

# **A Good IDEA for Louisiana!**

A Guide for  
Parents and Students  
About  
Special Education  
Services

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Families Helping Families of Greater New Orleans d.b.a. Families Helping Families of Jefferson



# Families Helping Families of Jefferson and Louisiana Parent Training and Information Center



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[www.thearcoftexas.org](http://www.thearcoftexas.org)

[www.advocacyinc.org](http://www.advocacyinc.org)

[www.splcenter.org](http://www.splcenter.org)



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# AN OPEN LETTER TO PARENTS AND STUDENTS

Dear Louisiana Parents and Students:

In 1975, Congress passed Public Law 94-142, now called the Individuals with Disabilities Education Improvement Act (IDEA), to assure all students with disabilities receive a free and appropriate public education (FAPE).

In 1997, Congress passed Amendments to the IDEA, reminding us that:

*“Disability is a natural part of the human experience and in no way diminishes the right of individuals to participate in or contribute to society. Improving educational results for children with disabilities is an essential element of our national policy of ensuring equality of opportunity, full participation, independent living and economic self-sufficiency for individuals with disabilities.”*

In 2004, Congress again amended the IDEA, and once more raised the bar for expectations of students with disabilities. Congress found that:

*“Implementation of the IDEA has been impeded by low expectations and an insufficient focus on applying replicable research on proven methods of teaching and learning for children with disabilities. The education of children with disabilities can be made more effective by having high expectations for such children and ensuring their access to the general education curriculum in the regular classroom to the maximum extent possible in order to meet developmental goals and to the maximum extent possible the challenging expectations that have been established for all children and be prepared to lead productive and independent lives. ”*

This guide is designed to help you become familiar with the IDEA so you can be an equal partner in planning your child’s education, or your own if you are a student. You will learn, by using this manual and by working with school staff,

**A Good  
IDEA  
for  
Louisiana!**

how to plan an educational program that will lead to an independent and productive life for your son or daughter, or for yourself.

This process may seem overwhelming at first. Keep these things in mind as you move forward:

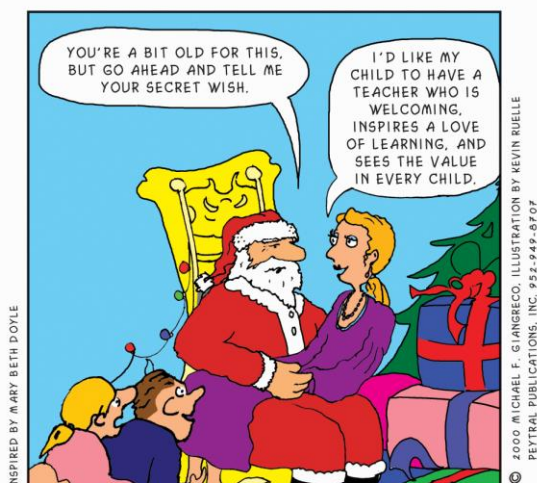
- ◆ You are not alone...In the United States, 7 million children have disabilities. Here in Louisiana almost 112,000 students have disabilities.
- ◆ You are an expert...you already know your child and her needs!
- ◆ You are not alone...many organizations are focused on improving services for students with disabilities. If you need help, reach out. For a list, see the Resources section.
- ◆ Finally, especially to parents...don't give up! Your child needs you and you can learn to be an equal partner in planning. You CAN do it! It's your IDEA!

*This guide is written with reference to parents, but should also be used by students who qualify for special education services. When we refer to students, we will alternate the use of "he" and "she".*

## So...HOW CAN I BE AN EFFECTIVE ADVOCATE FOR MY CHILD?

# HOW CAN THIS GUIDE HELP ME & MY CHILD?

## Notes



MARY BETH'S SECRET WISH IS SHARED  
BY PARENTS THE WORLD OVER.

*Your first step is to educate yourself.* Once you suspect or have learned that your child has a disability, start finding out all you can about it:

- ◆ look online;
- ◆ visit the public library and your district resource center; and
- ◆ find support groups close to home.

You are already an expert on your child as an individual. You can quickly get information about her disability and make copies of any you find useful. Start a list of your favorite websites. Share this information with your child's teacher. Even if the school does not use it right away, sharing it will let them know that you are concerned, involved and informed!

*The next step is to get organized.* This may seem difficult or time consuming, but can actually be simple and will save you time in the long run. Get a three ring binder with dividers and label it "Education File of [your child's name]". Use a section for each of these important kinds of papers:

- ◆ current research and your list of websites;
- ◆ IEPs, notices of meetings, and minutes from the meetings;
- ◆ evaluations;
- ◆ records from the doctor(s);
- ◆ copies of all relevant correspondence between you and the school;
- ◆ copies of your child's journal or daily planner
- ◆ all parent/teacher contacts;
- ◆ a phone log to document any telephone calls or attempts to make calls between you and the school;
- ◆ copies of all email exchanges;
- ◆ report cards, progress reports and tests (anything that you think reflects a problem or points out progress)

Another way to keep records is recommended by Pete Wright, Esq., an attorney who is an expert at helping parents understand special education: Keep **EVERYTHING** in the same binder, organized by date, with the earliest at the

front and the latest at the back. Pete says that when records are organized in this way, they always tell a story.

*Learn to write letters.* Since many people have access to cell phones, we rely heavily on spoken communication. While it is important to keep open lines of communication with the school, you also need to document conversations. Especially when you are dealing with an important issue, follow the conversation with a letter or email to the people involved. Having letters and other documents keeps you from arguing over what has happened or not happened. Instead, you can focus on how to correct the problem. Letters or emails should be in the form of a “Thank you”; thank the person for taking time to talk with you, state your understanding of their position, and restate your position. If you are not satisfied with the outcome of the conversation, add that to the letter. If they or you have agreed to take action, include that as well. Thank them again for talking with you. See the Sample Letters included in this guide or create your own.

*Finally, be patient, and persistent.* Make sure you have your concerns and goals for your child in writing; this list is for your eyes only. Write down your long term concerns and goals (For example, “I am concerned that my child will not be able to care for himself upon graduation. My goal is for him to get a job and live independently.”) Next, write down your immediate concerns and goals. (For example, “I am concerned because my child is not reading on grade level. My goal is for him to be reading on level with his classmates by the end of the academic year.”) Put your most urgent concern and most important goal at the top. Then, list your second most urgent and important items, and so on. Your least important issues go to the bottom of your lists. This is where patience and persistence come into play. Review your lists and make sure that your short term concerns and goals are directly related to the big picture – your long term concerns and goals. Start working from the top of your short term list. Work on one issue at a time, always keeping your eyes on the prize...your long term concerns and goals.

# WHAT IS THE SPECIAL ED LINGO?

## Notes

Some words used in educational planning are:

**Accommodations:** Changes made in HOW your child with a disability is taught or tested. Accommodations do not change WHAT your child is taught or what he is expected to know. Highlighted textbooks, more time to complete work when your child thinks or writes slowly, seating close to the teacher and assistive technology are common accommodations.

**ADA:** The ADA is a federal law that gives people with disabilities, including students, protections like those given to people based on race, sex and national origin. All public schools must comply with the ADA. The ADA bans discrimination based on disability in the areas of public accommodations, state and local government services, employment, transportation and telecommunications. For more information, go to <http://www.usdoj.gov/crt/ada/adahom1.htm>.

**Adequate Yearly Progress (AYP):** The federal law No Child Left Behind (NCLB) requires all schools, school districts, and states to show progress in reading/language arts, math, and either graduation rates or attendance rates. There are consequences if a school fails to meet AYP criteria for two years in a row.

**Administrative Complaint:** Complaint filed with the Louisiana Department of Education (LDE) to ask them to look into and decide on a problem between a parent or adult student and a school district.

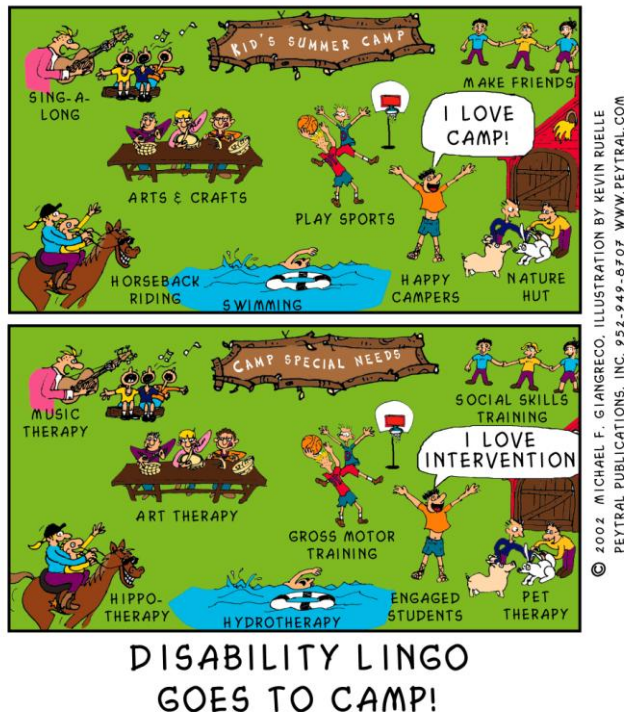
**Adult Student:** When your child reaches age 18 he is considered to be an adult student unless you have been granted guardianship of him.

**Advocate:** An attorney or lay person with specialized knowledge or skill in helping parents and students resolve problems with schools. Parents are their child's first and often most effective advocates.

**Alternative Education Placement (AEPs):** Disciplinary programs operated by school districts for students who have committed a range of offenses listed in state law and/or in the district's Student Code of Conduct. Students with disabilities who are in AEPs are still entitled to special education services.

**Assessment:** Assessments are tests given to all students. Generally, students in grades 4 and 8 take part in the Louisiana Educational Assessment Program LEAP); 10<sup>th</sup> and 11<sup>th</sup> Graders take the Graduation Exit Exam (GEE) and they receive one of these scores: **Advanced:** A student at this level has demonstrated superior performance beyond the level of mastery. **Mastery:** A student at this level has demonstrated competency over challenging subject matter and is well prepared for the next level of schooling. **Basic:** A student at this level has demonstrated only the fundamental knowledge and skills needed for the next level of schooling. **Approaching Basic:** A student at this level has only partially demonstrated the fundamental knowledge and skills needed for the next level of schooling. **Unsatisfactory:** A student at this level has not

demonstrated the fundamental knowledge and skills needed for the next level of schooling.



**Assistive Technology :** An **assistive technology device** is any item, piece of equipment or product used to increase, maintain, or improve the way your child functions. Assistive technology devices for students with disabilities are used for seating and positioning, mobility, augmentative communication, computer access and instruction, environmental control, adaptive toys and games, visual and listening aids and self-care. **Assistive technology services** (including training) help students with disabilities select, get or use an assistive technology device.

**Behavior Intervention Plan (BIP):** A Behavior Intervention Plan, which is part of the IEP, lists supports and services the district will give your child to keep inappropriate behaviors from happening and to help him behave appropriately more often.

**Early Intervening Services:** IDEA 2004 allows schools to use up to 15% of IDEA funds for support services for students not identified as having a disability, but who need additional academic and behavioral supports to succeed in a general education classroom.

**ESY (Extended School Year):** Education services provided in the summer (or over a holiday break) to some students with disabilities who need them as a part of their free appropriate public education. ESY services must be provided according to the IEP, and at no cost to you.

**FAPE (Free Appropriate Public Education):** Special education and/or related services designed to meet the individual needs of each student at no cost to you, guaranteed to all students with disabilities by the Individuals with Disabilities Education Act (IDEA).

**Early Childhood Special Education:** Public school services for children between the ages of three and five who qualify for special education services. Students ages 3-5 can receive special education services and support in settings such as a regular preschool in the community, a Head Start program or a pre-kindergarten class. Options for 3 and 4-year olds cannot be limited to PPCD classrooms containing only students with disabilities.

**EarlySteps (Louisiana's Early Intervention system):** EarlySteps is a statewide program for infants and toddlers-children from birth to age three-who have developmental delays or medical conditions that are likely to cause disability or developmental delay. EarlySteps makes services available for every eligible child at no cost to parents in their everyday environments-at home in childcare settings or other community settings. Early Intervention programs are required by Part C of the IDEA.

**Full Individual Evaluation (FIE):** The FIE is a set of activities including tests given to a child after he has been referred to special education. The Full Individual Evaluation (FIE) results are used to decide if a child has a disability according to the Individuals with Disabilities Education Improvement Act (IDEA) and to find out your child's educational needs.

**Functional Behavior Assessment:** A set of activities used to find out the cause of a child's behavior before deciding what to do to change the behavior (intervention).

**Highly Qualified Teachers:** No Child Left Behind and IDEA require each state to require all teachers (including special education teachers) who teach in "core academic subjects" to be "highly qualified". For specific information go to:

<http://www.wrightslaw.com/idea/tchr.hq.require.htm>

**IEP (Individual Education Program):** A plan written by parents and school staff that lists the special education and related services to be given to each student who receives special education. It must be reviewed, and revised if needed, at least once a year.

**IDEA (Individuals with Disabilities Education Act):** The purpose of this federal law is to make sure school districts provide students with disabilities a free appropriate public education and prepare them for further education, employment and independent living.

**LRE (Least Restrictive Environment):** The term used in the IDEA to refer to a child's right to be educated as much as is appropriate with students who do not have disabilities, and as close to home as possible.

**Manifestation Determination Review (MDR):** A meeting to review the relationship between a child's disability and behavior that needs disciplinary action.



**Louisiana Department of Education:** The state agency responsible for making sure every student with a disability in Louisiana gets a free appropriate public education.

**Modifications:** Modifications, unlike accommodations, change the **LEVEL** of instruction provided or tested. Modifications create a different standard for children who receive them. The most common modifications are those made to the general education curriculum for a child with a cognitive (learning or thinking) disability. Curriculum modifications should be listed in your child's IEP.

**OCR (The Department of Education's Office for Civil Rights):** The federal agency that enforces Section 504 of the Rehabilitation Act. OCR looks into complaints about discrimination based upon disability.

**Parent:** IDEA 2004 expanded the definition of parent to include: biological, adoptive or foster parents; guardians (unless the child is a ward of the state); individuals acting in the place of natural or adoptive parents such as grandparents, stepparents, and other relatives with whom the child lives; individuals responsible for the child's welfare; and assigned surrogates.

**Response to Intervention (RTI):** A general education, school wide process for giving a student with learning problems more and more intensive high quality instruction before deciding he has a disability that requires special education services.

**School Building Level Committee:** A problem-solving, decision-making group that meets regularly to receive referrals from teachers, parents, or other professionals on individual students experiencing difficulty in school because of academic and/or behavior problems. Most often, students are moved into the individual assessment process through the SBLC.

**Scientifically-based Instruction:** Teaching practices based on sound methods, supported by credible research. One part of scientifically-based instruction is that the research has been "peer reviewed." Both IDEA and NCLB require scientifically-based instruction.

**Section 504:** The common name for the federal law that prohibits discrimination against students with disabilities. Section 504 (of Public Law 93-112, the Rehabilitation Act of 1973) applies to any agency (including a school district) that gets federal money.

**Supplementary Aids and Services:** The term used in IDEA to describe those aids, services, and other supports given in regular education classes, extracurricular activities, and/or non-academic settings, so that a child with a disability can be educated with students who do not have disabilities. Schools must try supplementary aids and services before recommending removal of your child with a disability from a setting with non-disabled peers.

**Universal design:** A way of designing products and services so they can be used by people with the widest possible range of abilities.



The Bottom Line: Welcome to the world of Special Education! In this world, sometimes words and phrases are hard to understand. If, at any time, you see or hear words (like “assessment”) or acronyms (like “E.S.Y.”) that you don’t understand, ask school staff to explain them right away. As an equal partner in planning, you must understand all the information you get in writing or hear in a meeting so you can decide what is best for your child.



# WHY DO I NEED TO KNOW LAWS, RULES, AND REGULATIONS?

## Notes

In order to become an equal partner in planning your child's educational program, you need to know the laws, rules and regulations about special education for students with disabilities. You will be better able to help your child when you understand them. Laws, rules and regulations explain you and your child's rights in the educational process and what school districts and staff can and can't do. Also, you will feel more confident advocating for your child if you are familiar with the law.

## FEDERAL (United States) LAWS

### Individuals with Disabilities Education Act (IDEA)

The Individuals with Disabilities Education Improvement Act (IDEA) guarantees every eligible student a "free appropriate public education," sometimes called FAPE. The IDEA was most recently reauthorized by Congress in 2008. The law says schools must:

- ◆ find and identify students who have a disability;
- ◆ involve you in decision-making;
- ◆ evaluate (test) students in a nondiscriminatory way;
- ◆ develop an individualized education program (IEP) for each eligible student, that includes measurable annual goals, including academic and functional goals, designed to help your child be involved in and make progress in the general curriculum, the Louisiana Content Standards (GLEs);
- ◆ provide special instruction, related services and supplementary aids and services based on peer-reviewed research as much as practicable;
- ◆ provide services in the least restrictive environment;
- ◆ maintain education records/files; and
- ◆ provide processes for resolving parent complaints.

### Section 504 of the Rehabilitation Act of 1973

Section 504 of the Rehabilitation Act of 1973, (29 U.S.C.A. Section 794), says that no program or activity receiving federal money can discriminate against any qualified person with a disability. These regulations apply to all schools, including private schools, which receive or benefit from federal funds. Each school district is required to have a 504 officer. You can get more information on Section 504 from:

U.S. Office for Civil Rights, Dallas Office  
1999 Bryan St. Suite-1620  
Dallas, Texas 75201  
(214) 661-9600  
Web site: <http://www.ed.gov/OCR>  
E-mail: OCR\_Dallas@ed.gov

Some students who do not qualify for IDEA services get Section 504 services. Section 504 requires that all students have an equal opportunity to participate in activities and services at school, including: school clubs, athletic programs, social activities, transportation, health and counseling services and vocational programs.

If you think your child might be eligible for Section 504 services rather than IDEA services, ask to talk to your school district's 504 officer.

### Americans with Disabilities Act (ADA)

The ADA is a federal law that gives people with disabilities, including students, protections like those given to people on the basis of race, sex and national origin. All public schools must comply with the ADAAA, which bans discrimination based on disability in public accommodations, state and local government services, employment, transportation and telecommunications. The Americans with Disabilities Act was amended by the ADA Amendments Act of 2008 (ADAAA), which became effective on January 1, 2009. The Amendments Act requires the definition of "disability" to be interpreted broadly.

For more information, go to <http://www.usdoj.gov/crt/ada/adahom1.htm>

### No Child Left Behind Act of 2001 (NCLB)

NCLB is the title given to the last reauthorization of the 1965 Elementary and Secondary Education Act (ESEA). NCLB was signed into law by President George W. Bush in 2002. Its goal is to make sure every child in America meets their state's high learning standards. NCLB requirements and standards also apply to special education programs and services. When Congress reauthorized the IDEA in 2004, they aligned parts of these two federal laws.

