

Special Education 101

Also, it's a Pandemic

Topics

- IEPs and 504 Plans
- Evaluations: What are they, how do you get one, why might you want one, and what's going on with evaluations during the pandemic?
- Initial Eligibility Meeting: How to prepare and what do if you disagree with the evaluation
- What's in an IEP
- School Discipline
- COVID Compensatory Services
- In-Person Services, Remote Learning, and the Pandemic
- What to do when you and your child's school disagree

Who is eligible for an IEP?

Student has a disability.

Student isn't making progress

Disability is causing lack of effective progress

Student needs specially designed instruction or related services

IEP Entitlements

Free and Appropriate Public Education

Specially Designed Instruction Examples:

- Rules based reading program
- Inclusion math support
- Language-based instruction

Accommodations Examples:

- Extra time
- “Chunking” material
- Preferential seating

Related Services Examples:

- Counseling
- BCBA Consult
- Occupational Therapy

IEP Entitlements

Least Restrictive Environment

- General Education
- Inclusion
- Partial Inclusion
- Substantially Separate
- Day School: Public or Private
- Residential School

Evaluations: What Are They?

- Types:
 - Educational Assessment
 - Psychological Evaluation
 - Occupational Therapy Evaluation
 - Speech and Language Evaluation
 - Home Assessment
 - Functional Behavior Assessment
 - Vocational Assessment
 - Assistive Technology Evaluation
 - Transition Assessment
 - Health Assessment
- Identify student's disability and whether student is making progress
- Suggest recommendations that might help the student

Evaluations: Timeline

- Referral: anyone can refer a student for evaluation
 - Request in writing
 - Keep a date-stamped, signed copy
- School must send a consent form within **five school days**
- School must complete all evaluations within **30 school days** of receiving signed consent forms
- School must hold IEP meeting to discuss evaluations *and* provide proposed IEPs within **45 school days** of receiving consent form

Evaluations: What About the Pandemic?

- Timelines still in effect
- Schools must do evaluations in-person if feasible, even if school buildings are closed
- If feasible to conduct evaluations remotely, schools may conduct remotely
- Ask school to look at each assessment on the consent page and ask:
 - Could it be done in-person?
 - If not, can it be done remotely?
- Students with overdue assessments will be entitled to compensatory education

Initial Eligibility Meeting

- Entitled to evaluations two days before the meeting
- Ask for translated materials and interpreter if needed
- How to prepare for the meeting:
 - Think about parent's concerns. What are you worried about? Academically? Socially? Emotionally?
 - Read the evaluations if you can.
 - Think about what you think your child needs to be successful in school, and write it down.
- At the meeting:
 - Ask every question! Keep asking till it makes sense to you.
 - Share your experience of your child's school
 - Take a break when you need it

What's in an IEP: Big Picture

- Big Picture:
 - Parent's and Student's Concerns
 - Student Strengths and Evaluation Summary
 - Vision Statement

School District Name:
School District Address:
School District Contact Person/Phone #:

Individualized Education Program

IEP Dates: from _____ to _____

Student Name: _____ DOB: _____ ID#: _____ Grade/Level: _____

Parent and/or Student Concerns
What concern(s) does the parent and/or student want to see addressed in this IEP to enhance the student's education?

Student Strengths and Key Evaluation Results Summary
What are the student's educational strengths, interest areas, significant personal attributes and personal accomplishments?
What is the student's type of disability(ies), general education performance including MCAS/district test results, achievement towards goals and lack of expected progress, if any?

Vision Statement: What is the vision for this student?
Consider the next 1 to 5 year period when developing this statement. Beginning no later than age 14, the statement should be based on the student's preferences and interest, and should include desired outcomes in adult living, post-secondary and working environments.

IEP 1

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What's in an IEP: PLEP A

- Areas Affected
- Accommodations Needed
- Specially Designed Instruction

Individualized Education Program

IEP Dates: from _____ to _____

Student Name: _____ DOB: _____ ID#: _____

Present Levels of Educational Performance

A: General Curriculum

Check all that apply.

- English Language Arts
- History and Social Sciences
- Science and Technology
- Mathematics
- Other Curriculum Areas

General curriculum area(s) affected by this student's disability(ies):

Consider the language, composition, literature (including reading) and media strands.

Consider the history, geography, economic and civics and government strands.

