

## EDUCATIONAL SUPPORTS FOR AUTISM FOR SCHOOL-AGED CHILDREN (AGES 3-22)

If general education isn't meeting the needs of your child, he or she may be eligible to receive special education services in public schools. The services are free to families under the Individuals with Disabilities Education Act (IDEA). Each state has special education laws and regulations that govern special education. For more information about these rights, contact your local school district's department of special education or your state department of special education.



### WHAT IS IDEA?

The Individuals with Disabilities Education Act (IDEA) is a United States law ensuring services to children with disabilities throughout the nation. In order to fully meet the definition (and eligibility for special education and related services) as a "child with a disability," a child's educational performance *must be adversely affected* due to the disability. According to IDEA, states must make a *free appropriate public education (FAPE)* available to "any individual child with a disability who needs special education and related services, even if the child has not failed or been retained in a course or grade, and is advancing from grade to grade."

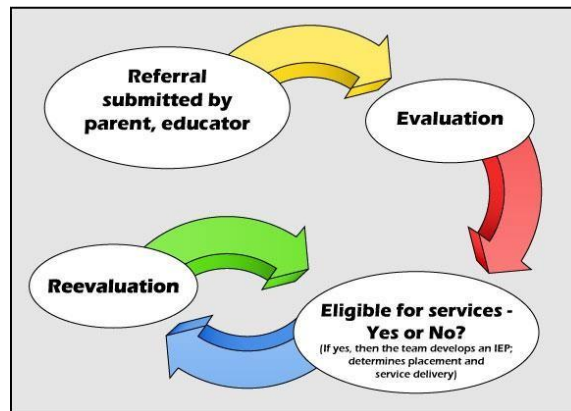
There are 14 specific categories included in IDEA under the lead definition of "child with a disability," and one of these is Autism. These federal terms and definitions guide how states define disability and who is eligible for a *free appropriate public education (FAPE)* under special education law.

### HOW DOES MY CHILD GET EVALUATED?

If your child isn't progressing in the general education program and has learning problems, you can ask the school district for an evaluation. You can submit a written request (referral) for evaluation to the school principal or the special education department. Schools can also refer students for an evaluation based on data, documentation, and observation; however, a child can't be evaluated unless a parent provides consent in writing.

## WHAT IS THE PURPOSE OF AN EVALUATION?

- **Identification/Referral**: To identify children who need special education and related services.
- **Eligibility**: To determine whether a child is a "child with a disability" under IDEA definitions.
- **Planning an Individualized Education Program (IEP)**: To develop goals and plan services for the child.
- **Instructional strategies**: To determine ways to help a child learn.
- **Measuring progress**: To provide a present level of performance for measuring a child's progress.



## WHAT IS AN INITIAL EVALUATION?

The first time your child is evaluated for special education is called an initial evaluation (or it may be called an assessment). The purpose of the initial evaluation is to decide if your child is a "child with a disability." A child cannot receive special education without an evaluation.

Your child must meet two requirements to be eligible for special education services:

1. Meet the defined criteria for at least one of the 14 disabilities under IDEA. Autism is one of the 14 defined criteria.
2. Need special education and related services due to the disability in order to benefit from the educational program.

## WHAT ARE THE EVALUATION PROCEDURES?

No single test may be used to identify a disability. Tests used will measure your child's ability or performance by scoring the child's responses (answers) to a set of questions or tasks. Information will be gathered from a variety of sources about your child's functioning and development. The evaluation also looks at your child's strengths and needs. It also includes other information such as medical information, interviews with parents and school staff, observations, and informal data.

## WHICH PROFESSIONALS MIGHT BE INVOLVED THE EVALUATION?

- **Physicians** assess physical and behavioral health status, and refer to specialists (neurologists, geneticists, endocrinologists, etc.) as needed.
- **Audiologists** assess hearing and ear functioning, and refer to Ear, Nose, and Throat (ENT) doctors as needed.
- **Psychologists** assess cognitive development/ability, academic achievement, emotional development, adaptive skills, and behavioral health.
- **Speech and language pathologists** assess communication and articulation skills.
- **Occupational therapists** assess motor, daily functioning, and sensory processing skills.
- **Physical therapists** assess motor skills and functioning.
- **Special education teachers and educational specialists** assess educational achievement, social, and behavioral skills.

## HOW ARE EVALUATION RESULTS USED?

After your child's evaluation is complete, you will meet with a group of qualified professionals (a team) to discuss the results. This group will determine whether a child has a disability under IDEA. The school district must provide you with a copy of the evaluation report. It must also give you written information on how the group determined that the child was or was not eligible for services.

If your child is found eligible for special education and related services, the next step is to develop an IEP (Individualized Education Plan) to meet your child's needs. The goals and objectives



the IEP team develops relate directly to the strengths and needs that were identified through evaluation. It is important for you to understand the results of the evaluation before beginning to develop an IEP. You may ask to have the evaluation results explained to you by a qualified professional. You can choose to review the results before meeting to develop an IEP. A parent has the right to obtain an Independent Education Evaluation (IEE) from a qualified professional (not affiliated with school), in order to challenge findings of a school evaluation team. Parents have a right to disagree with the results of the evaluation or the eligibility decision.

