

Special Education Laws

- IDEA 1997 (Individuals with Disabilities Education Act) - Federal Law
- IDEIA 2004 (Individuals with Disabilities Education Improvement Act) - Federal Law

MGL C. 71b - State Law

In Massachusetts, the Special Education system is based on the Federal and State Laws. These laws protect students with disabilities who are eligible for Special Education and guarantee them an Individual Education Program (I.E.P.) designed to meet their unique needs.

The Special Education Evaluation Process

• **Why is my child being referred for a Special Education evaluation?**

A referral for a Special Education evaluation usually means that your child is not making effective progress in general education and suggests that a disability may be contributing to the learning difficulties. In such cases, a student may be referred for a special education evaluation by teachers, other school personnel or by a parent/guardian. The evaluation process is used to assist the Team in determining Special Education eligibility.

• **What is the purpose of testing?**

Specialists conduct assessments in all areas of the student's suspected disability. In order to do so, it is important to obtain specific questions and information about a student's academic difficulties. This information is needed to tailor an appropriate evaluation plan. The evaluation results will be used to assist the Team in determining eligibility for Special Education services. In general, assessments will evaluate a student's abilities and academic skills.

• **What are the components of a Special Education evaluation?**

- Psychological Testing: Assesses learning capacity, learning style, and/or social/emotional functioning as it affects school-related tasks.
- Achievement Testing: Assesses acquired academic skills.
- Educational Status Assessment: Summarizes school history and educational progress in the general education curriculum.
- Teacher Assessments: Includes current educational progress in the general education classes.

Referral questions will determine which other assessments are required.

• **Who determines the specific tests that will be administered?**

All specialists conducting assessments are highly qualified professionals trained in their areas of expertise. Their responsibility is to select an appropriate battery test(s) to thoroughly respond to referral questions and areas of concern. While it is not appropriate for parents or outside professionals to request specific tests, questions and concerns are welcomed.

- **When will testing take place?**

Testing occurs during the school day. Evaluators attempt to find the least disruptive times for students to miss class. It should be noted that testing is a time consuming process and will take a minimum of four to six hours to complete. The amount of time varies depending on the referral questions and how quickly the student works.

- **How long will it take to complete the evaluation?**

Once a signed Consent form is received by the District, the evaluation process begins. The testing will be completed within thirty (30) school days. The next step in the process is to convene a Team meeting at which time eligibility will be determined and appropriate next steps will be discussed. The entire process will be completed within forty-five (45) school days.

- **What happens at the Team meeting?**

At the Team meeting, observations and assessments conducted during the evaluation process are reviewed to determine eligibility for special education services. If eligible, an Individualized Education Program is developed and placement is determined. If a finding of no eligibility is made, other interventions will be considered.

- **Who are the members of the Team?**

The Team consists of parents or guardians, specialists, counselors, general and special educators, chairperson, and the student (if 14 or older). The input of every Team member is valuable and contributes to appropriate educational planning.

- **How is Special Education eligibility determined?**

- The process requires the Team to consider the following questions:
 - Does the student have a disability?
 - Is the student making effective progress in school?
 - Is the lack of progress a result of the student's disability?

Does the student require specially designed instruction in order to make effective progress in school?

- **How is a private evaluation considered by the District?**

Any test results and recommendations submitted to the District are reviewed by the appropriate school specialists. In an effort to make appropriate recommendations, the District may choose to perform additional assessments. The District retains the right to complete its own evaluation to determine special education eligibility.

- **What do I do if I think my son/daughter needs a Special Education Evaluation?**

Any questions or concerns regarding the need for a Special Education evaluation should be addressed directly to your child's guidance counselor. The Guidance Department can be reached at (978) 441-4952