

# A Parent's Introduction to Exceptional Student Education in Florida



**Florida Department of Education**

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# **A PARENT'S INTRODUCTION TO EXCEPTIONAL STUDENT EDUCATION IN FLORIDA**

Florida Department of Education  
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# INTRODUCTION

This book is for the parents of children in Florida who have special learning needs because of a **disability**. If you have major responsibility for a child—as a parent, grandparent, surrogate parent, or foster parent—and you think your child has a disability and needs specially designed instruction or support, this book should be very helpful to you.

In Florida, children in public schools who have special learning needs because of a disability are called **exceptional students**. The special help they are given at school is called **exceptional student education**, or **ESE**. The purpose of ESE is to help each student with a disability progress in school and prepare for life after school. ESE services may include special teaching methods and materials, technology devices, therapies, special transportation, or other supports. There is no cost to parents for these ESE services.

This book explains the ESE process and key ideas in the state and federal laws about ESE. It provides basic information only. It does not cover every situation for every child and it is not meant to provide legal advice. If your child receives ESE services this information will help you work with the school as an important member of the education team. You do not need to read the whole book at one time. The table of contents will help you find the information you need.

The ESE world can be confusing and there might be words or concepts used in the book or during meetings at the school that you do not understand. If so, refer to Appendix B, which contains a glossary of words and terms commonly used in exceptional education. All words that are in **bold and italics** in the book are defined in the glossary.

As you read, you may have more questions. The staff at your child’s school or in your school district’s ESE office can answer your questions. You can also find more information and free publications at the website of the Bureau of Exceptional Education and Student Services (BEESS) at <http://www.fldoe.org/ese>.





## CHAPTER 1—OVERVIEW

There may be many clues that your child needs extra help and attention in school. For example, your child may:

- Have health problems
- Talk differently than other children the same age
- Act bored or lazy
- Have trouble paying attention
- Take longer to learn school subjects than other children the same age
- Walk or move differently than other children the same age
- Have difficulty seeing, hearing, or communicating with others

In Florida, when a child is having difficulties in school, a team begins a problem-solving process. Members of the team identify the difficulties and make changes in teaching strategies (*interventions*) to match the child's needs. As a parent, you have important information about your child and are encouraged to be part of this problem-solving team. The goal of the team is to find ways to help your child be successful in school.

As teaching strategies are put in place, the team monitors the child's progress and makes decisions about changing the type or the intensity of the interventions. Florida provides several levels of assistance to children, or a *multi-tiered system of supports* (MTSS). The process of *Problem-solving/Response to Intervention* (PS/RtI) is designed to make sure that every child gets the right kind of instruction to meet their needs.

Information gained through the ongoing PS/RtI process helps the team decide whether to make a *referral* for an *evaluation* to see if the child has a disability. Children who need ongoing intensive or specially designed instruction in school because of a disability qualify for exceptional student education. This is often called ESE. Sometimes it is called *special education*.

To receive ESE services in Florida, your child must meet the requirements of at least one of the *exceptionality* categories listed below and need specially designed instruction and *related services*. Educators sometimes use the acronyms for the exceptionalities, so these have been provided as well.

- *Autism spectrum disorder* (ASD)
- *Deaf or hard-of-hearing* (DHH)
- *Developmentally delayed*, for three through five years old only (DD)
- *Dual-sensory impaired* (deaf-blind) (DSI)

- **Emotional or behavioral disabilities** (EBD)
- **Homebound or hospitalized** (HH)
- **Intellectual disabilities** (InD)
- **Orthopedic impairment** (OI)
- **Other health impairment** (OHI)
- **Traumatic brain injury** (TBI)
- **Specific learning disabilities** (SLD)
- **Speech impairment** (SI)
- **Language impairment** (LI)
- **Visually impaired** (VI)
- **Gifted** \*

\* In Florida, some children who learn very easily and meet qualification requirements receive ESE gifted services. This book is not about gifted services. For information on gifted student education visit [http://www.fldoe.org/bii/Gifted\\_Ed](http://www.fldoe.org/bii/Gifted_Ed) or contact your local school district.

The eligibility criteria, or requirements, for each of the exceptionality categories listed above are outlined in Florida’s laws and rules. Some children have one disability, and others have more than one. One child with a disability may need only a little extra help. Another child may need more services because their learning needs are more intense. Some children will need ESE services for only a short time. Others will need help throughout their school years.

Not all children with the same disability have the same needs or require the same services. ESE services are designed to give each child the special help they need.

There are at least six steps in the process of planning and delivering ESE services for your child:

- Evaluation
- Eligibility determination
- Developing the first **individual educational plan**
- **Consent** for services
- Annual reviews
- **Reevaluations**

These steps are described in detail in this book. Each school district may have a slightly different way of carrying out this process. Work with your child’s school during each step by giving information, asking questions, making suggestions, and helping make decisions. For information on your rights during each part of the process, see Chapter 8.

## Laws about the Education of Children with Disabilities

There are several important federal and state laws about education for children with disabilities. These laws help to make sure that your child with a disability gets the educational services they need. The laws are organized around the following six principles:

### 1. Parent and Student Participation

The laws are clear that you, as the parent, should have a voice in all discussions and decisions about your child's education. As your child grows older, their own **participation** becomes important. In fact, once your child is 14 years old (or earlier, if appropriate), they are included at meetings to help make decisions about their education.

### 2. Appropriate Evaluation

Before deciding that your child is or is not **eligible** for exceptional student education, a team of people must conduct an **individual evaluation** of your child's educational strengths and needs. The evaluation will include measuring your child's response to instruction and interventions over time, interviews, observation, and an analysis of all information about your child and their educational needs. The evaluation sometimes includes individual tests given by a specialist, such as a psychologist or **speech-language pathologist**. The law provides a number of protections to make sure that once your child is identified as a child with a disability, they are reevaluated from time to time to find out if your child continues to have a disability and if their educational program or services should be changed.

### 3. Individual Educational Plan (IEP)

An **IEP** is a written agreement that tells you, your child, their teachers, and other school staff and service providers what services the school will provide to help your child meet their educational needs.

### 4. Free Appropriate Public Education (FAPE)

Every student receiving ESE services has the right to a **free appropriate public education**. This means that the local public school district must provide services designed to help your child meet their **annual goals** and make progress in the **general curriculum** at no cost to you.

If your child has a disability, lives in Florida, is at least three years old and less than 22 years old, meets the **eligibility criteria**, and has not yet graduated from high school with a **standard diploma**, they are entitled to receive free exceptional education services from your local public school district.

## 5. Least Restrictive Environment (LRE)

Children with disabilities must be taught as much as possible in the school and the classroom they would attend if they were not disabled. This means that your child's school should consider aids and supports that would help your child stay in a regular classroom in their zoned school before deciding on a more restrictive **placement**.

## 6. Procedural Safeguards

School and district staff must follow certain steps to make sure that exceptional student education and related services meet the unique needs of each public school student with a disability. The rights that parents have, if there is a disagreement, to make sure those steps are followed are called **procedural safeguards**.

The laws and rules that apply to educating children with disabilities are described in several places in this book. The most important laws and rules are:

- ***The Individuals with Disabilities Education Act (IDEA)***
- The Family Educational Rights and Privacy Act (FERPA)
- The Americans with Disabilities Act (ADA)
- Section 504 of the Rehabilitation Act of 1973

In addition, information about federal and state rules and local school district policies can be found in the following:

- *Volume I-B: Florida Statutes and State Board of Education Rules* for educating exceptional students, which can be found online at <http://www.fldoe.org/ese/pdf/1b-stats.pdf>
- Each local school district's *ESE Policies and Procedures* (SP&P) document, which can be found online at <http://www.fldoe.org/ese/ppd.asp>
- IDEA website Part B, which can be found online at <http://idea.ed.gov/explore/home>

**Note:** If your child goes to a private school and you think they might have a disability, the public school district will evaluate your child if you ask for an ESE evaluation. If the evaluation shows that your child does have a disability, they may be able to receive some services from the public school system, but a child placed in a private school by their parents is not entitled to all the rights discussed in this book. You can call the **ESE administrator** in your local school district office to find out more about this.

## Student Records

You can help yourself, your child, and the school by keeping your own records. This will make going to meetings and talking to school staff much easier. It will also be helpful if you move to another county or state. Keep all of the information you receive about your child. This may include:

- State and district test results and reports (e.g., FCAT or FCAT 2.0)
- Educational plans for your child—IEPs, and *individualized family support plans (IFSPs)*
- Progress reports and report cards
- Samples of your child’s work
- Evaluation reports
- Letters or emails to you from the school or from your child’s teachers
- Consent forms the school has asked you to sign
- Records or reports from doctors or other people from outside the school who have worked with your child
- Letters, emails, or other information from agencies such as the Florida Department of Education (FDOE) or the Florida Department of Children and Families (DCF)
- Copies of letters or notes that you have sent to the school or to your child’s teachers
- Notes and dates of telephone calls, meetings, and visits
- Other information related to your child’s education

Chapter 9 contains information to help you organize your child’s records.

## Moving to a Different County

Children who qualify for ESE services in one Florida school district qualify for ESE services everywhere in Florida. Before you move, you should do several things:

- Tell your child’s old school where you are moving and ask them to send your child’s records to the new school right away.
- Contact the new school as soon as possible and tell school staff about your child’s special needs.
- Take copies of your child’s school records with you to the new school, including the most recent IEP and evaluation report.



## CHAPTER 2—PROBLEM-SOLVING/RESPONSE TO INTERVENTION (PS/RTI)

If your child is having difficulty in school, the classroom teacher will try many ways to help them be more successful. You and the teacher may meet to try to solve the problem together. These problems may be academic, behavioral, or both. If the situation does not improve, you or the teacher may ask for help from a team of people at the school. You, as a parent, are part of that team.

This team will help by planning and implementing **interventions** that are most likely to help your child, such as special teaching or behavior management strategies. You may be asked to attend meetings, provide your input, or help in other ways.

The team will monitor your child's response to the interventions. The information gathered and used by the team to decide how well the interventions are working is called **response to intervention** data. The data is put on a graph to provide a visual of the student's progress. Any time the school develops a graph or report about how your child is responding to an intervention, you can have a copy at no cost to you. The team uses the information to decide about changing the type or the intensity of the interventions. This process is called **problem-solving**.

When a child is having difficulties in school, parents sometimes provide additional supports at home to help their child. It is important that you let the school know what is working at home. If you want to learn how to provide additional supports at home to help your child be successful, ask your child's teacher or principal for information. School staff can provide you with specific strategies or activities you can do at home to help your child build the skills they need to be successful in school. School staff can also show you how to do the activities.

Problem-solving is an ongoing process to find the strategies that work best for your child. There are several levels of interventions that can be used to help your child. Florida calls this a **multi-tiered system of supports**.

There may come a time during the RtI process when the team believes that your child is not making enough progress or when the intensity of support your child needs leads the team to suspect that your child might need exceptional student education and related services. At that time, the team may suggest an additional **evaluation** to find out if your child qualifies for ESE.

The team decides which specific evaluation procedures to use. If the school refers your child for an evaluation they will tell you when and why the referral was made. You must give written permission for your child to be evaluated.

If you think your child has a disability and needs services you may request an individual evaluation at any time. If you make the request yourself, write down the name of the person you talked to and the date. It is best to make your request for an evaluation in writing and keep a copy of the letter.

When you ask to have your child evaluated, school staff will give you a copy of your **procedural safeguards** and a **written notice** telling you:

- That they will evaluate your child or that they have decided not to evaluate your child
- Why they made the decision to evaluate or not evaluate your child
- What evaluations, **assessments**, records, or reports they used to make the decision
- Any other options they considered and why they did not choose those other options
- That you have certain rights under IDEA
- How you can get help in understanding the **notice** and the evaluation process



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## CHAPTER 3—EVALUATION PROCESS

The evaluation process is a way to collect information about your child’s learning needs, strengths, and interests. The people doing the evaluation will try to answer these kinds of questions about your child:

- What does your child do well?
- What does your child know or not know?
- What interventions have been tried and how did your child respond?
- How does your child learn best?
- What learning needs does your child have?
- Does your child have behaviors that interfere with their learning or ability to make friends?
- Does your child have a disability?

You must give your written permission before your child can be individually evaluated. The school staff will ask you to sign a consent form to show that you agree to the evaluation. The school will tell you, in writing, the following things:

- What they are planning to do during the evaluation
- Why they think your child should be evaluated
- Any other options the school staff considered and why they did not choose those other options
- How you can get help in understanding the consent form and the evaluation process

The school will also give you a copy of the document, *Part B, Notice of Procedural Safeguards for Parents of Students with Disabilities*, which explains your rights as the parent of a child who has or is suspected of having a disability.

An evaluation should look at all the areas in which your child may have needs. It must look at your child in more than one way. Here are some ways your child might be evaluated:

- Watching your child work
- Checking on your child’s health
- Talking with your child
- Talking with you about things your child does at home and what your child was like at a younger age
- Reviewing your child’s school history (including documentation of the problem-solving process)
- Giving individual tests
- Trying ***assistive technology devices*** with your child

The evaluation will be done specifically for your child and must be appropriate for them. This means the evaluation will:

- Use tests that are designed for children who are like your child
- Not give a false or unfair picture of your child because of your child's race or culture
- Be in the language and form that is most likely to show what your child knows and can do
- Give your child every chance to show what they know and can do

More than one person may help with the evaluation. Here are some of the people who may be involved:

- You (the parent)
- Teachers
- **Occupational** or **physical** therapists
- **School psychologists**
- Doctors or nurses
- **School social workers**
- **Speech-language pathologists**
- Audiologists (hearing specialists)
- **Assistive technology** specialists



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You play an important part in the evaluation process. You can help calm any fears your child has about the tests or other evaluations. You can also provide information about your child that no one else is likely to have, such as information about:

- Your child's medical history
- Your child's development over the years
- How your child does at home in areas such as self-care, communicating with others, doing chores, and doing homework
- How your child gets along with adults and other children
- Your child's interests, skills, and hopes for the future

Evaluation information may also be obtained from other people who have worked with your child in the past. Sometimes the school can use evaluations of your child that have already been done by other schools or agencies. The school will ask you to give written permission to share this information with the school.

Once you have given your written permission for the initial evaluation, gathering information and evaluating your child should be done within 60 school days. The 60 days do not include days when your child is not at school. It is important to have your child at school every day to help get the evaluations finished as quickly as possible.



## CHAPTER 4—ELIGIBILITY DETERMINATION

After the evaluation is finished, the school will invite you to a special meeting, which is often called an ***eligibility staffing***. When you get the invitation, you will have four choices. You can:

- Attend at the suggested date and time
- Ask to reschedule the meeting and suggest other dates and times you can meet
- Ask to participate through a telephone conference
- Decide that it is impossible for you to attend and tell the school that they may go ahead with the meeting and talk with you about the results afterward (If you choose this option, the school must send you copies of all the reports and any forms that they filled out during the meeting.)

It is important for you to get ready for the meeting. Read over your records and make notes to take to the meeting. This will help you remember important information you want to share and questions you want to ask.

A group of people from the school or school district will be at the eligibility staffing. This may include:

- Principal or other school administrator
- Staffing specialist
- ESE teacher
- Guidance counselor
- Speech pathologist
- Regular classroom teacher
- School psychologist
- Other specialists who worked with your child during the evaluation process

At the meeting, the evaluators or other school staff will explain the evaluations and discuss the results with you. The team of people—including you—will determine if your child qualifies for ESE services. Questions you might want to ask:

- Were there any special circumstances in the testing situation that might have affected my child's performance?
- How do my child's results compare with those of other children?
- How do my child's test results compare with previous scores on similar tests?
- What do the test results tell you about how my child learns best?

- Are there recommended strategies to help my child be successful in the **general education** curriculum?