Consider the inquiry, domains of science, technology and science, technology and human affairs strand.

Consider the number sense, patterns, relations and functions, geometry and measurement and statistics and probability strands.

Specify:

How does the disability(ies) affect progress in the curriculum area(s)?

What type(s) of accommodation, if any, is necessary for the student to make effective progress?

What type(s) of specially designed instruction, if any, is necessary for the student to make effective progress?

Check the necessary instructional modification(s) and describe how such modification(s) will be made.

- Content:
- Methodology/Delivery of Instruction:
- Performance Criteria:

Use multiple copies of this form as needed.

IEP 2

What's in an IEP: Plep B

- Same as PLEP A, but not about just the general curriculum

Individualized Education Program IEP Dates: from _____ to _____
Student Name: _____ DOB: _____ ID#: _____

Present Levels of Educational Performance

B: Other Educational Needs

Check all that apply.

<input type="checkbox"/> Adapted physical education	<input type="checkbox"/> Assistive tech devices/services	<input type="checkbox"/> Behavior
<input type="checkbox"/> Braille needs (blind/visually impaired)	<input type="checkbox"/> Communication (all students)	<input type="checkbox"/> Communication (deaf/hard of hearing students)
<input type="checkbox"/> Extra curriculum activities	<input type="checkbox"/> Language needs (LEP students)	<input type="checkbox"/> Nonacademic activities
<input type="checkbox"/> Social/emotional needs	<input type="checkbox"/> Travel training	<input type="checkbox"/> Skill development related to vocational preparation or experience

Other _____

Age-Specific Considerations

For children ages 3 to 5 — participation in appropriate activities

For children ages 14* (or younger if appropriate) — student's course of study

For children ages 16 (or younger if appropriate) to 22 — transition to post-school activities including community experiences, employment objectives, other post school adult living and, if appropriate, daily living skills

How does the disability(ies) affect progress in the indicated area(s) of other educational needs?

What type(s) of accommodation, if any, is necessary for the student to make effective progress?

What type(s) of specially designed instruction, if any, is necessary for the student to make effective progress?

Check the necessary instructional modification(s) and describe how such modification(s) will be made.

Content:

Methodology/Delivery of Instruction:

Performance Criteria:

Use multiple copies of this form as needed.

IEP 3

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What's in an IEP: Goals

- Goals should be objective and measurable
- Goals are about measuring *school*, not student

Individualized Education Program IEP Dates: from _____ to _____
Student Name: _____ DOB: _____ ID#: _____

Current Performance Levels/Measurable Annual Goals

Goal #	Specific Goal Focus:

Current Performance Level: What can the student currently do?

Measurable Annual Goal: What challenging, yet attainable, goal can we expect the student to meet by the end of this IEP period?
How will we know that the student has reached this goal?

Benchmark/Objectives: What will the student need to do to complete this goal?

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Current Performance Level: What can the student currently do?

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How will we know that the student has reached this goal?

Benchmark/Objectives: What will the student need to do to complete this goal?

Progress Reports are required to be sent to parents at least as often as parents are informed of their nondisabled children's progress. Each progress report must describe the student's progress toward meeting each annual goal.
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Use multiple copies of this form as needed.

IEP 4

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What's in an IEP: Service Grid

- Grid A: helping students' providers
- Grid B: services in the general education (or "inclusion") classroom
- Grid C: services outside of general education classroom

Individualized Education Program IEP Dates: from _____ to _____
 Student Name: _____ DOB: _____ ID#: _____

Service Delivery

What are the total service delivery needs of this student?

Include services, related services, program modifications and supports (including positive behavioral supports, school personnel and/or parent training/supports). Services should assist the student in reaching IEP goals, to be involved and progress in the general curriculum, to participate in extracurricular/nonacademic activities and to allow the student to participate with nondisabled students while working towards IEP goals.

School District Cycle: 5 day cycle 6 day cycle 10 day cycle other: _____

A. Consultation (Indirect Services to School Personnel and Parents)

Focus on Goal #	Type of Service	Type of Personnel	Frequency and Duration/Per Cycle	Start Date	End Date

B. Special Education and Related Services in General Education Classroom (Direct Service)

Focus on Goal #	Type of Service	Type of Personnel	Frequency and Duration/Per Cycle	Start Date	End Date

C. Special Education and Related Services in Other Settings (Direct Service)

Focus on Goal #	Type of Service	Type of Personnel	Frequency and Duration/Per Cycle	Start Date	End Date

Use multiple copies of this form as needed.