For more information, go to: [www.nochildleftbehind.gov](http://www.nochildleftbehind.gov)

For a copy of the document *NCLB and IDEA: What Parents Need to Know and Do* go to [www.education.umn.edu/NCEO/](http://www.education.umn.edu/NCEO/)



WHEN IT COMES TO ENFORCING IDEA,  
THE LONG ARM OF THE LAW  
ISN'T LONG ENOUGH.

## STATE POLICIES

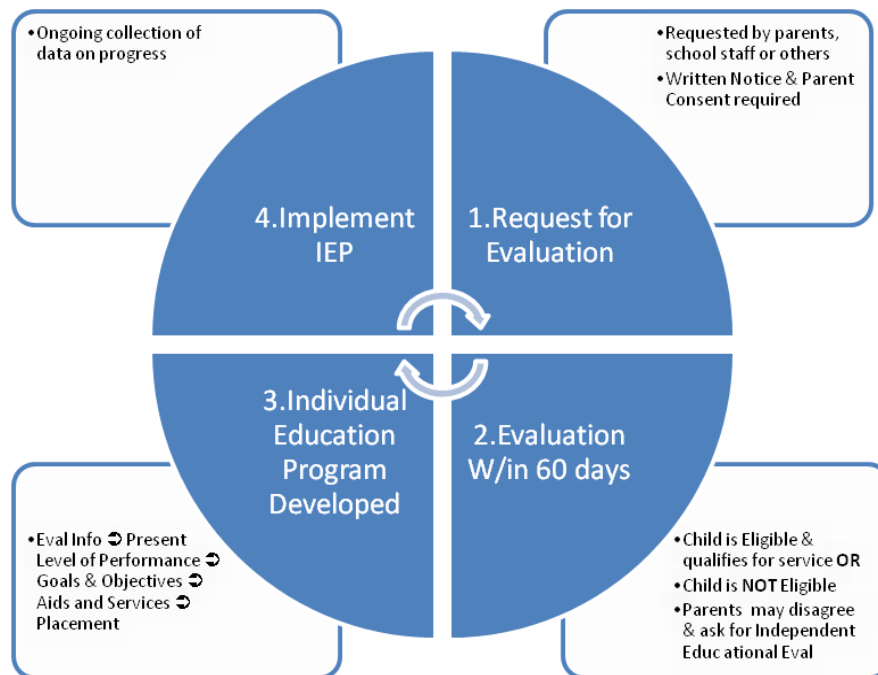
Bulletin 1706 <http://www.doa.louisiana.gov/osr/lac/28v43/28v43.doc> contains the regulations that tell how districts must implement programs for students with disabilities in Louisiana.



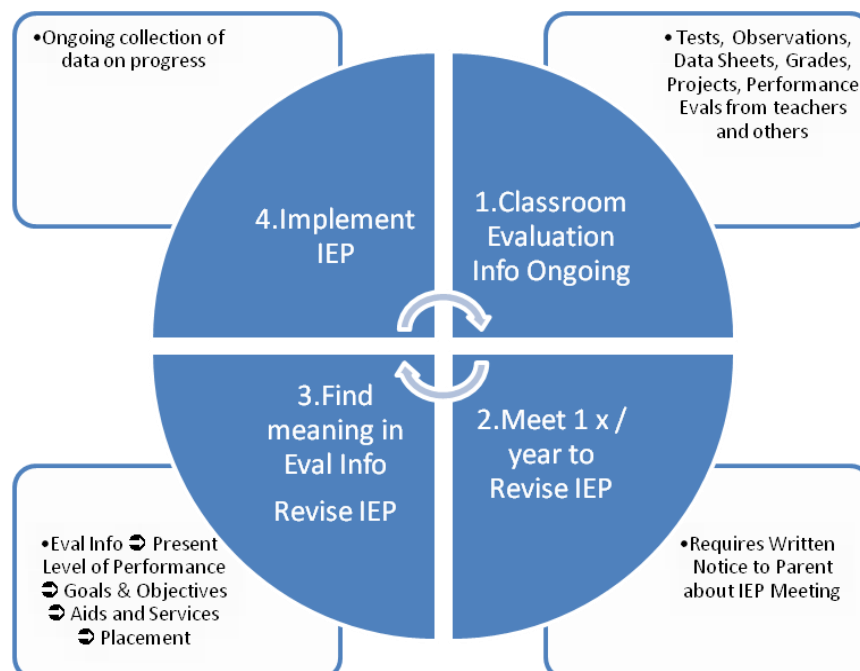
# A PARENT'S QUICK GUIDE TO THE SPECIAL EDUCATION PROCESS

## Special Education Process Charts

For Students "Referred" to Special Education for the First Time



After a Student Has Received Special Ed Services



## WHAT SHOULD I EXPECT AT EACH STEP

### Step 1: Referral

Do you or does someone else think your child may have a disability? If so, you, a teacher, or other professional may refer your child to special education. The school will gather information to decide if your child should be evaluated (tested) for special education eligibility.

### Step 2: Notice of Rights

At the referral process, and at other important decision-making steps after the referral, the district must send you written information (called “notice”) about the actions the school wants to take (or refuses to take) about your child’s education and also about your rights.

If the school *does not* think your child should be evaluated for special education, they must send you written notice that tells you why and what you can do if you disagree.

If the school *does* want to evaluate your child, they must give you written notice of your rights (procedural safeguards notice) and get your written consent. The evaluation process will not begin until you have given written consent. If you do not consent to testing, the district MAY ask for mediation or a due process hearing to try and get your consent, but they do not HAVE to try again to get you to consent to an evaluation.

### Step 3: Full and Individual Evaluation

If the referral process shows your child may need special education and related services, the school must first get your consent, and then do a full and individual initial evaluation (testing) to decide if your child has a disability and needs special education services. The school must finish the evaluation in 60 business days from the date the school receives written consent for testing signed by you or legal guardian.

### Step 4: The IEP Meeting

When the evaluation is completed, the school will ask you to come to an IEP committee meeting. You are a member of your child’s IEP committee, and will be a part of all the following activities:

**The IEP Meeting.** The first IEP meeting must be held no more than 30 calendar days after the initial evaluation is finished. The committee decides if the evaluation shows a need for special education.

**Consent for Services.** If the IEP Committee decides that your child has a disability and needs special education services, you will be asked to give written consent for the school to provide special education; the consent you gave to have your child evaluated is not consent for services.

**Writing the IEP.** Next, the IEP committee develops your child’s individual education program (the IEP). As long as your child receives



special education, an IEP meeting will be held at least once a year. The IEP committee can meet more often during the year if needed. Some changes can be made in the IEP without an IEP meeting if both you and the school agree to the changes.

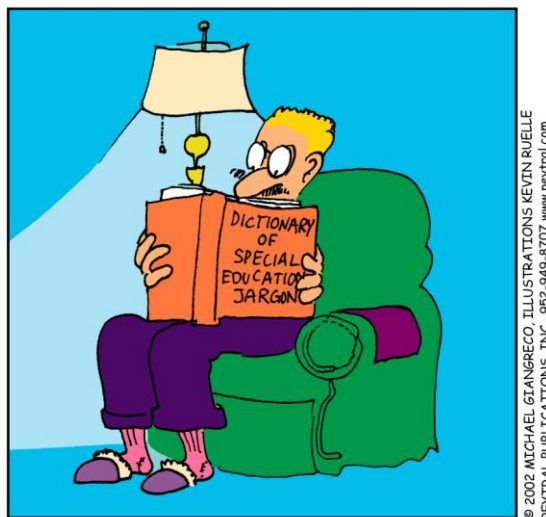
### Step 5: The IEP

The Individualized Education Program (IEP) is a written plan, designed just for one student-your child. It is an agreement between the school and you on how your child will be educated. The IEP must be reviewed at least once a year. The most important function of the IEP committee is developing the IEP. Your participation and input are important. Remember, you know your child better than anyone else!

You will be asked to sign the IEP. Before signing, read each section to be sure you understand what services your child will get and when. If you disagree, write a statement that explains your disagreement and have it attached to the IEP papers. Also, be sure to get a copy for yourself.

### Step 6: After the Meeting

Read all progress reports and other notes sent home during the year. Schedule parent-teacher conferences as needed. Ask for additional IEP meetings, if needed.



MR. GREEN PREPARES FOR HIS  
CHILD'S IEP MEETING



# KEEPING TRACK OF WHAT MATTERS

## Notes

## WHY DO I NEED TO KEEP TRACK OF EVERYTHING?

### Education Records

Your child's educational records and your own records are very important. You and school staff will use many kinds of records to plan and evaluate your child's program. The records may include:

- ◆ Teacher notes,
- ◆ Progress reports,
- ◆ Report cards,
- ◆ Achievement tests,
- ◆ Discipline reports,
- ◆ Evaluations and reports done by the school district
- ◆ Reports from medical doctors
- ◆ Individualized Education Programs (IEPs) and Behavior Intervention Plans (BIPs),
- ◆ IEP committee meeting reports
- ◆ Graduation Plan
- ◆ Summary of Performance

### How to Get Records

As a parent, you have a right to see and have a copy of all of the records about your child's education program. These may include copies of Full and Individual Evaluations (FIEs), IEPs, medical records, behavioral records and others. You also have the right to see the school's records about discipline, grades, progress reports and other activities that are part of the education program, as well as any records made by a private physician or other private professional (if these records become part of the school's education records).

To see your child's education records, first write a letter to the principal of his school. Ask for the list of all the different kinds of education records the school keeps or uses to educate your child and where records are kept. Then write a letter listing which records you want to review.

Within 45 days, the school must let you see the records or give you copies. If an IEP meeting or due process hearing is scheduled in less than 45 days, the school must let you see the records before the meeting or hearing. The school can charge you for copies, but many schools provide the copies at no cost.

If you have trouble understanding anything in the records, ask for an explanation. The school must respond to your reasonable requests for explanations of the records. You may take all the time you need to look at and understand the records. The school district cannot limit the amount of time you need to understand the records.

## Confidentiality

Your child's records are private. With some exceptions, school districts must get your consent before showing the records to anyone not involved in your child's education. The school should have a list of the names and positions of school employees who can see your child's records without your consent.

## Getting Records Changed

If you think something written in the education records is wrong or misleading, or violates your child's rights, ask school staff to change it. Within a reasonable time, they must decide whether they will make the change.

If school staff refuses to make the change you asked for, they must tell you they have refused and let you know about your right to a hearing. This hearing is different from the due process hearing mentioned elsewhere in this guide. If the hearing shows the records are wrong, school staff must change the records and let you know in writing what changes they made. If the hearing shows the school district does not have to change the records, they must allow you to add your own statement to the records explaining why you disagree or why you think the statements are unfair. The school district must keep your statement with the records. Whenever the school district shows the records to other people, they must also show your statement.

## HOW DO I KEEP TRACK OF EVERYTHING

You probably have copies of many of the records listed above. If not, ask for copies of at least the most recent Full and Individual Evaluation (FIE), IEP, and IEP reports. Begin keeping records of conversations, phone calls, e-mails and other meetings together with copies of your child's past education records in a notebook. Having these records together and organized will help you to make sure your child gets the services he needs, understand his progress, and to be an informed partner in developing the IEP.

For each conversation or meeting, write down the date and time of your conversation, the persons with whom you talked and the issues discussed. Follow up important phone calls with a letter, noting the date and time of the phone call and summarizing the conversation. On your computer, create an easy to find electronic file to save all school related e-mails.

Keep copies of all letters and reports you receive and send. You can tape record meetings (especially IEP committee meetings) so you have a complete record of what happened. See [www.wrightslaw.com](http://www.wrightslaw.com) for additional guidance on how to organize your child's records.

## HOW CAN I KEEP A PARENT NOTEBOOK?

Keep an accurate record of important meetings, phone conversations, e-mails and letters about your child in a notebook.

**EXAMPLE:****Date/Time/Location:**

January 3, 2009

3:00 P.M.

IEP committee meeting at Pittman Elementary School

**Who:**

- ◆ Mr. Langley, Principal of Pittman
- ◆ Mrs. McMillan, special education director of (name of school district)
- ◆ Mr. Lloyd, Johnny's teacher at Pittman
- ◆ Ms. York, physical therapist
- ◆ Johnny Jones
- ◆ Mr. and Mrs. Jones

**What We Talked About:**

An IEP was developed for Johnny (see IEP in file). Johnny will continue in his current placement in the 5th grade at the Pittman School, but will no longer receive physical therapy. As parents, we disagreed and thought Johnny should continue to receive physical therapy. The school members of the IEP committee refused to agree to physical therapy because they did not have enough therapists and Johnny was a low priority for physical therapy.

**Important Documents:**

IEP

IEP committee meeting report

Tape of IEP committee meeting

## PARENT CHECKLIST: GETTING READY FOR AN IEP MEETING

Meeting Date: \_\_\_\_\_

Check each step after you do it. Keep this checklist for your records.

- ☐ Ask for written notice of the meeting, even if the school phones you to schedule it. (DO NOT give up your right to prior written notice of an IEP meeting unless the meeting is an emergency for your child.)
- ☐ Read the notice form to see what the meeting will be about and who will be there.
- ☐ If you cannot attend at the time listed, ask school staff to change the meeting to a time when you can attend.
- ☐ Ask if everyone has planned enough time to complete the meeting.
- ☐ Ask the school for copies of any information you do not have, including:
  - ☐ Latest special education evaluation
  - ☐ Any new testing done by the school
  - ☐ Last IEP and the progress reports that match it
  - ☐ Classroom testing information or progress notes
  - ☐ Louisiana Content Standards for your child's grade level/age
  - ☐ Student Handbook for your child's school
  - ☐ Drafts of the IEP that will be discussed at the meeting
- ☐ Get reports you have from doctors, outside therapists, tutors, consultants or others.
- ☐ Make a list of your child's gifts and talents
- ☐ Go to <http://www.louisianabelieves.com/academics/academic-standards> to read the Louisiana Academic Standards for your child's grade level; mark any that your child could learn "as is" or with modifications.
- ☐ Make a list of other things your child needs to learn in the upcoming year. Be ready to talk about:
  - ☐ How will learning this help her?
  - ☐ Will she be able to participate more fully in school life? How?
  - ☐ Will she be more independent? How?
  - ☐ How will her life change or improve if she learns this?
- ☐ Look at your lists; mark 4-5 things that are most important for your child to learn. Make copies and share these at the meeting; ask the other IEP team members to use them to develop IEP goals.
- ☐ List areas in her life that would improve if she used assistive technology (communication, mobility, etc.). Be ready to ask for assistive technology if your child needs it.
- ☐ Ask a friend relative or Decide who you will bring with you to the meeting.
- ☐ Meet with teachers, testing experts or related services providers before the meeting if necessary.
- ☐ If you want to tape record the meeting, gather and test your equipment.
- ☐ Bring a snack for the team if you can. Everyone likes food! Be ready to have fun. Planning a good program for your child is exciting and interesting!

# PARENT CHECKLIST: AT THE IEP MEETING

Meeting Date: \_\_\_\_\_

Review this list during the meeting. Check each step after you do it. Keep this checklist for your records.

## Be sure the IEP includes statements about:

- ☐ progress your child has made on her previous IEP goals;
- ☐ academic achievement and functional performance;
- ☐ how the disability affects the student's involvement and progress in the general curriculum, called the Louisiana Academic Standards (GLEs);

## Be sure you read and understand:

- ☐ measurable annual goals based on peer-reviewed research;
- ☐ short-term objectives for students taking an alternative assessment;
- ☐ how you will know if your child is making progress toward goals
- ☐ how and when progress will be reported to you;
- ☐ special education and related services your child will receive;
- ☐ positive behavior strategies and/or a behavior intervention plan (Note: This is now *required* if your child's behavior interferes with his learning or the learning of others.);
- ☐ modifications of the curriculum (GLEs) (such as a different instructional level) your child needs to participate in the same learning activities as other students her age;
- ☐ supplementary aids or services your child needs to participate in regular education classes and activities.

## Be sure the IEP Lists:

- ☐ supports that school personnel will receive;
- ☐ details about each instructional and related service, including date services begin, minutes per session, frequency of sessions, location of services, and the position (e.g., "special education teacher," "physical therapist," etc. rather than someone's name) responsible for each service in the IEP. You should also clarify whether your child will be receiving "direct" or "consultative" services;
- ☐ special materials, equipment, resources and/or assistive technology needed and when they will be available;
- ☐ a statement of ANY academic or extracurricular activity in which your child will NOT participate with non-disabled students, and the reasons why;
- ☐ any accommodations she needs to take the LEAP (or other required assessment), or a determination she will take an alternative assessment;

## Be sure the IEP includes:

- ☐ a statement of any exceptions to the district policies such as participation in extracurricular activities and the student Code of Conduct, and the reasons for the exceptions;
- ☐ transition services to be provided beginning in the school year in which your child turns 16;
- ☐ goals for ESY from the current IEP; and
- ☐ signatures of the IEP committee members and statements of your agreement or disagreement with any part of the IEP.