First, a child qualifies for services only if they meet one of the eligibility criteria in the **State Board of Education Rules** for ESE, listed below:

- Autism spectrum disorder (ASD)
- Deaf or hard-of-hearing (DHH)
- Developmentally delayed (three through five years old only) (DD)
- Dual-sensory impaired (deaf-blind) (DSI)
- Emotional or behavioral disabilities (EBD)
- Homebound or hospitalized (HH)
- Intellectual disabilities (InD)
- Language impaired (LI)
- Orthopedic impairment (OI)
- Other health impairment (OHI)
- Traumatic brain injury (TBI)
- Specific learning disabilities (SLD)
- Speech impaired (SI)
- Visually impaired (VI)

Second, the team must determine if your child needs specially designed instruction and related services as a result of the disability. There are a number of questions that the team will answer to help figure out if your child qualifies for ESE and to lay the foundation for the **individual educational plan**. The questions include:

- What special learning needs does your child have because of the disability?
- What special behavioral needs does your child have because of the disability?
- Does your child need assistive technology because of the disability?
- Does your child need related services or **supplementary aids** to benefit from special education?

The team will use the evaluation reports, medical records, school progress reports, test results, progress monitoring information from the RtI process, and any information you provide to decide if your child qualifies for ESE services. You have the right to receive copies of evaluations and reports at no cost to you. You also have the right to have the reports and evaluations explained to you. Be sure to keep copies of evaluation reports in your file or notebook.

The team will decide one of the following:

- Your child is eligible for ESE services. The team will develop an IEP so you will know what services the school is offering to your child.
- Your child does not qualify for ESE services. However, the problem-solving process will continue. If your child is still struggling, the school will keep working with you to find ways to help. If your child is doing better, the school will continue to monitor progress to make sure that your child continues to be successful.
- Your child does not qualify for ESE services, but does need **accommodations** as a result of a disability. The accommodations will be identified in what is called a **504 plan**. More information on 504 plans can be found at <http://www.fl DOE.org/ese/pubxhome.asp>.
- There is not enough information to reach a decision and more evaluation is needed.



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## CHAPTER 5—THE INDIVIDUAL EDUCATIONAL PLAN (IEP)

Every child with a disability who is eligible for ESE will have an IEP. An IEP is a written plan that tells you, your child, the teachers, and other school staff which ESE services the school will provide to your child. Your child cannot receive ESE services until the first IEP is developed and you give your permission for the services and placement. You will find a copy of a sample blank IEP form in Appendix D. Your child’s form may look different, but it will include the same information.

IEPs are developed during ***IEP team meetings***. You will get a written notice from the school before each IEP meeting. The notice will tell you the day, time, and place suggested for the meeting; who will be there; and why the meeting is being held. The school staff want your help in writing the IEP, so they will try to find a day, time, and place that is good for you. Some parents choose to participate in the meeting by telephone. If you choose not to participate in the meeting, the school may hold the IEP team meeting without you. Even if you do not participate, you will still receive a copy of the IEP.

Here are some things to keep in mind about the IEP:

- The IEP is a plan for your child only.
- There is only one IEP at a time for your child.
- The IEP describes the services your child will receive from the beginning date to the ending date of the IEP, which will be for one year or less. A new IEP must be written for your child at least once every year.
- The people you and your school invite to the IEP team meeting should have knowledge or expertise about your child or the technology your child uses. If the school is going to invite someone from any agency other than the school district, you must give your permission. If you are going to invite someone, it would be helpful if you let the school know who you are inviting.
- When you sign the IEP, it does not mean you agree with it. Your signature on the IEP form means that you attended the IEP team meeting. It does not mean you give your permission for services to begin. You will be asked to sign a different form to give your permission for services to begin for your child.
- If you do not agree with the IEP, you can write “not in agreement” on the IEP beside your signature.

The team will discuss the following nine items at your child's IEP team meeting. The decisions will be included in the IEP.

## **1. Present Levels of Academic Achievement and Functional Performance**

The present level statement describes what your child is able to do and what they struggle with in academic subjects and functional skills. It may also include information about how your child behaves or communicates with others. It may identify at what grade level your child is performing. The IEP team needs to know what your child knows and can do when it develops your child's IEP. The IEP team also needs to know how your child's disability affects their progress. This information helps determine what your child needs to learn (your child's annual goals) and what services they need.

Here are some examples of present levels statements:

- Based on John's results on the district reading test, John understands what he reads at the third-grade level.
- Based on teachers' and parents' observations, Mary hits people when she is angry, upset, or needs help.
- Based on parents' observations, Eric writes slowly but he enjoys using the computer and does more of his homework when allowed to use the computer.

## **2. Measurable Annual Goals**

***Measurable annual goals*** state what your child needs to learn in order to progress in the general curriculum and to meet other needs related to their disability. These goals are based on the present levels statement. An IEP may contain one or more annual goals. They describe what your child should be able to learn within a year. Annual goals must be measurable. This means that goals should be written so that at the end of the year, the IEP team can tell if your child has learned what was expected. Goals should also be reasonable. The team should not plan too much or too little for your child.

Here are some examples of annual goals:

- By the end of the year, John will independently read a fourth-grade textbook and answer comprehension questions with 80 percent accuracy.
- By the end of the year, Mary will use words instead of hitting when she is angry, upset, or needs help 80 percent of the time.
- By the end of the year through participating in a keyboarding class, Eric will be able to use a laptop to complete and turn in 95 percent of his homework assignments on time.

For older students, the IEP will include goals related to the student's transition to life after high school. Additional information about transition planning for students 14 years old or older can be found in the book *Transition Planning for Students with Disabilities: A Guide for Families*, which is available online or through the BRIC. (Contact information for the BRIC is on the inside of the front cover of this book.)

### **3. Benchmarks or Short-Term Objectives**

Your child's IEP may contain **benchmarks** or **short-term objectives**. Benchmarks and short-term objectives are only required for students who take the **Florida Alternate Assessment (FAA)**. For other students, they are optional. The IEP team makes the decision about including benchmarks and short-term objectives.

Benchmarks are major milestones between the present levels of performance and annual goals. Short-term objectives are similar, but usually cover smaller steps. However, many people use these terms to mean the same thing. Benchmarks and short-term objectives, like annual goals, should be written to fit your child's needs.

The IEP should list all the important steps needed to master the goals the IEP team has set, but it is not a daily lesson plan. The benchmarks and short-term objectives should not be so small that your child could achieve them in a day or two.

### **4. Description of How Child's Progress Will Be Measured and Reported to Parents**

Throughout the year, you and the school will keep track of how well your child is doing. The IEP must describe how your child's progress toward their annual goals will be measured and how you will be regularly informed of that progress. It will also describe how often you will receive reports about your child's progress.

### **5. ESE Services, Related Services, Supplementary Aids and Services, and Support for Personnel**

The IEP describes each ESE service, related service, accommodation or **modification**, support, or supplementary aid for your child. It may also list the title of the person who will make sure that your child receives each service. Services, aids, and supports are help that your child may need in order to benefit from school. They are devices and services that allow children with disabilities to be educated with children without disabilities as much as possible. Some children do not need any additional services, aids, or supports, while other children need several.

Sometimes the best way to help your child is to help your child's teachers. Any support that will be provided for your child's teachers should be listed on the IEP as well.

## 6. Accommodations

Your child may need changes in teaching or testing in order to make progress and demonstrate what they have learned. The IEP describes these changes. Accommodations are changes to **the way** a student accesses instructions and demonstrates what they know. Students who need accommodations but not modifications usually work toward a standard diploma. Accommodations are usually tried before considering modifications.

Modifications are changes in **what** a student is expected to learn. They may include changes to content, requirements, and expected levels of mastery. Modifications may include partially completing a course or program requirement or getting instruction in the **access points** for students with significant cognitive disabilities. Students who need modifications may not be able to earn a standard high school diploma.

## 7. Accommodations in the Administration of State- and District-Wide Assessments

The IEP must include a statement about any accommodations that will be made for your child when taking state- or district-wide assessments (tests).

An accommodation to a state- or district-wide assessment should only be requested when used regularly in the classroom setting. If your child is using an accommodation in the classroom that is not allowed for state assessments, you must sign forms that describe the accommodation and tell you which test(s) will not allow its use.

Here are some examples of testing accommodations:

- An interpreter uses sign language to give the directions for a test to a child who cannot hear.
- A child takes a three-hour test in three separate one-hour sessions rather than in one long session.
- A child responds to the test questions orally rather than the way other students do, such as with paper and pencil or on a computer.

If the IEP team decides that your child will not take a particular state- or district-wide assessment, the IEP must include an explanation of why that assessment is not appropriate for your child and how your child will be tested instead. This is called an **alternate assessment**.

## 8. Florida Alternate Assessment

Federal and state laws require that all students be included in statewide testing. Most students with disabilities take the Florida Comprehensive Assessment Test® (FCAT or FCAT 2.0) along with general education students. A small number of students with significant cognitive disabilities take the Florida Alternate Assessment. The FAA is for students with disabilities who require direct intensive instruction in skills needed for community living, leisure, and **vocational** activities. Students who take the FAA will work toward a **special diploma** rather than a standard diploma when they get to high school.

If your child is working toward a special diploma, the IEP team decides which of these assessments your child will take.

## 9. Placement and the Least Restrictive Environment (LRE)

When Congress first passed the Education for All Handicapped Children Act in 1975 (now the IDEA), the purpose was to make sure all children with disabilities had access to a free appropriate public education. Before that time, states had different laws and not all children with disabilities could attend public schools.

To receive federal funds, a state's plans must include a promise that a child with a disability will only be removed from a regular classroom if the nature or severity of their disability interferes to such a degree that education, even with additional supports and services, cannot be satisfactorily achieved in a regular class. Students must be placed in the least restrictive environment possible.

The IEP team's decisions about where your child will be taught are called "placement" decisions. Your child's placement will be based on your child's needs. You and the rest of the IEP team will begin by assuming that your child will be taught in the same classroom and school your child would attend if they did not have a disability.



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The IEP team will work together to identify services and supports that will help your child succeed in general classes and in other activities at the school. Only if the team decides that your child will not be able to make progress in general classes will they consider having your child spend part or all of the day in ESE classes, which is a more restrictive placement. Ranging from least restrictive (1) to most restrictive (6), possible placements include the following:

1. General education class for all subjects, with special instruction, materials, technology, services, accommodations, or curriculum modifications
2. General education class for some subjects and a special class just for students with disabilities for other subjects (sometimes called a “resource class”)
3. Special classes for all subjects
4. Special school for the whole day
5. Special place to live and go to school
6. Instruction at home or in a hospital

These different types of placements make up the range of placements. Which school your child attends is based on the district’s plan for school zones and on which schools offer the services your child needs. Some types of services may be available in many schools throughout the school district. Other types of services may only be available in a few schools.

The time that a child remains in the general education classroom using supplementary aids, accommodations, or services and the time they spend in another setting is decided on an individual basis by the IEP team. The team must first consider what it would take to support the child’s learning in the general education classroom with students without disabilities. No matter where the child receives instruction, the special materials, technology, services, or accommodations will be written into the IEP and made available to meet the child’s learning needs.

In almost every case, the local public school district will be able to offer the services and placement your child needs. However, if the IEP team decides that your child needs a placement that the local school district does not offer, your school district may look for another school district or private school to provide the services. If the IEP team decides that your child will go to a school in another district or to another school, transportation will be provided at no cost to you.

## Other Information That May Be on the IEP

Each type of information described above must be included in your child's IEP. Some school districts include other information in the IEP to make it more useful. Here are some of the things that may be added:

- Physical education—Tells the type of physical education your child will receive (general or specially designed)
- Information on parent participation—Describes what the school has done to notify you about IEP team meetings and to help you participate
- Child's or parent's language—Tells what language your family speaks
- Health and medical information—Describes any special health or medical problems your child has
- Diploma option—Tells what type of high school diploma your child is working toward

**Note:** Most students with disabilities are able to pass the courses and tests needed to get a standard diploma. Some students with disabilities will work toward a special diploma. Talk with the IEP team about the kind of diploma your child can earn.

You will receive regular reports on your child's progress toward their IEP goals. As your child grows and changes, and as you and the school staff learn new things about your child, the IEP will need to be changed. As you work together, you will find ways to make the IEP more useful.

## Transition IEP

When your child turns 14 they should participate in meetings, and the IEP team will start discussing what you and your child's plans are for after high school. The IEP team will also identify the course of study and services needed to help your child prepare for life after high school. The book, *Transition Planning for Students with Disabilities: A Guide for Families*, provides important information about transitioning. It is available online at <http://www.fldoe.org/ese/pub-home.asp> and from the BRIC. (Contact information for the BRIC is on the inside of the front cover of this book.)

## Consent for Services and Placement

You will be asked for written consent for placement and services only once. This will happen after the first IEP is developed. If your child's services or placement are changed later the school or district must inform you by providing a written notice, but they do not need your permission to make the changes. See Chapter 8 for more information about consent and written notice.





## After the IEP and Consent

Once you have given your consent, services should start right away. Of course, the school may need a few days to get everything ready. There are several things you may want to do before your child starts receiving ESE services:

- If your child will receive services in a different classroom or in a different school, call the school to arrange a visit for you and your child.
- Talk to your child. Tell your child about the services they will receive. If your child's placement is going to change, tell your child about the new teacher or class.
- If your child is going to use assistive technology, learn how to use it yourself. Be sure you know who is going to teach your child to use the technology. Be sure you know who is going to take care of the technology.
- If your child will be riding a bus, check on the bus schedule.

After your child has started receiving services, keep in touch with the teachers. Find out how your child is doing and what your child is learning. Visit the class every once in a while. Before you visit, call the school to arrange a time. Talk with the teachers about the good things you saw as well as any concerns you have. Know when you should receive written reports on how your child is progressing toward their IEP goals. This is listed in the IEP. If you do not receive the reports, ask for them. If concerns or disagreements about your child's ESE services come up, it is helpful to talk with the teacher, guidance counselor, **staffing specialist**, or school principal as soon as possible.

If you are still unable to resolve the concerns, you may contact the district's ESE office. Many school districts have procedures in place to assist families in resolving disputes.

In addition, parents may contact the Bureau of Exceptional Education and Student Services (part of the Florida Department of Education) to discuss the following administrative remedies:

- **Mediation**
- State **complaint** investigation
- **Due process hearing** request

## Matrix of Services

You may hear the term "**matrix of services**" at some point during your child's education. This is a funding tool used by the State of Florida. The matrix is not part of the IEP.

The matrix of services reflects the level of services listed on your child's IEP in each of the following areas:

- Curriculum and Learning Environment
- Social or Emotional Behavior
- ***Independent Functioning***
- Health Care
- Communication

Within each area, the IEP team may have decided that your child will receive no services, some services (such as help from a specialist for you \_\_\_\_\_ cher, or adapted instructional materials), or very intense services (such as continuous monitoring or assistance). The services your child receives will be noted in the matrix. Services that are checked off on the matrix must be services your child is actually receiving.



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## CHAPTER 6—ANNUAL REVIEW OF THE IEP

At least once every 12 months, you and the rest of the IEP team will meet to talk about your child's progress in school and to write a new IEP. You will receive a written notice about this meeting. If you cannot go at the time suggested in the written notice, you may call the school and ask for a different day, time, or place.

You will want to get ready for this meeting. Read over the progress reports you received during the year and any other records you have. Make a list of your questions and suggestions. You might want to visit your child's class and talk to the teacher again. Re-read Chapter 5 about IEPs before you go to the meeting.

The team may begin by reviewing your child's last IEP and other records to learn what progress your child has made. Based on that information, the team will answer questions such as these:

- What are your child's present levels of academic achievement and functional performance?
- Does your child need additional accommodations to be successful in the general curriculum?
- Which annual goals has your child mastered? Which annual goals need to be changed? What new annual goals should your child work toward?
- Do the services or supports need to be changed?
- Does assistive technology need to be added or changed?
- Is there a need for more evaluations?
- Does your child need a different placement in order to make progress?

