

# Special Education Basics



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# Handouts

- Access handouts at our website [here](#)
- Handout 1: Slides
- Handout 2: Special Education in Plain Language
- Handout 3: DPI Bulletin 18-02
- Handout 4: DPI Bulletin 00-04
- Handout 5: More resources handout



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# Special Education

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



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**Federal Law**

**Individuals with Disabilities Education Act**

- Passed 1975 & Reauthorized 2004
- **“Services”** law
- 4 Parts:
  - A - Definitions
  - B - 3 to 21
  - C - Birth to 3
  - D –Grants



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**Federal Law**

**Section 504 of Rehabilitation Act**

- Passed 1973 & amended 2015
- Prohibits discrimination
- Equal access
- **“Accommodations”** law



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## Federal Law

### Family Educational Rights & Privacy Act

#### FERPA

- Passed 1974
- "Privacy" law
- Access to records
- Right to inspect/review/amend
- Destruction of records



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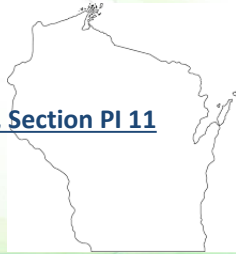
## State Law

### Wisconsin Chapter 115, Subchapter V

- Sections 115.758 – 115.90
- Follows IDEA
- Added protections

### Administrative Code, Section PI 11

- PI 11.07 – 11.36



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**Acronyms**

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**FAPE**

**Free Appropriate Public Education**

- **Free** – services at NO cost to parents
- **Appropriate** – not defined in IDEA
- **Public Education** – services in **public** schools, at **public** expense & supervision

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**FAPE**

**1982 U.S. Supreme Court case - Rowley**

- Standard - *minimal educational benefit*
- Chevrolet not a Cadillac

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

- Standard – *more than minimal educational benefit*
- *Appropriately ambitious* in light of the child's circumstances.

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## LRE

### Least Restrictive Environment

- Educated with nondisabled peers to max. extent possible
- Access general ed. curriculum
- Supports & modifications
- Range of placement options



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## IEP

### Individualized Education Program

- **Written plan:**
  - Unique educational needs
  - learning goals
  - services



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More  
Basics



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## Eligibility

Child that has:

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



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## 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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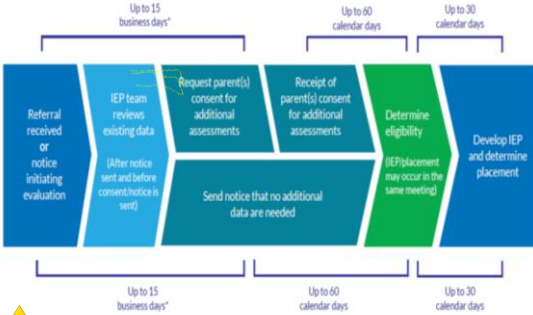
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## Timeline



The flowchart details the following steps and timeframes:

- Up to 15 business days\***: Referral received or notice initiating evaluation.
- Up to 15 business days\***: IEP team reviews existing data (After notice sent and before consent/notice is sent).
- Up to 60 calendar days**: Request parent(s) consent for additional assessments; Receipt of parent(s) consent for additional assessments; Send notice that no additional data are needed.
- Up to 30 calendar days**: Determine eligibility (IEP placement may occur in the same meeting); Develop IEP and determine placement.

\*Business day means Monday through Friday except for Federal and State holidays.

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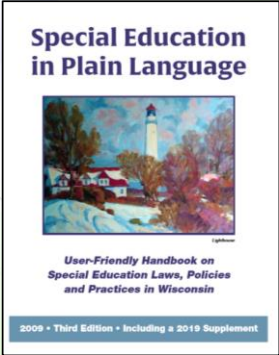
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**Special Education in Plain Language**

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

2009 • Third Edition • Including a 2019 Supplement

**Online:**  
<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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**IDEA Basics**

**Individuals with Disabilities Education Act**



<https://tinyurl.com/y5y25pno>

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**THANK YOU!**

• 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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