

Special Education Basics



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What Will You Learn Today?

- Special Education Basics
 - Definition
 - Federal & State Laws
 - Important Terms
 - Who May be Eligible
- Timeline
- Resources



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What is Special Education?

- Specially designed instruction to meet the **UNIQUE** needs of a child with disabilities
- A **SERVICE**, not a “place”



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What Laws Are Important ?

Federal

- **Individuals with Disabilities Education Act (IDEA)**
 - 1st passed 1975 & Reauthorized 2004
 - 4 Parts:
 - A - Purpose & Definitions
 - B - Ages 3 to 21
 - C - Birth to age 3
 - D - Natl. Activities/grants



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What Laws Are Important ?

Federal

- **Section 504** Rehab. Act/Workforce Investment Opportunity Act
- **Family Educational Rights & Privacy Act (FERPA)**




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What Are Important Laws?

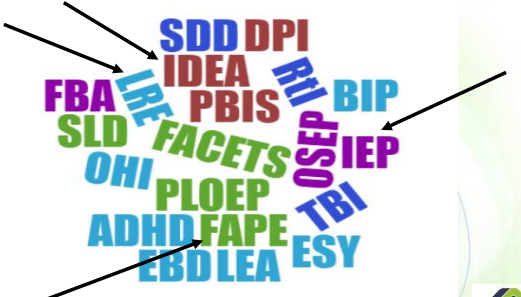
State

- WI Statutes: **Chapter 115** Subchapter V (115.758 – 115.90)
- WI Administrative Code: **Chapter PI 11**



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What are FAPE, LRE & IEP?




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What is FAPE?

Free Appropriate Public Education

- **Free** – services provided to eligible children with disabilities at NO cost to parents
- **Appropriate** – not defined in IDEA
- **Public Education** – services provided at public expense under public supervision




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What is FAPE?

1982 U.S. Supreme Court Decision - Rowley

- Standard: IEP must be reasonably calculated to enable the child to receive educational benefits
- De minimus
- Chevrolet not a Cadillac




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What is FAPE?

2017 U.S. Supreme Court Decision - Endrew F.

- Standard: IEP must be reasonably calculated to enable a child to make progress appropriate in light of the child's circumstances
- IEP must be designed to allow the student to progress from grade to grade, but if that is not possible, the IEP should be **appropriately ambitious** in light of the child's circumstances.
- Goals may differ, but every child should have the chance to meet challenging objectives.



WI: <https://dpi.wi.gov/sped/laws-procedures-bulletins/bulletins/18-02>
 U.S. DOE/OSEP: <https://sites.ed.gov/idea/files/qa-endrewcase-12-07-2017.pdf>

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What is LRE?

Least Restrictive Environment

- Students with disabilities must:
 - be educated with their nondisabled peers to the maximum extent possible
 - be able to access the general ed. curriculum
- Schools must:
 - provide additional supports & modifications to make this happen
 - have a range of placement options available-





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What is IEP?

Individualized Education Program

- An IEP is a **plan** for a student with disabilities that:
 - identifies a student's educational needs
 - contains learning goals based on the student's needs
 - and describes the services a student will receive in order to progress towards learning goals






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Who Gets Special Education?

Child that has:

- A **disability**, AND
- A **need** for special education

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What are the Disabilities?

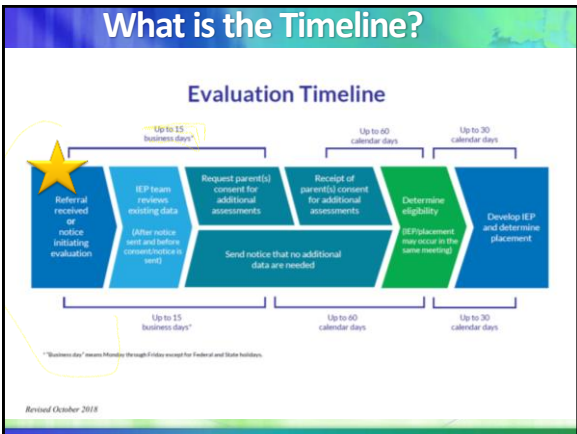
1. Autism
2. Deaf/Blind
3. Emotional Behavioral Disability
4. Hearing Impairment
5. Intellectual Disability
6. Orthopedic Impairment
7. Other Health Impairment
8. Significant Developmental Delay
9. Specific Learning Disability
10. Speech & Language Impairment
11. Traumatic Brain Injury
12. Visual Impairment




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Where Can I Get More Info?