You and the rest of the team will then write a new IEP for your child. The team may be able to write the new IEP without more evaluation, or the team may ask your permission to do another evaluation.

Of course, your child's needs may change at any time. Watch your child carefully. Keep in touch with the people at the school. You do not have to wait until the 12 months are up to review your child's IEP. You may ask for an IEP meeting at any time. Here are some reasons you might ask for a review meeting before the end of the 12 months:

- Your child is not making as much progress as expected.
- Your child is making more progress than expected.
- Your child needs services for more time or less time.
- Your child's needs have changed.

- New information about your child is available that could impact the IEP.

If you wish to ask for an IEP meeting before the 12 months are up, write to the school to explain why a meeting is needed. Generally, changes to the IEP must be made by the entire IEP team at an IEP meeting. However, between annual IEP meetings, when the school district and the parent agree, the IEP can be amended or modified without an IEP meeting and without rewriting the entire IEP. Any time your child's IEP is amended or modified, all members of the IEP team should be informed of the change. The school must notify you if it changes your child's services or setting, but the school does not need your consent to change your child's services or setting.

If your request for an IEP team meeting is turned down, the school district must tell you in writing. If you cannot settle your disagreement with the school, you may ask for mediation or for a due process hearing.



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## CHAPTER 7—REEVALUATION

The school must reevaluate your child at least every three years to find out if they still have a disability and still need ESE services. As part of the reevaluation, the IEP team must review existing information about your child. The IEP team may decide to give your child tests or use other methods to collect new data about your child.

The school must have your written permission before doing any individual evaluation or testing. The consent form will tell you, in writing, the following things:

- What they are planning to do during the reevaluation
- Why school staff think your child should be evaluated individually
- Any other options the school staff considered and why they did not choose those other options
- How you can get help in understanding the consent form and the evaluation process

The IEP team will also hold a meeting if you or the school staff think that your child no longer needs ESE services. Your child can only be dismissed (removed) from ESE by the IEP team. The school cannot dismiss your child from ESE services without asking you to participate in the decision. After the meeting, the school will provide you with written notice if the IEP team has decided to dismiss your child from ESE. You will get this notice before your child stops receiving services. However, the school does not need your permission to dismiss your child from ESE or to make other changes in placement. If you disagree with the decision, read Chapter 8 for more information about your procedural safeguards.

If your child is dismissed from ESE it may be helpful to save your records for future use.





## CHAPTER 8—PROCEDURAL SAFEGUARDS (RIGHTS AND RESPONSIBILITIES)

This chapter will help you understand the rights and responsibilities that go along with ESE services. The federal law called the Individuals with Disabilities Education Act says that as the parent of a child with a disability, you have certain **procedural safeguards**. These are rules about what procedures the school (and parents) must use in making decisions about a child's ESE services.

The procedural safeguards may be hard to understand. Along with reading this chapter, you may want some training or other help. The ESE administrator in your local school district office can tell you where to find help or training.

Procedural safeguards are designed to make the ESE process fair for you and the school and to help make sure your child receives a free appropriate public education. Procedural safeguards give parents and schools a set of rules to help them work together. The procedural safeguards also give parents and schools ways to solve problems and settle disagreements.

If you have good reason to believe that your child is not receiving a **free appropriate public education**, you may want to make use of your rights, including your right to mediation, to file a state complaint, and to request a due process hearing. There are people who will help you do this.

The school will give you copies of your procedural safeguards at least once a year and:

- Upon initial referral or your request for an evaluation
- When a change in placement occurs for your child as part of a discipline procedure
- Upon receiving a state complaint or first request for a due process hearing in the school year
- When you request a copy

**Note:** The rights given by IDEA to the parent of a student with a disability transfer to the student at the **age of majority**. In Florida, this **transfer of rights** happens when the student turns 18, unless the student has been declared incompetent under state law or has a guardian advocate who has been appointed to make educational decisions.

If you have read Chapter 1, you already know that you and your child with a disability have many rights, such as the right to:

- A free appropriate public education

- A complete, fair individual evaluation
- An IEP
- An education in the ***least restrictive environment***
- A yearly review of student progress

## **Procedural Safeguards**

Here are three examples of procedural safeguards that are especially important to you and your child with a disability:

- The right to have written notice
- The right to participate
- The right to give, not give, or withdraw consent

### **The Right to Have Written Notice**

There are many times when the school must give you written notice. You will get a notice from the school when:

- The school has agreed to (or turned down) a request you have made
- The school wants to individually evaluate or reevaluate your child
- The school staff plans to change your child's services or placement
- The team has decided, at an eligibility staffing meeting, that your child is or is not eligible for ESE

The notice should:

- Be easy for you to understand
- Tell you what the school plans to do (or refuses to do)
- Tell you why the school plans to take (or refuses to take) action
- Explain any other options the school considered and why they were rejected
- Describe any evaluation procedure, test, record, report, or other factor the school used to make the decision
- Tell you that you have specific rights and how you can get a copy of the procedural safeguards
- Tell you who to call if you do not understand the notice

If you understand and agree with what is in the notice, there is very little you need to do. Keep the notice in your file. Plan to go to any meeting you have been asked to attend. If you do not understand the notice, call the school or appropriate contact right away. Someone

there will explain what the notice means. If you do not agree with what the notice says, there are steps you can take:

- First, contact the person named in the notice.
- Next, call the ESE administrator in your local school district office.
- Ask for a meeting, such as another IEP team meeting.
- You may need to write a letter to explain your point of view.
- You may ask for free mediation services at any time.
- If you believe that the school has not followed the requirements of IDEA when the IEP team made a decision or that the IEP is not being implemented as agreed, you may file a formal state complaint or ask for a due process hearing.

## **The Right to Participate**

You have the right to help make certain decisions about your child's education. The school must ask you to participate whenever they hold a meeting related to the **identification**, evaluation, or placement of your child or to the provision of a free appropriate public education to your child. The school will ask you to participate in any meeting to:

- Determine your child's eligibility for ESE
- Develop (write) or review your child's IEP
- Make decisions about your child's placement or services

Sometimes, you may ask the school to set up a meeting. No matter who asked for the meeting, when you participate, you make it easier for the school to serve your child. When you participate, you will want to:

- Share information about your child and your child's needs
- Listen to and think about what other people are saying
- Ask questions
- Keep notes or records about the meeting
- Share your ideas about what can be done to help your child
- Make sure you understand what is going to happen next

If you need a translator to participate in the meeting, one should be provided for the meeting. If you use sign language, an interpreter should be provided. Be sure to let the school know before the meeting if you need a translator or an interpreter. You may bring someone to translate or interpret, if you wish.

Whenever you are asked to participate, you should prepare. Read over your records and the parts of this book that are about the type of meeting you will be attending. Call the school

and ask to visit your child's class and talk to your child's teachers. Make notes about things you want to say or the questions you want to ask and take them to the meeting. You may also take someone with you to the meeting—such as a friend, relative, or other person who has knowledge of your child and can help you. It is helpful to let the school know when you are bringing someone with you to the meeting.

## **The Right to Give, Not Give, or Withdraw Consent**

For some actions, the school only has to let you know what they have decided to do or not do (give you notice). However, they must have your written permission before they take the following actions:

- Conduct an individual evaluation of your child
- Provide ESE services for the first time

When you give your permission, it means you agree to let the school staff do something for your child. You will be asked to sign a form that says you agree to what the school is planning. Usually this permission is called "**consent**."

You have several choices when the school asks for your consent:

- You may agree and sign the form.
- You may ask for more information.
- You may ask for time to think about what is best for your child.
- You may ask the school staff to change what they are planning. They will either make the change or decide that the change is not appropriate. If the school staff refuses to make the change, they will let you know in writing.
- You may decide not to give consent. Be sure that the school staff understands your reasons for this decision. The school staff may try to help your child in another way, or they may suggest mediation or ask for a due process hearing.

Think carefully about whether to give your consent, because you are making important decisions about your child's education. Most of the time you and the school staff will be able to work together and agree on what will be done for your child.

Remember, for some actions, the school must give you a written notice but does not need your consent. However, the school staff should ask for your input. Here are some things the school can do without your consent:

- Hold an eligibility staffing or an IEP team meeting (however, you must be invited to participate in these meetings)

- Change your child’s placement or services (however, any change in placement must be based on the decision of the IEP team, and you are a member of the team)

You may withdraw (revoke) your consent at any time after your child starts receiving ESE services. You must do this in writing. Before the school district can stop providing ESE services to your child, they must notify you in writing.

## Steps in Solving Problems

From time to time, you and the school staff may disagree about what is fair or needed for your child. Some disagreements can be solved easily, while others may take more time and effort.

The first step in solving a problem is to make sure that everyone understands the problem. It is often best to ask for a meeting when you don’t understand something or think the school doesn’t understand you. Many times, talking to the right person will help. Contact the people in the list below, in the order given:

- Your child’s teacher
- The principal of the school
- Your child’s IEP team
- The ESE administrator in the local school district office
- The superintendent of the school district

If other problems come up, find out who has the power to make decisions about those problems and talk to that person. Taking a complaint to someone who cannot make decisions is not a good use of time for you or your child.

## Dispute Resolution

If you and the school district are still not able to agree about what is needed for your child, you may decide to ask for mediation, file a state complaint, or ask for a due process hearing.

Mediation, **formal complaints**, and due process hearings all have the same purpose: to solve problems. They are designed to make sure that children with disabilities receive a free appropriate public education. They are not designed to punish the school or anyone else.

More information about the dispute resolution methods below and the forms you need to complete if you want to use one of them can be found online at <http://www.fldoe.org/ese/resolution.asp>. The forms are also in Appendix D of this book.

## Mediation

One way to solve problems is mediation. During a mediation session, a trained and **impartial** mediator will help you and the school district resolve your disagreement about the identification, evaluation, placement, or free appropriate public education of your child. You may ask for mediation at any time—even at the same time that you file a complaint or ask for a due process hearing.

For mediation to occur, both you and the school district must agree to it. After you and the district send a request for mediation to the Florida Department of Education, FDOE will assign a mediator and schedule the mediation. Sessions usually last three to six hours. What happens during a mediation session is **confidential**.

The purpose of mediation is not for one side to win, but for both sides to come to an agreement. The mediation session will give you and the school district a chance to:

- Talk about the problem
- Explain your points of view
- Come to an agreement that is best for your child

The mediator will not decide how to solve the problem. The mediator will help you and the school (or district) staff come up with ideas to solve the problem. There are several advantages to mediation:

- Mediation services are free.
- Disagreements are typically solved more quickly through mediation than they are through formal complaint or due process procedures.
- Mediation may improve your working relationship with the people in the school and school district. This can be very important, since your relationship with the school district may last many years.

If you and the school district do not reach an agreement through mediation, you may still file a complaint or ask for a due process hearing.

## Formal State Complaint

Parents may also try to solve problems by filing a formal complaint with the Florida Department of Education. You should only file a complaint with the Bureau of Exceptional Education and Student Services if you believe the school district has violated a requirement of IDEA or state laws and rules relating to the education of students with disabilities. Problems like bullying, discrimination, or the behavior of staff do not count as a violation of

IDEA or state laws relating to students with disabilities. However, bureau staff can help you locate the correct area within FDOE to file a complaint on these issues.

You are encouraged to call FDOE at (850) 245-0475 before filing a complaint. FDOE staff may encourage you to try mediation or other methods of solving the problem, or they may contact the district on your behalf to help resolve the issue. However, if you decide to file a formal written complaint, your complaint must:

- Describe how the school district has violated a requirement of IDEA or another law
- Explain the facts of the situation as you understand them
- Be about a violation of law that occurred not more than one year before you filed the complaint

During the complaint process, FDOE will ask you to explain your complaint over the phone or in writing. The FDOE will investigate to find out if the school district has violated a law or rule. Someone from FDOE may visit the school, if needed. Within 60 days after the date your complaint is received, FDOE will issue a written decision. The decision will:

- List the findings of fact—the things FDOE found to be true or that you and the district stated
- List the laws or rules that were to be followed
- State the FDOE’s decision
- State what the district must do to correct the problem (if the district was found to have failed to follow the law or rule and was found to be at fault)

If there is also a due process hearing about the issue(s) in the state complaint, then the state complaint will be set aside to allow the issue(s) to be decided through the due process hearing. If the issue(s) have already been decided through a due process hearing, then the decision cannot be reconsidered through the complaint process.

## **Due Process Hearing**

The right to a due process hearing is given to parents and school districts as a way of helping them resolve disagreements about a child’s evaluation, eligibility, placement, services, or IEP. An **administrative law judge** runs the due process hearing. In our state, the administrative law judge works for the Division of Administrative Hearings (DOAH). The administrative law judge cannot know the student or be a friend or relative of the family. At the hearing, the administrative law judge will:

- Listen to you explain what you want and why
- Look at the school district’s records and your records

- Listen to people from the school district explain their point of view
- Listen to the people you chose to help explain your point of view
- Ask questions

After the hearing, the administrative law judge will make decisions based on the laws and rules.

The due process hearing is a formal procedure, so, **as in court, certain rules apply:**

- You have the right to have a lawyer or other person to help you.
- A lawyer will represent the school district.
- You and the school district may have **witnesses** to help explain things to the administrative law judge.
- You and the school district may show **evidence** to the administrative law judge.

It may take up to 45 days (or longer, in some cases) from the time you ask for the hearing to actually have the hearing and get a decision from the administrative law judge. During this time, your child will stay in their present placement and receive the services in their IEP, if they have one. This is called a **stay-put placement**. Of course, you and the school district can agree to make a change if you both believe it is a good idea.

While you are waiting for the hearing, you will be asked to try to work things out in a meeting called a resolution session. If you and the school district agree, you can try mediation instead. If the school district wants to have a resolution session or wants to go to mediation and you refuse, the hearing will not take place. You can also ask for mediation during a due process hearing or at any other time. If mediation does not work, you can still have a due process hearing.

### **Before the Hearing**

You must fill out a “request for due process hearing” form. Call the ESE administrator in your local school district office before you send in the form, and let the administrator know what you plan to do. If the school district is asking for the hearing, they will send you a written notice. In either case, there are many things you need to do to get ready for the hearing.

### **Decide about Getting Help**

It is important that you know how to present your case at the hearing. Consider having someone, like a lawyer or other advisor, help you get ready and go to the hearing with you. The school district staff will have a lawyer to help them.



- The school district can give you a list of places to get free or low-cost legal services. Ask for this list.
- Many of the groups listed in the directory in Appendix A will help you get ready for a hearing. (People from these groups are often called “advocates.”)
- Check with a local college or university. Sometimes a professor in the special education department will be able to help you.
- If you want to represent yourself, visit <http://www.doah.state.fl.us/ALJ> and click the “Representing Yourself” link for helpful information.

### **Check Time, Place, and Other Details**

The time and place for the hearing will be set so that you can be there. It may or may not be appropriate for your child to attend the hearing.

### **Collect Evidence**

At the hearing, you try to prove to the administrative law judge that you are right. The school district staff will try to prove that they are right. You need evidence to show to the administrative law judge.

Evidence is material that helps to explain your point of view. Here are some types of evidence you can present:

- Evaluation reports
- Letters and emails
- Samples of your child’s work
- Tape recordings of any meetings, if applicable
- Education records
- Notes
- Photographs

### **Get Witnesses**

You may want to have other people help explain your point of view to the administrative law judge. Witnesses can be:

- Friends or relatives
- Experts—people with special training in ESE
- People from the school
- People from outside the school who have worked with your child

There are rules about witnesses:

- You and the school district staff must give each other a list of your witnesses at least five days before the hearing.
- You should have a witness to talk about each piece of evidence you plan to use. For example, if you use an evaluation report as evidence, the person who wrote the report should be a witness at the hearing.
- If someone refuses to be a witness for you, the administrative law judge may make that person come to the hearing.

