

## Lake Country School District – Family Handbook

### Frequently Asked Questions

This handbook will address some of the questions you may have about your child's educational needs. The Family Handbook will help you through the process of finding appropriate educational services for your child and the resources available to you.

Some of the services that you may have heard about will be described more fully such as: The Individuals with Disabilities Education Improvement Act (IDEA 2004) and Section 504 of the Rehabilitation Act. Both of these Federal laws provide for (1) a free and appropriate public education (FAPE), (2) an individualized education program (IEP) or accommodation plan, and access to the least restrictive environment (LRE).

#### **1. My child is struggling in school. What should I do? Where should I go? Who do I talk to?**

Your first step is to discuss your concerns with the classroom teacher. The classroom teacher may have additional suggestions and strategies that may help. The teacher may suggest a meeting with the building assistance team, a team structured to assist students. This team may include a guidance counselor, a teacher specialist, the building principal and the school psychologist. You may ask to be a part of any team meetings. You should ask for a specific time period when you will receive feedback regarding the effectiveness of the planned interventions and support. The building assistance team is required to develop interventions and document the results prior to any referral for special education services.

If your child continues to struggle you, a teacher, administrator, guidance counselor or other school personnel may ask for a "referral" for a special education evaluation to determine if your child has an impairment and a need for special education services. Contact Stacy Yearling, School Psychologist or Nancy Star, Special Education Secretary at Lake Country School, 262-367-3606.

Some people prefer to write a referral letter. A referral letter should include the following:

- The date
- The child's first and last name, date of birth and school district of residence
- A request for a special education or 504 evaluation
- and why you think the child might need special education.
- Your signature

If your child already receives special education services and you feel the learning is not progressing as it should you should contact your child's special education case manager or classroom teacher and request an IEP meeting or review / revision.

## **2. What is a disability? Does my child qualify for services?**

The areas of “impairment” include Autism (A), Cognitive Disability (CD), Emotional / Behavioral Disability (EBD), Hearing Impairment (HI), Specific Learning Disability (SLD or LD), Orthopedic Impairment (OI), Other Health Impairment (OHI), Significant Developmental Delay (SDD), Speech and Language Impairment (S/L), Traumatic Brain Injury (TBI), and Visual Impairment (VI).

The process to determine if a child has an impairment and need for special education consists of two parts. First, a team consisting of the parents / guardians, teachers, psychologist, and administrators who work with the student determines if he/she has an impairment in one or more of the areas listed above. The team then determines if the student requires special education services in order to progress in the curriculum. Some individuals with disabilities do not demonstrate a “need” for services. They are being successful with minor accommodations or they have learned strategies to accommodate themselves. Accommodations or modifications made available to any student are those that provide the student with the best opportunities to benefit from his/her education. If a student requires special education services, they are then documented on a written plan called the IEP (Individual Education Program).

A student must meet certain criteria for each impairment and the need for special education as defined by federal and state mandates. For example, a child may have a disability but may be progressing positively in general education curricula with modifications that any student may be able to access. For clear explanations of the criteria please refer to: <http://www.cesa7.k12.wi.us/sped/index.html> or <http://www.dpi.state.wi.us>.

## **3. What is an IEP?**

An IEP is an “Individualized Education Program” that is updated/revised annually. The IEP is developed to set specific and measurable goals for the IEP term. It also tells what services the school will provide to ensure that the student receives FAPE (Free and Appropriate Public Education) within the LRE (Least Restrictive Environment).

## **4. How does the IEP process work?**

(1) Referral for special education evaluation. Once the referral is received and signed the school will contact you within 15 business days.

(2) Evaluation. Does your child have an impairment and does your child need special education services? This portion of the evaluation will be completed within 60 days of your signed consent for the process.

(3) If the team decides that your child requires special education services an IEP is developed. Members of the IEP team are the parents/guardians of the student, the LEA (school district representative), at least one regular (or general) education teacher, and a special education teacher.

If assessments have been done someone who can explain the assessment is present as well, (typically a school psychologist).

The student should be included as appropriate. When a student reaches the age of 16 transition services, school to work or post secondary programming become important IEP goals. Students ages 16 and older are required to attend their IEPs. Adult service providers such as the Division of Vocational Rehabilitation or County services may be invited to the IEP meetings to provide additional information.

(4) At the IEP, the team decides what services are needed, the amount of the services, and the location of the services. The IEP is reviewed and updated at least on an annual basis. This can occur more frequently if needed. Learning needs to be meaningful and based on your child's specific needs. You will be asked for your input as part of this process of goal-setting.

(5) A re-evaluation occurs at least once every three years.