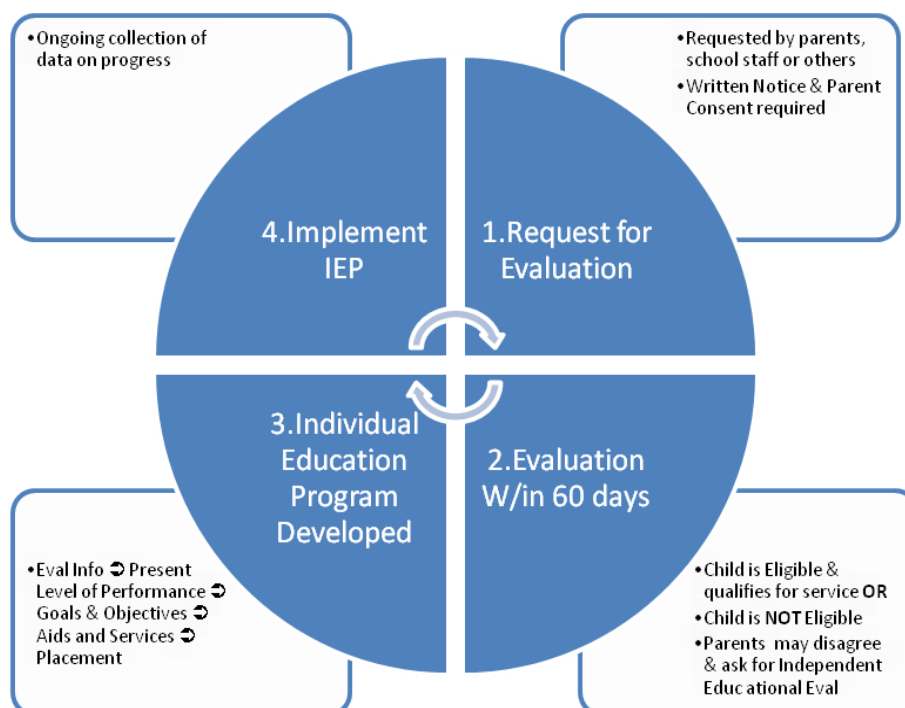




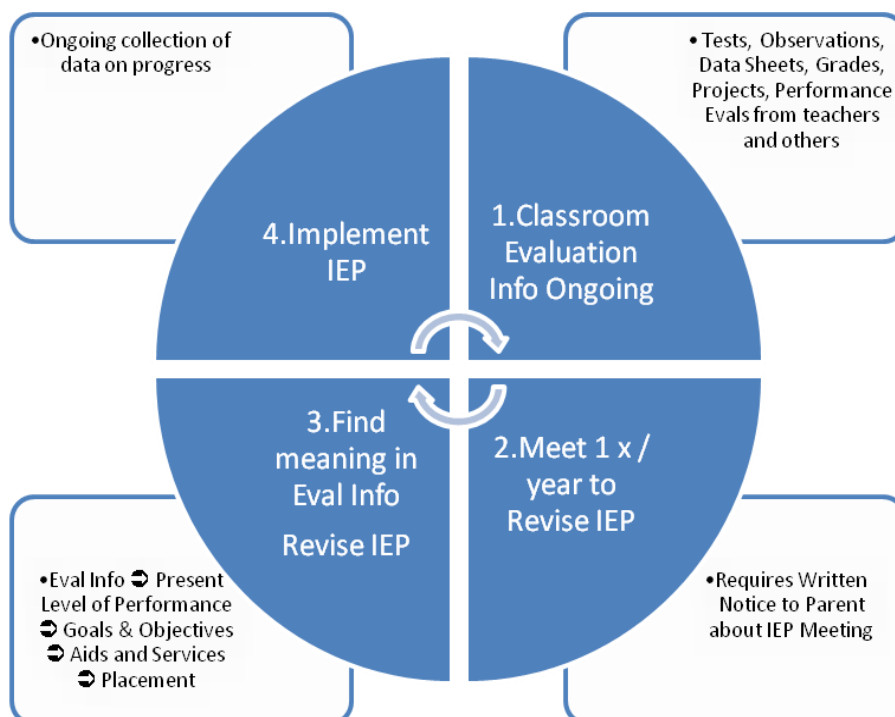
# A PARENT'S IN-DEPTH GUIDE TO THE SPECIAL EDUCATION PROCESS

## SPECIAL EDUCATION PROCESS

For Students "Referred" to Special Education for the First Time



After a Student Has Received Special Ed Services



## WHAT ARE THE DETAILS ABOUT EACH STEP

### Step 1: Referral

Students who may need special education come to the school's attention in a number of ways. For examples:

- ◆ if you take your child to school for the first time and bring a short letter telling school staff that he has unique needs because of a disability, you have **referred** the child to be considered for special education.
- ◆ If your child is already in school and the teacher thinks he may have special needs because of a disability and asks the school to consider him for special education services, the teacher has **referred** your child.
- ◆ Your child may be **referred** after district-wide testing or screening.

At the time of referral, the school staff must tell you in writing about what they will do to see if your child needs special education services. The information gathered during the referral process is to see whether the school will use tests to see if he has a disability and needs special education services.

Most referrals occur when you think or the teacher thinks your child is not making enough progress in school. Your child should not be referred for special education if she has not been given good instruction in the subject areas in which she is having difficulty. If a teacher, or other person in the school, says your child needs special education, ask first to see the written information (data) they have to support that recommendation. Ask for data that shows the ways they have tried to help her, including more intensive instruction by highly qualified staff.

If you are making the referral yourself, write a letter asking for your child to be tested. The 60 business day timeline for evaluation does not start until the school receives your **written** consent. Keep the process moving by putting your request in writing and asking for a meeting within 5 days to sign the consent forms.

If your child gets “early intervening services” (see “What is the Special Ed Lingo?”) which are not special education services, you have the right to refer your child to special education at any time. If your child gets intensive instruction under a program called “Response to Intervention” you still have the right to ask for a special education evaluation. The district cannot refuse to give you the forms to give your written consent for evaluation. If necessary, you can make the referral without using the forms provided by the district. (See Sample Letters, Letter Asking for Initial Evaluation)

### Step 2: Notice of Rights

IDEA says the school district must give you notice of your rights **and** must make sure you understand them.

#### Procedural Safeguards Notice

When your child is first referred for special education, the school district must give you written information about your rights and options for resolving disputes (disagreements). The school district must give you this notice in the language

you usually speak at home. If you cannot read or write, the school must give you the information orally, on cassette tapes, in Braille or in any other way that you can understand. The school staff must keep written records to show they gave you this notice. If you do not understand the meaning of the document, they must explain it to you.

Once your child begins receiving special education services, the document must only be given to you once a year, unless you ask for an evaluation or file for a due process hearing. However, you can ask for another copy of the procedural safeguards notice at any time.

### Other Times You Will Get Written Notice

IDEA also says the school must give you specific notice, in writing, if they want to:

- ◆ decide whether your child has a disability, or change her disability category;
- ◆ do an evaluation;
- ◆ change the current IEP;
- ◆ change the placement; and/or
- ◆ change how your child gets a “free appropriate public education (FAPE).”

If you ask for changes in any of the above areas, and the school refuses to make those changes, the school must give you written notice in response to your request. Written notice about actions the district proposes (or refuses) to make **MUST** include the following:

- ◆ the action the school wants to take (or refuses to take);
- ◆ why the school wants (or refuses) to take that action;
- ◆ descriptions of any evaluations, tests, reports and other information supporting the school’s position;
- ◆ phone numbers or websites you can use to get help to understand what the law says;
- ◆ information about your rights and how you can get another copy of the procedural safeguards notice;
- ◆ what other options the school considered and why those options were rejected; and
- ◆ a description of any other important ideas about the school’s decision.

If you get notice from the school without the information above, ask the district for another letter with all the required information. You need this information to be an equal partner in decision-making.

### Step 3: Full and Individual Evaluation to Decide Eligibility

At the end of the Full and Individual Evaluation, you will have a written report that answers the questions:

- ? Does your child have a disability?
- ? Is he eligible for special education?
- ? What are your child’s educational needs caused by the disability?

This report is very important because if the testing shows that your child qualifies for services, you and the rest of the IEP team will use the report to plan your child's education program.

Evaluation is the root...everything grows from it!

If the referral process finds that your child may need special education services, the school must get your written consent and within 60 days after your written consent, do a full and individual initial evaluation and written report at no cost to you.

Note: Your consent for an evaluation is not also consent for services or placement. You will be asked to consent for services after the evaluation.

The Full and Initial Evaluation must:

- ◆ be made up of a group of activities, not a single test;
- ◆ be done by a team of trained and knowledgeable professionals;
- ◆ cover all areas of suspected disability;
- ◆ be complete enough to identify all the special education and related service needs of your child;
- ◆ include a list of what your child knows and can do in these areas:
  - ❖ functional,
  - ❖ developmental, and
  - ❖ academics;
- ◆ include information from you;
- ◆ be given in the language most likely to show best what your child knows and can do academically, developmentally and functionally.

## Parts of the Full and Individual Evaluation

### Evaluation of Educational Needs

This part of the evaluation is see how your child is doing in school compared to other students in the district the same age or in the same grade. It includes tests that measure his reading, math and spelling. Your child may need to use assistive technology so that the test correctly measures what he knows and can do.

The written report should tell you at least four things:

- ◆ present levels of academic achievement and related developmental needs;
- ◆ any problems he has with school subjects and skills;
- ◆ how he compares to other students of the same age and grade level in knowledge of the general education curriculum (Louisiana Content Standards or MCF); and
- ◆ the reasons for the problems in school.

If the report does not tell you all these things, ask the school district to give you that information.

If the evaluation report shows that your child's behavior is a problem at school, the report should include recommendations on how to help your child so he can learn and get along with others. These recommendations must be considered as the IEP committee develops the IEP.

Note: Your child can not be a child with a disability if his learning problems are caused by lack of appropriate instruction in reading or math, or because he does not speak English well.

### Evaluation for Related and Other Special Services

The evaluation should tell you the other services (related services) your child needs to benefit from special education. The most common related services are:

- ◆ occupational therapy;
- ◆ speech therapy;
- ◆ physical therapy;
- ◆ assistive technology;
- ◆ counseling; and
- ◆ transportation.

An evaluation for related services (except for transportation) should include:

- ◆ specific recommendations for the type of services your child needs,
- ◆ how often he needs them;
- ◆ the type of personnel who will provide the services;
- ◆ if your child will have an IEP, it should include measurable annual goals for related services;
- ◆ when the related services will begin;
- ◆ how frequently they will be given;
- ◆ where they will be given;
- ◆ when they are expected to end; and
- ◆ whether your child will be getting “direct” (hands-on) services from the therapist, or whether she will be getting only “consultative” services (where the provider/therapist works with your child’s teachers on how they can better work with your child, but do not work with your child directly).

Note: Your child can not be found eligible for special education if he ONLY needs related services.

### Understanding the Results of the Full and Individual Evaluation

The district must give you a copy when the evaluation is finished. You have a right to see and understand the results of all your child’s evaluations before the IEP meeting. Be sure to get explanations of anything in the reports you do not understand. Study the reports until you are satisfied they are correct and complete. You need to understand the reports to take an active role in your child’s IEP. To help you understand the tests and what they mean you can:

- ◆ Meet with the person at the school who did the tests or someone else who can explain them to you;
- ◆ Talk to other parents;
- ◆ Ask a professional who is not employed by the school to help you understand the tests, or tell you if more or different tests should be done. One good internet resource is [www.Wrightslaw.com](http://www.Wrightslaw.com). At this site you can find a helpful article “Tests and Measurements for Parent, Teacher, Advocate and Attorney;”
- ◆ Get information about the suspected disability from a parent organization (see Resources section in the back of this manual for a list) or on the Internet. One good site is [www.familyvillage.wisc.edu](http://www.familyvillage.wisc.edu)

A good evaluation is an important step in the process of providing your child an appropriate education.

## Is Your Child Eligible For I.D.E.A. Special Education Services?

The school must include you in deciding if your child is eligible for IDEA services. That decision is made by the IEP committee, which includes you. If your child is eligible, you and other members of the IEP committee will use the written evaluation report to decide what services and supports he needs from special education. The district must also get your written consent before giving your child special education and related services.

If the full individual initial evaluation shows that your child has one or more of the following, the IEP committee (including you!) will meet to see if he is eligible to get special education services:

### Orthopedic Impairment

**Other Health Impairment** - Examples include some students with ADD or AD/HD, Tourette's Syndrome

**Hearing Impairment** - includes deafness

**Visual Impairment** - Includes students who are blind or visually impaired

**Intellectual Disability**

**Multiple Disabilities**

**Serious Emotional Disturbance**

**Specific Learning Disability** - see note

**Speech or Language Impairment**

**Autism**

**Deaf Blindness**

**Traumatic Brain Injury (TBI)**

**Developmental Delay** - for children age 3-9

If the full and individual evaluation shows that your child does not have at least one of these, she is not eligible for special education services. However, she may be eligible for Section 504 services.

Note: IDEA 2004 changed the way to decide if a student has a learning disability. A local school district can not be *required* to first see that your child has a severe discrepancy (difference) between his intellectual ability and his level of achievement. IDEA also now allows a local school district to consider whether data has been collected on your child's response-to-intervention (RTI). This is so that your child is not labeled as having a "learning disability" until he has first been provided with quality educational instruction. As a result of that change in the federal law, LDE will revise its criteria for deciding that a student has a learning disability. Watch for information from LDE or from an organization like the Learning Disabilities Association of Louisiana at <http://ldalouisiana.org/>.

## Who Is Eligible For Which Programs?

### Birth to Three

Children from birth to three years old with developmental delays are served by **EarlySteps**, Louisiana's Early Intervention System. EarlySteps evaluates your child at no cost to see if she needs services. If so, you and an EarlySteps team

will work together to develop an Individual Family Service Plan (IFSP), listing the services your child needs and how they will be provided.

EarlySteps eligibility ends on the child's third birthday. If your child will likely need special education after she turns three, she will be referred to the local school district before her third birthday so the evaluation process can begin. EarlySteps programs are administered by the Louisiana Office of Public Health. To learn more about EarlySteps and to find out if your child is eligible, call 1-866-EarlySteps (1-866-327-5978) or go to:

[www.oph.dhh.state.la.us/earlysteps/](http://www.oph.dhh.state.la.us/earlysteps/).

### **"Between the ages of Three (3) and Twenty-Two (22), inclusive"**

An IEP must be in effect for each eligible child not later than his third birthday, and if a child's birthday is in the summer, the IEP Team decides when the service will begin. A student with a disability may remain in school until he reaches the age of twenty-two unless he graduates with a high school diploma; if the twenty-second birthday occurs during the regular school year, the student may finish the year.

### **What Are Parents' Rights During Evaluation?**

In the full and individual evaluation process, you have the right to:

- ◆ be given written notice before the school evaluates or refuses to evaluate your child;
- ◆ be given information about the abilities, skills and knowledge to be evaluated;
- ◆ give, or not give, your consent before the evaluation or reevaluation of your child;
- ◆ be given a description and explanation of the procedures, tests (with examples), records or reports to be used in the evaluation;
- ◆ review and understand all evaluation records before the IEP committee meeting;
- ◆ have the results of all evaluations considered at the IEP meeting, including any independent evaluations you get from professionals who don't work for the school;
- ◆ be assured tests and other evaluation materials will be given in the language most likely to give correct information about what your child knows and can do academically, developmentally, and functionally;
- ◆ be sure no one procedure (such as an IQ test) will be used as the only basis for deciding if your child is eligible for special education services;
- ◆ file a written complaint to the Louisiana Department of Education if you feel a federal or state rule concerning the evaluation process is not being followed;
- ◆ ask for mediation or a due process hearing if agreement on evaluation procedures or results cannot be reached; and
- ◆ be given a copy of the evaluation report, including information used to decide eligibility for special education.

### **What Are Students' Rights During Evaluation?**

In the full and individual evaluation process, your child has a right to:

- ◆ be evaluated in all areas related to the suspected disability;
- ◆ be tested with instruments that are valid and reliable;



- ◆ be tested in a way that is not racially or culturally discriminatory; and
- ◆ be tested by qualified, trained and knowledgeable personnel.

## What Can I Do If I Think the School's Evaluation Is Incomplete?

### Ask for More Testing

If you feel the school's evaluation is incomplete and more testing is needed, you can ask the school to do more testing. (See Sample Letter section.)

## WHAT CAN I DO IF I THINK THE SCHOOL'S EVALUATION IS WRONG?

### Ask for an Independent Evaluation

If you think the school's evaluation does not measure your child's need for special education, you may get an independent education evaluation (IEE). Independent evaluations are done by qualified persons who do not work for the school. You may ask the school how and where to get an independent evaluation or you may get one done by someone else, as long as this person is qualified to perform the evaluation.

If you ask the school to pay for the independent evaluation, the school must do so unless the school asks for a due process hearing to show its evaluation was appropriate. If you want the school to pay for the independent evaluation, the testing you get must meet the same requirements the school uses. You should send a letter to the school saying that you want an independent evaluation and you expect the school to pay for it. You do not have to tell the district why you disagree with their evaluation.

The IEP committee must discuss and equally consider independent evaluations, no matter who pays for them, in any IEP committee decisions. They do not, however, have to accept any or all of the evaluator's recommendations.

### Ask for a Re-evaluation

The school must reevaluate your child if they decide her educational or related services needs, including academic and functional performance, warrant a reevaluation. They must reevaluate if asked by her teacher or by you.

You or the teacher cannot ask for a re-evaluation more than once a year *unless* there is an agreement between the school and you to do so. The school must reevaluate your child at least every three years, unless you and school agree it is not necessary. If the school thinks the three year reevaluation is not necessary, but you do, the school must do the reevaluation. If your child has not progressed in the general education curriculum as expected, or has not met other IEP goals, a new evaluation is probably necessary.

The school must get your consent for both initial and reevaluations. The district may **ONLY** reevaluate your child without your consent if you do not respond to their calls or letters and the district shows that it has taken all reasonable measures to get consent. If you do not agree to the reevaluation the district may only reevaluate by asking for a due process hearing; however, the district is not **required** to ask for a due process hearing to override your refusal.

A new evaluation is also required before a change of placement unless your child is graduating under regular academic standards or is aging out of



services. For your child graduating under their IEP, the evaluation will be included as part of the Summary of Performance. All graduating special education students will be given a summary of academic achievement and functional performance. This summary will include recommendations to help your child meet goals for after high school, written recommendations from adult service agencies and the views of you and your child.

### Ask for a Due Process Hearing

If you believe the school's evaluation is incorrect or incomplete, and you cannot resolve the issue with the school, you can ask for an impartial due process



DON'T BE SEDUCED!  
JUST BECAUSE IT LOOKS GOOD AT FIRST  
GLANCE DOESN'T MEAN IT'S THE RIGHT  
SOLUTION.

hearing. If you go to a hearing, you will need some proof or evidence showing what is wrong with the school's evaluation. For example, this proof could be a doctor's or psychologist's report or other independent evaluation.

## Step 4: The IEP Meeting

The **IEP committee** meets at least once a year to develop, review and revise your child's IEP. You are a member of your child's IEP committee. Two goals of the IEP committee should be to work together and to have everyone reach agreement.

### Notice of the IEP Meeting

The school must give you written notice before the IEP meeting so you can prepare. Although IDEA regulations do not say the amount of time that should be allowed between the notice and the meeting, the school should allow you a reasonable amount of time to get ready for the meeting. If you do not have enough time to prepare, ask the district to set the meeting for another time. The notice should include the purpose, time and place of the IEP meeting and a list of the people attending.

If you want to go, but the date, time or place is not convenient for you, ask the school to reschedule the meeting. The school must try to schedule the meeting at a time and place agreeable to you and school staff. If you cannot attend the IEP meeting, the school must use other ways like telephone conference calls or video conferences, to give you a chance to participate. However, the school

district can hold the IEP meeting without you if you don't attend and don't reschedule.

At the meeting, you have a right to have an interpreter (e.g., American Sign Language or Spanish) paid by the school. If you need an interpreter, you must be sure to tell the school before the meeting.

You may ask to meet with your child's teacher(s) or related services provider(s) before the meeting to talk about evaluation information and possible IEP goals and to learn more about the curriculum for your child's grade level.

### For Students Who Are 17+ Years of Age

By age 17, the school district must notify both your child and you that all rights given to you by IDEA, except the right to receive notice, will transfer to your child at age 18. This notice must be written on your child's IEP.

### For Students Who Are 18+ Years of Age

When your child reaches 18 years old, the school district must give your child and you written notice that your rights have transferred to your child. This notice must include phone numbers and websites of agencies where your child and you can get more information. The school district must continue to provide you with notice of the IEP meetings. Many schools and parents see the benefit of parents participating in meetings even though rights have transferred to the child. You and your child can work together as a team at the IEP meeting.