## WHEN WILL MY CHILD BE REEVALUATED?

Students receiving special education services must be reevaluated when:

- Conditions warrant a reevaluation (example: a new medical diagnosis, etc.).
- A child's parents or teacher requests a reevaluation, but not more often than once per year.

Evaluation must be conducted at least *every three years*, unless parents and school staff agree that it is not needed, to determine whether the child continues to need special education and related services.

## WHAT ARE SOME IMPORTANT PARENT RIGHTS FOR ME TO REMEMBER ABOUT THE EVALUATION PROCESS?

- Teachers or other professionals can recommend that a child be evaluated, but the school must get written consent from parents (or legal guardians) before an evaluation is started.
- If a public school agrees that a child may have a disability and may need specially designed instruction, the school must evaluate the child at no cost to the parent.
- Parents have a right to request in writing that a child be evaluated to determine eligibility for special education and related services. Parents can request testing, even if the school committee does not recommend testing.
- If the public school system refuses to evaluate a child, they must explain in writing the reasons for refusal, and must also provide information about how the decision can be challenged.
- There should be initial educational interventions attempted before a student is referred for a special education evaluation. These interventions should be decided upon by a committee (with parents included) and must include regular data collection to support findings.
- A parent has the right to a copy of all evaluation reports and paperwork.

- Parents have a right to disagree with the results of the evaluation or the eligibility decision.
- A parent has the right to obtain an Independent Education Evaluation (IEE) from a qualified professional (not affiliated with the school system), in order to challenge findings of a school evaluation team.

## WHAT IS A 504 PLAN?

A 504 Plan is used when a student with a disability does not require special educational services, but could still benefit from classroom accommodations within regular education settings. Section 504 is a component of the Rehabilitation Act and the Americans with Disabilities Act.

## WHAT IS AN IEP?



The Individualized Education Program is a written educational plan developed at an IEP meeting for a student with a disability who will receive special education services. The IEP documents the child's present level of educational performance, sets annual goals and objectives that are written in measurable terms, and describes the special education and related services needed to meet those goals and objectives.

If parents and the school district agree that the child is eligible for services, the IEP team will develop an Individualized Education Program (IEP) at a meeting. Families have the right to attend and participate in the meeting to design an IEP, which must be held within 30 days of a child being found eligible for special education services. Some states may have a different name for the IEP team meeting. The IEP lists any special services the child needs, including goals the child is expected to achieve in one year (and objectives or benchmarks to note progress). The team determines what services are in the IEP, as well as the location of those services and any accommodations. IEP and placement decisions may take place at one meeting. Placement may be made at a separate meeting (usually called a placement meeting). Placement for the child must be in the Least Restrictive Environment (LRE) appropriate to the child's needs. He or she will be placed in the regular classroom to receive services unless the IEP team determines that, even with special additional aids and services, the child cannot be successful in the regular classroom. If the team agrees with the IEP and placement, the child will receive the services that are written into the IEP.

During an IEP meeting, the IEP team may also develop goals for any related services, such as speech language or occupational therapy. The team will specify how often and for how long these services will be provided, as well as in what setting the services will be provided. An IEP team may also identify behavioral strategies to support a child's learning at school. The team may conduct a Functional Behavior Assessment (FBA) in order to develop a Behavior Intervention Plan (BIP). Assistive technology should be discussed at the IEP meeting. This includes speech recognition software, electronic organizers, or books on tape. Assistive technology services include evaluating a child for specific devices, providing the device, and training a child to use the device.

### **Parents have certain rights during the IEP process including:**

- Parents need to consent to any services to be provided to the child with a disability.
- The IEP team meets at least once per year to discuss progress and write any new goals or services into the IEP. Parents can agree or disagree with the proposed changes. Parents can disagree in writing.
- Families have the right to participate in the development of the IEP, along with a team that will include the child's teachers (regular education and special education), and a representative from the school administration who can recommend and supervise special programs and services.
- Families can also request an advocate to help better understand rights and responsibilities, and request that this person be present.
- Parents may request an IEP meeting at any time.

### **WHAT IF I DISAGREE?**

Each child has the right to a free and appropriate public school education in the United States. If parents disagree with any changes in the IEP, parents can discuss concerns with members of the IEP team. A child will continue to receive the services listed in the previous IEP until parents and school staff can reach agreement. If parents continue to disagree with the IEP, there are several options, including asking for additional testing or an Independent Educational Evaluation (IEE). If parents feel that evaluation procedures were not followed or that a child's needs are not being met, they have the right to lodge a complaint. A school has 30 days to resolve the complaint to the parents' satisfaction.

One way of resolving a dispute is mediation with an impartial third person. If a dispute is not resolved, parents have the right to due process, where they can retain an attorney and hold

hearings with witnesses and evidence. An impartial due process hearing involves an impartial hearing officer listening to all parties and deciding what is to be done, according to the law.

Parents may remove their child from public school and enroll the student in a private school at their own expense. If parents believe that proper process was not followed, or that a student with a disability is not receiving a beneficial education, they can seek tuition reimbursement but must be prepared to provide factual evidence and provide prompt notification to the IEP team