### **During the Hearing**

The administrative law judge will run the hearing. These things will happen in every hearing:

- You, your lawyer, or your advocate, and the school district staff will be asked to explain the problem and what you want to happen.
- You explain your point of view, question your witnesses, and show your evidence.
- The school district staff explains their point of view, questions their witnesses, and shows their evidence.
- You may question the school district's witnesses.
- The school district may question your witnesses.
- The administrative law judge may question anybody and look at the evidence.

If you think that something about the hearing is unfair, tell the administrative law judge right away.

### **After the Hearing**

The administrative law judge will not make the decision during the hearing. The decision should come to you in writing no more than 45 days (or longer, in some cases) after you first asked for the hearing. The administrative law judge's written report will:

- List the facts—the things they found to be true
- Give the reasons for their decisions—the laws or rules that they used
- State the decisions they have made to solve the problem

Both you and the school district get free written copies of this report. If you prefer, you may ask for a free audiotaped version of the report. You also may ask for a free written or audiotaped, word-for-word record of the hearing.

If you do not agree with the administrative law judge's decision or if you believe the hearing was unfair, you have two choices:

- You may file an **appeal** and ask for a trial in federal district court. You must file a written notice within 90 days of the time the administrative law judge makes a decision.
- You may file an appeal and request a trial in state circuit court. You must file a written notice within 90 days of the time the administrative law judge makes a decision.

Before filing an appeal, you should get legal help. School districts are also allowed to file appeals.

## Independent Educational Evaluation

At any time, you can pay to have your child privately tested and bring the results of that testing to an eligibility staffing or IEP team meeting. The team will consider the information you have provided, but they may choose not to act on the information for a variety of reasons. If the school has already done an individual evaluation of your child and you disagree with the results of that evaluation, you can ask the district to pay for an **independent educational evaluation** (IEE). An IEE is an evaluation done by a person who does not work for the school system. You may ask for an IEE if you have good reason to believe that the school's evaluation of your child is:

- Not complete
- Not correct
- Not fair

When you ask for an independent educational evaluation, you are really asking for a second opinion. Before asking for an IEE:

- Study the school's evaluation carefully
- Be able to explain why you think the school's evaluation is not correct, not complete, or not fair
- Ask people at the school to talk with you about their evaluation (they may be able to clear up your concerns)
- Ask the school to do another evaluation or to add to the evaluation that has already been done
- Talk with the ESE administrator in your local school district office

If you decide to ask the district to pay for an IEE, you should do two things:

- Call the ESE administrator and let them know about your decision.
- Ask for the IEE in writing. Some school districts have a form you can use.

An IEE may cost a lot of money. It is very important that you know who will pay for the IEE before it is actually done. If you and the school district cannot agree on who will pay for the IEE, mediation or a due process hearing may be needed.

- The school district will pay for the IEE if the district agrees to do so or if an administrative law judge orders the district to pay as the result of a due process hearing. The school district staff will let you know if they refuse to pay for the IEE. If they refuse, they must request a due process hearing to prove that their evaluation is appropriate.
- You may pay for the IEE if you choose to or if an administrative law judge decides, as the result of a due process hearing, that the school district's evaluation is complete, correct, and fair.

The person you choose to do the IEE must be fully trained and qualified. If the person is not fully qualified, the school district will not pay for the IEE. The school district will give you a list of outside people who are qualified to do IEEs or a list of the qualifications such people must have. Many times the school district will help you set up the IEE.

If you pay for the IEE and give the report to the school, it will become part of your child's record. The team may use the results to help them make decisions and plans for your child's education.

## **Discipline of Children with Disabilities**

Parents and teachers know it is important for schools to be safe and orderly. Since discipline problems make it hard for teachers to teach and for children to learn, all children must obey school rules. Sometimes when a student does not follow school rules, it results in their suspension or expulsion. Children with disabilities may have the right to receive ESE services even if they have been removed from their placement for disciplinary reasons.

The following factors determine when a child with a disability may be removed from their current placement for disciplinary reasons and when they must continue to receive services:

- How long the child is removed from school
- Whether the child's misbehavior is a *manifestation* (result) of the child's disability

- Whether the misbehavior involved weapons or illegal substances (such as drugs) or whether there is a good chance of serious bodily injury to the child or others
- Whether the removal is a change in placement

A child with a disability may be removed from their current placement for disciplinary reasons for up to 10 school days in a school year, and for more days for separate acts of misconduct, as long as the removals do not form a pattern. However, if a child with a disability is removed from school for more than 10 days during a school year, the child must continue to receive services that will help them make progress in the general curriculum and toward their annual goals.

The chart on the next page describes what the school or district must do when a child with a disability is removed from school for disciplinary reasons.

## DISCIPLINE OF STUDENTS WITH DISABILITIES

Days of Removal	Services
During the first 10 <i>cumulative</i> days of removal during a school year.	The school does not have to provide services if they do not provide services to students without disabilities who have been removed for similar misconduct.
During any removal of less than 11 days in a row that would result in a total of more than 10 cumulative school days in a school year. Beginning on the 11 <sup>th</sup> cumulative school day of removal, educational services must be provided.	<ol style="list-style-type: none"> <li>1. The school must provide services that the student needs to make progress in the general curriculum and toward their annual goals. School personnel decide which services the student needs.</li> <li>2. The IEP team must meet to develop a plan for carrying out a <b>functional behavior assessment</b> and for developing a <b>behavioral intervention plan</b> (if one has not been done) or to review the existing plan and its implementation and change it as needed.</li> </ol>
<p>During any removal of more than 10 days in a row</p> <p><i>or</i></p> <p>during a removal that is part of a pattern of removals that together comprise more than 10 school days in a given school year and that form a pattern because of the length of each removal, the total amount of time during the school year the student is removed, or the proximity of the removals to one another.</p> <p>Both of these situations count as changes of placement.</p>	<ol style="list-style-type: none"> <li>1. The school must provide services that the student needs to make progress in the general curriculum and toward their annual goals. The IEP team decides which services the student needs.</li> <li>2. The IEP team must meet to develop a plan for carrying out a <b>functional behavioral assessment</b> and for developing a <b>behavioral intervention plan</b> (if one has not been done) or to review the existing plan and its implementation and change it as needed.</li> <li>3. The IEP team must carry out a <b>manifestation determination review</b> within 10 school days of any decision to change the placement of a student with disabilities because of a violation of a code of student conduct.               <ol style="list-style-type: none"> <li>A. If the misbehavior <b>is not</b> due to the student’s disability, the student may be disciplined in the same way as a student without a disability but the student must continue to receive educational services during the removal.</li> <li>B. If the misbehavior <b>is</b> due to the student’s disability and did not involve weapons, drugs, or serious bodily injury to the student or others, the school may return the student to their current placement or the school may choose to change the child’s placement using the IEP team’s regular <b>change of placement</b> procedures. If there were deficiencies in the IEP or placement, the school must remedy the deficiencies.</li> <li>C. If the misbehavior <b>is</b> due to the student’s disability and involved weapons, drugs, or serious bodily injury, the IEP team determines an interim alternative educational setting.</li> <li>D. If the misbehavior <b>is</b> due to the student’s disability and a <b>hearing officer</b> determines the student may be dangerous to themselves or others, school personnel will recommend an interim alternative placement to a hearing officer, who makes the placement decision.</li> </ol> </li> </ol>

## School Records

Schools keep many written records about a student with disabilities. These records contain personal, private information about your child. The Family Educational Rights and Privacy Act and other laws give you many rights related to school records. These rights include:

- The right to see your child's records
- The right to have school records kept confidential
- The right to ask that school records be changed
- The right to have a hearing about school records

If you believe the school district has violated school records laws, you may file a complaint with the Family Policy Compliance Office of the United States Department of Education at:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-5920  
Phone: 1-800-USA-LEARN (1-800-872-5327)

### The Right to See Your Child's Records

You have the right to see and read any record the school keeps on your child. You may also have someone else—a friend, relative, or adviser—look at the records if you wish.

- If you ask, the school staff must tell you what records they have on your child. They must also tell you where the records are kept.
- If you ask to see your child's records, the school must show you the records without unnecessary delay and before any meeting about your child's IEP or a due process hearing. In any case, the school must show you the records within 30 days of your asking to see them.
- The school cannot destroy any records you ask to see before you see them.
- You may ask to have a copy of any record kept by the school. (There may be a copying charge.)

Someone from the school will explain what is in the records and will explain anything you do not understand.

## The Right to Have School Records Kept Confidential

School records that include your child's name, birth date, address, or social security number—or your name—must be kept confidential. These records can only be shown or sent to certain people under certain conditions, such as:

- People at the school or school district who have a good reason to see them
- Other schools or colleges where your child seeks to enroll
- Federal, state, or local education authorities
- Organizations to which your child has applied for educational financial aid
- Organizations doing education research

Also, school districts may report crimes committed by juveniles to law enforcement authorities and under certain circumstances may give ESE and discipline records to law enforcement agencies.

The school staff will keep a list of the people to whom they have shown or sent your child's records. This list will include the name of the person, when the person used the records, and why the person needed the records. (Your name and the names of people who work at the school do not have to go on this list.) This list will be kept with your child's records, where you can see it.

If someone who is not authorized to see the records wants to see them, the school will ask you to sign a consent form. This form will tell you:

- Who will get the school records
- Which school records they will get
- Why they need the school records

Before deciding to sign or not sign the form, you may want to ask:

- To see the records yourself
- To talk to the person who wants the records
- To discuss the records with someone at the school
- Whether the records will be shown to the person or whether copies will be sent to the person for them to keep

The information above is about school records. Other records about your child may be confidential as well.



## The Right to Ask That School Records Be Changed

If you see something in the school records that you think is unfair to your child, you can ask to have the record changed. You need to explain why you think there is a problem with the record. You can ask to have something:

- Added to the record
- Taken out of the record
- Changed in the record

You should ask for any of these actions in writing. The school staff will either do what you have asked or send you a letter telling you they refuse to make that change. They will also tell you that you have the right to a hearing.

## The Right to Have a Hearing about School Records

You have the right to a hearing if the school refuses to make changes you have asked for in your child's records. This is not a due process hearing. Before asking for this kind of hearing:

- Be sure that you fully understand what the records say. Ask someone at the school or outside the school to go over the records with you.
- Talk to the school principal about the problem. Make sure they understand what you want and why.
- Discuss the problem with the ESE administrator in your local school district office.
- Write a letter about what you want. Ask for a written answer.

No matter what is decided at the hearing, you may put a note in your child's school record to explain your point of view. Whenever the record is released, your note will be released with it.

**Note:** The school is required to keep a permanent record or specific information about your child for a period of time as defined by the Florida Department of State in General Records Schedule. Each school board has a policy for keeping educational records. Once information that is not part of the permanent record is no longer needed to provide educational services to your child, the school district will periodically review it and eliminate information that is no longer useful.

## More Resources

If you would like to know more, you can request a copy of the following documents, and many others, from the BRIC at the address, email, or phone number listed on the inside front cover of this guide. They are also available online at <http://www.fldoe.org/ese/pubxhome.asp>.

- “Notice of Procedural Safeguards for Parents of Students with Disabilities”
- *Volume I-B: Florida Statutes and State Board of Education Rules*—A book that contains the text of Florida’s laws and rules related to the education of students with disabilities

Contact the ESE office in your district to obtain the district’s *ESE Policies and Procedures* document or go to <http://www.fldoe.org/ese/ppd.asp> and choose your district from the list to get a copy online.

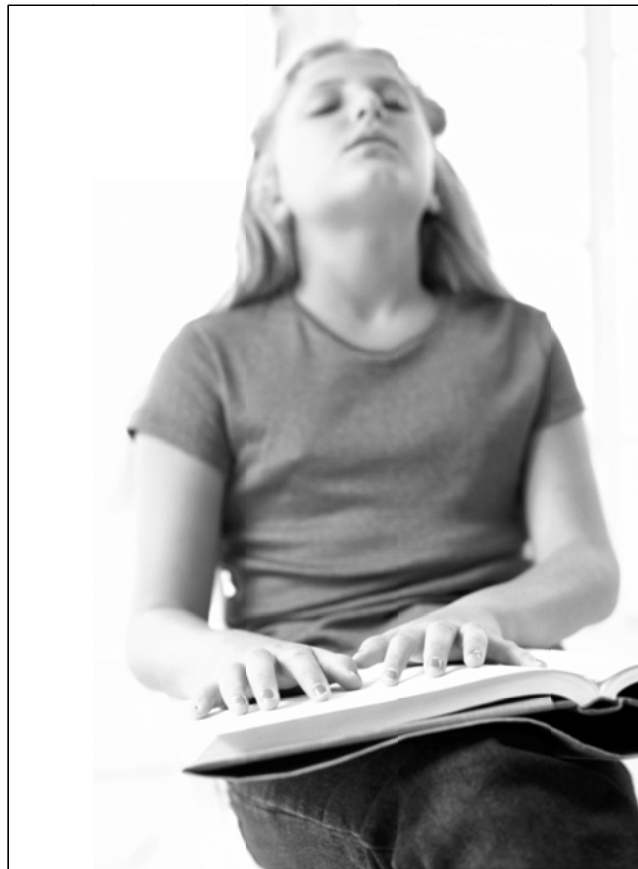


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## CHAPTER 9—RECORD KEEPING

This chapter is designed to help you keep track of important information about your child and your child's education. It will help you organize information from meetings, notes, and other papers that are part of the process of planning and continuing your child's education.

Some of the papers you will receive from others or create yourself and need to keep include:

- State and district test results and reports
- Educational plans for your child—IEPs and IFSPs
- Progress reports and report cards
- Samples of your child's work
- Evaluation reports
- Letters or emails to you from the school or your child's teachers
- Consent forms the school has asked you to sign
- Records or reports from doctors or other people from outside the school who have worked with your child
- Letters, emails, or other information from agencies such as the Florida Department of Education or the Florida Department of Children and Families
- Copies of letters or notes that you have sent to the school or your child's teachers
- Notes and dates of telephone calls, meetings, and visits

You have the right to have copies of the reports and records developed concerning your child at no cost to you. However, copies of the protocols and testing instruments used to evaluate children are not provided to parents; you will only get copies of the written reports about the results of your child's evaluations.

It will be helpful for you to use an expanding file or three-ring notebook to hold your child's records. When you get a new document, you can record the contents on a worksheet in this chapter, if appropriate, and add the document to your file or notebook.

Having your records organized will help you help your child. Good records may help you see trends and patterns in your child's performance at school. They make going to meetings and talking to school personnel much easier, and they will be helpful if you ever move to another county or state.

There is so much information available that it can be overwhelming. Over time, you will feel more confident and knowledgeable. The most important step is to get started and know that there is a lot of help available to you.

## Optional Forms and Work Sheets

The forms and work sheets on the following pages are designed to help you organize your contact information, prepare for meetings, and keep track of your child's progress. In some cases you will need only one copy of the form and can add new information each year. Others require a fresh copy for each year your child receives ESE services. You can copy the forms you want to use directly from the book or print copies from the electronic version that is available at <http://www.fl DOE.org/ese/pub-home.asp>. Keep the completed forms in your record notebook.



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## About Your Child

Creating a good educational program starts with understanding your child's needs. Before you meet with school staff, it can be helpful to take some time to organize what you know about your child. Each year, before the annual IEP meeting, make a new copy of this form and update your answers. Keep the completed forms in your record notebook.

Date: \_\_\_\_\_ Child's Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Brothers' and Sisters' Names: \_\_\_\_\_

Names and types of pets: \_\_\_\_\_

Medical conditions, medications, and side effects that teachers and school personnel need to be aware of (e.g., watch for sleepiness in morning, often thirsty, two-person lift required because of brittle bones): \_\_\_\_\_

\_\_\_\_\_

What does your child like to do at home? \_\_\_\_\_

\_\_\_\_\_

What does your child NOT like to do at home? \_\_\_\_\_

How does your child seem to feel about school? \_\_\_\_\_

\_\_\_\_\_

How does your child seem to feel about themselves? \_\_\_\_\_

\_\_\_\_\_

How does your child seem to feel about other children (friends, brothers and sisters)?