Some ideas about how to handle this:

- ◆ if you want to continue making the educational decisions you can seek guardianship of or Power of Attorney for your child. However, you should not feel pressured by the school to get guardianship just to attend the meeting. After your child turns 18, ask if he wants you to attend the IEP meeting; if so, tell the school that your child invited you to the meeting or ask your child to sign a statement that they have invited you.
- ◆ If your child does not want to invite you to the IEP meeting, you can ask the school to invite you.

Note: At the IEP that will be in effect when your child turns 16, (or younger if the IEP committee thinks it is appropriate) your child's IEP must include measurable goals for his life after high school including: training, employment, education and independent living skills if necessary. Your child should attend his IEP meetings starting at that time so he can be a part of planning for moving from school to work or further education and for the transfer of rights at age 18. No matter the "severity" of his disability, your child must participate in whatever ways he can in the meeting, practicing skills like speaking up and making decisions about his life. These skills, called self-advocacy skills should be a part of your child's IEP throughout his school experience. Self-advocacy does not mean that your child no longer needs support or advice from you or other people who care about him. It means that at school and at home, he has opportunities to say what is important to him and what he wants. It means that the other IEP committee members respect and respond to his opinions and ideas. An important phrase in the self advocacy movement is "Nothing About Us Without Us." To learn more about self advocacy go to the People First of Louisiana's website at <http://www.theacla.org/serv01.htm> and the website

for the national organization Self Advocates Becoming Empowered at [www.sabeusa.org](http://www.sabeusa.org).

## Members of the IEP Committee

At least the following members of the IEP committee must be present to develop, review or revise an IEP:

- ◆ you;
- ◆ your child, if he is an adult student (age 18 or over) or younger when appropriate; your child must be invited if the meeting will be about post secondary goals or transition services to meet those goals (transition goals must be included in the IEP by age 14),
- ◆ a representative of the school district who is qualified to provide or supervise special education, who knows the general curriculum, and the resources available in the district;
- ◆ at least one special education teacher or service provider; who meets the requirements for a Highly Qualified Teacher,
- ◆ at least one regular education teacher who is responsible for implementing your child's IEP if your child is or may be in regular education,
- ◆ someone who can interpret evaluations as they apply to your child's instruction,
- ◆ others, invited by you, the adult student or the school, who have knowledge or expertise about your child, including related services personnel as appropriate; and
- ◆ if your child is entering school from Earlysteps, a representative of the Part C provider must be invited if you ask for it; the school may also ask for the First Steps provider to come to the meeting.

You have the right to invite other people. For example, you may bring someone who has worked with your child outside of school, or you may bring a friend or parent advocate along for support. Because the role of the committee is to develop a plan for just your child, the purpose of the membership requirements is to have members at the meeting who are familiar with your child. Other requirements for membership may apply in certain situations.

Note: An IEP committee member may not be required to attend all or part of the meeting if you and the school agree in writing that person's attendance is not required because the committee does not need to talk about their area of the curriculum or related services. A member of the team may be excused from attending all or part of the meeting even when the meeting involves a modification to or discussion of the member's area of the curriculum or related services, if you and the school agree in writing and the member provides written input to you and the IEP Committee prior to the meeting. The phrase "prior to the meeting" is not defined in federal law or regulation, so you should ask that the information be provided with enough time for the committee to review the information and ask questions of the member who will not be there.

**You should not feel pressured to agree to excuse someone you believe should be there.**



SUPPORT SERVICES THAT ARE  
"ONLY AS SPECIAL AS NECESSARY"  
FIT JUST RIGHT!

## Step 5: The IEP

The **Individualized Education Program (IEP)** is a written plan, just for one student-your child. It is an agreement between the school and you about how your child will be educated. Although the IEP is not as detailed as a teacher's lesson plan, it must include:

- ◆ a statement of how your child is functioning academically and performing as a student
- ◆ measurable goals in each area of need;
- ◆ the special education, supplementary aids and services and related services the school will give your child;
- ◆ when and where those services will be given; and
- ◆ how the child's progress will be reported to you.

The IEP must address the academic, developmental, and functional needs of your child. Services must be based on peer-reviewed research as much as possible.

All decisions in your child's IEP must be individualized. "Individualized" means that the plan is made especially for him and is tailored to meet his needs. Your child's special education needs are probably different from those of other students, even those with the same disability label. His IEP should reflect those differences and not be exactly the same as that of any other student.

## When Is An IEP Required?

The IDEA requires your child to have an IEP before he gets special education and related services. If your child needs to begin school before his evaluation

is done, a temporary IEP can be written and used while the evaluation is in progress. For children coming from a Part C program (First Steps), the school must consider your child's Individual Family Service Plan (IFSP) and *may* use the IFSP as the IEP if agreed to by the school and you.

## How Is The IEP Developed?

The IEP Committee typically follows these steps:

### 1) Opening Remarks and Introductions

All IEP committee members and others introduce themselves and explain their relationship to your child. It is helpful to know if those in attendance have actually worked with your child. Be sure to introduce anyone you have brought to the meeting. A written agenda may be given out.

#### Ways You Can Participate:

- ◆ Read the agenda and add any items you want to discuss.

### 2) Reviewing Present Level of Academic Achievement and Functional Performance

The committee reviews the most recent evaluation information and summarizes your child's strengths and needs and how her disability affects her performance in the general education curriculum (GLEs). This and information about her performance in the LEAP will be the basis for writing her IEP goals. The IEP committee must also review your child's present level of "functional" performance, which includes areas other than academics. This is a chance to see how your child is doing socially and behaviorally.

If your child has received services for some time, the IEP committee reviews your child's progress on each IEP goal and discusses the special education and related services she has been receiving. The committee uses this information to write a statement on the IEP telling about her current levels of academic achievement and functional performance.

Review this statement and be sure you think it is accurate before going on to the next step.

Review this statement and be sure you think it is accurate before going on to the next step.

#### Ways You Can Participate:

- ◆ Share your ideas about her progress. Show pictures or other documentation about what she can do outside of school, including assistive technology solutions that are helpful. Remind the team you want your child's program to help her use and build on her strengths and abilities. The IDEA requires the IEP committee to address each child's strengths. You are the best source of this information.
- ◆ Share any reports you have from outside therapists, tutors, consultants or doctors.
- ◆ Make sure you understand whether your child has made progress on her IEP goals (go to [www.wrightslaw.com](http://www.wrightslaw.com) to read more about how to decide if your child has made progress in the general curriculum.)

- ◆ Ask questions if something is not clear. At this point, you should have a clear picture in your mind about how your child is doing in school.

### 3) Developing Measurable Annual Goals, both academic and functional

Goals tell what your child will learn during a school year. Each goal must be measurable. That is, you should be able to tell how the committee will know if she has reached that goal. IEP goals must be designed to:

- ◆ meet your child's needs caused by her disability so she can participate in and progress in the general curriculum-GLEs- (academic); and
- ◆ meet each of the child's other needs caused by her disability that affect her ability to learn (functional).

School staff may have met before the IEP meeting, either with or without you, to write draft goals for your child. Schools may send a copy of the draft to you before the meeting; ask for this draft as far as possible ahead of the meeting. If you did not get a draft IEP ask at the beginning of the meeting if a draft exists. If so, ask for a copy and read it then.

During this part of the meeting, the committee develops a clear picture of what your child will do and learn in the coming school year. The IEP committee must say how progress will be measured, what support she will need to reach each goal and who will provide each service.

The IEP should contain goals for all services your child needs including behavioral intervention, related services, Extended School Year Services (ESY) and vocational programming.

The IEP must also tell how progress on her IEP goals will be measured and reported to you. For most students, receiving a typical report card is not enough to tell us all we need to know about her progress.

The IEP must end with a clear statement of the:

- ◆ special education,
- ◆ related services,
- ◆ supplementary aids and services, and
- ◆ program modifications or supports that will help your child participate in extra curricular and other non-academic settings.

Note: IDEA 2004 requires that services must be “*based on peer-reviewed research to the extent practicable.*” Though the term “peer-reviewed research” is not defined in the IDEA, it is assumed to be like the requirement in No Child Left Behind that instruction be based on “scientifically-based research.” (Remember, NCLB also applies to special education programs.) The intent is to require schools to base their decisions about teaching on credible research. If the school wants to use a teaching strategy, ask for an explanation of the peer-reviewed scientifically-based research that supports the strategy. In the past, IEP committees often refused to discuss “methodology” by saying that decisions about HOW to teach your child were completely in the hands of the school district. Now, IEP committees have to discuss methodology to show that teaching techniques meet the standard of peer-reviewed scientific research. To learn more about scientifically-based research, go to:

<http://www.ed.gov/nclb/methods/whatworks/research/index.html>.



For information about sound research-supported practices, go to the website of the What Works Clearinghouse at <http://www.whatworks.ed.gov>.

### What Happened to Objectives?

If your child has received special education before 2004, his IEPs had goals and objectives. Short term objectives (sometimes called “benchmarks”) are small, measurable steps leading to each IEP goal. In 2004, Congress decided that most students receiving special education services do not need short term objectives, only annual goals. Short term objectives must only be written for students who take an alternative assessment rather than the LEAP test.

Just because short term objectives are not *required* for some students, does not mean they cannot be written if the IEP committee thinks they are needed. If you think one of your child’s IEP goals should have short term objectives as a way to help you check his progress, you should ask the IEP committee to write them.

Since short term objectives are no longer required for all students, measurable annual goals must be more complete than many have been in the past. IEP goals must be measurable and include both academic and functional goals. They can no longer be just broad statements of what your child will accomplish during the school year.

### Ways You Can Participate:

- ◆ Share notes you made on the Parent Checklist;
- ◆ Talk about what you want for your child when she leaves school. Make sure the goals you choose will lead to the outcomes you want for her as an adult.
- ◆ Ask what students without disabilities her age will learn and how she might also learn that information. (Note: You can get the information in advance by looking at the LEAP for her grade level.)
- ◆ If the school has developed draft goals ahead of time, remember they must include your input. The IEP should not be written in advance so that your participation is only to come to the meeting and sign it. Talk about all the goals suggested by you and school staff. Help the team decide which ones should be included, keeping in mind the vision you have for your child when she leaves school.
- ◆ As you review the draft goals, remember that the IEP must be planned to meet your child’s needs and that you and the school staff make up the IEP committee. Your job is to change, add or delete goals until the IEP lists only the most important goals your child should meet in the coming year.
- ◆ Ask questions if you do not understand how your child’s progress will be measured, what services she will get during the school day, who will provide each service, and how much time each day she is with students who do not have disabilities.

### 4) Deciding on Related Services

Many students who receive special education also need related services to benefit from the educational program. Your child can not receive related services unless he has been found eligible for special education.

Though there are others, the most common related services are:

- ◆ Assistive technology;
- ◆ Speech therapy;
- ◆ Physical therapy;
- ◆ Occupational therapy;
- ◆ Psychological services;
- ◆ Social work;
- ◆ Counseling;
- ◆ Special transportation;
- ◆ Audio logical services
- ◆ Orientation and mobility training;
- ◆ Rehabilitation counseling;
- ◆ School nursing services and school health-services; and
- ◆ Interpreter services.

The IEP committee looks at written reports from related service professionals to decide if your child is eligible for a related service. Except for transportation, the decision will be based on written reports from related service professionals. Every service the school district provides must be written into the IEP, including information about how often the services will be provided, how long each session will last, the type of related service professional needed and when the services will begin and end.

The list of related services is not exhaustive and may include other developmental, corrective or support services. For example, in order for your child to successfully use assistive technology in the educational process, he will need training in its use. The staff may also need training in order to correctly use an assistive technology device.

#### Ways You Can Participate:

- ◆ Look at all evaluation reports to see which related services are being considered for your child.
- ◆ Find out before the IEP meeting if you will need a doctor's letter or other medical referral before the school will provide a particular related service.
- ◆ Make sure you and other members of the committee talk about related services, supports or modifications needed to implement the IEP.
- ◆ Lack of money or personnel cannot be used as reasons to deny your child any related services she needs to benefit from her educational program. If the district lacks the necessary personnel, they can contract with outside professionals to provide related services.

#### **5) Thinking About Other IEP Elements That May Apply to Your Child**

You must also talk about the following special factors if they apply to your child:

#### **Extracurricular Activities**

The district's policy on participation in extracurricular activities also applies to students who receive special education, unless exceptions or changes in the policy are made for your child in the IEP. If that is done, the IEP should include the information on which the decision was based.



### Statewide Assessments

Students in Louisiana public schools are required to participate in the Louisiana Educational Assessment Program (LEAP), which includes tests called LEAP, GEE, iLEAP and iGEE, L AA 2, and L AA 1. At the IEP meeting you will discuss what tests your child will take. If the IEP committee decides your child should take an alternative assessment, you must state the reasons your child cannot take the regular assessment, and why the alternative assessment you selected is appropriate.

Be sure the IEP committee discusses the accommodations your child will get during testing and includes them in the IEP. The following test accommodations may be made for special education students IF they are addressed in a student's Individualized Education Program (IEP) and used in classroom instruction and assessment.

**Braille**

**Large Print**

**Answers Recorded**

**Assistive Technology**

**Extended Time**

**Communication Assistance**

**Transferred Answers**

**Individual/Small Group Administration**

**Other** - Any necessary accommodations may be used, but must be determined by the IEP team and documented on the student's IEP and must not breach test security or invalidate the meaning of the test score or the purpose of the test.

Students performing three grade levels below the grade level in which they are actually enrolled will take the LAA 2. A small percentage of students with significant cognitive disabilities will take the LAA 1.

### Assistive Technology

The IEP committee must consider whether your child needs assistive technology devices and services. (See "What is Special Ed Lingo?")

### Transition

Transition services are those services and activities that help your child move successfully from public school to life after public school. Transition activities should help your child make a successful move ("transition") from public school to higher education, employment, and/or independent living. These services should be individualized for your child and his likely needs as an adult. Transition services must be based on your child's strengths, preferences and interests. Your child must be invited to participate in the IEP meeting when you talk about transition services. Transition goals should be reviewed and updated as needed at the annual review of the IEP.

Transition service needs must be addressed in the IEP for the school year during which your child turns 14 and a statement of needed transition services must be in the IEP when your child turns 16. If necessary, you may ask that transition services be addressed in the IEP before your child turns 14. For a transition-age student, the IEP must include:

- ◆ measurable postsecondary goals based on assessments related to training, education, employment and, for some students, independent living skills, and
- ◆ A list of courses your child should take in order to reach his transition goals.

Two sources for information online are from the Technical Assistance on Transition and Rehabilitation Act (TATRA) at <http://www.pacer.org/tatra/list> and the National Center on Secondary Education and Transition at <http://www.ncset.org>.

### **Special Note To Families About Services After Your Child Leaves High School.**

Depending on the nature and extent of your child's disability, you may want to access community-based services and supports after graduation like in-home supports, out-of-home residential services, mental health services, habilitation or other services. These services may be made available through the Louisiana Department of Social Services, Rehabilitation Services

[http://www.dss.state.la.us/departments/lrs/Vocational\\_Rehabilitation.html](http://www.dss.state.la.us/departments/lrs/Vocational_Rehabilitation.html)

Many programs providing services for after high school have long waiting lists; in some cases, the wait is seven or more years. You should become familiar with the services available through state and local agencies. If you believe your child may need services from these programs in the future, take steps now to contact the responsible agency and sign up for the waiting lists. Do this before beginning formal transition planning even though your child may not need services until graduation. Take action now to make sure your son or daughter can access community supports after graduation. For more information about state supported services see Louisiana State Resources section

### **Extended School Year Services (ESY)**

The IEP committee should also talk about your child's possible need for an extension of the school program during the long holidays and/or the summer. Some students cannot get an appropriate education without getting services during long holiday breaks and/or the summer. Others forget what they have learned about academics and/or behavior and take a long time to regain ("recoup") these skills once school starts again in the fall. Others need services—such as physical therapy—during the summer so they do not lose the progress they have made during the school year.

Most districts use recoupment time as the basis for a decision on providing ESY services. However, if the loss of acquired critical skills would be particularly severe or substantial, or if the loss of skills could cause physical harm to your child or to others, ESY services should be provided even without consideration of how much recoupment time would be needed if services weren't extended. Many schools require documentation or proof of an extended recoupment time in order for your child to receive ESY services. Both the school and you should keep documentation at home and school of the skills your child loses while they are not in school and the time your child needs to regain skills when they return to school. Your child's need for ESY services should not be denied because accurate documentation was not kept.

The decision about ESY should be made at the IEP meeting and measurable goals and objectives (objectives are required for students who take the LEAP Alternate statewide assessment) written into the IEP. *If you ask for them, the IEP committee must consider ESY services.*

### Termination of Services/Graduation

A district can stop providing special education when:

- ◆ your child no longer meets the age requirements. (Your child is entitled to services ages 3-22)
- ◆ your child is eighteen years old and decides on her own to withdraw from school.
- ◆ your child graduates.

In Louisiana, your child may graduate in one of three ways:

1. a regular high school diploma: 24 Carnegie Units and a passing score on Graduation Exit Exam (GEE).
2. GED; or
3. Skills Certificate

Before graduation, including aging-out of eligibility, the school district must provide your child with a document, called a "Summary of Performance," that summarizes his academic achievement and functional performance.

### Behavior and Discipline

**Behavior.** It is important for both you and the school to understand your child's disability and how it affects her behavior. Your child may have extreme difficulty sitting still, or may become easily frustrated, or might act out in her relationships with other students. If your child's behavior is related to her disability, she needs to be taught other ways to get her needs met and to manage her own behavior. It is important that she is not disciplined inappropriately for behavior which is related to her disability. For this reason, there are systems in place to protect children against unnecessary or inappropriate discipline.

**Discipline.** If your child exhibits behaviors that interfere with her learning, or are disruptive to other students the IEP *must* address those behaviors. The IEP committee must identify appropriate positive behavioral interventions and supports, and other strategies, to address each behavior. It is extremely important that the IEP committee discusses and plans for any behaviors you think might cause your child to get in trouble at school.

You can ask for a "functional behavior assessment" (FBA) to decide why and when she is displaying the inappropriate behaviors and how to respond. With that information, the IEP committee can develop a "behavior intervention plan" (BIP) which becomes a part of her IEP. The plan should list the supports and services she needs so she doesn't display the inappropriate behaviors - not just list the consequences for misbehavior.

If your child violates a school rule and the IEP committee decides that the behavior is related to her disability, the IEP Committee must do a Functional Behavior Assessment and develop a Behavior Intervention Plan. If your child already has an FBA and A BIP the Committee must review the plan and change it as necessary.

