

Special Education **Parent Handbook**

A Guide for Families of Children in Lubbock ISD Special Education

A Project of:

Special Education Parent Advisory Committee

Commitment, Respect, and Service

Welcome to Lubbock ISD Special Education! This notebook is yours to keep and use as long as your child needs special education services. We in

Lubbock ISD hope that it will help you to be more informed and organized and make your journey through our school system easier.

In this handbook, you will find information on the special education process. The information on this topic is based on *It's a New IDEA: The Manual for Parents and Students About Special Education Services in Texas*. To see this booklet, go to www.thearcoftexas.org and scroll down the left hand column.

Finally, please note that this handbook is a product of the Lubbock ISD: Special Education Parent Advisory Committee (PAC). We want to thank the following people for their hard work and contributions,

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Lubbock ISD Parent Handbook

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Introduction

How to Use This Parent Handbook

The Special Education Department of LISD has developed core values that center around commitment, respect, and service. To better serve you and

your child, we have created this handbook which provides essential information related to special education and the services provided. This handbook is a general guide to assist you as a member of your child's educational team. For more comprehensive information, please refer to the Notice of Procedural Safeguards and the Special Education Rules and Regulations referenced in this handbook.

An electronic version of this handbook can be found on our website at www.lubbockisd.org. Go to Departments on the left hand side and scroll down to Special Education. You will find the handbook under Parent Resources.

Direct Link to Department Page: <https://www.lubbockisd.org/SPED>

Throughout the handbook we have provided you with live links that if reading electronically, will take you to the specified document.

WORDS TO KNOW

Educators sometimes use language that is difficult to understand. If, at any time, you see or hear words (e.g. "assessment") or acronyms (e.g. "ESY") that you do not understand, immediately ask school staff to explain them. As an equal partner in planning, you must understand all the information you receive in writing or hear in a meeting so you can decide what is best

for your child. Some words commonly used in educational planning are:

Accommodations: Adjustments made in how a student with a disability is taught or tested. Accommodations do not change what the student is taught or what he/she is expected to know. Common examples of accommodations are: extensions of time for a student who writes slowly or seating close to the teacher.

Adequate Yearly Progress (AYP): Under the accountability provisions of No Child Left Behind, all schools, school districts, and states are required to show progress in reading/language arts, math, and either graduation rates or attendance rates.

Adult Student: Students age 18 and over are considered to be adult students unless the student's parent or other individual has been granted guardianship of the student by the court.

Alternative Education Programs (AEPs): Disciplinary programs operated by school districts for students who have committed a range of offenses specified in state law and/or in the district's Student Code of Conduct.

AEPs operated by the school district are DAEPs (Disciplinary Alternative Education Programs). AEPs operated by the juvenile justice system are called Juvenile Justice Alternative Education Programs, or JJAEPs. Students with disabilities who are in DAEPs or JJAEPs are still entitled to special education services.

ARD Committee (Admission, Review and Dismissal Committee): In Texas, the name for the group made up of a student's parents and school staff who meet at least annually to decide whether or not the student has an eligible disability and what special education and related services will be provided. Its major responsibility is the development of the individual education program (IEP) for students receiving special education. In Texas, the meetings of these committees are called "ARD meetings."

Assessment: Assessments are tests given to all students (including general education students and special education students) in the district or state to evaluate learning. The most common statewide assessment in Texas is the STAAR (State of Texas Assessment of Academic Readiness). Students receiving special education take the same state and district-wide assessments given to all students, unless their ARD committee determines a particular test is not appropriate. In that situation, the student will take another state-developed test.

Assistive Technology (AT): An assistive technology device is any item, piece of equipment, or product used to increase, maintain, or improve the functional capabilities of a student with a disability. Assistive technology devices for students with disabilities include such items as those used for seating and positioning, mobility, augmentative communication, computer access and instruction, environmental control, adaptive toys and games, visual and listening aids and self-care.

Assistive technology services (including training) assist students with disabilities in the selection, acquisition or use of an assistive technology device. An assistive technology evaluation will determine if an assistive technology device and/or service is necessary to ensure the student will benefit from special education services.

Behavior Intervention Plan (BIP): A Behavior Intervention Plan, which is part of the IEP, identifies supports and services that will be provided to decrease inappropriate behaviors and provide positive behavioral support to increase desired replacement behaviors.