\_\_\_\_\_

How does your child seem to feel about adults (parents, teachers, relatives)? \_\_\_\_\_

\_\_\_\_\_

How well does your child take care of themselves (dressing, eating, staying clean, etc.)?

\_\_\_\_\_

What does your child do to help you at home? \_\_\_\_\_

\_\_\_\_\_

How many friends does your child have? \_\_\_\_\_

How old are your child's friends? \_\_\_\_\_

What does your child do when playing with friends? \_\_\_\_\_

How much, and how well, does your child talk to you? \_\_\_\_\_

How much, and how well, does your child talk to other children? \_\_\_\_\_

How much, and how well, does your child talk to other adults? \_\_\_\_\_

What does your child do well at home? \_\_\_\_\_

What problems does your child have at home (if any)? \_\_\_\_\_

What problems does your child have at school (if any)? \_\_\_\_\_

What concerns do you have about your child's education? \_\_\_\_\_

How does your child learn best? \_\_\_\_\_

What have you found to help your child learn at home? \_\_\_\_\_

What do you think is most important for your child to learn in school? \_\_\_\_\_

What kinds of help do you think your child needs in order to learn? \_\_\_\_\_

What other questions do you have for the people at the school? \_\_\_\_\_

## Organizing Your Child's School Records

It will be helpful if you go back through at least two years of your child's school records. If you do not have these records, you can request your child's records from the school, including the cumulative record, information on your child's response to intervention folder, and ESE records. See Appendix C for a sample letter to make this request.

Once you have all the necessary papers related to the IEP, you are ready to sort and organize them in your three-ring binder. It may be helpful to make tabs to divide the papers into categories that best meet your needs. Organize the papers in each category by date, with the most recent date on top.

Here are some suggested categories you can use to organize your child's school papers:

**Contact Information:** For teachers, therapists, administrators

**Communication:** Logs or copies of all communication — letters, notes, emails, and phone calls to and from the school and others serving your child

**Child's Work:** Report cards, progress reports, test results, and work samples

**IEP and Related Documents:** Meeting notices, eligibility determination, IEP documents, behavior plans, related notes

**Assessments:** Public school assessments and independent educational assessments, if any

**State or Standardized Tests:** Florida Comprehensive Assessment Test (FCAT or FCAT 2.0), Florida Alternate Assessment (FAA), **End of Course Exam** (EOC), Scholastic Aptitude Test (SAT), etc.



## School and District Contact List

School Year: \_\_\_\_\_

Name	Position	Email	Telephone
	Principal		
	Teacher		
	Teacher		
	Teacher		
	Teacher		
	Teacher		
	Teacher		
	Teacher		
	Teacher		
	Therapist		
	Therapist		
	Guidance Counselor		
	ESE Director		



## Contact Log

Make copies of this page to record the dates of telephone or in-person contacts with your child's teacher or other school personnel. Include notes about what you discussed.

Date: \_\_\_\_\_ In-person  Phone Call  \_\_\_\_\_

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Follow up needed?  Describe what and when: \_\_\_\_\_  
\_\_\_\_\_

Follow up completed?  If not, what's next: \_\_\_\_\_  
\_\_\_\_\_

.....  
Date: \_\_\_\_\_ In-person  Phone Call  \_\_\_\_\_

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Follow up needed?  Describe what and when: \_\_\_\_\_  
\_\_\_\_\_

Follow up completed?  If not, what's next: \_\_\_\_\_  
\_\_\_\_\_

.....  
Date: \_\_\_\_\_ In-person  Phone Call  \_\_\_\_\_

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Follow up needed?  Describe what and when: \_\_\_\_\_  
\_\_\_\_\_

Follow up completed?  If not, what's next: \_\_\_\_\_  
\_\_\_\_\_





## Information about Your Child's Progress

The IEP team (of which you are a member) decides how often to provide written progress reports about your child's progress toward meeting the goals set for them. You do not need to wait for a formal progress report to communicate with your child's teachers.

By checking progress reports and asking questions, you may be able to catch when your child is struggling early. It is recommended that you talk to your child's teacher or receive a written progress report at least every four weeks.

It may be helpful to track your child's progress using the Student Progress Mini-Summaries form on the next page. Use one set of questions for each goal on the IEP. Fill in the date you received the information about progress toward each goal, circle the source of that information, and note the name of the source.

To bring your records up to date, look at the report cards and the progress reports for the past two years. Check your completed worksheets to find trends, or patterns. If your child is not progressing, use the problem-solving information beginning on page 67.

**Note:** Students with disabilities who participate in the Florida Alternate Assessment will have benchmarks or short-term objectives written into their IEP. Other students may not, depending on the IEP team's decision. Even if benchmarks are not in your child's IEP, the teacher will have expectations for your child's progress.



## Student Progress Mini-Summaries

Make as many copies of this form as you need and keep the completed forms in your notebook.

Name \_\_\_\_\_ Grade \_\_\_\_ Year \_\_\_\_\_ School \_\_\_\_\_

.....  
Date: \_\_\_\_\_ Source: Progress Report      Report Card      Staff: \_\_\_\_\_

Goal: \_\_\_\_\_

Meeting expectations or benchmarks?    Yes    No

Improving?                                      Yes    No

Expected to pass?                              Yes    No

Additional Comments: \_\_\_\_\_

.....  
Date: \_\_\_\_\_ Source: Progress Report      Report Card      Staff: \_\_\_\_\_

Goal: \_\_\_\_\_

Meeting expectations or benchmarks?    Yes    No

Improving?                                      Yes    No

Expected to pass?                              Yes    No

Additional Comments: \_\_\_\_\_

.....  
Date: \_\_\_\_\_ Source: Progress Report      Report Card      Staff: \_\_\_\_\_

Goal: \_\_\_\_\_

Meeting expectations or benchmarks?    Yes    No

Improving?                                      Yes    No

Expected to pass?                              Yes    No

Additional Comments: \_\_\_\_\_

.....  
Date: \_\_\_\_\_ Source: Progress Report      Report Card      Staff: \_\_\_\_\_

Goal: \_\_\_\_\_

Meeting expectations or benchmarks?    Yes    No

Improving?                                      Yes    No

Expected to pass?                              Yes    No

Additional Comments: \_\_\_\_\_



## Problem-Solving

You can use the worksheet on the next page to keep a list of the interventions and supports provided to your child. The **problem-solving** process within a **multi-tiered system of supports** is designed to help children master the areas they are having trouble with, whether the trouble is **academic** or behavioral. This framework guides educational services for all children, those receiving general education *and* those receiving exceptional student education services. It is based on the principle that all children can learn.

When your child is not making progress it is helpful to revisit the questions found on pages 71–73 with your child’s teachers or the problem-solving team. When your child is making progress, it is helpful to identify what strategies are helping them succeed.



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## Problem-Solving Questions

Any time your child is struggling, you should ask your child's teacher(s) the following questions. You can use this form to note the responses you receive.

1. In what areas is my child successful?
2. In what areas is my child not finding success? What is my child expected to be able to do? Why do you think my child is not making the progress expected?
3. Is my child's performance similar to their classmates or schoolmates? Is my child the only one struggling with this issue (or topic), or is this a problem for a larger group of students?
4. Do you have enough information to know exactly what the problem is for my child? If not, what do we need to do? Is there someone else or a team of people that should be helping us to help my child?
5. If this is a unique problem for my child, what additional assistance will they receive? When will my child start to receive the additional assistance? Who will provide the assistance? How often? For how long? Will there be a way to be sure my child is getting the extra help?

6. How will you know my child is improving with this additional help? How will I know my child is improving? How frequently will we review my child's data to check on their progress? Will you show me the evidence that my child is making progress?
  
7. What can I do to help my child? How can I receive support in building my skills in order to help my child? Will you help me know what types of things I can do at home to help my child in school?

**Once additional help begins for your child and you start meeting to review the evidence about whether your child is progressing or not, these are some additional questions you may want to ask:**

**If your child is making progress, ask the following questions:**

1. Is my child making enough progress to close the gap between their performance and their classmates' performance?
  
2. Are we going to keep the same level of support for them, or will we increase or decrease the help? If we make changes, will we continue to review my child's data? How often and for how long?

**If your child is still not making the progress you expected, ask the following questions:**

1. Why do you think the support did not help my child? Do we need to increase the amount of this help, or try something new?
2. If we try something new, will it be added to what we are already doing or replace what we are already doing to help my child?
3. Is there someone else — or a team of people — at the school that needs to be helping us help my child?
4. What can I do to help my child? How can I receive support in building my skills in order to help my child? Will you help me know what types of things I can do at home to help my child in school?



## **Records of Public School Evaluations**

If your child was evaluated by a specialist through the public school, write the information in one of the charts on the following pages.

Read each report and identify the evaluator's recommendations. If the IEP team agreed that a recommendation would be used, write it on the form. Ask the IEP team when the recommendation will be used and who is going to follow up to make sure. Write that information in the last column on the right.

Each report may include many recommendations, and it is not always appropriate to use them all at once, because it can be overwhelming to your child or their teachers. It is more helpful to prioritize the recommendations based on what is most important for your child in the immediate future as well as the vision that you and your child have for what they want to do after public school.



## Public School Evaluation Record Form

Circle the type of evaluation your child received:

P = psychological    S = speech    L = language    V = vision    H = hearing

OT = **occupational therapy**    PT = **physical therapy**    BA = behavior    O = other

Grade: \_\_\_\_\_ Evaluator: \_\_\_\_\_

Date you signed consent for evaluation: \_\_\_\_\_ Date evaluation completed: \_\_\_\_\_

How does the disability impact your child's learning: \_\_\_\_\_

Recommendations the IEP team agrees should be used to address how your child's disability impacts learning	Who will follow up (and when) to ensure use as noted in IEP
Recommendations that are not being used and not scheduled to be used	Reason the recommendation will not be used

## Public School Evaluation Record Form

Circle the type of evaluation your child received:

P = psychological    S = speech    L = language    V = vision    H = hearing

OT = occupational therapy    PT = physical therapy    BA = behavior    O = other

.....  
 Grade: \_\_\_\_\_ Evaluator: \_\_\_\_\_

Date you signed consent for evaluation: \_\_\_\_\_ Date evaluation completed: \_\_\_\_\_

How does the disability impact your child's learning: \_\_\_\_\_

Recommendations the IEP team agrees should be used to address how your child's disability impacts learning	Who will follow up (and when) to ensure use as noted in IEP
Recommendations that are not being used and not scheduled to be used	Reason the recommendation will not be used



## Independent Educational Evaluations

Sometimes children are evaluated by someone who does not work for the public school system. This is called an independent educational evaluation, or IEE, and it is similar to getting a second opinion about a medical diagnosis. More information about IEEs begins on page 43.

If your child had an independent educational evaluation, review each report and identify and record the recommendations in the same way as for the public school evaluations.

For recommendations that are not being used, or that are not scheduled to be used, write down the explanation provided for not using or scheduling the recommended service. If you have received no explanation and the recommendation is not being used or scheduled to be used, you should ask questions. Start by asking your child's teacher, then the guidance counselor or principal. Finally, if you are not satisfied with the answers provided by staff at the school level, contact the ESE director for your school district. Your goal is to get a reason for not using a recommendation that makes sense to you or to get an assurance that there has been a schedule established to use the recommendation.



Photo courtesy of: iStockphoto/Thinkstock



## Independent Educational Evaluation Record Form

Circle the type of evaluation your child received:

P = psychological    S = speech    L = language    V = vision    H = hearing

OT = occupational therapy    PT = physical therapy    BA = behavior    O = other

.....  
 Grade: \_\_\_\_\_ Evaluator: \_\_\_\_\_

Date you signed consent for evaluation: \_\_\_\_\_ Date evaluation completed: \_\_\_\_\_

How does the disability impact your child's learning: \_\_\_\_\_

Recommendations the IEP team agrees should be used to address how your child's disability impacts learning	Who will follow up (and when) to ensure use as noted in the IEP
Recommendations that are not being used and not scheduled to be used	Reason recommendation will not be used

## Independent Educational Evaluation Record Form

Circle the type of evaluation your child received:

P = psychological    S = speech    L = language    V = vision    H = hearing

OT = occupational therapy    PT = physical therapy    BA = behavior    O = other

.....  
 Grade: \_\_\_\_\_ Evaluator: \_\_\_\_\_

Date you signed consent for evaluation: \_\_\_\_\_ Date evaluation completed: \_\_\_\_\_

How does the disability impact your child's learning: \_\_\_\_\_

Recommendations the IEP team agrees should be used to address how your child's disability impacts learning	Who will follow up (and when) to ensure use as noted in the IEP
Recommendations that are not being used and not scheduled to be used	Reason recommendation will not be used

## IEP Planning Worksheet

You can use this sheet, in addition to the one on pages 55–56, to organize your thoughts before meetings. When you have a concern it is important to refer to what you know about how your child learns best, the information from the problem-solving team you have worked with, the levels of support your child has received, and the evaluations that have been done.

List areas of strength for your child. For each, indicate how you know it.

1. \_\_\_\_\_  
\_\_\_\_\_
2. \_\_\_\_\_  
\_\_\_\_\_
3. \_\_\_\_\_  
\_\_\_\_\_
4. \_\_\_\_\_  
\_\_\_\_\_

List areas you think your child struggles with. For each, indicate how you know it.

1. \_\_\_\_\_  
\_\_\_\_\_
2. \_\_\_\_\_  
\_\_\_\_\_
3. \_\_\_\_\_  
\_\_\_\_\_
4. \_\_\_\_\_  
\_\_\_\_\_

List any adjustments (accommodations) or situations that help your child learn. For each, indicate how you know it.

1. \_\_\_\_\_  
\_\_\_\_\_
2. \_\_\_\_\_  
\_\_\_\_\_
3. \_\_\_\_\_  
\_\_\_\_\_
4. \_\_\_\_\_  
\_\_\_\_\_



## Transition Planning Worksheet

Transition planning is the planning for the services and supports needed for a successful change from school to adult life. It usually begins at age 14, but can start earlier. Transition planning focuses on plans and dreams you and your child have for the future. If your child is 14 or older, answer the following questions, in addition to the questions on pages 55–56, prior to meeting with school personnel. Include your child in answering the questions.

What kind of jobs or chores has your child done? What did they like about the job or chore? What did they not like?

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What kind of volunteer experience has your child had? What did they like about the experience? What did they not like?

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Is your child aware of the types of work or volunteer opportunities available in the community? If not, is there a way to help them learn about the types of work or volunteer opportunities?

---

---

---

If yes, what kind of job or career would your child like to have? What is it that they especially like about this type of job or career?

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---

---

Where would your child like to be living and working five years from now?

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---

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What does your child most need to learn in order to be ready for adult life?

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## APPENDIX A—WHERE TO GO FOR HELP (DIRECTORY)

Many organizations and agencies offer information and services to parents of children with disabilities. On the following pages you will find just a few of them.

### Local Contacts

Director, Exceptional Student Education

*(Find contact information at <http://data.fldoe.org/ese/contacts> or call your local school board or district office for address and phone number)*

Florida Diagnostic and Learning Resources System (FDLRS)

*(Visit the FDLRS website at <http://www.fdlrs.org> or contact the exceptional student education director for address and phone number)*

Florida Department of Children and Families

*(Find your local office at <http://www.dcf.state.fl.us> or check your local telephone directory)*

Program Chairperson, Special Education or Exceptional Student Education department at local college or university.

### State Contacts

Some of these organizations have local chapters or are part of a national organization. Check your telephone directory or contact the organization directly.

