



# LRE

## Least Restrictive Environment

- Last decision the IEP team should make
- Educated with nondisabled peers
- Placement may be outside the school building
  - Home
  - Hospital
  - Residential Placement



# Parent & Student Participation

Areas parent and student should participate in:

- Referral
- Evaluation
- Eligibility Determination
- IEP Development
- Placement
- Disciplinary Actions



# Appropriate Evaluation

A variety of assessment methods must be used to gather information about how your child is developing, learning and functioning.

- Test must be **reliable**
- Must be given in **native language** or **mode of communication**
- Test must be given by a **trained individual**
- Measure more than intelligence, what are the **educational needs** of the child
- Right to request an **IEE** (Independent Educational Evaluation)



# Request for Evaluation

- Written request for an evaluation in areas of suspected disability
- Provide information for the evaluation process (medical, family & educational history)
- Express your child's strengths and areas of need



# Eligibility Timeline

120 days from date of referral

- District has **30 days** to determine if they will **evaluate your child**
- **60 days** to **complete** the **evaluation**
- **30 days** to have the **IEP in place**, if the child is found eligible for Special Education services



# Eligibility Categories

1. Autism
2. Mental Retardation
3. Deaf-blindness
4. Deafness
5. Emotional Disturbance
6. Hearing Impaired
7. Multiple Disabilities
8. Orthopedic Impairment
9. Other Health Impaired
10. Specific Learning Disability
11. Traumatic Brain Injury
12. Visual Impairment



# Conflict Resolution

IDEA provides parents ways to resolve conflict

- **Administrative Review**
- Mediation
- **IEP Facilitation**
- State Complaint
- **Due Process**



# Procedural Safeguards

Procedures established in federal and state law and regulations that protect the rights of children with disabilities and their parents in regard to a child receiving a free appropriate public education.

(taken from Whose IDEA is this? June 14, 2010)

These are **YOUR** rights!



# Understand Your Rights

- Voice Your Concerns
- Provide information about your child
- Request assistance for your child
- Keep good records





# Questions ?

## Thank You

**Ohio Coalition for the Education of Children with  
Disabilities**

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