Continuum of Placements: The range of instructional settings which must be available to students with disabilities of a school district so that they may be served in the least restrictive environment.

Early Intervening Services: IDEA 2004 allows schools to use up to 15% of IDEA funds for support services for students not identified as having a disability, but who need additional academic and behavioral supports to succeed in a general education classroom.

ECI (Early Childhood Intervention): A statewide program for children from birth to age three who have developmental delays. ECI must make services available for every eligible child. Early intervention programs are required by Part C of the IDEA. ECI services are not the responsibility of Lubbock ISD.

Education Service Centers (ESCs): Education Service Centers are located in each of twenty geographic regions covering the state. Their main function is to provide training and technical assistance to the school districts located in their region. ESCs may also provide parent resources and training.

ESY (Extended School Year): Special education and related services provided beyond the normal school year to students with disabilities at no cost to their parents. The ARD Committee decides if your child requires ESY services, after considering whether, in one or more critical areas addressed in your child's current IEP, your child has exhibited, or reasonably may be expected to exhibit, severe or substantial regression that cannot be regained within a reasonable period of time. The term "severe or substantial regression" means that the child has been, or will be, unable to maintain one

or more acquired critical skills in the absence of ESY services.

FAPE (Free Appropriate Public Education): Special education and/or related services designed to meet the individual needs of each student at no cost to the parents, guaranteed to all students with disabilities by the Individuals with Disabilities Education Act (IDEA).

and II E: An evaluation conducted pursuant to the IDEA to determine whether a child is, or continues to be, a child with a disability, and the educational needs of the child.

Highly Qualified Teachers: No Child Left Behind and IDEA require each state to require all teachers (including special education teachers) who teach in "core academic subjects" to be "highly qualified". For specific information about Texas requirements, go to:

<http://www.tea.state.tx.us/nclb/hqteachers.html>

IDEA (Individuals with Disabilities Education Act): The federal law requiring school districts to provide students with disabilities who require special education and related services with a free appropriate public education.

IEP (Individualized Education Program): The program that details the special education and related services that must be provided to each student who receives special education. The IEP must be reviewed, and revised if needed, at least every year in an ARD/ IEP meeting.

LRE (Least Restrictive Environment): The term used in the IDEA to refer to a student's right to be educated to the maximum extent appropriate with students who do not have disabilities.

Manifestation Determination Review (MDR): A review of the relationship between a student's disability and behavior that is the subject of disciplinary action.

Modifications: Modifications, unlike accommodations, change the level of instruction provided or tested. Modifications create a different standard for the student receiving them. Modifications are documented in the student's IEP.

Parent: Under the IDEA the definition of parent includes: biological, adoptive or foster parents; guardians (unless the child is a ward of the state); individuals acting in the place of natural or adoptive parents such as grandparents, stepparents, other relatives with whom the child lives; individuals responsible for the child's welfare; and assigned surrogates.

Person First Language: Person first language puts the person before the

disability, and describes what disability a person has, not who a person is. It recognizes that individuals with disabilities are first and foremost people. It emphasizes each person's value, individuality, dignity, and capabilities.

PPCD (Preschool Program for Children with Disabilities): Public school services for children between the ages of three and five who qualify for special education services. Students ages 3-5 also receive services in the least restrictive environment, which may include settings such as a regular preschool in the community, a Head Start program, a pre-kindergarten class, or a self-contained class for children with disabilities.

Review of Existing Evaluation Data: A review of existing evaluations and other information to determine what additional data is needed to decide if a child has or continues to have a disability; needs or continues to need special education; and the educational needs of the child.

Response to Intervention (RtI): The federal No Child Left behind Act of 2001 and IDEA direct schools to focus more on helping all children learn by addressing problems early. Both laws stress the importance of providing high quality, scientific, research-based instruction and interventions, and holding schools accountable for the progress of all children in terms of meeting grade-level standards. The goal of the RtI process is to identify children who are at risk for not meeting grade-level standards and to intervene early.

Section 504: The common name for the federal law that prohibits discrimination against students with disabilities. Section 504 (of Public Law 93-112, the Rehabilitation Act of 1973) applies to any agency (including a school district) that receives federal money.