Agency for Persons with Disabilities  
4030 Esplanade Way, Suite 380  
Tallahassee, FL 32399-0950  
Toll Free: (866) 273-2273  
Website: <http://www.apdcares.org>

The Arc of Florida  
2898 Mahan Drive, Suite 1  
Tallahassee, FL 32308  
Phone: (850) 921-0460  
Toll Free: (800) 226-1155  
Email: [arcflorida@gmail.com](mailto:arcflorida@gmail.com)  
Website: <http://www.arcflorida.org>

Autism Society of Florida  
P. O. Box 970646  
Weston, FL 33097  
Phone: (954) 349-2820  
Email: [vsenquenzia@aol.com](mailto:vsenquenzia@aol.com)  
Website: <http://www.autismfl.com>

Brain Injury Association of Florida  
1637 Metropolitan Blvd., Suite B  
Tallahassee, FL 32308  
Phone: (850) 410-0103  
Toll Free: (800) 992-3442  
Website: <http://www.biaf.org>

Centers for Autism and Related  
Disabilities (CARD)

Website: <http://florida-card.org>

Central Florida Parent Center

1021 Delaware Avenue

Palm Harbor, FL 34683

Toll Free: (888) 612-9273

Email: [cfpc@cflparents.org](mailto:cfpc@cflparents.org)

Website: <http://www.cflparents.org>

Children's Medical Services

4052 Bald Cypress Way, Bin A02

Tallahassee, FL 32399-1703

Phone: (850) 245-4200

Website: <http://www.cms-kids.com>

Disability Rights Florida

2728 Centerview Drive, Suite 102

Tallahassee, FL 32301

Phone: (850) 488-9071

Toll Free: (800) 342-0823

Website:

<http://www.disabilityrightsflorida.org>

Division of Vocational Rehabilitation

2002 Old Saint Augustine Road, Building A

Tallahassee, FL 32301-4862

Phone: (850) 245-3399 (voice/TDD)

Toll Free: (800) 451-4327 (voice/TDD)

Email: [VRWebmaster@vr.fldoe.org](mailto:VRWebmaster@vr.fldoe.org)

Website: <http://www.rehabworks.org>

Easter Seals of Florida

2010 Mizell Avenue

Winter Park, FL 32792

Phone: (407) 896-7881

TTY: (407) 629-7881

Website: <http://www.fl.easterseals.com>

Family Network on Disabilities of Florida

2196 Main Street, Suite K

Dunedin, FL 34698

Phone: (727) 523-1130

Toll Free: (800) 825-5736

Email: [fnd@fndfl.org](mailto:fnd@fndfl.org)

Website: <http://www.fndfl.org>

Florida Alliance for Assistive Services and  
Technology (FAAST)

3333 W. Pensacola Street

Building 100, Suite 140

Tallahassee, FL 32304-2800

Phone: (850) 487-3278

Toll Free: (888) 788-9216

Email: [faast@faast.org](mailto:faast@faast.org)

Website: <http://www.faast.org>

Florida Association of Speech-Language  
Pathologists and Audiologists

222 S. Westmonte Drive, No. 101

Altamonte Springs, FL 32714

Toll Free: (800) 243-3574

Email: [flasha@flasha.org](mailto:flasha@flasha.org)

Website: <http://www.flasha.org>

Florida Department of Education

Bureau of Exceptional Education and  
Student Services (BEES)

325 W. Gaines Street, Suite 614

Tallahassee, FL 32399-0400

Phone: (850) 245-0475

Website: <http://www.fldoe.org/ese>

Florida Developmental Disabilities Council

124 Marriott Drive, Suite 203

Tallahassee, FL 32301

Phone: (850) 488-4180

Toll Free: (800) 850-7801

TDD Toll Free: (888) 488-8633

Email: [fddc@fddc.org](mailto:fddc@fddc.org)

Website: <http://www.fddc.org>

Florida Diagnostic and Learning Resources System (FDLRS)

Website: <http://www.fdlrs.com>

Florida Division of Blind Services  
325 W. Gaines Street, Suite 1114  
Tallahassee, FL 32399-0400

Phone: (850) 245-0300

Toll Free: (800) 342-1828

Website: <http://www.myflorida.com/dbs>

Learning Disabilities Association of Florida  
c/o Bridges Academy

894 Gary Hillery Drive

Winter Springs, FL 32708

Website: <http://www.LDA-fl.com>

The Multiagency Network for Students  
with Emotional/Behavioral Disabilities

SEDNET Administration Project

University of South Florida

140 7<sup>th</sup> Avenue, SVB 112

St. Petersburg, FL 33701

Phone: (727) 873-4661

Website:

<http://www.sednetfl.info/Index.aspx>

Parent to Parent of Miami, Inc.

7990 SW 117<sup>th</sup> Avenue, Suite 200

Miami, FL 33183

Phone: (305) 271-9797

Email: [info@ptopmiami.org](mailto:info@ptopmiami.org)

Website: <http://www.ptopmiami.org>

Prader-Willi Syndrome Association

8588 Potter Park Drive, Suite 500

Sarasota, FL 34238

Phone: (800) 926-4797

Website: <http://www.pwsausa.org>

Spina Bifida Association of Tampa Bay

P. O. Box 16603

Tampa, FL 33687-6603

Phone: (813) 933-4827

Email: [SBATampaBay@aol.com](mailto:SBATampaBay@aol.com)

Website: <http://www.sbatampabay.org>

Tourette Syndrome Association of Florida

P. O. Box 411416

Melbourne, FL 32941-1416

Phone: (727) 418-0240

Email: [director@tsa-fl.org](mailto:director@tsa-fl.org)

Website: <http://www.tsa-fl.org>

United Cerebral Palsy (UCP) of Central  
Florida

3305 S. Orange Avenue

Orlando, FL 3806

Phone: (407) 852-3300

Website: <http://www.ucpcf.org>

United Cerebral Palsy of East Central  
Florida

1100 Jimmy Ann Drive

Daytona Beach, FL 32117

Phone: (386) 274-6474

Website: <http://www.ucpecf.org>

United Cerebral Palsy of North Florida

1241 N. East Avenue

Panama City, FL 32401

Phone: (850) 769-7960

United Cerebral Palsy of Northwest  
Florida

2912 North E Street

Pensacola, FL 32501-1324

Phone: (850) 432-1596

Email: [info@ucpnwfl.org](mailto:info@ucpnwfl.org)

Website: <http://www.ucpnwfl.org>

United Cerebral Palsy of Sarasota-  
Manatee

1090 S. Tamiami Trail

Sarasota, FL 34236

Phone: (941) 957-3599

Website: <http://www.ucpsarasota.org>

United Cerebral Palsy of South Florida

2700 W. 81<sup>st</sup> Street

Hialeah, FL 33016

Phone: (305) 325-1080

Website: <http://www.ucpsouthflorida.org>

United Cerebral Palsy of Tallahassee

1830 Buford Court

Tallahassee, FL 32308

Phone: (850) 922-5630

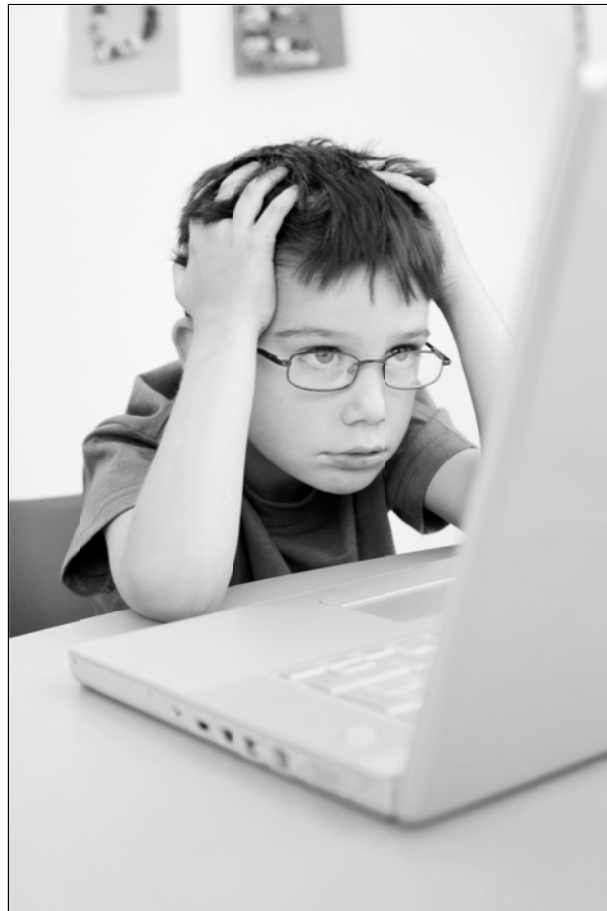


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## National Contacts

Alexander Graham Bell Association for the  
Deaf and Hard-of-Hearing  
3417 Volta Place, NW  
Washington, DC 20007  
Phone: (202) 337-5220  
TTY: (202) 337-5221  
Email: [info@agbell.org](mailto:info@agbell.org)  
Website: <http://nc.agbell.org>

American Association on Intellectual and  
Developmental Disabilities  
501 3<sup>rd</sup> Street, NW, Suite 200  
Washington, DC 20001  
Phone: (202) 387-1968  
Toll Free: (800) 424-3688  
Website: <http://www.aamr.org>

American Foundation for the Blind  
2 Penn Plaza, Suite 1102  
New York, NY 10121  
Phone: (212) 502-7600  
Toll Free: (800) AFB-LINE (232-5463)  
Website: <http://www.afb.org>

American Speech-Language-Hearing  
Association  
2200 Research Blvd.  
Rockville, MD 20850  
Toll Free: (800) 498-2071  
Website: <http://www.asha.org>

Autism Society  
4340 East-West Highway, Suite 350  
Bethesda, MD 20814  
Phone: (301) 657-0881  
Toll Free: (800) 3-AUTISM (328-8476)  
Website: <http://www.autism-society.org>

Children and Adults with Attention  
Deficit/Hyperactivity Disorder (CHADD)  
8181 Professional Place, Suite 150  
Landover, MD 20785  
Phone: (301) 306-7070  
Toll Free: (800) 233-4050  
Email: [call\\_center@chadd.org](mailto:call_center@chadd.org)  
Website: <http://www.chadd.org>

Children's Defense Fund  
25 E Street, NW  
Washington, DC 20001  
Phone: (202) 628-8787  
Toll Free: (800) 233-1200  
Email: [cdfinfo@childrensdefense.org](mailto:cdfinfo@childrensdefense.org)  
Website:  
<http://www.childrensdefense.org>

Council for Exceptional Children  
2900 Crystal Drive, Suite 1000  
Arlington, VA 22202-3557  
Phone: (703) 620-3660  
Toll Free: (866) 509-0218  
Email: [service@cec.sped.org](mailto:service@cec.sped.org)  
Website: <http://www.cec.sped.org>

Disability Resources on the Internet  
Website:  
<http://www.disabilityresources.org>

Easter Seals Disability Services  
233 S. Wacker Drive, Suite 2400  
Chicago, IL 60606-4802  
Phone: (312) 726-6200  
TDD: (312) 726-4258  
Toll Free: (800) 221-6827  
Website: <http://www.easter-seals.org>

Federation for Children with Special Needs  
1135 Tremont Street, Suite 420  
Boston, MA 02120  
Phone: (617) 236-7210  
Email: [fcsninfo@fcsn.org](mailto:fcsninfo@fcsn.org)  
Website: <http://www.fcsn.org>

International Dyslexia Association  
40 York Road, 4<sup>th</sup> Floor  
Baltimore, MD 21204  
Phone: (410) 296-0232  
Website: <http://www.interdys.org>

International Parents' Organization  
3417 Volta Place, NW  
Washington, DC 20007  
Phone: (202) 337-5220 (voice/TDD)

John Tracy Clinic (children under six with  
hearing impairments)  
806 W. Adams Blvd.  
Los Angeles, CA 90007  
Phone: (213) 748-5481  
TDD: (213) 747-2924  
Toll Free: (800) 522-4582 (voice/TDD)  
Website: <http://www.johntracyclinic.org>

Learning Disabilities Association of  
America (LDA)  
4156 Library Road  
Pittsburgh, PA 15234  
Phone: (412) 341-1515  
Website: <http://www.ldanatl.org>

National Alliance on Mental Illness  
3803 N. Fairfax Drive, Suite 100  
Arlington, VA 22203  
Phone: (703) 524-7600  
Toll Free: (800) 950-6264  
Email: [helpline@nami.org](mailto:helpline@nami.org)  
Website: <http://www.nami.org>

National Association for Parents of  
Children with Visual Impairments  
P. O. Box 317  
Watertown, MA 02471-0317  
Phone: (617) 972-7441  
Toll Free: (800) 562-6265  
Website: <http://www.spedex.com/napvi>

National Association of the Deaf (NAD)  
8630 Fenton Street, Suite 820  
Silver Spring, MD 20910  
Phone: (301) 587-1788 (Voice)  
TDD: (301) 587-1789  
Website: <http://www.nad.org>

National Information Center for Children  
and Youth with Disabilities (NICHCY)  
1825 Connecticut Avenue, NW, Suite 700  
Washington, DC 20009  
Toll Free: (800) 695-0285 (voice/TDD)  
Website: <http://www.nichcy.org>

Office of Civil Rights (OCR)  
U. S. Department of Education  
61 Forsythe Street, SW, Suite 19T70  
Atlanta, GA 30303  
Phone: (404) 974-9406  
Email: [OCR.Atlanta@ed.gov](mailto:OCR.Atlanta@ed.gov)  
Website: <http://www.ed.gov/ocr>

Office of Special Education Programs  
(OSEP)  
U. S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-7100  
Phone: (202) 245-7459  
Website:  
[http://www.ed.gov/about/offices/list/  
osers/osep](http://www.ed.gov/about/offices/list/osers/osep)

Spina Bifida Association of America  
4590 MacArthur Blvd., NW, Suite 250  
Washington, DC 20007-4226  
Phone: (202) 944-3285  
Toll Free: (800) 621-3141  
Website: <http://www.sbaa.org>



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## APPENDIX B—GLOSSARY

This glossary defines the words and terms that are in ***bold and italics*** in this book and others that you may hear used at IEP meetings. Different school districts may use these words slightly differently. Feel free to ask about the meaning of words used to describe your child or your child’s education. It is helpful to make sure that everyone involved has the same understanding of important terms.

**Academic**—Having to do with school subjects such as reading, writing, math, social studies, and science.

**Access Points**—Academic expectations written specifically for students with significant cognitive disabilities. As part of the ***Next Generation Sunshine State Standards***, access points reflect the essence or core intent of the standards that apply to all students in the same grade, but at reduced levels of complexity.

**Accommodation**—A different way of doing something that takes into account a student’s disability. For example, when a student with a visual impairment studies by listening to a recording of a textbook, the student is using an accommodation. Accommodations are changes in *how* a student is taught or tested. Accommodations do not change the requirements of a course or the standards the student must meet. Compare to “modification.”

**Administrative Law Judge (ALJ)**—The person who is in charge of a due process hearing and who makes the decisions after the hearing. The administrative law judge cannot work for the local school district. In Florida, administrative law judges are employed by the Division of Administrative Hearings within the Florida Department of Management Services. The administrative law judge cannot know the student or be a friend or relative of the family. They must be impartial—fair to both parents and the school district.

**Age of Majority**—The age when a person becomes a legal adult. The rights of the parent of a student with a disability transfer to the student when the student reaches the age of majority. In Florida, this is 18 years of age, unless the student has been declared incompetent under state law or has a guardian advocate who has been appointed to make educational decisions. See also “*transfer of rights*.”

**Age-Appropriate**—Describes materials, activities, and experiences that are useful and suitable for persons of a particular age. For example, age-appropriate books for a teenager are different than age-appropriate books for a seven-year-old, even if the teenager reads on a second-grade level.

**Annual Goal**—See “measurable annual goal.”

**Appeal**—A written request for a court to review the decision of an administrative law judge in a due process hearing.

**Assessment**—A way of collecting information about what a student knows and can do and what a student still needs to learn. Assessments may include giving tests, observing the student, and looking at the student’s portfolio or work samples.