**When Can Your Child Be Disciplined?** There is much controversy about how and when your child with a disability can be disciplined. The IDEA lists procedures for making decisions about discipline. Important changes were made in IDEA discipline requirements in 1997, and again in 2004. Most parents and advocates believe the 2004 discipline changes made in 2004 are not in the best interests of students with disabilities. Following is basic information about the discipline process for students with disabilities. It does not include all information you need if your child has discipline problems at school. You can get additional information about discipline requirements. See page 53 within the following link.

<http://www.doa.louisiana.gov/osr/lac/28v43/28v43.doc>

### **The Basics of School Discipline**

**Individual Discretion.** School administrators may use discretion about changing your child's placement if she violates the Student Code of Conduct. This means the principal (or other administrator) does not have to apply a local "zero tolerance" policy to your child with a disability, but can use discretion because of the impact of your child's disability. Perhaps this will mean that fewer students with disabilities are sent to Alternative Education Placements (AEPs) because the administrator says there is "no choice."

**Up to 10 total days.** School personnel may remove your child for up to ten total days before the below protections are in effect. If your child is removed from school for ten consecutive days (ten days in a row), your child has had a "change of placement" and the IEP team must meet. If your child has been removed for a total of ten days the school will decide, on a case-by-case basis, if this constitutes a pattern. Examples of patterns are: 10 days in one semester or 15 days per year. If it is a pattern, then it is considered a "change of placement" and the protections come into effect. You should receive notice of a change of placement. You have the right to review this determination through a Due Process hearing.

**After the tenth Day: Manifestation Determination.** After the tenth day of removal, your child cannot be punished for anything that is caused by her disability. Also, your child cannot be punished if her conduct was the result of the school's failure to carry out the Individualized Education Plan (IEP). In either of these cases the behavior is called a "manifestation of the disability." If the school wants to discipline your child, they must hold a Manifestation Determination Review (MDR), within ten school days, to decide if the conduct was a "manifestation of" (related to or caused by) the disability.

As a parent, you are part of the IEP team and should be at this meeting. It is now more difficult to find your child's misbehavior was a manifestation of his disability. The new standard is that the misbehavior must have been "caused by" or had a "direct and substantial relationship" to the child's disability, or was the "direct result" of a school district's failure to implement the IEP. Manifestation determinations are still not required for removals of less than 10 consecutive school days.

In the meeting, the IEP team must answer three questions:

1. Was the student receiving the services outlined in the IEP that are related to the conduct?

2. Could the student understand the impact and consequences of her conduct?
3. Could the student control the behavior?

If all the answers are YES, then your child may receive the same punishment a typical student would, but your child must continue to receive the services that are guaranteed by a Free and Appropriate Public Education (FAPE). If the answer to any of these questions is NO, then the child cannot be punished for behavior caused by her disability.

Instead, the IEP team must meet to figure out how to address the conduct. First, the IEP team must make a plan for a Functional Behavioral Assessment (FBA) if one has not already been done. The FBA will be a review of your child's conduct by an expert. The purpose of an FBA is to help develop a Behavior Intervention Plan (BIP). The BIP is a plan for how the teacher and school officials will deal with your child's behavior. For each problem (ex. Fighting with other students) there should be many strategies to prevent and correct the problem. These can range from moving the student's seat in class, to praise and privileges for problem-free days, to timeouts and detention and should also include a plan for educating your child about the importance of the behavior. As the parent, you should make sure that this plan is fair and likely to work for your child. As part of the IEP team, you will help make the BIP.

If a Behavior Intervention Plan (BIP) already exists when the school wants to discipline your child, the IEP team will meet to review and improve the BIP.

**Up to 45 days.** Your child can be removed for up to 45 school days to an Interim Alternative Education Program (IAEP) for offenses involving drugs and weapons, or causing "serious bodily injury to another person" regardless of whether the offense was a manifestation of your child's disability.

**Educational Services in Disciplinary Settings.** Students in Interim Alternative Education Programs (IAEP) are still entitled to special education services needed to continue participation in the general curriculum, and to progress toward meeting his IEP goals.

**"Stay Put."** When a parent files for a due process hearing to challenge a disciplinary action, your child will remain in the disciplinary setting pending the hearing decision, or the end of his disciplinary placement. Previously, "stay put" left your child in the placement he was in before the disciplinary removal. This new definition of "stay put" is only applicable to disciplinary removals.

**Expedited Hearings in Discipline Cases.** In discipline cases, when a due process hearing is requested, your child is entitled to an "expedited" (quick) hearing. The procedure works like this: A resolution meeting must occur within seven days of receiving notice of the due process complaint, unless the meeting is waived by BOTH you and the district. If the matter is resolved at the meeting, the hearing must be held within 20 school days after the request for hearing was filed. Finally, the hearing officer must issue a decision within 10 school days after the hearing.

### Braille

Your child who is blind or visually impaired, must be given instruction in Braille and the use of Braille unless the IEP committee decides after an evaluation of her reading and writing skills and needs that instruction in Braille or the use of Braille is not appropriate.

### Communication Needs.

The IEP committee must consider the communication needs of your child who is deaf or hard of hearing. Specific consideration must be given to opportunities for communication with other students and staff in the child's language and mode of communication, as well as for direct instruction in your child's language and communication mode. In 2004, "interpreter services" were added to the IDEA as a related service.

### Limited English Proficiency.

The IEP of your child with limited English proficiency must address how his/her language needs relate to achieving the goals on the IEP. Students eligible for bilingual classes and programs can receive special education services in those settings.

### Transportation.

Special transportation is actually a related service, but is often discussed at IEP meetings separately from other related services, such as speech or physical therapy. The IEP committee makes the initial decision as to whether your child is eligible for special transportation and the type and kind of special transportation that will be provided. The district cannot deny any student services in the IEP because you cannot provide transportation. *This includes 3-5 year olds who are not attending the school's preschool program, but need special transportation in order to receive speech therapy from the school district.*

The IEP committee should first talk about having your child use the transportation services used by non-disabled students. If your child is unable to use regular transportation services, the IEP committee must consider special transportation. State laws that limit transportation to students who live a certain distance from the school do not apply to students with disabilities if an IEP committee has decided a need. Also, transportation must be given to special education students placed in DAEPs if the IEP committee decides it is necessary.

## 6) Deciding on Placement in the Least Restrictive Environment

After IEP committee members agree on the IEP, the next step is to decide placement-where the special education and related services will be provided. You must be a part of any decision on placement.

Laws and regulations require placement decisions to:

- ◆ be made at least once every year;
- ◆ be based on your child's individual needs;
- ◆ take into consideration any harmful effects to your child; and
- ◆ be made based on evaluation information and not on disability label or staff convenience.



In addition, first consideration should be given to placements that are:

- ◆ as close to home as possible;
- ◆ at the school your child would attend if not disabled; and
- ◆ in regular classes with the supplementary aids and services your child needs.

### Placement in the LRE

School districts must educate students with disabilities in the least restrictive environment (LRE). This means your child must be placed in the setting that puts the fewest limits on her opportunities to be educated with students who do not have disabilities. If the IEP committee places the child somewhere other than the regular classroom with supplementary aids and services, they must say in the IEP why a more restrictive placement is needed.

Many important court decisions and rulings have helped make the meaning of LRE clearer and shown that the legal preference to educate students with disabilities in general education settings is very strong.

In order to be successful in the least restrictive environment, students are to be provided supplementary aids and services. For example, assistive technology can allow many students to perform educational and social activities in a general education environment.

Terms you may hear in the discussion of placement are “inclusion,” “mainstreaming,” and “integration.” These terms are not used in the federal law, but are commonly used by educators. Regardless of the words you hear, remember the placement of your child should provide as much opportunity as possible for your child to be educated with his non-disabled peers.

According to the document published on the LDE website, Louisiana Validated Practices Initiative, “School professionals in Louisiana have made significant strides in rethinking how to best educate students with disabilities. Far more students with disabilities today spend much the school day in general education classrooms with their peers accessing the same curriculum, being held to the same standards, and receiving special education services. However, questions remain. For example, caring professionals may ask the following: Are we making the best decisions for students? Are appropriate supports and services being delivered? Are our schools truly inclusive?...” For help deciding if services are provided in the least restrictive (most inclusive) environment, LDE offers the document “Standards for Building Inclusive Schools: How We Will Know When We Are There” which can be found at <http://www.louisianaschools.net/lde/uploads/10039.pdf>.

### Questions for Placement in the LRE:

- ◆ Can your child learn the same curriculum (GLEs) as other students her age with only occasional in-class or consultative services from special education? If yes, place her in age-appropriate regular classes.
- ◆ Can she participate in the same learning activities as the other students with accommodations for her disability? If yes, list the accommodations needed on her IEP, place her in age-appropriate regular classes and implement the accommodations. (See “Glossary” for definitions of Accommodations and Modifications)

- ◆ Does she need any “supplemental aides and services” (e.g., behavior interventions; one-on-one instruction, physical assistance) in order to remain in the regular classroom? If yes, her IEP should list those supplemental aids and services and how they will be provided in the regular classroom.
- ◆ Can she participate in the same learning activities as the other students IF modifications are made to those activities because she is learning at a lower grade level than the other students? If yes, list the modifications she needs on the IEP, specify who is responsible for making those modifications, and place her in the regular classroom with needed special education support.
- ◆ Does she need any services that cannot be provided in the regular classroom setting at this time? If yes, the IEP should specify her removal only for those activities.

To make sure your child is placed in the LRE, IEP committee members should begin by talking about placement in an age-appropriate regular class(s) at your child’s home school. The discussion should include which accommodations, modifications and/or supplementary aids and services (behavior interventions, paraprofessional, assistive technology, equipment, environmental modifications, etc.) could allow your child to remain in the regular classroom and make progress in the general curriculum.

If placement in a regular education classroom is rejected, the committee must document why the regular education placement, even with the use of modifications and supplementary aids and services, is not appropriate. Your child—even one with significant disabilities—cannot be removed from the regular education classroom just because she needs modifications to the general curriculum.

#### Ways You Can Participate:

Discuss all supports, modifications or assistive technology your child needs to reach her IEP goals and be involved in and progress in the general curriculum.

Examples include but are not limited to:

- ◆ specific learning and teaching strategies;
- ◆ adapted expectations, curriculum or materials;
- ◆ help from a paraprofessional aide;
- ◆ therapies that can be provided in the regular classroom;
- ◆ adaptive equipment; and/or
- ◆ assistive technology devices, (simple or high-tech).

Ask questions like:

- ◆ What would it take to implement the IEP in regular classes?
- ◆ How would your child’s daily schedule look?
- ◆ When would your child and/or teacher need these supports?
- ◆ Who is available to provide them?
- ◆ Who is responsible for modifying the curriculum or creating alternative materials?

Remind committee members that your child cannot be excluded from regular classrooms because she needs:

- ◆ related services;



- ◆ special equipment;
- ◆ modifications to the general curriculum;
- ◆ more intensive services (smaller student/teacher ratio);
- ◆ assistance of a paraprofessional
- ◆ a physically accessible classroom or building

### LRE for 3 and 4 year olds

Districts must provide services for 3 and 4-year olds in integrated environments with other 3 and 4-year olds who do not have disabilities, just as they are for older students. The school district must make available other school district programs, such as pre-kindergarten, to children with disabilities for whom that classroom would be appropriate. If you are offered only a separate special education class for your 3 or 4-year old, ask the district to tell you about other placements options that are in integrated settings. One way districts can meet this requirement is to place your child in a community preschool setting and provide services such as occupational or physical therapy the child needs but can't get at the private program. Another way, used by some school districts, is to place district special education staff at some preschools in the community.

### Contracting Placements

When the school district cannot meet your child's educational needs in its own program, it can contract with a non-public school approved by LDE. The district should not contract for any part of your child's education if it can meet the needs in its own program. The IEP committee must decide whether to contract for services from another program or district. Even if the district contracts with a non-public school, the district is still responsible for your child.

### Residential Placement

IEP committees will consider placement in a residential facility (one in which your child will both live and go to school), if the district cannot provide the services locally and your child cannot benefit from education without the support provided in a residential facility. If the IEP committee decides your child needs 24-hour residential placement, the district must provide it at no cost to you. Residential placement must be reviewed and re-approved every year. The school district can contract with either a public or private residential program approved by LDE. The school district has to provide for a residential placement only with your consent and only if:

- ◆ it is necessary for your child to receive an appropriate education; and
- ◆ the need for the residential placement to receive an appropriate education is related to your child's disability.

Many students who live in residential settings can and should go to school in the local district. However, if your child in a residential placement receives education services at the facility, the facilities, equipment and programs must be adequate to carry out the IEP.

### Private School Placements

You should know that if you place your child who is eligible for special education under IDEA in a private school, she is not entitled to receive the same level of services she would receive in the public school. However, the public school must provide some services to students placed by their parents in private schools. Changes in IDEA 2004 will likely result in an increase in

services provided by public schools to students in private schools. The public school must now work with any private schools within their district's boundaries to identify students with disabilities and to develop a process so those students can meaningfully participate in special education and related services.

Before you place your child in a private school, observe the classes yourself. Ask specific questions about the types of services the school will provide and about the types of certifications held by the teachers. If you take your child out of the public school and place her in another program because you believe the school district is not meeting her educational needs, you *may* be reimbursed for the cost of the placement. However, this will require a due process hearing and/or court action if the school district refuses to pay for the placement. The reimbursement may be reduced or denied if you did not inform the school in advance, or in other specific circumstances.

### 7) Coming to Mutual Agreement

Once the IEP is written, all members of the IEP committee who are part of the decision-making team will sign it. If any member disagrees, a statement of the disagreement and reasons for it should be attached to the IEP. If you do not agree with school members' recommendations about any part of the IEP, the school may implement the IEP as it sees fit, unless you file for a due process hearing.

#### Ways You Can Participate:

- ◆ Review the parent checklist "At the IEP Meeting" to see if all issues have been discussed. If all are in agreement with the IEP and the recommended placement, sign and indicate your agreement, then congratulate the team (including yourself) on a job well done!
- ◆ Keep in mind that if you are not in agreement with your child's IEP or placement, the school can implement the IEP unless you file for a due process hearing.

### 8) Closing the Meeting

At the close of the meeting, review the completed IEP and minutes or notes.

**Do not sign the IEP until you have read it.** Sometimes things are discussed, but never written into the plan; sometimes notes are made that do not reflect the discussion as you remember it. You can ask to take the IEP home for further review and sign in it later.

Ask for a copy of the IEP. You are entitled to a copy of all the IEP either at the IEP meeting or within a reasonable time thereafter.

If needed, ask to have the IEP translated into your native language. For parents who speak only Spanish, the district **MUST** provide you with a written copy, or audiotape, of the IEP in Spanish. For parents who do not speak English or Spanish, the district must make a good faith effort to provide you with an IEP translated in your native language.

If your child has several teachers who will implement parts of her IEP, ask the IEP committee to identify who will see that each teacher has a copy of her IEP.

## Step 6: After the Meeting

### Ways to Stay Involved:

You have just spent a great deal of time and effort developing an appropriate IEP for your child. Now you want to make sure that it is implemented and your child is progressing in the general curriculum and receiving all of the services in his IEP.

Be sure to:

- ◆ give positive feedback to teachers and administrators about things that work well for your child during the school year;
- ◆ get involved...volunteer in the classroom, library, or other school program; attend school functions; join the PTA and participate in site-based management teams and meetings and special events;
- ◆ communicate regularly with teachers throughout the year (notebooks, phone calls, e-mails, meetings and conferences);
- ◆ share articles and other resources of interest with teachers and other school personnel;
- ◆ attend joint trainings with school staff;
- ◆ read the progress reports you are sent by the school. Bring questions, concerns and/or praise to parent/teacher conferences; and
- ◆ ask to have the IEP revised as needed.
- ◆ IEPs must be reviewed at least once a year. However IEPs can be revised whenever needed.
- ◆ The team must revise the IEP if your child does not make expected progress toward annual goals or in the general curriculum or if your child makes so much progress that new ones need to be developed.
- ◆ Additional meetings will also be needed if there is new information, such as a reevaluation, that would affect his IEP.

IDEA allows some changes in the IEP to be made without an IEP meeting. Changes outside the IEP process are intended for changes that are not controversial and do not need to be discussed. The only requirements for amendments to the IEP without an IEP meeting are that the school and you agree and that the amendments be in writing. If you are asked to agree to a change you don't agree with, or don't understand, you should ask for an IEP meeting. If the IEP is changed without an IEP meeting, the school must provide you with a copy of the revised IEP at your request.



# THE STEP YOU HOPE YOU'LL NEVER HAVE TO TAKE: RESOLVING DISAGREEMENTS

## Notes

In school districts where there is open communication, a willingness by you and school staff to compromise, an emphasis on your child's needs, and a commitment to follow the special education process, most problems can be resolved locally. However, sometimes you and school personnel cannot agree on some part of your child's educational program.

If you and the district members of the IEP committee disagree, you need to decide whether to accept the other position or have a third party settle the disagreement. Although you may not be satisfied with school staff's position, you may not be ready for an impartial due process hearing. Other steps can be taken to settle disagreements. You can use the new IEP Facilitation system, or the mediation or complaints management systems together with, or instead of, a due process hearing or a lawsuit.

For information about the complaints management, mediation, and due process hearing systems in Louisiana, see

<http://www.louisianabelieves.com/resources/contact-us>

## Informal & Formal Complaints & Early Resolution

### LDE IEP Facilitation

IEP facilitation is a new way to solve disagreements; both you and the district members of the IEP committee must agree that a neutral person might help you discuss issues about your child's IEP. This process is most often used when



RODNEY'S SELF-ADVOCACY TAKES ON A  
DECIDEDLY INTERNATIONAL FLAIR.

parents and school staff have difficulty communicating about the student's needs. The IEP Facilitator attempts to create an atmosphere in which more effective communication can take place; then the Facilitator oversees the successful drafting of an IEP for the student. Either the parent or the school district can request IEP facilitation; however, since the process is voluntary, both sides must agree to use this process. The process will be initiated by a request to the Dispute Resolution Section, at no cost to you or the school district.

## LDE Administrative Complaint

If you believe the school district is violating the educational rights of your child, you can file a complaint with LDE. LDE must investigate any complaint that a school district is violating any requirement of the IDEA, including the identification, evaluation, or placement of a special education student, or any violation of your child's right to a free appropriate public education. LDE is required to investigate your complaint and make sure the district complies with the law, and will send you a letter with its findings within 60 days. Your complaint must be filed within one year of the alleged violation.

You can call (225) 342-3572 for help with the complaints process.

When you request an administrative complaint investigation, you must

1. Allege that the school district has violated special education laws.
2. List facts that support your allegation. You do not have to list which laws you think were broken, although you may if you want to. You must list facts that support your belief that special education laws have been violated.
3. Include your name, address, and phone number(s), your child's name and date of birth, your child's school and school district.
4. You may request an administrative complaint investigation by fax to (225) 342-1197, by mail to Louisiana Department of Education, Legal Services Division, P.O. Box 94064, Baton Rouge, LA 70804-9064, or by phone at (225) 342-3572.