Supplementary Aids and Services: The term used in IDEA to describe those aids, services, and other supports provided in regular education classes, extracurricular activities, and/or non-academic settings, to enable a student with a disability to be educated with students who do not have disabilities to the maximum extent appropriate.

TEA (Texas Education Agency): The state agency ultimately responsible for making sure every student with a disability in Texas receives a free appropriate public education.

Texas Essential Knowledge & Skills (TEKS) Curriculum: The state-mandated curriculum for each grade level in Texas public schools. TEKS should be considered the "general education curriculum" referenced in the IDEA.

Acronyms Commonly Used in Special Education

AEP	Alternative Education Program
AI	Auditory Impairment
APE	Adaptive Physical Education
ARD	Admission, Review and Dismissal committee
AT	Academic Transition
AT	Assistive Technology
ATC	Advanced Technology Center
AU	Autism

AYP	Adequate Yearly Progress
BIP	Behavior Intervention Plan
CTE	Career and Technology Education
DAEP	Disciplinary Alternative Education Program
DB	Deaf-Blindness
ECI	Early Childhood Intervention
ED	Emotional Disturbance
ESY	Extended School Year
FAPE	Free Appropriate Public Education
FBA	Functional Behavioral Assessment
FIE	Full and Individual Evaluation
ID	Intellectual Disability
IDEA	Individuals with Disabilities Education Act
IEE	Independent Educational Evaluation
IEP	Individualized Education Program
JJAEP	Juvenile Justice Alternative Education Program
LEA	Local Education Agency
LEP	Limited English Proficiency
LIFE	Learning In a Functional Environment
LPAC	Language Proficiency Assessment Committee
LRE	Least Restrictive Environment
MD	Multiple Disabilities
MDR	Manifestation Determination Review
MT	Music Therapy
NCEC	Non-Categorical Early Childhood
NCLB	No Child Left Behind

OHI Other Health Impairment

OHI	Other Health Impairment
OI	Orthopedic Impairment
OT	Occupational Therapy
PI	Project Intercept
PPCD	Preschool Program for Children with Disabilities
PT	Physical Therapy
REED	Review of Existing Evaluation Data
RtI	Response to Intervention
SEBSS	Social Emotional Behavior Support Services
SI	Speech or Language Impairment
SLC	Structured Learning Classroom
SLD	Specific Learning Disability
STAAR	State of Texas Assessment of Academic Readiness
STAAR-Alt 2	State of Texas Assessment of Academic Readiness – Alternate
STAR	Strategies for Teaching based on Autism Research
TBI	Traumatic Brain Injury
TEA	Texas Education Agency
TEKS	Texas Essential Knowledge and Skills
VI	Visual Impairment
VTC	Vocational Training Center

A Guide to the Special Education

Process

Process

Individuals with Disabilities Education Act (IDEA)

The section is designed to help you become familiar with the requirements of the IDEA so you can act as an equal partner in planning your child's education. You will learn, by using this information and by working with school staff, how to participate in developing an individualized educational program for your child.

The Individuals with Disabilities Education Act (IDEA) guarantees every eligible student a "free appropriate public education," sometimes called FAPE. Congress most recently reauthorized the IDEA in 2004. This manual incorporates changes to the law made in 2004 and the federal regulations that went into effect in October 2006. The regulations typically help to clarify or assist with implementation of the law. Though some provisions have changed, IDEA's basic requirements remain the same. The law states that schools must:

- Find and identify students who have a disability

- Involve parents in decision-making
- Evaluate (test) students in a nondiscriminatory way
- develop an individualized education program (IEP) for each eligible student, that includes measurable annual goals, including academic and functional goals, designed to enable the child to be involved in and make progress in the general education curriculum
- provide special instruction, related services and supplementary aids and services based on peer-reviewed research to the extent practicable
- provide services in the least restrictive environment
- maintain education records/files, and
- provide processes for resolving parent complaints and grievances

Special Education Rules and Regulations

Texas Education Agency publishes a document entitled "Special Education Rules and Regulations." This document can help parents understand the special education process. It tells how Texas will carry out the IDEA and explains how school districts are to provide special education services. It combines federal laws and regulations, state laws and rules (Commissioner of Education and State Board of Education rules). Because of its format, this document is often referred to as the "TEA Side-by-Side." You may request a copy from: Texas Education Agency
Division of IDEA Coordination
1701 North Congress Avenue
Austin, Texas 78701
512-463-9414

You can also find it online at: www.tea.state.tx.us/special.ed/rules. Your local school district, special education director or Education Service Center also has a copy you can review.

