

Determining Special Education Services

How Is My Child's Special Education Program Determined?

Under Pennsylvania and federal law, a child with a disability has a right to special education and related services that are provided:

- At public expense
- Under public supervision and direction
- Without charge to preschool (ages 3-5), elementary or secondary school students

In conformity with an Individualized Education Program (IEP). This means that students with disabilities who need special education must receive a free appropriate public education (FAPE).

FAPE includes related services that help your child get to school and benefit from the special education program. These may include:

- Special transportation
- Physical or occupational therapy
- Other services which help or support your child as your child grows and learns.

Your Child's Individualized Education Program

The IEP team writes the Individualized Education Program (IEP). This plan will be written at a meeting and will include a description of all the programs and services necessary to help your child be successful. The IEP team uses information that is contained in the ER to write the IEP.

As a parent, you are an important IEP team member. It is imperative that you attend these meetings. Meetings will be scheduled to fit in with your schedule and school officials' schedules. You will get a written notice of when, where, and why the meeting will be held and a list of the other people who are invited to attend. The IEP meeting is to be scheduled at a time and place that is mutually agreed upon by you and your school district. If the date or time is not convenient, you may ask for a change. Parents may also be included by telephone if it is impossible for them to attend the meeting in person.

- The child's parent(s)
- At least one of your child's general education teachers (if your child is, or might become, part of general education classes)

- At least one special education teacher, a representative of the school district who: 1) Is qualified to provide or supervise special education programs 2) Knows about the general curriculum 3) Knows about the availability of the resources the local educational agency (LEA) can offer
- Someone who can interpret the evaluation results, who may already be a member of the team
- At your request or that of the school district, other people who know your child well or who have worked with your child. You may bring an advocate to advise you or anyone else who will be able to add information about your child's educational experience
- Your child at age 14 when planning will be done for life after graduation, or any time before that age when you want your child to be present
A representative from a vocational-technical school if a vocational-technical program is being considered for your child.

One person may fill more than one of the above roles. The minimum number of people at the IEP meeting should be four in most circumstances; you, the local education agency (LEA) representative, a special education teacher and a general education teacher (If your child will participate at all in general education.) The general education teacher may not attend all meetings or stay for the entire meeting time but must be a team member.

If you choose to not attend the IEP meeting, it may be held without you.

IEP Timelines

The IEP must be completed within 30 calendar days after the evaluation team issues its Evaluation Report. The IEP plan must be put into action as soon as possible, but no later than 10 school days after the IEP is completed.

Your child's program is reviewed every year at an IEP meeting or more often if requested by you or any other IEP team member. Additional evaluations (reevaluations) are conducted at least every three years or every two years if your child has mental retardation.

IEP Contents

The IEP team will review all the evaluation material and will determine how your child is performing in school now. The IEP team will write annual goals and short-term learning objectives that can be measured and are designed to meet the needs of your child.

- Annual goals will describe what your child can be expected to learn during the year

- Short-term objectives or benchmarks are the sequential steps your child must take to reach these goals.

The IEP team will determine:

- The special education services and programs to be provided to your child, which will be used to meet the individual needs of your child.
- Where, what kind of, how much and how often special education and related services will be provided. For example, the IEP may say “individual speech therapy, 30-minute periods, three times per week, in the speech room.” Special transportation which is different from the mode of transportation utilized by other children in the neighborhood also falls under this category. For example, the IEP may say “a bus that will lift a wheelchair from the curb taking Jimmy from his home to school with a ride no longer than 30 minutes.”
- The date services and programs will begin and how long they will last.
- The tests or other methods of evaluation that will be used to decide if the student is meeting the annual goals and learning objectives and how and when this progress will be reported to you. Progress must be reported at least as often as progress is reported for general education students.
- How much, if any, the student will NOT participate in the general class, or in the general education curriculum; when your child will be in settings with other special education students only; when your special education student will NOT be studying skills or knowledge that are directly linked to the skills and knowledge studied by the children in general education.
- The adjustments in the general education setting, if any, for your child to succeed in a general education class. This could include, for example, giving the child un-timed tests or having someone help the child take class notes.
- The adjustment needed, if any, for the child to participate in statewide or district-wide tests. If the child is not able to participate, even with adjustments, another assessment will be done that will show the child’s skills. Participation in this alternate assessment will be documented in the IEP.