- IDEA: <https://sites.ed.gov/idea/statuteregulations/>
- FERPA: <https://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html>
- Rehab Act/504: <https://www2.ed.gov/policy/speced/reg/narrative.html>
- US DOE Policy Letters on LRE: <https://www2.ed.gov/policy/speced/guid/idea/letters/revpolicy/tp/tpre.htm>
- WI Chapter 115: <http://docs.legis.wisconsin.gov/statutes/statutes/115>
- WI PI 11.36: https://docs.legis.wisconsin.gov/code/admin_code/pi/11/36
- DPI Info Bulletins: <https://dpi.wi.gov/sped/laws-procedures-bulletins/bulletins>
 - DPI FAPE/Endrew F. Bulletin: <https://dpi.wi.gov/sped/laws-procedures-bulletins/bulletins/18-02>
 - DPI LRE Bulletin: <https://dpi.wi.gov/sped/laws-procedures-bulletins/bulletins/00-04>
- Acronyms: <https://dpi.wi.gov/sped/about/acronyms>
- Center for Parent Information & Resources: <https://www.parentcenterhub.org>



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User-Friendly Handbook on Special Education Laws, Policies and Practices in Wisconsin


2009 • Third Edition • Including a 2019 Supplement

Interactive version:
<https://www.wsems.us/special-education-in-plain-language/introduction/>

pdf version:
 Webinar handout

Hard copy:

- Your school district
- WI FACETS



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Special Education in Plain Language

Topic

Referral

How to refer

Identifying possible labels

IEP process

IEP team participants

Parents

What the Law Says	What the Law Means	What Needs To Be Done	What Parents Need To Know or Do
<p>Referral</p> <p>A person, group, or organization may refer a child for an evaluation if it is a state agency, state agency contractor, or a public agency, state or local, that is authorized to provide special education services. The person or group must have a reasonable belief that the child has a disability. The person or group must also have a reasonable belief that the child needs special education services. The person or group must also have a reasonable belief that the child is a child with a disability. (WISCONSIN STATUTES, §115.70(1))</p>	<p>How to refer</p> <p>A person wishing to make a referral must contact the school district. The school district will determine if the person has a reasonable belief that the child has a disability. If not, the person will not be referred.</p>	<p>Identifying possible labels</p> <p>Labels are used to identify a child's disability. Labels are used to determine what services a child needs. Labels are used to determine what services a child needs. Labels are used to determine what services a child needs.</p>	<p>IEP process</p> <p>The IEP process is a series of steps that a child's school district must follow. The IEP process is a series of steps that a child's school district must follow. The IEP process is a series of steps that a child's school district must follow.</p>
<p>IEP team participants</p> <p>The IEP team consists of the child's school district, the child's parents, and other individuals who have knowledge or expertise regarding the child. The IEP team must include the child's parents and at least one representative of the school district who is qualified to provide or supervise the provision of special education services. The IEP team must also include a representative of the child's school district who is qualified to provide or supervise the provision of special education services. The IEP team must also include a representative of the child's school district who is qualified to provide or supervise the provision of special education services.</p>	<p>Parents</p> <p>Parents are an integral part of the IEP process. Parents have the right to participate in all decisions that affect their child's education. Parents have the right to participate in all decisions that affect their child's education. Parents have the right to participate in all decisions that affect their child's education.</p>	<p>What Needs To Be Done</p> <p>Parents must ensure that their child's school district is following the law. Parents must ensure that their child's school district is following the law. Parents must ensure that their child's school district is following the law.</p>	<p>What Parents Need To Know or Do</p> <p>Parents should know their rights and responsibilities. Parents should know their rights and responsibilities. Parents should know their rights and responsibilities.</p>


Special Education in Plain Language: <https://www.wsems.us/special-education-in-plain-language/>

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Is there a Video on the Basics?

IDEA Basics

Individuals with Disabilities
Education Act



<https://tinyurl.com/y5y25pno>




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Are There More IEP Mini Modules?

1. Starting the IEP Process: Special Education Basics
2. Special Education Referral Process
3. Evaluation & Eligibility in the IEP Process
4. Reevaluation & Independent Educational Evaluations
5. Writing the IEP (Part 1)
6. Writing the IEP (Part 2)
7. Writing the IEP (Part 3)
8. IEP Revisions & Extended School Year
9. Parent rights in the IEP Process
10. Useful Resources in the IEP Process
11. IEP Checklist

Register – www.wifacets.org




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That's It for Today!

THANK YOU!

- Please complete your evaluation.
- Questions? WI FACETS 877-374-0511

Content addressed in this module is based on federal and state law and regulations. The information is not intended to be a replacement for careful study of IDEA and Chapter 115. © WI FACETS



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