The Texas Education Agency produces two other documents about the rights of parents: "Notice of Procedural Safeguards" and "A Guide to the Admission, Review, and Dismissal Process." These must be given to every parent of a child receiving special education services.

TEA contracts with Region 18 Education Service Center to maintain a web site that includes The Legal Framework for the Child Centered Process. You can find this website at:

regulations is Texas Project First- Created by parents, for parents...this web site is a project of the Texas Education Agency and is committed to providing accurate and consistent information to parents & families of students with disabilities. You can find it online at the TEA website and on the special education website at:

<https://www.lubbockisd.org/SPED>

Section 504

Under Section 504 (of the Rehabilitation Act of 1973, 29 U.S.C.A. Section 794), no program or activity receiving federal money can discriminate against any qualified person with a disability. These regulations apply to all schools, including private schools, which receive or benefit from federal funds. Each school district is required to have a 504 leader.

Some students who do not qualify for special education services under the IDEA may be entitled to accommodations or services under Section 504.

Section 504 requires that all students have an equal opportunity to participate in activities and services at school, including: school clubs, athletic programs, social activities, transportation, health and counseling services and vocational programs. If you think your child might be eligible for services under Sec. 504 you can contact your child's campus Student Support Team (SST) Leader.

STEPS THROUGH THE PROCESS

Step 1: Referral

Is your child suspected of having a disability? If so, a parent, teacher, or other professional involved in the education of the student may refer the student to the Student Support Team or to special education. The school will gather information to decide if the student should be evaluated for special education eligibility.

Step 2: Notice of Rights

At the referral process, and at other significant decision-making steps after the referral, the district must send you prior written notice about the actions

the school wants to take regarding your child's education, if the school decides not to evaluate your child, and about your rights.

If the school does not accept that your child has a disability, you should be notified of your rights.

If the school does not think your child needs to be evaluated for special education, they must send you prior written notice that tells you why they made that decision and what you can do if you disagree. If the school does want to evaluate your child, they must give you prior written notice of your rights (Notice of Procedural Safeguards) and get your written consent. The evaluation process will not begin until you have given written consent.

If you do not consent to testing, the district may ask for mediation or a due process hearing to try and obtain your consent. However, they are not required to make any additional efforts to get you to consent to an evaluation.

NOTE: You will be receiving "Notice of Procedural Safeguards: Rights of Parents of Students with Disabilities." upon referral to special education. You can obtain an additional copy on our website at <https://www.lubbockisd.org/SPED> or ask your campus diagnostician.

Step 3: Full and Individual Evaluation (FIE)

If the referral process indicates that a student may need special education and related services, the school must, after obtaining the parent's written consent, do a full and individual initial evaluation to determine if the student has a disability and needs special education services. The school must complete the FIE within 60 calendar days from the date the written consent signed by the parent/guardian is received. When the evaluation is completed, the school will contact parent/guardian to schedule an Admission, Review and Dismissal (ARD)/ IEP meeting which must be held no later than 30 calendar days after the evaluation is completed.

Who is eligible for Special Education?

Students are eligible under the following categories:

Auditory Impairment (AI) - includes students who are deaf or hard-of-hearing

Autism (AU) - includes Autism Spectrum Disorders (ASD)

Deaf-Blindness (D-B)

Emotional Disturbance (ED)

Intellectual Disability (ID)

Non-Categorical - for students ages 3-5 who may have an intellectual

disability, emotional disturbance, a learning disability, or autism. (The intent is to prevent inaccurately assigning a very young child to one of these four disability categories.) Use of this category is optional.

Multiple Disabilities (MD)

Orthopedic Impairment (OI)

Other Health Impairment (OHI) - includes students with chronic or acute health problems that cause limited strength, vitality or alertness and adversely affect the child's educational performance. OHI may include conditions such as asthma, diabetes, ADHD, Tourette syndrome, and Bipolar Disorder

Specific Learning Disability (SLD)

Speech Impairment (SI)

Visual Impairment (VI)-includes students who are blind or visually impaired

Traumatic Brain Injury (TBI)

Step 4: The ARD/ IEP Meeting

The ARD/ IEP committee meets at least once a year to develop your child's IEP. Parents/guardians are members of the child's ARD/ IEP committee. The initial ARD/ IEP meeting must be held no more than 30 days after completion of the Initial Evaluation. The committee will determine whether the evaluation shows that your child has a disability and whether he/ she needs special education services and related services due to the disability.

