

## STEP 1

### CHILD FIND MANDATE, REFERRAL, OR REQUEST FOR AN EVALUATION

#### Child Find

- School must identify, locate and evaluate ALL children with disabilities. The IDEA requires all States to develop and implement a practical method of determining which children with disabilities are receiving special education and related services and which children are not.

#### Referral or request for an evaluation

- You or a school professional can ask for your child to be evaluated to see if he/she has a disability. Do this by contacting your child's school and ask for an evaluation. Your parental consent and permission **MUST** be granted before your child is evaluated. The evaluation **MUST** be within a reasonable time. Ask for the process timeline from your LEA's office of Special Education.
- Request can be made verbally and in writing.
- **MAKE SURE YOU DOCUMENT AND KEEP EVERYTHING.** Create a journal of contacts (write dates, times, and who you spoke with). Get a 3-ring binder and keep all of your child's records including your journal of contacts in it!

## **STEP 2**

### **YOUR CHILD'S EVALUATION**

#### **WHAT YOU SHOULD KNOW**

- Your child **MUST** be evaluated before any special education related services can be provided or ended.
- A team of **qualified** professionals, you and your advocates will look at the evaluation results. You will meet to decide if your child meets the criteria of disability as defined by IDEA. There will be a meeting scheduled to discuss this as a team. If your child is eligible the team will write the IEP.
- **YOU HAVE THE RIGHT TO CHALLENGE THE ELIGIBILITY DECISION & YOU DO NOT HAVE TO AGREE!**

**The school system schedules and conducts the IEP meeting. School staff must:**

- contact the participants, including the parents
- notify parents early enough to make sure they have an opportunity to attend
- schedule the meeting at a time and place agreeable to parents and the school
- tell the parents the purpose, time, and location of the meeting
- tell the parents who will be attending
- tell the parents that they may invite people to the meeting who have knowledge or special expertise about the child.

## **STEP 3**

### **YOUR CHILD'S ELIGIBILITY**

#### **WHAT YOU SHOULD KNOW**

- Your child's school must have their policies and procedures in writing and offer them to you.
- The IEP assessment will be a battery of tests that measure areas of cognition, academics and language skills along with social, emotional, developmental and medical findings. A special education evaluation should always include student records, observations, work samples, state and district tests, psychometric tests and interviews.
- To be protected under **Section 504**, a student must be determined to: (1) have a physical or mental impairment that substantially limits one or more major life activities; or (2) have a record of such an impairment; or (3) be regarded as having such an impairment. For a 504 plan, the student doesn't need to have the full evaluation that's required for an IEP. This evaluation can include: A review of your child's work, medical records, and evaluation reports, direct observation, interview with the student, parent, and school personnel, and other assessments.
- Make sure the persons evaluating your child are qualified and knowledgeable professionals.
- **Ask for their credentials!**

## **STEP 4**

### **SERVICES**

### **WHAT YOU SHOULD KNOW**

#### **Services provided**

- Schools **MUST** ensure that your child's IEP or 504 is implemented as it is written. Every person working with your child at school should have access to their IEP or 504 and know their specific role and responsibility for carrying it out. **ALL** accommodations, modifications, and supports **MUST** be provided to your child according to the IEP or 504 and be in compliance according to law.
- Section 504 is a civil rights law that prohibits discrimination against individuals with disabilities. Section 504 ensures that the child with a disability has equal access to an education. The child may receive accommodations and modifications.
- Request progress reports and service sheets to document how your child is doing. If your child's services, accommodations, or modifications are not helping them to be successful in school, you can request an addendum meeting to make necessary changes.
- **IF YOUR RIGHTS ARE VIOLATED OR YOU BELIEVE THE SCHOOL HAS DISCRIMINATED AGAINST YOU OR YOUR CHILD, THEN FILE A COMPLAINT WITH THE UNITED STATES DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS IMMEDIATELY!**



## **STEP 5**

### **PROGRESS MONITORING**

#### **WHAT YOU SHOULD KNOW**

- Your students' individualized education programs (IEPs) must describe how progress toward annual goals will be measured and monitored, including how and when school professionals will inform you about that progress. Progress monitoring is frequently done by the school professional giving your child short tests to evaluate their progress in specific areas. You can ask that this be done often - every week or two and that a graph be created and shared with you documenting your child's progress.
- Since the 504 plan modifies a student's regular education program in their educational setting, it must be monitored by your child's classroom teachers and school professionals. Create a monitoring check system for the accommodations and modifications.

#### **Examples of accommodations in 504 plans include:**

- preferential seating
- extended time on tests and assignments
- reduced homework or classwork
- verbal, visual, or technology aids
- modified textbooks or audio-video materials
- behavior management support
- adjusted class schedules or grading
- verbal testing
- excused lateness, absence, or missed classwork
- pre-approved nurse's office visits and accompaniment to visits
- occupational or physical therapy

## **STEP 6**

### **ANNUAL REVIEW**

#### **WHAT YOU SHOULD KNOW**

- Your students' individualized education program (IEP) **MUST** be reviewed by the team at least once a year, or more often if YOU or school ask for a review. When it is necessary, the IEP is revised. YOU are the most important team member and advocate for your child and should be respected and invited to attend meetings about YOUR child. YOU have the right to: make suggestions for changes, agree or disagree with the IEP goals, and agree or disagree with the placement.
- Every three years the child must be reevaluated. This evaluation is often called a "triennial." Its purpose is to find out if the child continues to be a "child with a disability," as defined by IDEA, and what the child's educational needs are. However, the child must be reevaluated more often if conditions warrant or if the child's parent or teacher asks for a reevaluation.
- If you do not agree with the IEP and placement, discuss and document your concerns with other members of the IEP team and try to work out an agreement. There are several options, including additional testing, an independent evaluation, or asking for mediation (if available) or a due process hearing. They may also file a complaint with the state education agency, United States Department of Education Office for Civil Rights.
- You may need to consult a disability advocacy group or attorney!

Check out the Endrew F.  
SCOTUS ruling.

## STEP 6

### ANNUAL REVIEW CONTINUED

#### WHAT YOU SHOULD KNOW

- There isn't a specific standard or level established within IDEA for determining what it means for the education of a child with a disability to be "achieved satisfactorily." Therefore your child's IEP is the measuring tool. The IEP team determines if your child's education is appropriate and if it is being achieved satisfactorily. The IEP may be reviewed and revised, enabling the IEP team to respond to concerns that your child's education in the regular educational environment "cannot be achieved satisfactorily" and to make necessary and appropriate adjustments or modifications, especially regarding the type of supplementary aids and services provided to support your child's education in a regular classroom setting.
- The 504 plan should be reviewed at least annually to determine if the accommodations are up to date and appropriate, based on the student's needs. Any 504 plan team member, including the student's teacher, may call for a 504 plan review at any time if there is an educational concern or change in the student's needs.

#### **The plan can be terminated if the 504 team determines that the student:**

- is no longer disabled
- no longer requires any special accommodations or services to meet the identified needs
- can be appropriately instructed in general education