

# Getting Started in the Special Education Process



## Notice to parents about Special Education services

If you suspect that your child may have a physical, cognitive, or emotional disability, you have the right to refer your child to the District's Committee on Special Education for an evaluation, and a determination as to whether your child is eligible to receive special education services and programs. More information regarding your rights is set forth in the New York State Education Department's Parent's Guide to Special Education in New York State for Children Ages 3-21, available at <http://www.p12.nysed.gov/specialed/publications/policy/parentsguide.pdf>

## What are the steps in the Special Education Process?

Step 1: Initial Referral for Special Education Services Students suspected of having a disability are referred to a multidisciplinary team called the Committee on Special Education or the Committee on Preschool Special Education.

- Within the next 60 days, the following steps will take place:
- For initial referrals, the parent grants consent to evaluate within 30 days of receipt of referral.

Step 2: Individual Evaluation Process The Committee arranges for an evaluation of the student's abilities and needs.

Step 3: Determining Eligibility for Special Education Services Based on evaluation results, the Committee decides if the student is eligible to receive special education services and programs.

- Notice of meeting five days prior.

Step 4: Individualized Education Program (IEP) If the child is eligible to receive special education services, the Committee develops and implements an appropriate IEP, based on evaluation results, to meet the needs of the student. Based on the IEP, the Committee must determine the student's placement, ensuring that services are provided in the least restrictive environment (LRE). The placement must be as close as possible to the student's home, and unless the student's IEP requires some other arrangement, the student must be educated in the school he or she would have attended if not disabled. For more information on the least restrictive environment.

- Notify parents and Board of Education (BOE). BOE may remand the recommendation back to the CSE or to a second CSE for reconsideration

Day 60 – Implementation after recommendation received

- Arrange for services or programs
- No later than 30 days after the recommendation

Step 5: Annual Review/Reevaluation The IEP is reviewed and, if needed, modified or revised by the Committee at least once a year (annual review). The student has a reevaluation at least once every three years, to review the student's need for special education programs and services and to revise the IEP, as appropriate. A reevaluation may also occur when conditions warrant or when requested by a parent or teacher. The process occurs sequentially with each step building on the previous one. In this way, comprehensive information about the student is obtained and considered. Timelines are in place so that delays are avoided. Parents are an integral part of this process, and your involvement is encouraged.

## **Explanation of Evaluation / Test Performed**

**Evaluation** | To Obtain Information On | **Conducted By**

**Physical** | Sight, hearing, physical development; medical needs; physical & health factors which affect school progress | **School physician, school nurse, child's pediatrician**

**Psychological** | General intelligence; learning strengths and weaknesses; instructional needs; social interactions and relationships | **School Psychologist**

**Speech-Language** | Receptive/expressive oral language, production of sounds, voice, fluency, auditory-perceptual skills | **Speech-Language Pathologist, Speech Therapist**

**Motor** | Coordination, strength, visual perception, visual-motor integration, sensory processing, self-care skills | **Occupational Therapist, Physical Therapist**

**Social History** | Parent's perception of child's development and other factors that may affect school performance | **School Psychologist**

**Class Observation** | Performance in the current educational setting; relationship to teacher and other students; learning styles, attention span | **Special Educator, CSE Member, School Psychologist, School Social Worker**

**Appropriate Educational Evaluations** | Educational achievement; learning strengths and weaknesses; vocational and academic needs | **Teachers, Reading Specialists, Math Specialists, Special Educators, School Psychologist**

**Assessments in all areas related to the suspected disability** | A specific assessment related to health, vision, hearing; social-emotional development; general intelligence; communication skills; motor abilities; academic performance

## **What is a referral for special education?**

A referral is a written statement asking that the school district evaluate your child to determine if he or she needs special education services. This written statement should be addressed to the chairperson of your school district's Committee or your school principal. The referral may result in a request to have your child tested to see if he or she needs special education services. In some cases, you may want to meet with the principal before agreeing to test your child to discuss other ways to assist your child. As a result, the referral may be withdrawn.

### **Who else can make a referral for special education?**

You, the parent, can always make a referral for your child. Your child's teacher or a professional in your child's school may also make a referral to the Committee. Additional people who may make a referral include doctors, judicial officers (such as a family court judge or a probation officer), or a designated person in a public agency. For a preschool child, any of the people mentioned above may make a referral to the CPSE. In addition, a referral may also be made by someone from an Early Childhood Direction Center, an approved preschool program or an Early Intervention Program that serves children with disabilities from birth to age three. A student over eighteen and younger than 21 who is an emancipated minor may refer him or herself.

### **What are the Committee on Preschool Special Education (CPSE) and the Committee on Special Education (CSE)?**

Every school district has a CPSE and CSE that decides a child's special education needs and services. The CPSE is responsible for children with disabilities ages 3-5. The CSE is responsible for children with disabilities ages 5-21. Some school districts also have Subcommittees on Special Education (sometimes called the Sub CSE). In New York City the Subcommittee is sometimes called the School-Based Support Team. You are a member of the Committee that will recommend special education services for your child. You know your child better than anyone else and you have valuable knowledge to bring to Committee discussions. Other members of the Committees are people who have a broad range of experiences planning for and/or working with students with disabilities. Together you will work to make sure that special education programs and services are provided to meet your child's needs. Throughout this Guide, these Committees will be referred to as the Committee, or in some cases, more specifically as the CSE or CPSE.

### **What is an individual evaluation?**

After your child is referred for an evaluation for special education, you will be asked to give your written consent to have your son or daughter evaluated. The results of an evaluation help determine if special education services or programs are needed. An evaluation includes various assessment tools and strategies. These tests determine what your child's learning difficulties may be and how those difficulties affect his or her participation and progress in the general education curriculum. This evaluation is at no cost to you. As a parent, it will be helpful to share with the Committee the important information you have about your child's skills, abilities, and needs, including copies of any evaluations you have on your child. The Committee must consider information from parents when making decisions.

### **What is your role in the individual evaluation process?**

Parents of preschool children will be asked to select an approved evaluator from a list of evaluation sites. If you have concerns about providing consent, you can talk to the Committee chairperson. If you do not provide consent for your preschool child (ages 3-5) to be evaluated, the Committee on Preschool Special Education will take steps to make sure that you have received and understand the request for consent for evaluation of your child but the district may not go forward without your consent. If you have a school-age child, the school district is responsible for providing the evaluation. As a parent, you have input as to the tests and assessments to be conducted on your child. Before an evaluation is conducted, you will be asked for your suggestions about evaluating your child and be given information about the kinds of tests that will be used. If you have questions about the purpose or type of evaluation proposed, you should discuss them with the chairperson of the Committee.

### **What is included in an individual evaluation?**

Evaluations must be comprehensive and provide information about your child's unique abilities and needs. Evaluations include information from parents and a group of evaluators, including at least one special education teacher or other people with knowledge of your child's (suspected) disability. An evaluation will provide information that relates to your child in his or her classroom. It will tell what your child needs to be involved in to participate and progress in the general education curriculum.

Tests and assessments, given as part of an evaluation, must be given in your child's language by people who are trained, knowledgeable, and/or certified to give the tests. The tests must be fair and not discriminate racially or culturally.