## Alternative Dispute Resolution

### Mediation

You may disagree with the school about your child's special education. Mediation and IEP facilitation are two processes that may help you and the school resolve the disagreement.

Mediation is...

- ◆ voluntary
- ◆ timely
- ◆ impartial
- ◆ no cost
- ◆ confidential
- ◆ a written agreement
- ◆ not to be used to deny or delay parents' right to a due process hearing

Mediation is a way to resolve disagreements with the help of an impartial third person trained in mediation techniques. Both you and the school must agree to participate for mediation to occur. Sessions are scheduled in a timely manner and in a location convenient to both parties.

The mediator does not make decisions; instead, s/he facilitates discussion and decision-making. The discussions are confidential and may not be used later as evidence in due process hearings or in civil court. If mediation results in full or partial agreement, the mediator prepares a written agreement that must be signed

by the parents and the school's representative. Once signed, the agreement is confidential, legally binding and enforceable in court.

Mediation is available for disagreements about::

- ◆ identification,
- ◆ evaluation,
- ◆ placement,
- ◆ services, or
- ◆ FAPE.

You may request mediation before, at the same time, or after requesting a due process hearing or when you file an administrative complaint. Requesting mediation will not prevent or delay a due process hearing, nor will mediation deny any of your other rights. You or the school may suggest mediation, and it begins when both agree to participate. Your right to a due process hearing is not delayed or denied by requesting or declining to participate in mediation.

To begin the process, you and the school must telephone (225) 342-3572 or send written notice by fax to (225) 342-1197 or mail written notice to the Louisiana Department of Education, P.O. Box 94064, Baton Rouge, Louisiana, attention: Legal Division.

The Legal Division has a list of mediators who are trained, qualified, and knowledgeable about the laws and regulations relating to the provision of special education and related services. A mediator is assigned based on a rotational basis.

No employee of Department of Education, a local school corporation, or other public agency providing special education services is eligible to be a mediator. Mediators must not have any personal or professional conflict of interest. Mediators are not considered to be employees solely because they are paid to provide this service. The Legal Division bears the cost of the mediation process.

The school may offer you the opportunity to meet at a convenient time and location to have someone from a parent training center or alternative dispute resolution entity discuss the benefits of the mediation process when you have opted not to participate in mediation with the school. However, the Division must approve any procedures established by the school before they can be implemented, and the procedures cannot be used to delay or deny your right to a due process hearing if you decline this offer. The Division pays for the cost of these meetings.

Information about mediation and other dispute resolution processes is available from the Consortium for Appropriate Dispute Resolution in Special Education (CADRE). CADRE is a national project funded by the U.S. Department of Education. Their publications are available at:

<http://www.directionservice.org/cadre>. One of the publications available at this site is titled "Special Education Mediation: A Guide for Parents."

### **U.S. Office for Civil Rights (OCR) Complaint**

If you believe the school has violated Section 504 of the Vocational Rehabilitation Act, you may file a complaint with the United States Department of Education's Office for Civil Rights (OCR). OCR is the federal agency primarily responsible for enforcing Section 504.

If you are not sure whether an OCR complaint is appropriate, or if you don't know how to write a complaint, call OCR at 214-661-9600. OCR complaints should be mailed to the regional Office for Civil Rights:

Office for Civil Rights  
U. S. Department of health and Human Services  
1301 Young Street, Suite 109  
Dallas, TX 75202  
Voice Phone (800) 368-1019  
FAX (214) 767-0432  
TDD (800) 537-7697

## **WHAT DO I NEED TO KNOW ABOUT DUE PROCESS HEARINGS?**

If at all possible, you should try to reach agreement with the school about your child's education. However, if you have a dispute that you and the school district cannot resolve, you may ask for an impartial due process hearing. If you disagree with the IEP or have any other complaint concerning your child's education, you have a right to a due process hearing before an impartial hearing officer. You have a right to a final decision from the hearing officer within 45 days after compliance with the resolution meeting requirement.

Asking for a due process hearing is a very important decision. Due process hearings are expensive and stressful. School districts win many more hearings than parents win. It is a good idea to think about the other steps you can take to solve a problem before you ask for a hearing. You can try other remedies (see previous sections on Administrative Complaints and Mediation) instead of, or in addition to, an impartial due process hearing.

### **Representation by an Attorney**

Before you ask for a due process hearing, you must decide whether to hire an attorney to represent you. Although some parents have represented themselves successfully, or used a lay advocate, it is very difficult to win without an attorney.



Also, at the hearing, a court reporter makes an official record. This means a court reporter will prepare a transcript of all the witnesses' testimony. The court reporter will put this transcript and all other evidence (such as evaluation

reports and IEPs) into the official record of the hearing. If your case eventually goes to court, this record will be a large part of what the judge will use to decide the case. If your evidence is presented correctly at the hearing, it will not have to be presented again in a formal trial. It is difficult for a parent or lay advocate to know how to present evidence correctly. The best way to protect your rights, and those of your child, is to have an attorney at the due process hearing.

If you represent yourself and lose your due process hearing, you will want an attorney if you appeal your decision in Federal court. Even if you win the hearing, the school district may appeal the decision, at which point you will also want an attorney. It is more effective if the attorney who will represent you in court has worked with you during the due process hearing and really understands your case. Try to have an attorney before you ask for a hearing. Though a recent US Supreme Court decision allows a parent to represent their child in federal court in IDEA cases, we strongly suggest you have an attorney since the school district will have one.

## Finding an Attorney

Of course, cost is a factor in your decision to use a lawyer or to ask for a hearing. IDEA 2004 requires each school district to inform you of any free or low-cost legal assistance that might be available in your area. If they have not, you should ask the school staff for this information.

Unfortunately in Louisiana, it is very difficult to find an attorney who will take a special education case. Special education cases are typically complex and difficult, and attorneys are aware they cannot be awarded attorney fees unless they win the case.

Many parents have learned through contacts in their local parent and advocacy organizations of attorneys willing to take cases for a reasonable fee. Check with your local parent and/or advocacy organizations for suggestions.

## Asking for a Hearing

IDEA 2004 expands the information that must be included when asking for a due process hearing. The party asking for due process (typically a parent or your attorney) must provide what is called "due process complaint notice" to the other party (typically the school district) and to LDE. This notice must include:

- ◆ the name of the child, the address of the child, and the name of the school district the child is attending;
- ◆ a description of the problem, including relevant facts
- ◆ statement of the part of IDEA you believe was violated; and
- ◆ a solution that you want.

If you file, then the school will review the complaint. If the school does not think the complaint meets the due process complaint requirements, they must notify the hearing officer and parent in writing within 15 days of receiving the complaint. The hearing officer will notify you within 5 days if he thinks the

complaint is sufficient or not. If the hearing officer decides the due process complaint is not sufficient, the hearing officer can allow you to amend the complaint.

In addition if the school has not already done so they must send you a response within 10 days of receiving your due process complaint that includes:

- ◆ an explanation of why they proposed or refused to take the action described in the complaint;
- ◆ a description of other options considered and the reasons why those options were rejected;
- ◆ a description of the evaluations, assessments, records or reports used as a basis for their action; and
- ◆ a description of the factors that are relevant to the school's proposal or refusal\*.

Note: It is important that your due process complaint address all of the issues you are disputing. At the hearing you will not be able to bring up an issue that was not included in your complaint unless the school agrees.

There are two ways you or your attorney can file for a due process hearing – by drafting your own due process complaint or by using LDE's form available at <http://www.louisianabelieves.com/docs/academics/formal-complaint-request-form.pdf?sfvrsn=3>

The Due Process Complaint letter or the LDE form available online must be sent to the school district superintendent and to:

Louisiana Department of Education  
Legal Services Division  
P.O. Box 94064  
Baton Rouge, LA 70804-9064

## Resolution Meeting

This is another, and very important, requirement of IDEA 2004. Before conducting a due process hearing the school must convene a meeting with you and the relevant members of the IEP committee who have knowledge of the facts in the due process hearing complaint. The meeting must include a school representative who has decision-making authority and must be held within 15 days of receiving the complaint. The school may not bring an attorney to the meeting unless you are bringing an attorney.

The purpose of the resolution meeting is to give you the opportunity to discuss your complaint and the school is given the opportunity to resolve the complaint. The resolution meeting is required unless both you and school agree in writing to waive the meeting or agree to mediation. If the school has not resolved the complaint within 30 days of receiving it, the due process hearing will proceed. Unless an extension of time has been ordered, the hearing officer's decision is due 45 days from the date after complying with the resolution meeting requirement.

If a resolution is reached, you and the school must sign a legally binding agreement. The agreement is enforceable in state or federal court. Either the school or you can withdraw their agreement within three days of signing it.

## Time and Place of the Hearing

After the completion of the Resolution meeting timeline (30 days after receiving the complaint), the hearing should immediately proceed at a time and place set by the hearing officer. If the hearing is set at a time that doesn't work for you, ask to have it changed. You or your attorney should immediately tell the hearing officer of the time conflict and your preferred time.

## Decision of the Hearing Officer

At the end of the hearing, the hearing officer will usually work out an agreement with the two sides for a date on which a decision will be due. Usually the hearing officer will allow each side to submit a brief (that is, a written summary of the arguments and authorities for their case) before the decision is due. After the hearing and after all parties submit their briefs, the hearing officer will issue a written opinion deciding the dispute.

A hearing officer's decision of whether your child received FAPE must be based on substantive grounds. Substantive violations are those by which a school failed to provide special education and related services required under IDEA. A school's failure to meet the procedural requirements of IDEA, such as failing to provide appropriate notice or to have all of the required members at the IEP meeting, are not typically considered substantive violations. In rare cases, a hearing officer may find that procedural violations significantly impeded your child's ability to receive FAPE, significantly impeded your opportunity to participate in an IEP meeting, or caused a deprivation of educational benefit to your child.

If you win, you may be entitled to recover attorney's fees. If a hearing officer decides an appropriate IEP would have provided services for which you have already paid, you can ask the hearing officer to order reimbursement for those expenses. Typical examples are extended school year (ESY) and related services (such as physical therapy). You should discuss these issues with your attorney.

New provisions in IDEA 2004 allow the hearing officer to require you or your attorney to pay attorney's fees to the school district award if your complaint was frivolous, unreasonable or without foundation and/or if the complaint was presented for an improper purpose, such as to harass, cause unnecessary delay or needlessly increase the cost of litigation.

## Appeal to Court

If you or the school district disagrees with the hearing officer's final decision, either party may appeal to state or federal court. The appeal must be filed within 90 days from the date of the decision. If you do not already have an attorney, you will need one for the appeal.

## Placement During Due Process Hearings and Court Appeals

If you choose to challenge the school's evaluation, program or placement in a due process hearing, the IDEA requires your child to remain in the current placement during the hearings and appeals. This is often referred to as the “stay put” provision of the law.

Note: In discipline cases where your child has already been removed from the classroom for an interim period, the “stay put” provisions do not apply. You also may be entitled to an expedited hearing. (See section on behavior/discipline.)

## DUE PROCESS COMPLAINT LETTER

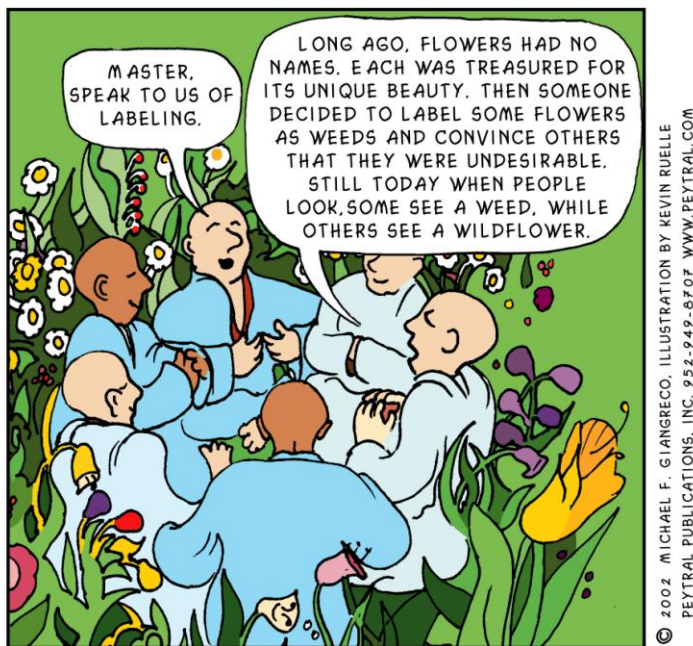
Remember, you can use the form on LDE's website or the Sample form provided in the Appendix at the end of this manual instead of writing your own letter to ask for a due process hearing. **You must send your request to both the superintendent and LDE.**

Notes

# THINGS TO REMEMBER ON THE SPECIAL EDUCATION JOURNEY

## Notes

- ◆ Be patient but persistent.
- ◆ This manual is a good starting point – study it and use it as a reference tool.
- ◆ Continue to learn as much as you can about your child's disability and your rights. The Resources listed at the end of this manual can help.
- ◆ Pace yourself – set a goal of learning more about only one thing each week.
- ◆ Talk to other families.
- ◆ Consider starting or join an existing local parent advocate/support group.
- ◆ Consider joining the State Advisory Panel.
- ◆ Get involved in your school's parent teacher organization.
- ◆ If possible, become a member of your school's Improvement Team.
- ◆ Attend school board meetings.



WHAT DO YOU CHOOSE TO SEE?  
WEEDS OR WILDFLOWERS?



# SAMPLE LETTERS

## LETTER AFTER PHONE CALL

(Be sure to keep a copy for yourself.)

Date

Name of person you talked with

Dear (name of person):

Thank you for talking with me by phone on (date of call); I am writing to confirm our phone call.  
On the call we talked about:

(List major points)

My position is:

(State your position clearly and completely, in as few words as possible)

Your position is:

(State the other person's position as you understood it).

(If one or both of you agreed to take any action, list the actions)

Thank you for your time.

Sincerely,

Your name

Your address

Your telephone number

Your e-mail address

# LETTER ASKING FOR SCHOOL BUILDING LEVEL COMMITTEE REVIEW

(Be sure to keep a copy for yourself.)

Date

Name of Principal

Name of School

Address of School

Dear (name of principal):

I am the parent of (name of student) a child at your school. My child is having problems with His/her school work. (Brief summary of problem, e.g., He has a hard time paying attention or sitting still, I am concerned he has some learning disability affecting his work; She has lots of difficulty with writing and reading, but can remember anything that she is told, I am concerned that she will fail her written work; His grades have gone down since he injured his head, I am concerned that he needs to be tested so we can see what is causing this problem.) I would like the School Building Level Committee to review (child's name)'s situation and either make suggestions for helping with them or refer him or her for an evaluation for special education services.

Please notify me in writing within five school days whether my child will be referred for SBLC review and if so, when the meeting will take place. I have talked to his/her teachers about this and we will provide any information you think is necessary to the SBLC members.

Sincerely,

Your name

Your address

Your telephone number

Your e-mail address

cc: Your child's teacher(s)



## LETTER IF SBLC REQUEST IS IGNORED OR DENIED

(Be sure to keep a copy for yourself.)

Date

Name of Special Education Director

Name of Parish

Address of Parish

Dear (name of Director):

I am the parent of (name of student) a child at (name of school) in your district. My child is having problems with his/her school work. On (date of first letter) I made a written request to (name of principal) asking that the School Building Level Committee review (child's name)'s situation and either make suggestions for helping with them or refer him or her for an evaluation for special education services. A copy of that letter is enclosed (enclose copy of your first letter to the principal).

I understand that children suspected of having a disability are entitled to a timely review by the SBLC and if necessary, a referral for an evaluation for special education services. (Add the facts about the delay or denial here.)

Please review my child's situation and notify me in writing within five working days about your findings.

Sincerely,

Your name

Your address

Your telephone number

Your e-mail address

cc: Principal

# LETTER ASKING FOR RECORDS FROM SCHOOL

(Be sure to keep a copy for yourself.)

Date

Name of principal

Name of school

Address of school

Dear (name of principal):

I am the parent of (name of student), a child at your school. Please inform me in writing of the types and locations of all education records collected, maintained or used for (name of student) by the school district. Please tell me where all these records are kept and whom I should contact so I can look at them. After looking at the list, I will let you know which records I wish to review.

Thank you for your help. I look forward to hearing from you soon.

Sincerely,

Your name

Your address

Your telephone number

Your e-mail address

# LETTER FILING COMPLAINT OF FERPA RIGHTS VIOLATION

(Be sure to keep a copy for yourself.)

(Date)

Supervisor of Complaints  
FERPA Office  
U.S. Department of Education  
Room 40174 Switzer Building  
400 Maryland Avenue, S.W.  
Washington DC 20202-6186

Re: (Statement of violation, i.e. denial of access to school records)  
(Name of school)  
(Name of city, state)

Dear Sir or Madam:

My son/daughter (name of student) is a student at (name of school). On (date) I asked to see (name of son or daughter)'s records. On (date) I received a reply from (name of principal or other person and title), informing me that I could not see the (name of records).

I believe that this is a violation of my parental rights under the Family Educational Rights and Privacy Act, 20 U.S.C. 1232 (g). This letter is my complaint.

Please investigate my complaint and let me know about your findings within a reasonable amount of time. You can contact me at (daytime telephone number) during normal business hours. Thank you for your help with getting access to my child's records.

Sincerely,

Your name  
Your address  
Your telephone number  
Your e-mail address

cc: (Name of principal)  
(Name of school)

# LETTER ASKING FOR A CHANGE IN RECORDS

(Be sure to keep a copy for yourself.)

Date

Name of principal

Name of school

Address of school

Dear (name of principal):

I am the parent of (name of student), a child at your school. There is a statement in (name of student's) (name of record, e.g., "physical therapy evaluation performed by Mrs. Small on October 5, 2008") that I believe is (examples: misleading, inaccurate, in violation of my child's rights) because (give reasons).

I ask that you change (student's name) records so they will no longer be (example: misleading, inaccurate, in violation of my child's rights). Please let me know if you will change my child's record or if it will be necessary to have a hearing to decide if the record should be changed. If it is decided that the record will not be changed, I plan to add my own statement regarding the record to my child's permanent record.

Thank you for your help. I look forward to hearing from you soon.

Sincerely,

Your name

Your address

Your telephone number

Your e-mail address

# LETTER ASKING FOR INITIAL EVALUATION

(Be sure to keep a copy for yourself.)

Date

Name of principal

Name of school

Address of school

Dear (name of principal):

I am the parent of (name of student), a child at your school. My child's teacher and I have concerns that my child may have a disability and is in need of special education services. {or}

I am the parent of (name of child), a child that lives in your district that is or will be three years old on (birth date). I believe my child may have a disability and is in need of special education services.

I am asking for a full individual evaluation of my child. I believe testing is needed in the area(s) of: (list areas of suspected disability needing testing).

