



PARENT INFORMATION CENTER OF DELAWARE

Special Education Basics





INFORM.

302.999.7394

EDUCATE.

picofdel@picofdel.org

ADVOCATE.

www.picofdel.org

Supporting Youth and Families in Delaware



About the Parent Information Center of Delaware

Established in 1983, the Parent Information Center is a statewide non-profit organization that provides tools for parents, caregivers, and advocates of children to secure appropriate education and related services. PIC empowers parents to become their child's lifelong advocate and for youth to become self advocates.

Our Mission:

To improve health and educational outcomes for children and youth by empowering them, their families, and the professionals who serve them.

Our Vision:

For all children to fulfill their potential to succeed and live productive lives.

www.picofdel.org



OBJECTIVES

Provide a brief overview of Special Education:

- Identification
- Evaluation
- Eligibility
- IEP
- Procedural Safeguards



WHAT IS THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA)?

- Federal education law
- Protects the rights of *eligible children with disabilities* ages birth to 21 (Early intervention services for babies and toddlers to school-age special education services)
- Requires that *eligible* school-age children with disabilities are provided with a free appropriate public education (FAPE) or special education



WHAT IS SPECIAL EDUCATION?

- Special education: specially designed instruction to meet the unique needs of a child with a disability
- Related services: developmental, corrective, and other supportive services as required to assist a child with a disability benefit from special education





5 STEPS IN THE SPECIAL EDUCATION PROCESS

1. Identification
2. Evaluation
3. Eligibility



4. IEP
5. Procedural Safeguards



#1 IDENTIFICATION

Ways in which children are identified as possibly needing special education and related services:

- Child Find – School District
- Parent or Educator referral
- MTSS (Multi-Tiered System of Support)





MULTI-TIERED SYSTEM OF SUPPORT (MTSS)

- Multi-level prevention system
- Evidence-based intervention and supports
- Progress monitoring
- May lead to an educational evaluation to determine special education eligibility





#2 EVALUATION

- Procedure to determine if child is a child with a disability per special education law
- Using multiple data sources
- Written *parental consent* required for educational evaluation
- Eligibility determined within 45 school days or 90 calendar days, whichever is less, of receiving written parental consent



#3 ELIGIBILITY

IDEA educational categories for a child with a disability:

- Autism
- Deaf-Blind
- Developmental Delay
- Emotional Disability
- Hearing Impairment
- Intellectual Disability
- Orthopedic Impairment
- Other Health Impairment
- Speech/Language Impairment
- Specific Learning Disability
- Traumatic Brain Injury
- Visual Impairment



#4 IEP

The IEP document includes:

- Student Information
- Data Considerations
- Transition (for students turning 14 or entering 8th grade)
- Needs, Present Levels, Annual Goals and Benchmarks, Services
- Related Services
- Additional Considerations (transportation, statewide assessment, discipline, twelve-month program, Reading ESY, ESY)
- Placement (least restrictive environment)



IEP Team

- Parent
- Child when appropriate (must be invited to their IEP meeting when turning 14 or entering 8th grade)
- Regular Education Teacher
- Special Education Teacher
- Representative of School/District
- Individual who can interpret instructional implications of evaluation results
- Others at discretion of parent or school





#5 PROCEDURAL SAFEGUARDS

Parental rights in the special education process:

- Provide consent for educational *evaluations*
- Work with a school team to determine *eligibility* for special education services
- Participate in *IEP* (Individualized Education Program) team meetings
- Receive notices of meetings and progress reports
- Examine child's school records
- Participate in manifestation meetings
- Agree or disagree with special education services
- Agree or disagree with educational placement
- Use conflict resolution options



Age of Majority

No later than one year before the student reaches the age of 18:

- IEP team determines if student is able to provide informed consent related to student's education decision making

The team must consider all three of the following:

- 1) Is the student generally able to understand the basic components of the student's IEP?
- 2) Can the student use the information provided to make a decision?
- 3) Does the student understand that the student can say yes or no?



Age of Majority – Is able

A student determined by the IEP team *to be able* to provide informed consent related to the student's education decision making MAY CHOOSE TO:

- Assume and exercise his/her educational rights **OR**
- To voluntarily authorize an adult to become their Educational Representative using a power of attorney or by using a “Voluntary Grant of Authority” form developed by the Dept. of Education



Age of Majority – Is not able

If IEP team finds student *is not able* to provide informed consent related to student's education decision making:

- IEP team will appoint an adult to serve as an Educational Representative (using descending order of priority given first to a willing and available biological or adoptive parent, and then to a willing and available adult relative).
- If team determines student lacks capacity, and there is no willing and available biological or adoptive parent or adult relative, the team will refer the case to the Dept. of Education for the appointment of an Educational Representative.



SMART ADVOCACY

- ✓ Identify **S**pecific issues
- ✓ Participate in a **M**eaningful way
- ✓ **A**sk questions and ask for information in writing
- ✓ Seek out **R**esources
- ✓ Don't forget to say **T**hank you!





Contact Us!

Parent Information Center of Delaware

www.picofdel.org

General Email: picofdel@picofdel.org

Stay In Touch!



Parent Information Center of Delaware



Picofde



@picofdel

Visit Our Website – Scan QR Code!



PIC Office Locations

New Castle County Office

404 Larch Circle

Larch Corporate Center

Wilmington, DE 19804

Phone: 302.999.7394

Kent County Office

1675 S. State Street, Suite 4A2

Dover, DE, 19901:

888.547.4412

Sussex County Office

221 High Street, Suite 106B

Seaford, DE 19947

888.547.4412





WE'RE HERE TO HELP!