**Assistive Technology (AT)**—Assistive technology devices or services. See below.

**Assistive Technology Device**—Equipment that helps a person with a disability maintain, increase, or improve their ability to do something.

**Assistive Technology Service**—A service that directly helps a person with a disability select, buy, or use an assistive technology device. This includes evaluating assistive technology needs; purchasing equipment; selecting, fitting, and repairing equipment; and training the person, family, teachers, employers, and others in the use of the equipment.

**Autism Spectrum Disorder**—A person who has an autism spectrum disorder has trouble communicating and interacting with others. The person may also repeat patterns of behaviors and activities. In order to qualify for programs and services for students with autism spectrum disorder, a student must meet all the requirements listed in the Florida State Board of Education Rules. (Rule 6A-6.03023, Florida Administrative Code [F.A.C.]

**Behavior Intervention Plan (BIP)**—A plan that helps a student with a disability reduce their problem behaviors. The BIP includes strategies the student will be taught that will allow them to stop the problem behaviors or replace them with other behaviors. The BIP also explains how to determine the student’s progress in reducing the problem behavior.

**Benchmarks**—Statements on the IEP that describe major milestones a student must reach in order to achieve one of their “measurable annual goals.” See also “short-term objectives.”

**Certificate of Completion**—The certificate given to students who pass the required courses in high school but do not pass the state graduation test or achieve the grade-point average required for a standard diploma.

**Change of Placement**—A change in the type of placement listed on the IEP of a student with a disability. This includes a change from a more restrictive placement to a less restrictive placement, or vice versa. Any change of placement must be decided during an IEP meeting.

**Common Core Standards**—National standards that provide a consistent, clear understanding of what students are expected to learn, so teachers and parents know what they need to do to help them. Florida is adopting these standards beginning in 2012.

**Compensatory Services**—Services that a school district provides to a student in order to make up for services not provided in the past.

**Complaint**—A parent’s formal written claim that a school district has violated a law related to the education of students with disabilities.

**Confidential**—Private, not to be seen by others. School records are confidential, so they may only be read or used by school staff, parents, and others who are allowed by law to see them.

**Consent**—A parent’s permission to let the school take an action that affects their child’s education. Usually, the parent signs a form to show that they give consent.

**Courses of Study**—The types of courses a student plans to take in order to reach their measurable postsecondary goals.

**Cumulative**—Added together. If a student is suspended for three days in October, five days in January, and two days in May, the student has been suspended for 10 cumulative days.

**Daily Living Skills**—Skills necessary to take care of one’s personal needs as independently as possible. Examples include dressing for work, renting an apartment, and buying a bus pass.

**Deaf or Hard-of-Hearing (DHH)**—A person who is deaf or hard-of-hearing has lost some or all of the ability to hear. In order to qualify for programs and services for students who are deaf or hard-of-hearing, a student must meet all the requirements listed in the Florida State Board of Education Rules. (Rule 6A-6.03013, F.A.C.)

**Developmentally Delayed (DD)**—A child age three to five who has a developmental delay is developing more slowly than their peers in a developmental area such as *self-help* skills, communication, cognitive abilities, social or emotional skills, or physical and motor development. In order to qualify for programs and services for students with developmental delays, a student must meet all the requirements listed in the Florida State Board of Education Rules. (Rule 6A-6.03027, F.A.C.)

**Disability**—A condition that makes it hard for a person to learn or do things in the same ways as most other people. A disability may be temporary or permanent.

**Dismissal**—A decision to end ESE services because the student no longer has a disability or no longer needs those services. The IEP team reviews evaluations and other information about the student before making this decision. Parents receive written notice before services are stopped.

**Dual-Sensory Impaired (DSI)**—A person with dual-sensory impairment has trouble both seeing and hearing such that the person needs services that address both areas of sensory impairment. In order to qualify for programs and services for students who have dual-sensory impairments, a student must meet all the requirements listed in the Florida State Board of Education Rules. (Rule 6A-6.03022, F.A.C.)

**Due Process Hearing**—A formal meeting held to settle a disagreement between a parent and school district about the evaluation, qualifications, placement, services, or IEP of a child with a disability. An administrative law judge runs the meeting.

**Duration**—An IEP includes the amount of ESE services a student will get. “Duration” is the length of time a student with a disability is expected to get a service during the school year or extended school year.

**Eligibility Criteria**—The requirements a child must meet to qualify for each exceptionality category (program). The eligibility criteria for each exceptionality category are listed in the Florida State Board of Education Rules.

**Eligibility Staffing**—A meeting at which parents and school staff members decide if a student qualifies for ESE services. This decision is based on evaluation reports and other information. To qualify, the student must meet the requirements listed in the Florida State Board of Education Rules.

**Eligible**—Refers to a student who meets the requirements for and is in need of ESE services. The decision is based on the Florida State Board of Education Rules.

**Emotional**—Having to do with feelings and the way one responds to and expresses feelings.

**Emotional or Behavioral Disabilities (EBD)**—A person who has an emotional or behavioral disability has behaviors or emotional responses that cannot be explained by age, culture, gender, or physical reasons and that make it hard for the student to learn. In order to qualify for programs and services for students who have emotional or behavioral disabilities, a student must meet all the requirements listed in the Florida State Board of Education Rules. (Rule 6A-6.03016, F.A.C.)

**Employability Skills**—Skills necessary to get and keep a job. These are not technical skills but social and behavioral skills that help a person work well with others, communicate with others, follow directions, be on time for work, etc.

**End of Course (EOC) Assessments**—End-of-course assessments are tests designed to measure students' achievement of the standards for specific high-school-level courses.

**ESE**—See “exceptional student education.”

**ESE Administrator**—The person that heads up the school district's ESE programs. This person works for the whole school district, not just one school.

**Evaluation**—A way of collecting information about a student's learning needs, strengths, and interests. It is used to help decide whether a student has a disability and qualifies for ESE programs and services. It may include giving individual tests, observing the student, looking at records, and talking with the student and parents.

**Evidence**—Materials (e.g., records, letters, notes, work samples) that are used by parents or school districts in a due process hearing to help show that their point of view is the right one.

**Exceptional Student**—A student who has special learning needs as described in the State Board of Education Rules. This includes students who have a disability. It also includes students who are gifted. A child does not have to be in school to be an “exceptional student.”

**Exceptional Student Education (ESE)**—The name given in Florida to educational programs and services for students with special learning needs (including those who have disabilities and those who are gifted). It is sometimes called “special education.”

**Exceptionality**—A disability or special learning need.

**FAPE**—See “free appropriate public education.”

**Florida Alternate Assessment**—An assessment used for a student with a disability when a standard state- or district-wide assessment is not appropriate for that student. See “assessment.”

**Formal complaint**—See “complaint.”

**Free Appropriate Public Education (FAPE)**—The term used in the federal law (IDEA) to describe the right of a student with a disability to special services that will meet their individual learning needs, at no cost to their parents.

**Frequency**—An IEP includes the amount of ESE services a student will get. Frequency is how often and how much service the student will get during the school year or extended school year.

**Functional Behavioral Assessment (FBA)**—The process of gathering information about problem behaviors of a student with a disability. Information about when, where, and under what conditions the behaviors occur is included.

**GED Diploma**—A high school diploma earned by a student who is at least 18 years old and who passes the Tests of General Educational Development (GED). A GED diploma is issued by the State of Florida rather than the local school district.

**General Curriculum**—The academic content that most students without disabilities are studying. In Florida, the general curriculum is the Next Generation Sunshine State Standards or Common Core, which describe what students are expected to know and be able to do at various points in their education.

**General Education**—The classes and activities most students participate in. It includes academic and vocational education.

**Gifted**—A student who is gifted learns more easily than other students. In order to qualify for programs and services for students who are gifted, a student must meet all the requirements listed in the Florida State Board of Education Rules. (Rule 6A-6.03019, F.A.C.)

**Hearing Officer**—See “administrative law judge.”

**Hospitalized or Homebound (HH)**—A student qualifies for this program when they must be taught at home or in a hospital for an extended period of time because of a severe illness, injury, or health problem. In order to qualify for programs and services for students who are hospitalized or homebound, a student must meet all the requirements listed in the Florida State Board of Education Rules. (Rule 6A-6.03020, F.A.C.)

**IDEA**—See “Individuals with Disabilities Education Act.”

**Identification**—The decision that a student has a disability and what the disability is.

**IEP**—See “individual educational plan.”

**IEP Team Meeting**—A meeting held at least every 12 months to write a student’s IEP. Changes in a student’s services or placement must be made at an IEP meeting.

**IEP Review**—A meeting held to discuss changing the IEP of a student with a disability. Any member of the IEP team, including the parent, may request an IEP review.

**IFSP**—See “individualized family support plan.”

**Impartial**—Fair. An impartial person is one who does not take sides. For example, the person who runs a due process hearing must not work for the school district or be a friend of the parent.

**Independent Educational Evaluation (IEE)**—An evaluation asked for by a student’s parents and done by someone who does not work for the school district. An IEE may be paid for by the school district or by the parent.

**Independent Functioning**—A person’s skills in meeting their own needs, such as feeding, dressing, and toileting; traveling safely; and using time management and organizational strategies.

**Individual Educational Plan (IEP)**—A written plan that describes the individual learning needs of a student with disabilities and the ESE services, supports, aids, and accommodations and modifications that will be provided to that student.

**Individual Evaluation**—See “evaluation.”

**Individualized Family Support Plan (IFSP)**—A written plan that describes the concerns and needs of the family related to the development of a child ages birth through two years who has a disability or developmental delay. It lists the services to be provided to the child and the family. An IFSP may also be used instead of an IEP for children who are three, four, or five years old.

**Individuals with Disabilities Education Act (IDEA)**—An important United States law regarding the education of students with disabilities.

**Intellectual Disabilities (InD)**—A student who has an intellectual disability learns more slowly than other students do. In order to qualify for programs and services for students with intellectual disabilities, a student must meet all the requirements listed in the Florida State Board of Education Rules. (Rule 6A-6.03011, F.A.C.)

**Interventions**—Strategies used to help a student make progress in learning or behavior.

**Language Impairment**—A disorder in one or more of the basic learning processes involved in understanding or using spoken or written language. In order to qualify for programs and services for students with language impairments, a student must meet all the requirements listed in the Florida State Board of Education Rules. (Rule 6A-6.030121, F.A.C.)

**Learning Disability**—See “specific learning disabilities.”

**Least Restrictive Environment (LRE)**—The school setting (placement) that allows a child with a disability to be educated to the greatest extent possible with children who do not have disabilities.

**Location**—Where ESE services will be provided, such as a “general education classroom” or “ESE classroom.”

**Manifestation**—If a student’s misbehavior is a result of their disability, the misbehavior is called a “manifestation” of the disability.

**Manifestation Determination Review**—A meeting at which a team decides if a student’s misbehavior is a result of their disability.

**Matrix of Services**—A funding document used in Florida to calculate the ESE cost factor that will apply to the services and supports provided to some students with disabilities.

**Measurable Annual Goal**—A statement in an IEP of what the student needs to learn and should be able to learn within one year.

**Mediation**—A process in which parents and school personnel try to settle disagreements with the help of a person who has been trained to resolve conflicts.

**Modification**—A change in the requirements of a course or the standards a student must meet. A change in *what* the student is taught or tested on. The change is based on the student’s needs because of their disability. Compare with “accommodation.”

**Motor**—Having to do with using the large and small muscles to move parts of the body. Examples of motor skills are walking, holding and moving a pencil, and opening a door.

**Mutually Agreeable**—Acceptable to both the parents *and* the school. IEP team meetings must be held at a time and place that is mutually agreeable.



**Next Generation Sunshine State Standards**—A set of objectives that describes what Florida’s students are expected to know and be able to do at certain stages of their school career. Most students with disabilities are able to meet these standards if they receive appropriate services and accommodations.

**Notice**—A note or letter to parents about an action the school plans to take that will affect their child’s education.

**Occupational Therapy (OT)**—A related service for a student with a disability that helps them maintain, improve, restore, or develop skills needed for daily living, such as self-care and pre-employment skills. These skills will help the student benefit from ESE services. A licensed occupational therapist or licensed occupational therapy assistant provides the services.

**Orientation and Mobility Services**—Services that help students with visual impairments learn to move around safely in the school, home, and community.

**Orthopedic Impairment**—A severe problem with a student’s skeletal, muscular, or neuromuscular system. In order to qualify for programs and services for students with orthopedic impairments, a student must meet all the requirements listed in the Florida State Board of Education Rules. (Rule 6A-6.030151, F.A.C.)

**Other Health Impairments (OHI)**—Health problems that affect a student’s strength, vitality, or alertness. In order to qualify for services for students with other health impairments, a student must meet all the requirements listed in the Florida State Board of Education Rules. (Rule 6A-6.030152, F.A.C.)

**Participation**—The act of sharing, joining, or working with others to make decisions or complete a task (such as writing an IEP).

**Physical**—Having to do with the use or well-being of the body. An example of a physical skill is being able to sit in a chair with good balance and posture.

**Physical Therapy (PT)**—A related service for a student with a disability that helps maintain, improve, restore, or develop their movements and coordination so that they can benefit from ESE services. A licensed physical therapist or licensed physical therapist assistant provides the service.

**Placement**—The type of setting in which the student will receive special services. The placement may include one, or more than one, classroom or other area in which the student will receive services for a particular amount of time.

**Present Levels of Academic Achievement and Functional Performance**—Statements in an IEP that describe what a student can do or what they know now.

**Problem-Solving/Response to Intervention or Instruction (RtI)**—RtI is a problem-solving process that matches resources to a student’s needs. It involves understanding where the student is struggling; designing a way to help the student (an intervention); monitoring how the student responds to the intervention; and changing, decreasing, or increasing the intensity of the intervention depending on how the student responds.

**Procedural Safeguards**—Requirements outlined in IDEA that give parents the rights to participate, have notice, and give permission (consent). The procedural safeguards also determine how parents and schools can resolve disputes through mediation, due process, or complaint procedures.

**Reevaluation**—An evaluation that takes place after a student has already been receiving ESE services. A student with a disability must be reevaluated at least every three years. The purpose of the reevaluation is to decide if the student still has a disability and if the services they receive are still appropriate.

**Referral**—A request that a child be given an individual evaluation. A parent, teacher, doctor, or anyone who has worked with the child may make the referral. Children do not have to be in school to be referred.

**Related Services**—Special help given to a student with a disability in addition to direct special education services. Related services help a student benefit from instruction. Examples of related services are special transportation, social work services, physical and occupational therapy, and the services of readers for the blind.

**School Psychologist**—A professional who conducts evaluations, especially intelligence testing. A school psychologist may also work with classroom teachers, parents, and school administrators on behavior assessments and behavior management.

**School Social Worker**—A professional who may provide services in the home, including parent-student conferences, family counseling, parent education, information and referral, social-developmental history, and behavior assessments. They also provide services in the school and community, including parent groups.

**Self-Advocacy**—Actions a person with a disability takes to be sure their needs are understood and met, their wishes are respected, and their rights are honored.

**Self-Determination**—Taking control and making decisions that affect one’s own life. Self-determination skills help students with disabilities make choices, set goals, and manage their own lives.

**Self-Help**—Having to do with skills that allow a student to do things for themselves. Examples of self-help skills are being able to dress or cross the street without help.

**Sensory**—Having to do with using the senses of hearing, seeing, touching (feeling), smelling, or tasting as a part of learning. An example of a sensory skill is being able to see the differences between letters of the alphabet.

**Short-Term Objectives**—Statements in an IEP that describe small, measurable steps a student must learn or master before they can reach one of their measurable annual goals. See also “benchmarks.”

**Social**—Having to do with a student’s ability to get along with other people—adults or children. An example of a social skill is being able to play well with other children.

**Special Diploma**—The high school diploma earned by some students with disabilities who are not able to meet the requirements for a standard high school diploma. Students must meet all the special requirements of the district school board.