In Developing the IEP, The Team Must Consider:

- Your concerns
- Whether a child exhibits behavior that interferes with the child’s learning or the learning of others and therefore needs a behavior management plan
- The needs of children with limited English language skills
- The use of Braille for children with visual problems
- The communication needs of students, including students who are deaf or hard of hearing

Whether the child needs assistive technology devices or services to communicate or participate in the activities which are going on around the child

- Information on the following must be provided in the IEP, if appropriate for your child: children with disabilities losing many of their basic skills and taking a long time to get back those skills back once school begins again. Extended School Year (ESY) services are to be provided during breaks in the educational schedule to prevent this loss as part of a free appropriate public education.
- Special or modified physical education (adaptive physical education) for children who cannot take part in regular physical education because of their disabilities.

Planning For Life After Graduation

As your child gets older, the IEP team will design a program to help your child prepare for life when your child is finished with school. This is called transition planning because planning is done through the IEP to facilitate the transition from school to the world of work or other activities in which the young adult may be involved.

By the time your child is 14, the IEP team must decide what kinds of courses your child will take. Examples include art courses, vocational courses, or courses to prepare your child for higher education, which may include college.

Planning for the transition from school to adult living must begin when your child turns 16 or if the IEP team thinks early planning would be appropriate. The IEP team (including your child) must discuss what you and your child want your child to be doing when high school is completed. These plans must include the kind of education or training your child will receive, the kind of job your child might have, where your child will live and how your child will spend time in the community.

Educational Setting

The special education program will be completely developed before the IEP team decides where the program will be provided. The IEP team will look at different classes or schools to see where that program can be delivered. The first place it will consider will be the general classroom in the neighborhood school your child would attend if your child were not eligible for special education. The law requires that children with disabilities be placed in situations that will give them opportunities to be with students who are not disabled. This is called placing the student in the "least restrictive environment." The least restrictive environment is the general class in the neighborhood school unless the IEP team determines that the special needs of the child cannot be met there.

The Appropriate Class

The classroom chosen for your child will depend upon the amount and kind of special instruction or services your child needs. If your child will need only some instruction in special education classes, it may be possible for your child to stay in the general classroom most of the day, leaving it only for a short period of special instruction. A special education teacher may also be able to give instruction in the general classroom.

For some children, placement in a special education class for most or all the day is necessary. Our goal is to have all students receive most of their school with general education students, but student programming is based upon needs of each individual child determined by the IEP team. Opportunities might include participation in elective subjects such as art or music, belonging to a general homeroom, Advisory, socializing in the lunchroom and attending assemblies and other enrichment programs with general education students as well as traditional education core subject classrooms.

School districts in Pennsylvania must have available the following types of classes for the placement of their children with special needs if an IEP team decides that a particular type of class is necessary. Their classes are formed around the learning needs of children who are assigned to them:

- Learning support class-for children whose greatest need is for help in academic areas such as reading, and math
- Emotional support class-for children whose greatest need is for social, emotional, and behavioral help
- Life skills support class-for children whose greatest need is to learn skills that will allow them to live and work independent of their families
- Sensory support skills class-for children who require help in dealing with disabilities resulting from limited vision or hearing.
- Speech and language support class-for children who have difficulty speaking and communicating
- Physical support class-for children who need programs that consider their physical disabilities
- Autistic support class-for children with autism
- Multiple disabilities support class-for children with more than one disability, the combination of which results in needs requiring many services and much support
- Children with different disability can be placed together in one class if their learning needs are similar and they can all benefit from the same level and manner of instruction.
- The law requires that special education students be placed in classes with students of the same age range. At the elementary level (grades K-6), a class

cannot have children who vary in age by more than three years. At the secondary level (grades 7-12), an age range of no more than four years is allowed. An exception can be made by the IEP team for an individual child based on the child's needs. It must be explained in writing in the IEP.

Notice of Recommendation Educational Placement (REP)

Once you have developed the Individualized Education Program (IEP) with the IEP team, you will receive a Notice of Recommended for your child and explains your rights. You must approve the IEP and educational placement in writing for your child's first special education placement before the school is allowed to begin implementation. This notice can be given at the IEP meeting.

What Are the School's Responsibilities to My Child?

High School Graduation

All students receiving special education services in Pennsylvania are guaranteed the right to an opportunity to earn a high school diploma. A high school diploma will be awarded to a student who successfully completes the same courses and earns the same credits as a general education student, or who completes the special education services have the right to stay in school until they turn 21, or until they graduate with a high school diploma, whichever comes first. When a child gets a high school diploma or turns 21 years or age, that child is no longer entitled to receive special education services. If school officials believe your child's IEP has been completed and your child is eligible for graduation, you will receive written notice. Your child may continue to attend school until due process is complete or until the date your child reaches 21 years of age.