## **5. What if I don't agree with the results of the evaluation?**

Before you sign your consent for any IEP evaluation process you will receive a copy of Procedural Safeguards and Parent Rights. This document will outline the process, your rights and the process to follow if you disagree as well as contact information regarding agencies that you can contact for assistance. As a parent or guardian you also have the right to invite any other persons that you feel could be helpful to you to any meetings regarding your child. For further information you can contact Mark Lichte, School District Administrator or Nancy Mitchell, Director of Special Education at Lake Country School.

All students with disabilities are entitled to FAPE (Free and Appropriate Public Education) based on legal requirements in Individuals with Disabilities Education Improvement Act (IDEA, 2004). This means that the student's public school education must be free of charge, appropriate for the student's needs, and provide enough support to the student so that he or she can progress in school.

If you disagree with your school district and feel that it cannot be resolved, you or the school may request a mediation form through the Department of Public Instruction. Mediation can resolve disputes about your child's disability identification, evaluation, educational placement, or FAPE. If you and the school agree to participate in mediation a neutral person will assist you and the school to work out the differences. You must request a mediation form through the Department of Public Instruction or by contacting Nancy Mitchell

If disagreements continue you or the school may request a due process hearing. You may request a hearing by sending a letter to DPI (Department of Public Instruction).

## **6. How does the IEP relate to any district-wide assessments such as the WKCE?**

All students in special education are members of their school. Like all students in the district, each student will be assessed on academic skills in grades 3-8 at the current time. This schedule for district wide assessments may change in the future. Students with disabilities may qualify for accommodations during the administration of these tests. These allowable accommodations must be stated on the student's IEP. A few students will need an alternate assessment based on their IEP goals. Students taking the Wisconsin Alternate Assessment are generally those students who are not in the general curricula. Their IEP goals reflect academic goals based on Wisconsin State Standards and functional or daily living skills necessary for future independent living. All special education staff, just like general education staff, need to meet state and federal guidelines in order to be "highly qualified".

## **7. What do special education services look like in the classroom?**

"Least restrictive environment" (LRE) requires that students with disabilities be educated with students who do not have disabilities to the "maximum extent appropriate". Most children with disabilities should be educated in the regular classroom with peers of their own age. The IEP team determines, if and where modifications are needed for the child to progress in the general education classroom. Children with disabilities can be removed from the regular classroom when the child's needs are too great and they cannot be met in the regular classroom even with extra help. Direct instruction in subject areas can be provided in a smaller classroom with fewer students by the special education teacher. Lake Country School District will balance the need for accommodation and the need for remediation.

**It is important to remember that special education is not a place, it is a set of services that can be provided in a classroom, the playground, or the community.**

## **8. What services are available in the school district as it relates to special needs?**

Services are based upon the individual needs of each student. The school can provide the Individualized Education Program (IEP) services:

- (1) Directly, through the school's own staff resources, or
- (2) Indirectly, by contracting with another public or private agency, or through other arrangements.

The services must be at no cost to the parents, and responsibility for ensuring that the IEP services are provided remains with the school.

## **9. "What are related services"?**

Related services are things that a child may need to benefit from **special education**, such as Occupational or Physical Therapy, or transportation. These services are included in

the IEP and are considered necessary for the child to be able to access the special education services.

**10. Who are the teachers that would be working with my child, through special education, and what are their roles in his / her educational process?**

Teachers working with students with disabilities include, both general and special education teachers. Special education is a wide range of services that come to the student. Students receiving special education services are students of the entire school, just like any other student.

**11. How will the regular (general) education teachers know how to work with my child?**

Your child's IEP Case Manager will share information with all staff members working with your child. Teachers also have access to students' IEPs and at least one general education teacher is involved in the IEP team. Frequent communication between your child's IEP Case Manager, yourself, your child, and the general education teachers should occur. General education teachers are also involved in staff development trainings and activities relating to the needs of students receiving special education services.

**12. My son or daughter is only one year old. Why should I be concerned about school at this age?**

If your son or daughter appears to be developmentally behind other children of the same age share your concerns with your pediatrician. The sooner a child is assisted, more positive results are gained.

**13. What is a "Birth to 3" program?**

A Birth to Three Program is operated through Waukesha County. This program assists children who are demonstrating a developmental delay for their age. This program also assists with making a transition to the school system at the age of three, if necessary, depending on the individual needs of the child.