**Special Education**—See “exceptional student education.”

**Specific Learning Disabilities (SLD)**—A student with a disorder in one or more basic learning processes involved in understanding or using spoken or written language. A student with SLD may have difficulties with listening, reading, writing, spelling, or doing mathematics. In order to qualify for programs and services for students who have specific learning disabilities, a student must meet all the requirements listed in the Florida State Board of Education Rules. (Rule 6A-6.03018, F.A.C.)

**Speech Impairment**—A student who has a speech impairment has difficulty speaking so that they can be understood. In order to qualify for programs and services for students with speech impairments, a student must meet all the requirements listed in the Florida State Board of Education Rules. (Rule 6A-6.03012, F.A.C.)

**Speech-Language Pathologist**—A professional trained to identify and treat communication disorders. Speech-language pathologists help students with speech-language disorders. They work with classroom teachers to help children with communication problems and to develop lessons on the communication process. They also work with parents to understand and help their children who have communication disorders.

**Staffing**—See “eligibility staffing.”

**Staffing Specialist**—A person who guides the eligibility staffing meeting and makes sure that the requirements of the State Board of Education Rules are met.

**Standard Diploma**—The high school diploma granted to students who earn a specified number of credits and grade point average, meet the regular Next Generation Sunshine State Standards, and pass the state graduation test and required end-of-course exams. This is the general education diploma.

**State Board of Education Rules**—The rules developed to implement Florida’s laws related to education.

**Stay-Put Placement**—A student’s current placement, which the student stays in while a disagreement is being resolved through a due process hearing.

**Supplementary Aids and Services**—Aids and services provided in general education classes or other education-related settings to allow students with disabilities to be educated with students without disabilities. These are listed in the IEP.

**Supports for School Personnel**—Supports that allow a general education or ESE teacher to help a child progress in the general or special education curriculum. These supports are listed in the IEP.

**Transfer of Rights**—The shift of rights from the parent of a student with a disability to the student when they reach the “age of majority.”

**Transition IEP**—The IEP used for a student age 16 and older. The transition IEP helps prepare a student for life after school. Planning for the transition IEP should begin when the student is 14.

**Transition IEP Meeting**—An IEP team meeting for a student age 16 or older. A major purpose of this meeting is to help plan the young person’s move into adult life.

**Transition Services**—Activities that help a student move from school to post-school activities.

**Traumatic Brain Injury (TBI)**—An injury to the brain as the result of an outside force to the head. In order to qualify for services for students with traumatic brain injury, a student must meet all the requirements listed in the Florida State Board of Education Rules. (Rule 6A-6.030153, F.A.C.)

**Visual Impairment (VI)**—A student with a visual impairment has a loss of some or all of the ability to see. This includes students who are blind or partially sighted. In order to qualify for programs and services for students who have visual impairments, a student must meet all the requirements listed in the Florida State Board of Education Rules. (Rule 6A-6.03014, F.A.C.)

**Vocational**—Having to do with the skills needed for a trade or technical career. Examples of vocational skills are keyboarding, automotive repair, and carpentry.

**Witness**—A person who makes statements in a due process hearing to support a parent’s or a school district’s point of view.

**Written Notice**—A written communication from the school to the parent, describing an action the school plans to take that will affect their child’s education.



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## **APPENDIX C—SAMPLE LETTERS**

These sample letters can help you request that the school take action for your child. You can re-type or handwrite them, adding your personal information.

- Asking for an Individual Evaluation
- Asking for an IEP Review Meeting
- Asking the School to Change a Decision
- Asking for an Independent Educational Evaluation
- Asking the School to Change Records
- Asking for Copies of Educational Records

## Sample Letter Asking for an Individual Evaluation

[Your Address]  
[Your Phone Number]  
[Today's Date]

Mr./Ms. \_\_\_\_\_  
Principal  
[Name of School]  
[Address of School]

Dear \_\_\_\_\_:

I am the parent of \_\_\_\_\_, age \_\_\_\_\_, who is a student in grade \_\_\_\_\_ at \_\_\_\_\_ School. I have reason to believe that my child has special needs that are not being met by his/her current educational program. Please arrange to have my child evaluated as quickly as possible so that appropriate services can be provided.

Please let me know when this evaluation will take place.

Thank you.

Sincerely,

[Your Signature]  
[Your Name]

cc: [Name of ESE Director], Director, Exceptional Student Education



## Sample Letter Asking for an IEP Review Meeting

[Your Address]  
[Your Phone Number]  
[Today's Date]

Mr./Ms. \_\_\_\_\_  
Principal  
[Name of School]  
[Address of School]

Dear \_\_\_\_\_:

I am the parent of \_\_\_\_\_, age \_\_\_\_, who is a student in grade \_\_\_\_ at \_\_\_\_\_ School. I think that there should be a change in my child's individual educational plan. I am asking for a meeting to talk about this and to write a new IEP.

Please let me know when the meeting will be held.

Thank you.

Sincerely,

[Your Signature]  
[Your Name]

cc: [Name of ESE Director], Director, Exceptional Student Education

## Sample Letter Asking the School to Change a Decision

[Your Address]

[Your Phone Number]

[Today's Date]

Mr./Ms. \_\_\_\_\_

Director, Exceptional Student Education

[Name of School District]

[Address of District Office]

Dear \_\_\_\_\_:

I am the parent of \_\_\_\_\_, age \_\_\_\_, who is a student in grade \_\_\_\_ at \_\_\_\_\_ School. I received a notice from the school on \_\_\_\_\_ (date) about \_\_\_\_\_.

I do not agree with this notice. I have already talked to \_\_\_\_\_ and \_\_\_\_\_ and \_\_\_\_\_ at the school. I am asking for a meeting with you to talk about this.

Thank you.

Sincerely,

[Your Signature]

[Your Name]

cc: [Principal of Your Child's School], Principal, [Name of Your Child's School]

## Sample Letter Asking for an Independent Educational Evaluation

[Your Address]  
[Your Phone Number]  
[Today's Date]

Mr./Ms. \_\_\_\_\_  
Director, Exceptional Student Education  
[Name of School District]  
[Address of District Office]

Dear \_\_\_\_\_:

I am the parent of \_\_\_\_\_, age \_\_\_\_, who is a student in grade \_\_\_\_ at \_\_\_\_\_ School. I think that my child needs an independent educational evaluation because of these problems with the evaluation done by the school:

\_\_\_\_\_  
\_\_\_\_\_.

I am asking that you help me find someone to do this evaluation and that the school system pay for it. Please provide me with a written response to this request.

*or you may want to say:*

I want (insert name and title of who you want to do the evaluation) to do the evaluation, and I want the school system to pay for the evaluation by (insert name and title). Please provided me with a written response to this request. Thank you.

Sincerely,

[Your Signature]  
[Your Name]

cc: [Principal of Your Child's School], Principal, [Name of Your Child's School]

## Sample Letter Asking the School to Change Records

[Your Address]  
[Your Phone Number]  
[Today's Date]

Mr./Ms. \_\_\_\_\_  
Principal  
[Name of School]  
[Address of School]

Dear \_\_\_\_\_:

I am the parent of \_\_\_\_\_, age \_\_\_\_, who is a student in grade \_\_\_\_ at \_\_\_\_\_ School. I have read the school records about my child. These records were explained to me by \_\_\_\_\_ (name of person) on \_\_\_\_\_ (date). I have reason to believe that part of the school records are not fair to my child. Therefore, I am asking that you \_\_\_\_\_.

Please let me know what action you will take in answer to this request.

Thank you.

Sincerely,

[Your Signature]  
[Your Name]

cc: [Name of ESE Director], Director, Exceptional Student Education

## Sample Letter Asking for Copies of Educational Records

[Your Address]  
[Your Phone Number]  
[Today's Date]

Mr./Ms. \_\_\_\_\_  
Principal  
[Name of School]  
[Address of School]

Dear \_\_\_\_\_:

I am the parent of \_\_\_\_\_, age \_\_\_\_, who is a student in grade \_\_\_\_ at \_\_\_\_\_ School. I am requesting a copy of my child's educational records. I understand you may charge a fee for copying. Therefore, prior to copying the records, I request that you inform me of the cost. Depending on the cost, I may request to review the records and identify the records I would like copied.

Thank you.

Sincerely,

[Your Signature]  
[Your Name]



## **APPENDIX D—SAMPLE IEP FORM**

The blank IEP that begins on the next page is provided so you know what to expect when you are helping the team write an IEP for your child.

**Quality County School District  
Individual Educational Plan (IEP)**

**I. Student Information**

Date of IEP meeting:	School:
Student:	Student number:
Address:	Age:
Parent/Guardian:	Reevaluation due date:
DOB:	Initiation date of IEP:
Grade:	Review date of IEP:
Purpose of meeting:	Is this a transition IEP?:
Primary exceptionality: Additional exceptionality(ies):	

**II. Special Considerations**

In considering the following factors, if the IEP team determines that a student needs a particular device or service, including an intervention, accommodation, or program modification, the IEP must include a statement to that effect in the development of the IEP.

**Y N**

	Does the student's behavior impede his/her learning or the learning of others?
	If yes, does the student have a functional behavior assessment (FBA) and/or behavior intervention plan (BIP)?
	If there is not a FBA/BIP, the use of positive behavioral interventions, strategies, and supports must be considered in the development of this IEP.
	Does the student have limited English proficiency?
	Is the student blind or visually impaired?
	If yes, is instruction in braille or the use of braille appropriate?
	Does the student have communication needs? If yes, those needs must be addressed in this IEP.
	Is the student deaf or hard-of-hearing?
	If yes, the following opportunities for direct communication with peers and professionals in the student's language are needed:
	<b>N/A</b>



		If yes, the following opportunities for direct instruction in the student's language are needed:
		Does the student need assistive technology devices or services?
		Does the student require instruction or the provision of information in the area of self-determination?
		The student is pursuing a course of study leading to:

**Domains**

The student's needs that result from his or her disability are addressed through the following domains or transition service activities areas:

**Y N**

		Curriculum and Learning Environment
		Independent Functioning
		Communication
		Social/Emotional Behavior
		Health Care

**III. General Factors and Assessment Data**

Parent input was obtained through:

The parents' concerns for enhancing the education of the student:

Health concerns:

Results of statewide or districtwide assessments (e.g., Florida Comprehensive Assessment Test; Florida Alternate Assessment):

Results of the initial or most recent evaluation:

**DEVELOPMENTAL ASSESSMENT**

**OCCUPATIONAL THERAPY EVALUATION**

**PHYSICAL THERAPY EVALUATION**

**BEHAVIOR ASSESSMENT**

**SPEECH AND LANGUAGE EVALUATION**

Interagency responsibilities or linkages, if needed:

Results of Florida Comprehensive Assessment Test:

<b>Test Year:</b>		<b>Test Grade:</b>					
<b>Reading</b>				<b>Math</b>			
Achievement Level:				Achievement Level:			
Scale Score:				Scale Score:			
Content Areas	Points Possible	Points Earned	State Mean	Content Areas	Points Possible	Points Earned	State Mean

**IV. Present Level of Academic Achievement and Functional Performance**

Information on transition needs and/or self-determination is included here as appropriate.

**Domain/Transition Service: Curriculum and Learning Environment**

The strengths of the student related to this domain(s) are as follows:

Based on available data related to this domain, including formal and informal assessments, observations, work samples, and age-appropriate transition assessments (if appropriate), the student is able to:

**LANGUAGE AND EMERGENT LITERACY**

**MATHEMATICS**

The student's disability affects his/her involvement and progress in the general curriculum in this domain in the following ways:

**Annual Goals and Short-Term Objectives or Benchmarks**

Goal:

Mastery criteria:

Other:

Assessment procedures:

Progress reports will be provided:

If other, describe:

Short-Term Objectives or Benchmarks:

---

Goal:

Mastery criteria:

Other:

Assessment procedures:

Progress reports will be provided:

If other, describe:

Short-Term Objectives or Benchmarks:

---

**Domain/Transition Service Area: Communication**

The strengths of the student related to this domain(s) are as follows:

Based on available data related to this domain, including formal and informal assessments, observations, work samples, and age-appropriate transition assessments (if appropriate), the student is able to:

The student's disability affects his/her involvement and progress in the general curriculum in this domain in the following ways:

**Annual Goals and Short-Term Objectives or Benchmarks**

Goal:

Mastery criteria:

Other:

Assessment procedures:

Progress reports will be provided:

If other, describe:

Short-Term Objectives or Benchmarks:

---

Goal:

Mastery criteria:

Other:

Assessment procedures:

Progress reports will be provided:

If other, describe:

Short-Term Objectives or Benchmarks:

---

**Domain/Transition Service: Independent Functioning**

The strengths of the student related to this domain(s) are as follows:

Based on available data related to this domain, including formal and informal assessments, observations, work samples, and age-appropriate transition assessments (if appropriate), the student is able to:

The student's disability affects his/her involvement and progress in the general curriculum in this domain in the following ways:

**Annual Goals and Short-Term Objectives or Benchmarks:**

Goal:

Mastery criteria:

Other:

Assessment procedures:

Progress reports will be provided:

If other, describe:

**Short-Term Objectives or Benchmarks:**

---

Goal:

Mastery criteria:

Other:

Assessment procedures:

Progress reports will be provided:

If other, describe:

**Short-Term Objectives or Benchmarks:**

---

**Domain/Transition Service: Social/Emotional Behavior**

The strengths of the student related to this domain(s) are as follows:

Based on available data related to this domain, including formal and informal assessments, observations, work samples, and age-appropriate transition assessments (if appropriate), the student is able to:

The student's disability affects his/her involvement and progress in the general curriculum in this domain in the following ways:

**Annual Goals and Short-Term Objectives or Benchmarks:**

Goal:

Mastery criteria:

Other:

Assessment procedures:  
 Progress reports will be provided:  
 If other, describe:

Short-Term Objectives or Benchmarks:

Goal:

Mastery criteria:  
 Other:  
 Assessment procedures:  
 Progress reports will be provided:  
 If other, describe:

Short-Term Objectives or Benchmarks:

**V. Assessment**

**The student will be assessed through:**

	General Statewide Assessment (FCAT)/General Districtwide Assessment
	Florida Alternate Assessment/Alternate Districtwide Assessment
	N/A for student's current grade

**Y N**

		The student will participate in state or district assessments with accommodations? If yes, see "For students Participating in Assessment with Accommodations page (next page).
--	--	--

**VI. Special Education Services**

<b>Specially Designed Instruction</b>	<b>Initiation</b>	<b>Duration</b>	<b>Frequency</b>	<b>Location</b>

<b>Related Services</b>	<b>Initiation</b>	<b>Duration</b>	<b>Frequency</b>	<b>Location</b>

<b>Supplementary Aids and Services</b>	<b>Initiation</b>	<b>Duration</b>	<b>Frequency</b>	<b>Location</b>

<b>Extended School Year Services</b>	<b>Initiation</b>	<b>Duration</b>	<b>Frequency</b>	<b>Location</b>

<b>Classroom Accommodations</b>	<b>Initiation</b>	<b>Duration</b>	<b>Frequency</b>	<b>Location</b>
Accommodations are changes in how the student accesses information and demonstrates performance in the general education setting.				

<p>Supports for School Personnel (describe):</p> <p>(Supports required for the student to advance appropriately toward attaining goals, be involved and progress in the general education curriculum, and to be educated and participate with other students.)</p> <p>Person responsible for transition services follow-up (can be identified by title):</p>
--

## **VII. Least Restrictive Environment**

Explain the extent, if any, to which the student will not participate with nondisabled students in the general education class, extracurricular activities, and nonacademic activities:

### **Accessibility and Implementation**

The IEP is accessible to each of the student's teachers who are responsible for implementation and each teacher of the student has been informed of the specific responsibilities related to implementing the IEP (Rule 6A-6.03028, F.A.C.).

### **VII. Conference Notes:**







Florida Department of Education  
*Gerard Robinson, Commissioner*

303412