I understand that the evaluation must be completed within 60 calendar days from the date I have signed consent for evaluation.

Please contact me within 5 days of this request to sign consent forms to evaluate my child. Thank you for your help.

Sincerely,

Your name

Your address

Your telephone number

Your e-mail address

# LETTER REQUESTING ASSISTIVE TECHNOLOGY EVALUATION

(Be sure to keep a copy for yourself.)

(Date)

(Name of Director or Supervisor of Special Education)

(Name of School)

(Address of School)

Dear (Name of Director or Supervisor):

I am the parent of (name of student). I have studied the reports of the school's assessment of my child and feel that (he/she) was not evaluated with respect to (his/her) needs for assistive technology devices and services. I therefore request that an assessment of those needs be conducted as soon as possible.

Thank you for your help. I look forward to hearing from you by (insert date one week from the date you mail the letter) if you do not plan to consider my request. Otherwise, please contact me so that we can arrange a time and a place to further discuss additional evaluation of (name of student)'s need for assistive technology.

Sincerely,

Your name

Your address

Your telephone number

Your e-mail address

cc: (School Principal)

# LETTER REQUESTING 504 EVALUATION

(Be sure to keep a copy for yourself.)

(Date)

(Name of Superintendent or Section 504 Coordinator)

(Name of Parish)

(Address of Parish)

Dear (Name of Superintendent or Coordinator):

I am the parent of (name of student). I believe that she/he needs to be evaluated for services under Section 504 of the Rehabilitation Act of 1973. I believe she needs this evaluation because (give reasons). I understand the school must conduct a 504 evaluation of the needs of children with disabilities and devise appropriate educational programs for them, even if they do not qualify for special education services under the Individuals with disabilities Education Act (I.D.E.A.)

Thank you for your help. I look forward to hearing from you within five days of the date you receive this letter.

Sincerely,

Your name

Your address

Your telephone number

Your e-mail address

cc: (School Principal)

## LETTER ASKING FOR ADDITIONAL TESTING

(Be sure to keep a copy for yourself.)

Date

Name of principal

Name of school

Address of school

Dear (name of principal):

I am the parent of (name of student), a child at your school. I have studied the reports of the school's evaluation of my child and feel she was not evaluated in every area of suspected disability. I believe additional testing is needed in the area(s) of: (list areas needing further testing).

I look forward to hearing from you within five (5) school days of the date you receive this letter if you do not plan to schedule an IEP meeting to consider my request. Otherwise, please contact me so we can arrange a time and place for the meeting. Thank you for your help.

Sincerely,

Your name

Your address

Your telephone number

Your e-mail address



# LETTER ASKING FOR AN INDEPENDENT EVALUATION

(Be sure to keep a copy for yourself.)

Date

Name of principal

Name of school

Address of school

Dear (name of principal):

I am the parent of (name of student), a child at your school. I disagree with the school's evaluation of (name of student), and I am asking for an independent evaluation.

Please send me a copy of the written criteria under which independent evaluations must be conducted and a written list of independent evaluators I can consider.

I understand the school must pay for the independent evaluation unless it requests a hearing to prove that its evaluation was appropriate. I will send you the results of the evaluation. I understand it must be considered in any future decisions about my child's education.

Please send me the criteria and list or let me know within five (5) school days of the date you receive this letter if you intend to request a due process hearing.

Thank you for your help.

Sincerely,

Your name

Your address

Your telephone number

Your e-mail address

## LETTER ASKING FOR RE-EVALUATION

(Be sure to keep a copy for yourself.)

Date

Name of principal

Name of school

Address of school

Dear (name of principal):

I am the parent of (name of student), a child at your school. I recently reviewed my child's evaluation, and I believe a new evaluation is needed because (list reason(s)). It has been at least a year since I have requested a reevaluation.

I look forward to hearing from you within five (5) school days of the date you receive this letter if you do not plan to schedule an IEP meeting to consider my request. Otherwise, please contact me so we can arrange a time and place for the meeting.

Thank you for your help.

Sincerely,

Your name

Your address

Your telephone number

Your e-mail address

# LETTER ASKING FOR REVIEW AND REVISION OF IEP

(Be sure to keep a copy for yourself.)

Date

Name of principal

Name of school

Address of school

Dear (name of principal):

I am the parent of (name of student), a child at your school. I recently reviewed my child's IEP which was developed in (month and year), and I believe it is (out-of-date, incomplete, based on insufficient evaluation information, etc.) because (state your reasons). I ask for a new meeting as soon as possible to review and, if necessary, revise (name of student)'s IEP. Please contact me within 10 days so the meeting can be scheduled at a mutually agreeable time and place.

Thank you for your help. I look forward to hearing from you soon.

Sincerely,

Your name

Your address

Your telephone number

Your e-mail address

# LETTER ASKING FOR MEDICATION

(Be sure to keep a copy for yourself.)

Date

Louisiana Department of Education  
Attn: Legal Division  
1201 North 3<sup>rd</sup> Street  
Baton Rouge, LA 70802

Dear Louisiana Department of Education:

I am the parent of (name of student), a child who receives special education. I am writing this letter to ask for LDE mediation of my dispute with the (name of district) concerning the education of my child. It is my hope that mediation will resolve this disagreement so it will not be necessary for me to ask for an impartial due process hearing.

(Tell in this paragraph why you are asking for mediation. Briefly describe the facts and tell how and why you disagree with the school.)

Sincerely,

Your name (required)  
Your address (required)  
Your telephone number (required)  
Your fax number (optional)  
Your email address (optional)

cc: Superintendent of your school district

# DUE PROCESS HEARING OR MEDIATION FORM

If you believe that special education requirements have not been followed by a public school, you have the following dispute resolution options available to you: Mediation, Complaint Investigation, and/or Due Process Hearings.

This sample form has been designed for you to request a complaint investigation. If you need assistance completing this form or would like to discuss your dispute resolution options, you may contact the Louisiana Department of Education. Additional information about the complaint investigation procedures can be found on the Louisiana Department of Education web site at:

<http://www.louisianabelieves.com/resources/library/academics>

You may choose not to use this form to request a complaint investigation, due process hearing, or mediation; however, all the information on this form must be included in your written request to LDE. Requests for complaint investigations must be signed. A checklist for you to use prior to mailing/faxing the completed form can be found on the last page of this form.

Whether you use this form or write your own letter, you are required by law to send a copy of your complaint to the school district.

***Note:** A complaint investigation **or** request for due process hearing **and** mediation can be requested at the same time. If you request a complaint investigation and a due process hearing, your complaint investigation request will remain on hold until the due process hearing has ended.*

# DUE PROCESS COMPLAINT FORM

If you are requesting a complaint investigation for one student, you are required to complete section **1. Student Information**. If you are requesting a complaint investigation for more than one student, skip section **1. Student Information** and complete the rest of the form.

## 1. Student Information

In the space below, provide the student's complete name, mailing address, and phone numbers. Also provide the name of the District and campus where the student attends or attended school. The student's date of birth is required for identification purposes.

In the case of a homeless child or youth (within the meaning of section 752 (2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434 a (2))), provide available contact information for the child and the name of the school the child is attending.

Name \_\_\_\_\_ Date of birth \_\_\_\_ / \_\_\_\_ / \_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_ Zip \_\_\_\_  
Phone number \_\_\_\_\_ Alternate phone number \_\_\_\_\_  
Name of school district \_\_\_\_\_  
Name of campus student  
attends/attended \_\_\_\_\_

## 2. Requestor Information

The requestor is the individual or organization filing the complaint/request for due process hearing. The requestor of a complaint may file on behalf of other students as a third party. The requestor must provide complete name and contact information.

Name \_\_\_\_\_  
Relationship to student \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_ Zip \_\_\_\_  
Phone number \_\_\_\_\_ Alternate phone number \_\_\_\_\_  
Fax number \_\_\_\_\_ Email Address \_\_\_\_\_

### 3. Complaint/Request Information

Your complaint must allege a violation of the Individuals with Disabilities Education Act (IDEA), its implementing regulations, and/or *Bulletin 1706*. The violation that is alleged must have occurred not more than one year prior to the date the complaint is received by The School district.

Below, please describe in detail each act that you allege violates Federal and/or State law or regulations, including when the act occurred and other events that are relevant to the allegation. You may describe which documents would be helpful for the Agency to review. Finally, you must provide a proposal for resolution of the allegation or to the problem.

**You may copy this portion for additional allegations as many times as needed.**

What is the alleged violation? (Describe the nature of the problem.)

What are the facts on which the allegation is based?

What are significant dates and events that may be relevant to this allegation?

If you have a proposal for how the issue stated in (a) could be resolved, please describe your proposal.

What documents supporting the facts should be reviewed by the Agency regarding this allegation? (Optional)

### 4. Signatures

By Federal regulation, you must sign the request for complaint investigation/Request for Due process Hearing.

Signature of person(s) filing the  
complaint

\_\_\_\_\_

Date

\_\_\_\_\_

### 5. Notification for Complaint Investigation

By Federal regulation, you must send a copy of the request for complaint investigation/Due process Hearing to the school district. Indicate below when and to whom you sent the copy of the complaint letter.

Date \_\_\_\_\_

\_\_\_\_\_  
Special Education Director or  
Superintendent

\_\_\_\_\_  
Address

Certified Mail Return Receipt Requested # (if  
applicable)

\_\_\_\_\_

# DUE PROCESS COMPLAINT FORM - CHECKLIST

## Checklist

Before mailing/faxing your request for a complaint investigation/due process hearing, make sure the items below have been completed.

- ☐ You have provided the student's name, contact information, and name of the school district the student attends (section 1, when requesting a due process hearing or a complaint investigation on behalf of one student).
- ☐ You have provided your name, address, and contact information where you can be reached (section 2).
- ☐ You have provided detailed information as to when, where, and how the alleged violation took place (section 3).
- ☐ You have provided a proposed solution to the problem (optional) (section 3.e.).
- ☐ You have signed your complaint (section 4).
- ☐ You have provided a copy of your complaint to the school district (section 5).
- ☐ You have mailed your complaint in time for it to be received by the Division of IDEA Coordination no later than ONE YEAR after the last act or event of which you are complaining (section 3.c.).

## Mail or fax your complaint to:

Louisiana Department of Education  
Attn: Legal Division  
1201 North 3<sup>rd</sup> Street  
Baton Rouge, LA 70802  
Phone: (225) 342-3572  
Fax: (225) 342-1197

## and to the

Special Education Director or Superintendent of the school district about which you are complaining.

(A mailing list follows)



# LOUISIANA RESOURCES

## INTRODUCTION

We have used many of the resources listed in the Advocacy Center's Parent Manual Educational Rights of Children with Disabilities in Louisiana: a Guide for Parents. We hope the resources listed meet your information needs. For more information, please contact us at 1-800-766-7736 or 504-888-9111.

## QUICK REFERENCE SHEET

For 504 complaints, contact the

Office for Civil Rights  
U. S. Department of Health and Human Services  
1301 Young Street, Suite 109  
Dallas, TX 75202  
Voice Phone (800) 368-1019  
FAX (214) 767-0432  
TDD (800) 537-7697

You can also file an OCR complaint online at:

<http://www.ed.gov/about/offices/list/ocr/complaintprocess.html>.

The State Department of Education has staff available to answer questions on special education at 877-453-2721. When problems arise, first call/write the school principal, the special education director, and/or the superintendent.

## WEBSITES

<http://www.louisianabelieves.com> LA State Dept. of Education  
<http://www.ed.gov> US Dept. of Education  
<http://www.advocacyla.org> Advocacy Center's website  
<http://www.ndrn.org> National Disability Rights Network [association of Protection and Advocacy System Agencies, including Advocacy Center in Louisiana]  
<http://www.copaa.org> Council of Parent Attorneys and Advocates  
<http://www.wrightslaw.com> site of private practitioners Pete and Pam Wright

## STATE RESOURCES

### Advocacy Center

The Advocacy Center provides legal assistance, advocacy services, and information and referral to senior citizens over 60 years of age and to persons with disabilities.

The Advocacy Center  
1010 Common Street, Suite 2600  
New Orleans LA 70112  
(504) 522-2337  
Toll free 1-800-960-7705 Voice & TDD  
Fax: (504) 522-5507

To request services in Vietnamese, call 1-800-960-7705, extension 153.

Để đòi hỏi những công tác (dịch vụ) bằng tiếng Việt, xin gọi 1-800-960-7705, mở rộng 153.

For information in Spanish please call 1-800-960-7705, ext. 152. Para información en español por favor llame 1-800-960-7705, ext. 152.

## **Disabilities Information Access Line**

DIAL links callers to public and private resources in every part of the state. DIAL can answer questions about disabilities; provide information on service providers, support groups and any other available assistance and assist families moving into or away from Louisiana in making new connections with service providers and support groups in their new communities. DIAL is also able to do computer searches for goods, services, and assistance, as well as provide callers with either on-line referrals or printed reports by mail. DIAL's priority is to answer questions and help locate service for persons of all ages who have disabilities, have infants and children with disabilities, or are concerned about friends, neighbors, or clients who have a disability. DIAL provides amended educational and informational literature to persons and organizations who request these materials. To order any of these publications, call the Disabilities Information Access Line (DIAL). DIAL is a statewide referral system designed to help locate services for people with disabilities. It has a complete list of Regional Family Resource Centers that can further direct you to local assistance.

Disabilities Information Access Line

Toll free: 1-800-922-DIAL (3425)

TDD: 1-800-256-1633

In Baton Rouge:

Phone: (225) 342-7700

TDD: (225) 342-5704

## **Easter Seals of Louisiana**

1010 Common Street, Suite 2000

New Orleans, LA 70112-2401

Phone: (504) 523-7325 (Voice)

Toll free: (800) 695-7325 (Voice/TTY in LA only)

E-mail: [contact@laeasterseals.com](mailto:contact@laeasterseals.com)

Website: [www.louisiana.easterseals.com](http://www.louisiana.easterseals.com)

## **Louisiana Parent Training and Information Center**

Families Helping Families (FHF) is a network of regional family-directed resource centers that provide education and training, information and referral, and parent-to-parent support. See Appendix B for a complete listing of FHF regional centers.

The Parent Training and Information Center is a U.S. Department of Education funded project staffed by parents of children with disabilities who provide education, training, and advocacy to other parents of children with disabilities. To schedule or attend a Louisiana Parent Training and Information Center workshop, call the number below or any regional FHF center.

Louisiana Parent Training and Information Center  
201 Evans Road  
Building 1, Suite 100  
Harahan, La. 70123  
Phone: (504) 888-9111  
Toll Free: 1-800-766-7736  
Fax: (504) 888-0246  
Email: [info@laptic.org](mailto:info@laptic.org)  
Website: [www.laptic.org](http://www.laptic.org)

See Appendix B for Regional Families Helping Families Offices.

### **LaCAN (Louisiana Citizens for Action Now)**

LaCAN is a statewide network of individuals and families advocating for a system that supports individuals to live in their own homes rather than having to move to a facility to receive needed services.

Louisiana Citizens for Action Now (LaCAN)  
713 N. Lewis Street  
New Iberia, LA 70563  
Phone: (337) 367-7407  
E-mail: [kay.marcel@cox.net](mailto:kay.marcel@cox.net)  
Website: [www.lacanadvocates.org](http://www.lacanadvocates.org)

### **LATAN (LOUISIANA ASSISTIVE TECHNOLOGY NETWORK)**

Regional centers provide information, training, and demonstrations of a wide variety of assistive devices. For information on assistive technology and how to obtain it, or for information on how to reach the Assistive Technology Coordinator for your area, contact LATAN at:

LATAN  
3042 Old Forge Drive Suite D  
Baton Rouge, La. 70808  
Phone: (504) 925-9500  
Toll Free: 1-800-270-6185 (voice/TDD/TTY)  
Website: [www.latan.org](http://www.latan.org)

### **LATEACH (LOUISIANA TOGETHER EDUCATING ALL CHILDREN)**

LaTEACH works to recruit families and other interested persons around the state to receive information on laws, proposed legislation, administrative policies, and other issues that impact students. LaTEACH works to coordinate member advocacy through list serves, phone trees, and volunteer teams organized throughout the state by four area coordinators. For more information, contact:

LaTEACH  
Families Helping Families of Southwest Louisiana  
2927 Hodges Street  
Lake Charles, La 70601  
Phone: (337) 436-2570  
Fax: (337) 436-2578

## PYRAMID COMMUNITY PARENT RESOURCE CENTER (SERVING GREATER NEW ORLEANS)

3132 Napoleon Ave.  
New Orleans, La 70125  
Phone: (504) 218-8922  
Fax: (504) 899-1445  
E-mail: [pyramidcprc@aol.com](mailto:pyramidcprc@aol.com)

### THE EXCEPTIONAL PARENT

This website provides support, encouragement, & outreach for parents and families of children with disabilities, and the professionals who work with them.