IEP 5

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What's in an IEP: ESY, Transportation, Bullying, and Transitional Services

- Extended School Year/Day: student is eligible to prevent regression
- Transportation: door to door/bus monitor
- Bullying: services must be put in place if student struggles with bullying or being bullied
- Transition: Students age 14 and older are entitled to transition plans

What's in an IEP: Response

- Caregiver can accept, partially accept, or reject
- Always sign, even if only to reject
- Can accept IEP but reject placement

Individualized Education Program IEP Dates: from _____ to _____
Student Name: _____ DOB: _____ ID#: _____

Additional Information

- Include the following transition information: the anticipated graduation date; a statement of interagency responsibilities or needed linkages; the discussion of transfer of rights at least one year before age of majority; and a recommendation for Chapter 688 Referral.
- Document efforts to obtain participation if a parent and if student did not attend meeting or provide input.
- Record other relevant IEP information not previously stated.

Response Section

School Assurance

I certify that the goals in this IEP are those recommended by the Team and that the indicated services will be provided.

Signature and Role of LEA Representative _____ Date _____

Parent Options / Responses

It is important that the district knows your decision as soon as possible. Please indicate your response by checking at least one (1) box and returning a signed copy to the district. Thank you.

- I accept the IEP as developed. I reject the IEP as developed.
- I reject the following portions of the IEP with the understanding that any portion(s) that I do not reject will be considered accepted and implemented immediately. Rejected portions are as follows:

- I request a meeting to discuss the rejected IEP or rejected portion(s).

Signature of Parent, Guardian, Educational Surrogate Parent, Student 18 and Over* _____ Date _____
**Required signature once a student reaches 18 unless there is a court appointed guardian.*

Parent Comment: I would like to make the following comment(s) but realize any comment(s) made that suggest changes to the proposed IEP will not be implemented unless the IEP is amended.

IEP 8

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COVID Compensatory Services

- Available to **kids with IEPs or awaiting evaluation**
- Defined as:
 - “Services that a student’s **IEP Team determines** are needed
 - to remedy a student’s skill or knowledge **loss or lack of effective progress**
 - that resulted from **delayed, interrupted, suspended, or inaccessible** IEP services
 - because of the emergency **suspension of in-person education** related to the COVID-19 pandemic”

COVID Compensatory Services

- Districts must hold IEP meetings to develop CCS plans for kids with “complex and significant needs” ASAP and by **12/15/2020**
- “Complex and significant needs” is like BPS’ “High Needs”
 - IEP PL3
 - Cannot engage in remote learning because of their disabilities
 - Aided/augmentative communication
 - Homeless
 - Foster/congregate care
 - English Language Learners

COVID Compensatory Services

- CCS IEP Team Meeting Process:
 - Services in student's IEP not offered or that student wasn't able to access?
 - Has student demonstrated regression?
 - Has student failed to make progress?
 - Does district have general recovery support available that would help?

In-Person and Remote Learning

- Ask for a **COVID Service Delivery Plan**
 - How, why, and where services will be delivered
 - Does not require signature
- Even if schools are closed, schools “**must make every effort**” to provide high needs kids with in-person learning at school, at home, or in the community.
- If you want **in-person learning**:
 - Keep a journal describing how your child is doing. Did they log onto remote learning? Could they do the work?
 - Look at the “high needs” list. Does your child fit into one of those categories?
 - Call your school.
 - If that doesn’t work, call us!

When Schools and Families Disagree

- Independent Evaluations
 - Available if you disagree with the district's evaluations, within one year of the evaluation
 - *Critical* to have evaluation supporting your position in order to win a hearing
- Bureau of Special Education Appeals
 - Mediation: 781-397-4750
 - Due Process Hearing
- Problem Resolution System
 - All kinds of education-related complaints
 - [File online here](#)

When to Call for Help

- First, try:
 - Ask for an IEP meeting and at the meeting, ask for what you want
 - Follow-up: put your ask in writing
 - Request school records
- What we can do:
 - Advice only
 - Limited representation
 - Full representation
- Call, email, or text us.

Questions?

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