If the ARD/IEP Committee determines that your child has a disability and needs special education services, you will be asked to give your written consent for the school to provide special education services. Parents must give written consent for placement in special education.

The ARD/IEP committee will then develop the child's IEP. As long as the child receives special education services, there will be an ARD meeting held at least once a year. There can be more ARD meetings during the school year, if needed.

Some changes can be made in the IEP without an ARD meeting if both the parent and the school agree to the changes.

Who is on the ARD/IEP Committee?

-the parents of the child with a disability

-at least one general education teacher of the child

-at least one special education teacher of the child

-at least one special education teacher of the child

-a school representative who is qualified to provide or supervise special education and is knowledgeable about the general education curriculum and district resources

-a person who can explain the FIE/ evaluations

-others who have knowledge or expertise regarding the child, invited by the parent or school

-when appropriate, the child

Step 5: The Individualized Education Program (IEP)

The IEP is a written plan, designed just for one child. It is a plan for how the child will be educated. The IEP must be reviewed at least annually. The most important function of the ARD committee is the development of the IEP. Parent participation and input is important. You will be asked to sign that you agree with the IEP developed by the ARD Committee. Before signing that you agree, read it again to be sure you understand what services your child will be receiving and when. Also, be sure to get a copy of the IEP.

An IEP must consist of:

- a statement of how the disability affects the child's involvement and progress in the general education curriculum (TEKS)
- the child's present levels of academic achievement and functional performance
- annual goals and/or objectives
- a description of special education and related services to be provided
- a description of supplemental aids and services, including any special materials, equipment, resources and/or assistive technology needed and when they will be made available
- a determination of which statewide assessments are appropriate and

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appropriate accommodations for statewide assessments

- how progress will be monitored and how you will learn about your child's progress

- a description of the child's instructional arrangement
- the anticipated start date, frequency, location and duration of services and whether related services will be direct or indirect
- the person(s) responsible for implementing the IEP
- a statement of any academic or extracurricular activity in which your child will not participate with non-disabled children, and the reasons why
- a statement of transition services to be provided beginning in the school year in which your child turns 14 or younger if determined appropriate;
- if applicable, goals for Extended School Year (ESY) from the current IEP; and
- signatures of the ARD committee members
- If you disagree with the IEP, you have an opportunity to write a statement of your disagreement with any part of the IEP.

Related Services Include:

- Assistive technology services
- Speech therapy
- Physical therapy
- Psychological services
- Social work
- Counseling
- Special transportation
- Audiological services
- Orientation and mobility
- Rehabilitation counseling

- School nursing services and school health services
- Interpreter services

TIPS for Participating in the ARD Meeting

- Share your child's progress in and out of school
- Parents/guardians are the best resources to provide information about the child's likes, dislikes, and special facts that will help the school develop the most appropriate individualized plan.
- Ask questions!
- Make sure you have a clear understanding about how your child is doing in school.

Step 6: After the Meeting

- Make sure you receive a copy of the ARD/IEP meeting documents
- Read all progress reports and other notes, sent home during the year
- Schedule parent-teacher conferences as needed
- Request additional ARD meetings, if needed
- It is important to keep in regular contact with your child's teacher.
- Keep communication open with your child's campus!

HELPFUL CHECKLISTS:

Before the ARD

___ Read your notice to see what issues will be discussed and who will attend.

___ Allow yourself plenty of time for the meeting.

___ If necessary, request the meeting be rescheduled at a time you can attend or when more time can be allotted for the meeting.

___ Ask the school to invite any representatives of outside agencies (e. g., Early Childhood Intervention (ECI), Department of Assistive and Rehabilitative Services, DADS, etc.) you think should attend.

___ Ask the school for copies of any relevant information you do not already

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have, including:

- Latest evaluation and any new testing the school has done;
- Teacher progress notes (if necessary, talk with the teacher(s) and others for information on the student's progress);

- Drafts of IEPs the school may have done.

___ Gather any reports you have from outside therapists, tutors, consultants or doctors.