

PARENT'S RIGHTS: An Overview of Special Education Evaluations



For some families, special education can be a new or overwhelming idea. You may even be unsure about what a special education evaluation means.

This quick guide is meant to help families understand special education basics and some of the key rights, or protections, that are built into the system.

It's important you know that the school must ask for your permission to evaluate your child. If your child is eligible for special education, agreeing to these services is

your choice.

SPECIAL EDUCATION EVALUATION

If a child is suspected of having a disability and needing services

A free special education evaluation is offered

This evaluation is:

- ▶ **Free** – at no cost to you.
- ▶ A comprehensive evaluation based on multiple sources of data, **including information provided by you** ([Evaluation Procedures](#)).
- ▶ Administered by **trained and knowledgeable professionals** ([Parent's Guide to ARD](#) on pg. 6).

You will receive a copy of the results in an evaluation report.

Schools must ask for parent permission

The school must ask for your permission in writing before it may evaluate your child. **Agreeing to an evaluation does NOT mean you agree to special education services** ([Parent's Guide to ARD](#) on pg. 5).

Evaluation report is reviewed

If child is eligible, parents may agree or decline special education services

You are a member of the group that reviews the report and determines whether your child is eligible for special education services.

- ▶ If your student is eligible, **you may agree to or decline special education services.**
- ▶ If you disagree with the school's evaluation, **you have the right to request an independent educational evaluation (IEE)** at school expense ([Parent's Guide to ARD](#) on pg. 17).

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If your child is eligible for special education services and you agree to these services, you, the parent, are a **part of an Admission Review and Dismissal (ARD) committee** and are a **required participant in the creation of an Individualized Education Program (IEP)**.

The IEP is a written, legal document that ensures your child receives a **free appropriate public education (FAPE)** in the **least restrictive environment (LRE)**. Here are just **a few of the benefits** afforded to your child and documented in the IEP.



1

FAPE and LRE

FAPE means that the school must give your child the services, supports, and instruction that meet his/her unique needs and prepare him/her for college, career, and independent living. LRE means that your child must be educated with children who do not have disabilities as much as is appropriate to meet his/her needs.

2

Specially Designed Instruction (SDI) and Related Services

SDI is instruction that is designed specifically to address the unique needs of your child that result from his/her disability. The purpose of SDI is to make sure your child can learn and make progress in the general curriculum. There are also certain related services your child may need in order to benefit from special education. Some examples may include counseling, occupational therapy, or other services.

3

Annual Goals, Accommodations, and Modifications

The ARD committee, which you are a part of, develops annual measurable statements, or goals, of what your child should be able to achieve. The ARD committee must also document the accommodations and modifications your child needs to make progress. Accommodations change **HOW** your child learns or shows understanding. Modifications change **WHAT** your child is expected to learn.

4

Progress Monitoring

Goals that are written in the IEP must be monitored and reported to you at least as often as grades are reported. If your child is not making progress on these IEP goals, the ARD committee must meet again to address these needs.

5

Resolving Disagreements

There may be times when you and the school don't agree about your child's special education and related services. The state offers four formal options for resolving special education disagreements: state IEP facilitation, mediation services, the state complaint investigation process, and the due process hearing program ([Procedural Safeguards](#) p. 12).

6

Discipline Protections

There are special rules that apply to disciplinary actions taken against a child with a disability. In addition, certain disciplinary situations require the ARD committee to meet and discuss the cause of the behavior and determine next steps.