**14. What is a 504 Plan?**

Section 504 of the Rehabilitation Act is a civil rights legislation for persons with disabilities, which is designed to prevent any form of discrimination based on disability. The intent of the legislation is to ensure that qualified individuals with disabilities cannot be excluded from participation in school activities solely because of their disability. Section 504 is not intended to provide an additional group of students with various services. 504 identifies a need for services to have **provide equal access**.

Under 504 a "qualified individual with disabilities" is any person who:

- a) has a physical or mental impairment which substantially limits one or more major life activities:
- b) has a record of such an impairment; and
- c) is regarded as having such an impairment

A “three prong test: exists for 504:

- a) is there a mental or physical impairment?
- b) does the impairment affect a major life activity?
- c) does the impairment result in substantial limitations of the major life impairment?

Major life activities include caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

Both 504 and IDEA 2004 require the provision of a free appropriate public education (FAPE) to students. A 504 plan does not require a written IEP document, but does require a written plan. “Appropriate” in 504 legislation means an education comparable to the education provided to students without disabilities. A student is “eligible” so long as he or she meets the definition of a person with a disability. Periodic reviews and updates occur to ensure that the student still requires a 504 plan and to ensure that the 504 Plan is meeting the needs of the student..

The referral process for Section 504 may be made by anyone. Further direction regarding 504 Plans can be obtained through the Guidance Counselor.

### **15. Do services from special education cost our family money?**

All students with disabilities are entitled to FAPE (Free and Appropriate Public Education) based on legal requirements in Individuals with Disabilities Education Improvement Act (IDEIA, 2004). This means that the student’s public school education must be free of charge, appropriate for the student’s needs, and provide enough support to the student so that he or she can progress in school.

### **16. My child attends a private school. Will s/he receive an IEP?**

Children with disabilities enrolled in private schools by their parents have no individual entitlement to receive some or all of the special education and related services they would receive if enrolled in a public school other than child find, which includes evaluations. Lake Country School District will provide evaluations for students referred from the private schools within the district boundaries. These evaluations will include in depth assessment and feedback and recommendations. In addition, students identified as having Speech and Language impairments will receive a “Service Plan” which will provide limited direct services for the student at the private school.

## Common Terms Used with Special Education

**Assistive Technology (AT)** is a related service that provides technology related items that will allow a student to access curriculum. AT includes low-tech and high-tech items, from a calculator to a computer. AT also can mean services a child needs to help in choosing, getting, or using the item.

**Child with a disability** is a child who is eligible for special education service

**Consent:** The school needs your written consent before it can begin an evaluation and again at the completion of the IEP plan and before special education services can begin. The parent tells the school in writing that the parent understands and agrees to what the school plans to do. The consent form says the parent understands consent is voluntary. You can revoke the consent, but it does not cancel what the LEA has already done.

**DPI** is the Department of Public Instruction (<http://www.dpi.state.wi.us>).

**Evaluation:** Measures to decide if your child qualifies for special education. It also helps to determine the kind and amount of services your child needs. The measures may be testing, observing, or talking to people who work with the child.

**Evaluation Report:** The IEP team gathers all evaluation information about your child. They work together to write a final report about the evaluation. The report includes whether your child qualifies for special education. You will receive a copy of this report.

**Functional Behavioral Assessment:** The IEP team evaluates what emotional/behavioral issues are interfering with the child's behavior in school and determines ways to develop interventions to teach acceptable alternatives to the behavior.

**General Curriculum:** The curriculum based on state standards used in the general education classroom.

**IDEA 2004** is the Individuals with Disabilities Education Improvement Act, which is the major Federal legislation mandating educational services for youth with disabilities.

**IEP, process and plan** is the evaluation and individualized education program. It is a written plan for a child with a disability. The IEP includes the child's services and the child's special education goals.

**IEP Team** is a team of school staff, the parents, child, and others. The team evaluates the child, decides the child's special education eligibility, and develops an IEP and placement.

**FAPE** is a free appropriate public education.

**LEA:** A person on the IEP Team who can commit the school's resources so that the child receives the IEP services. An LEA representative must take part in the IEP meetings.

**LRE** is the least restrictive environment pertaining to services and support provided to a student with their general education peers to the greatest extent possible.

**Placement:** The child's IEP, the setting (regular classroom, resource room, self-contained class), and the school building the child attends.

**Related Services:** Services a child may need during the school day to benefit from special education which are included in the child's IEP.

**Transition:** Transition is the term used for preparing a child for life after graduation. Transition planning is a required part of every child's IEP starting at age 14. ? Is it 16 now? Transition planning is also required for every child moving from Birth to Three Programs to the public school setting. Sometimes transition planning happens when a child moves from one grade to the next, or from one school to the next. Transition can also mean moving from one class to another class in school.