Phone: 800-EPARENT (372-7368)  
Website: [www.eparent.com](http://www.eparent.com)

## LOUISIANA STATE AGENCIES

Louisiana Department of Health and Hospitals Physical Address: 628 N. 4th St. Baton Rouge, LA 70802 Mailing Address: P.O. Box 629 Baton Rouge, LA 70821-0629 (225) 342-9500 Website: <a href="http://www.dhh.state.la.us">www.dhh.state.la.us</a>	Developmental Disabilities Council Louisiana Developmental Disabilities Council P.O. Box 3455 Baton Rouge, LA 70821-3455 (225) 342-6804; (800) 922-3425 (In LA) Website: <a href="http://www.laddc.org">www.laddc.org</a>	Governor's Office of Disability Affairs P.O. Box 94004 Baton Rouge, LA 70804-9004 (225) 219-7550 Website: <a href="http://www.gov.state.la.us/disabilityaffairs/default.asp">www.gov.state.la.us/disabilityaffairs/default.asp</a>
State Department of Education: Special Education Division of Educational Improvement and Assistance Louisiana Department of Education P.O. Box 94064, Baton Rouge, LA 70804 877-453-2721 Website: <a href="http://www.louisianabelieves.com">www.louisianabelieves.com</a>	State Coordinator for NCLB (No Child Left Behind) Office of Student and School Performance Louisiana Department of Education 1201 N. 3rd Street Baton Rouge, LA 70802 (877) 453-2721 (225) 342-3355 Website: <a href="http://www.louisianabelieves.com">www.louisianabelieves.com</a>	Programs for Infants and Toddlers with Disabilities: Ages Birth through 2 Louisiana Part C Early Intervention Office for Citizens with Developmental Disabilities Louisiana Department of Health & Hospitals P.O. Box 3117, Bin 21, 682 N. 4th Street Baton Rouge, LA 70802 Website: <a href="http://www.dhh.louisiana.gov/offices/?ID=334">www.dhh.louisiana.gov/offices/?ID=334</a>
Programs for Children with Disabilities: Ages 3 through 5; Division of Standards, Assessments and Accountability Louisiana Department of Education P. O. Box 94064 Baton Rouge, LA 70804 877-453-2721 Website: <a href="http://www.louisianabelieves.com">www.louisianabelieves.com</a>	State Vocational Rehabilitation Agency Department of Social Services Louisiana Rehabilitation Services P.O. Box 91297 Baton Rouge, LA 70821-9297 Website: <a href="http://www.dss.state.la.us">www.dss.state.la.us</a>	Coordinator for Transition Services Division of Educational Improvement and Assistance Louisiana Department of Education P.O. Box 94064 Baton Rouge, LA 70804-9064 877-453-2721 (Website: <a href="http://www.louisianabelieves.com">www.louisianabelieves.com</a> )
Office of State Coordinator of Vocational Education for Students with Disabilities Career and Technical Education Division of Family, Career and Technical Education Louisiana Department of Education P.O. Box 94064 Baton Rouge, LA 70804-9064 877-453-2721 (Website: <a href="http://www.louisianabelieves.com">www.louisianabelieves.com</a> )	State Mental Health Agency Office of Mental Health Louisiana Department of Health and Hospitals 628 N. 4th Street, 4th Floor P.O. Box 4049 Baton Rouge, LA 70821-4049 Website: <a href="http://www.dhh.la.gov/offices/?ID=62">http://www.dhh.la.gov/offices/?ID=62</a>	State Mental Health Representative for Children and Youth Coordinator of Child, Youth and Family Services State Child, Youth, and Family Planner Clinical Psychologist, Psychologist 3 Louisiana Department of Health and Hospitals Office of Mental Health Bienville Building 628 N. 4th Street Baton Rouge, LA 70802 Website: <a href="http://www.dhh.state.la.us">www.dhh.state.la.us</a>

<p>Programs for People with Developmental Disabilities Office for Citizens with Developmental Disabilities P.O. Box 3117, Bin 21 Baton Rouge, LA Baton Rouge (225) 342-0095 Website: <a href="http://www.dhh.louisiana.gov">www.dhh.louisiana.gov</a></p>	<p>Councils on Developmental Disabilities Louisiana Developmental Disabilities Council P.O. Box 3455 Baton Rouge, LA 70821-3455 (800) 922-3425 (In LA) (225) 342-6804 Website: <a href="http://www.laddc.org">www.laddc.org</a></p>	<p>Protection and Advocacy Agency The Advocacy Center 1010 Common Street, Suite 2600 New Orleans, LA 70112 (800) 960-7705 (in LA) (504) 522-2337 Website: <a href="http://www.advocacyla.org">www.advocacyla.org</a></p>
<p>Client Assistance Program Client Assistance Program The Advocacy Center 2620 Centenary Boulevard, Suite 248 Shreveport, LA 71104 (800) 960-7705 (in LA only) (318) 227-6186 Website: <a href="http://www.advocacyla.org">www.advocacyla.org</a></p>	<p>Programs for Children with Special Health Care Needs Louisiana Department of Health and Hospitals Office of Public Health Children's Special Health Services 1450 L &amp; A Road Metairie, LA 70802 (504) 568-5055 Website: <a href="http://www.oph.dhh.state.la.us/childrensspecial/index.html">www.oph.dhh.state.la.us/childrensspecial/index.html</a></p>	<p>State CHIP Program (<i>health care for low-income uninsured children</i>) Louisiana Children's Health Insurance Program LaCHIP Processing Office P.O. Box 91278 Baton Rouge, LA 70821-9278 (877) 252-2447 Website: <a href="http://www.dhh.state.la.us/MEDICAID/LACHIP/Index.htm">www.dhh.state.la.us/MEDICAID/LACHIP/Index.htm</a></p>
<p>Programs for Children and Youth who are Blind or Visually Impaired Blind Services Department of Social Services Louisiana Rehabilitation Services P.O. Box 91297 Baton Rouge, LA 70821-9297 (225) 219-2943 Website: <a href="http://www.dss.state.la.us">www.dss.state.la.us</a></p>		

## STATE PROGRAMS

### LOUISIANA STATE CHIP PROGRAM

(Health care for low-income uninsured children)  
Louisiana's Children's Health Insurance Program  
LaCHIP Processing Office  
P.O. Box 91278  
Baton Rouge, LA 70821-9278  
Phone: (877) 252-2447  
Website: [www.dhh.state.la.us/MEDICAID/LACHIP/Index.htm](http://www.dhh.state.la.us/MEDICAID/LACHIP/Index.htm)  
Office for Citizens with Developmental Disabilities  
Office for Citizens with Developmental Disabilities  
628 N. 4th St.  
Baton Rouge, LA 70802  
Phone: (225) 342-0095  
Toll Free 1-866-783-5553  
E-mail: [ocddinfo@dhh.la.gov](mailto:ocddinfo@dhh.la.gov)  
Website: [www.dhh.louisiana.gov/offices/?ID=77](http://www.dhh.louisiana.gov/offices/?ID=77)

## EARLYSTEPS (PROGRAM FOR INFANT AND TODDLERS WITH DISABILITIES: AGES BIRTH THROUGH 2)

Louisiana Part C Early Intervention  
Office of Citizens with Developmental Disabilities  
628 N. 4th St.  
Baton Rouge, LA 70821-3117  
Telephone: 225-342-0095  
Toll Free: 1-866-783-5553  
Website: [www.dhh.louisiana.gov/offices/?ID=334](http://www.dhh.louisiana.gov/offices/?ID=334)

See Appendix C for a list of Regional Contacts

Programs for Children with Disabilities: Ages 3 through 7  
Division of Student Standards  
Louisiana Department of Education  
1201 N. 3rd Street  
Baton Rouge, LA 70802  
(225) 342-3366  
Website: [www.louisianaschools.net/lde/index.html](http://www.louisianaschools.net/lde/index.html)

## COORDINATOR FOR TRANSITION SERVICES

Division of Family, Career and Technical Education  
Louisiana Department of Education  
1201 N. 3rd Street  
P.O. Box 94064  
Baton Rouge, LA 70804  
877-453-2721  
Website: [www.louisianabelieves.com](http://www.louisianabelieves.com)

## LOUISIANA REHABILITATION SERVICES

LRS is a vocational rehabilitation program that helps people with disabilities obtain skills as well as provide other resources in order for clients to get a job, keep a job, and develop a career. See Appendix F for Regional LRS offices.

[http://www.dss.state.la.us/departments/lrs/Vocational\\_Rehabilitation.html](http://www.dss.state.la.us/departments/lrs/Vocational_Rehabilitation.html)

## DISABILITY SPECIFIC ORGANIZATIONS

<b>Attention Deficit Disorder</b> 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 (Voice mail to request information packet) Website: <a href="http://www.chadd.org">www.chadd.org</a>	<b>Attention Deficit Disorder</b> Attention Deficit Disorder Association (ADDA) 1500 Commerce Parkway, Suite C Mount Laurel, NJ 08054 Website: <a href="http://www.add.org">www.add.org</a>	<b>Autism</b> Louisiana State Autism Chapter 5430 S. Woodchase Court Baton Rouge, LA 70808 Toll Free: (800) 955-3760 Website: <a href="http://www.lastateautism.org">www.lastateautism.org</a>
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<b>Cerebral Palsy</b> UCP/Baton Rouge--McMains Children's Development Center 1805 College Drive Baton Rouge, LA 70808 Phone: (225) 923-3420 Website: <a href="http://www.mcmainscdc.org">www.mcmainscdc.org</a>	<b>Cerebral Palsy</b> UCP of Greater New Orleans 2200 Veterans Memorial Blvd. Kenner, LA 70062 Phone: (504) 461-4266 E-mail: <a href="mailto:info@ucpgno.org">info@ucpgno.org</a> Website: <a href="http://www.ucpgno.org">www.ucpgno.org</a>	<b>Down Syndrome</b> Down Syndrome Association of Acadiana (DSAA) P.O. Box 81323 Lafayette, La. 70508 -1323 Phone: (337) 234-3109 Email: <a href="mailto:dssa@dsaa.info">dssa@dsaa.info</a> Website: <a href="http://www.dsaa.info">www.dsaa.info</a>
<b>Down Syndrome</b> Down Syndrome Association of Greater New Orleans (DSAGNO) P.O. Box 748 Destrehan LA 70047 Phone: (504) 251-8953 Email: <a href="mailto:dsagno.org">dsagno.org</a> Website: <a href="http://www.dsagno.com">www.dsagno.com</a>	<b>Down Syndrome</b> Down Syndrome Awareness Group of Baton Rouge P.O. Box 82378 Baton Rouge LA 70884-2378 Phone: (225) 644-0375 or (225) 664-6546 Email: <a href="mailto:dsagbrsec@yahoo.com">dsagbrsec@yahoo.com</a> <a href="mailto:phroberts@cox.net">phroberts@cox.net</a> Website: <a href="http://www.dsagbr.org">www.dsagbr.org</a>	<b>Epilepsy</b> Epilepsy Foundation of Louisiana 3701 Canal Street, Suite H New Orleans, LA 70119 Phone: (504) 486-6326 Toll Free: (800) 960-0587 E-mail: <a href="mailto:epileps@bellsouth.net">epileps@bellsouth.net</a> Website: <a href="http://www.efa.org/louisiana">www.efa.org/louisiana</a>
<b>Mental Health</b> NAMI Louisiana P.O. Box 40517 Baton Rouge, LA 70835 (225) 926-8770; (866) 851-6264 E-mail: <a href="mailto:namilouisiana@bellsouth.net">namilouisiana@bellsouth.net</a> Web: <a href="http://www.namilouisiana.org">www.namilouisiana.org</a>	<b>Mental Health</b> Mental Health America of Louisiana 660 N. Foster Drive, Suite C-201 Baton Rouge, LA 70806 (225) 201-1930 Website: <a href="http://www.mhal.org">www.mhal.org</a>	<b>Mental Health</b> Mental Retardation and Related Developmental Disabilities The ARC of Louisiana 606 Colonial Dr., Suite 6 Baton Rouge, LA 70806 Phone: (225) 383-1033 Website: <a href="http://www.thearca.org">www.thearca.org</a>
<b>Special Health Care Needs</b> Family Voices Louisiana 1539 Jackson Avenue, Suite 200 New Orleans, LA 70130 Phone: (504) 299-9175 E-mail: <a href="mailto:familyla@bellsouth.net">familyla@bellsouth.net</a> Website: <a href="http://www.familyvoices.org">www.familyvoices.org</a>	<b>Traumatic Brain Injury</b> Brain Injury Alliance USA National hotline: (800) 444-6443, or E-mail: <a href="mailto:FamilyHelpline@biausa.org">FamilyHelpline@biausa.org</a> Brain Injury Alliance of Louisiana (BIALA) P.O. Box 57527 New Orleans, LA 70157 Phone: (800) 500-2026 Website: <a href="http://www.biala.org">www.biala.org</a>	<b>Speech, Language, and Hearing</b> Louisiana Speech-Language-Hearing Association 8550 United Plaza Boulevard, Suite 1001 Baton Rouge, LA 70809 (225) 922-4512 E-mail: <a href="mailto:lsha@pnpcpa.com">lsha@pnpcpa.com</a> Website: <a href="http://www.lsha.org">www.lsha.org</a>
<b>Blind/Visual Impairments</b> American Foundation for the Blind 11 Penn Plaza, Suite 300 New York, NY 10001 (212) 502-7600; (800) 232-5463 E-mail: <a href="mailto:afbinfo@afb.net">afbinfo@afb.net</a> Website: <a href="http://www.afb.org">www.afb.org</a>	<b>Spina Bifida</b> Spina Bifida Association of Greater New Orleans P.O. Box 1346 Kenner, LA 70063 (504) 737-5181 E-mail: <a href="mailto:sbagnosbagnos.org">sbagnosbagnos.org</a> Website: <a href="http://www.sbagnos.org">www.sbagnos.org</a>	<b>Tourette Syndrome</b> 423 Summertrees Drive Auburn, AL 36832 (334) 502-0055 E-mail: <a href="mailto:tsamidsouth@bellsouth.net">tsamidsouth@bellsouth.net</a> Website: <a href="http://tsa-usa.org/TSANatLocal/Chapters/Midsouth.htm">http://tsa-usa.org/TSANatLocal/Chapters/Midsouth.htm</a>

## NATIONAL RESOURCES

### THE BEACH CENTER ON DISABILITY

The Beach Center offers support and services that help individuals help themselves. It offers a forum to be heard and to teach others. Information is in simple direct language on a wide variety of topics.

University of Kansas  
Haworth Hall  
1200 Sunnyside Ave; Room 3136  
Lawrence, KS 66045-7534  
Phone: (785) 864-7600  
Fax: (785) 864-7605  
TTY: (785) 864-3434  
Website: [www.beachcenter.org](http://www.beachcenter.org)

## **DIVISION OF EARLY CHILDHOOD (DEC)**

DEC is especially for individuals who work with or on behalf of children with special needs, birth through age eight, and their families. The DEC is dedicated to promoting policies and practices that support families and also provide optimal development of children. Children with special needs include those who have disabilities, developmental delays, are gifted/talented, or are at risk of future developmental problems.

Website: [www.dec-sped.org](http://www.dec-sped.org)

## **HEALTH HOTLINES**

Health Hotlines is a compilation of organizations with toll-free telephone numbers listed in DIRLINE.

**DIRLINE** is an on-line database containing information on approximately 15,000 organizations. These organizations provide information directly to those who request it. For information about access to DIRLINE Services contact:

### **DIRLINE INFORMATION**

Specialized Information Services

National Library of Medicine

8600 Rockville Pike

Bethesda, MD 20894

Website: [www.nlm.nih.gov/pubs/factsheets/dirlinfo.html](http://www.nlm.nih.gov/pubs/factsheets/dirlinfo.html)

## **INTERNET RESOURCES FOR SPECIAL CHILDREN (IRSC)**

The IRSC is the world premier gateway to disability and other health related resources on the Internet, featuring thousands of websites.

Website: [www.irsc.org:8080/irsc/irscmain.nsf](http://www.irsc.org:8080/irsc/irscmain.nsf)

## **NATIONAL ASSOCIATION FOR THE EDUCATION OF YOUNG CHILDREN (NAEYC)**

The National Association for the Education of Young Children (NAEYC) focuses on the well being of all young children. NAEYC focuses on the quality of educational and developmental services for all children from birth through age 8.

NAEYC

1313 L St. N.W. Suite 500

Phone: (202) 232-8777

Toll Free: (800) 424-2460

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



# APPENDICES

- A. Regional Families Helping Families Centers
- B. EarlySteps Contacts
- C. Louisiana Rehabilitation Services



## Appendix A: Regional Families Helping Families Centers (Health & Hospital Regions)

<b>FHF of Southeast Louisiana, Inc.</b> <b>Region 1 - Orleans, Plaquemines, and St. Bernard</b> 7240 Crowder Blvd. New Orleans, LA 70126 504-943-0343 or 1-877-243-7352 504-940-3242 Fax E-mail: <a href="mailto:info@fhfsela.org">info@fhfsela.org</a> Website: <a href="http://www.fhfsela.org">www.fhfsela.org</a>	<b>FHF at the Crossroads of Louisiana, Inc.</b> <b>Region 6 - Avoyelles, Concordia, Catahoula, Grant, LaSalle, Rapides, Vernon, and Winn</b> 2840 Military Hwy., Suite A Pineville, Louisiana 71360 318-641-7373 or 1-800-259-7200 318-640-4299 Fax E-mail: <a href="mailto:fhfxroads@aol.com">fhfxroads@aol.com</a> Website: <a href="http://www.familieshelpingfamilies.net">www.familieshelpingfamilies.net</a>
<b>FHF of Greater Baton Rouge, Inc.</b> <b>Region 2 - East and West Baton Rouge, East and West Feliciana, Iberville, Pointe Coupee, and Ascension</b> 2356 Drusilla Lane Baton Rouge, Louisiana 70809 225-216-7474 or 1-866-216-7474 225-216-7977 Fax E-mail: <a href="mailto:info@fhfgr.org">info@fhfgr.org</a> Website: <a href="http://www.fhfgr.org">www.fhfgr.org</a>	<b>FHF Region 7 - Bienville, Bossier, Caddo, Claiborne, Desoto, Lincoln, Red River, Natchitoches, Sabine, and Webster</b> 2620 Centenary Blvd., Bldg. 2, Suite 250 Shreveport, Louisiana 71104 318-226-4541 or 1-877-226-4541 318-226-4541 Fax E-mail: <a href="mailto:info@fhfregion7.com">info@fhfregion7.com</a> Website: <a href="http://www.fhfregion7.com">www.fhfregion7.com</a>
<b>Bayou Land Families Helping Families, Inc.</b> <b>Region 3 - Assumption, Lafourche, St. Charles, St. James, St. John, St. Mary, and Terrebonne</b> 286 Hwy. 3185 Thibodaux, Louisiana 70301 985-447-4461 or 1-800-331-5570 985-447-7988 Fax E-mail: <a href="mailto:blfhf@bellsouth.net">blfhf@bellsouth.net</a> Website: <a href="http://www.blfhf.org">www.blfhf.org</a>	<b>FHF of Northeast Louisiana, Inc.</b> <b>Region 8 - Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, and West Carroll</b> 5200 Northeast Road Monroe, Louisiana 71203 318-361-0487 or 1-888-300-1320 318-361-0417 Fax E-mail: <a href="mailto:info@fhfnela.org">info@fhfnela.org</a> Website: <a href="http://www.fhfnela.org">www.fhfnela.org</a>
<b>FHF of Acadiana, Inc.</b> <b>Region 4 - Acadia, Evangeline, Iberia, Lafayette, St. Landry, St. Martin, and Vermillion</b> 100 Benman Rd. Lafayette, Louisiana 70506 337-984-3458 or 1-800-378-9854 337-984-3468 Fax E-mail: <a href="mailto:info@fhfacadiana.org">info@fhfacadiana.org</a> Website: <a href="http://www.fhfacadiana.org">www.fhfacadiana.org</a>	<b>Northshore Families Helping Families, Inc.</b> <b>Region 9 - Livingston, St. Helena, St. Tammany, Tangipahoa, and Washington</b> 204 West 21st Avenue Covington, Louisiana 70433 985-875-0511 or 1-800-383-8700 985-875-9979 Fax CSHS 985-345-8300 or 1-877-537-8700 E-mail: <a href="mailto:info@fhfnorthshore.org">info@fhfnorthshore.org</a> Website: <a href="http://www.fhfnorthshore.org">www.fhfnorthshore.org</a>
<b>FHF of Southwest Louisiana, Inc.</b> <b>Region 5 - Allen, Beauregard, Calcasieu, Cameron, and Jeff Davis</b> 2927 Hodges Street Lake Charles, Louisiana 70601 337-436-2570 or 1-800-894-6558 337-436-2578 Fax E-mail: <a href="mailto:info@fhfswla.org">info@fhfswla.org</a> Website: <a href="http://www.fhfswla.org">www.fhfswla.org</a>	<b>FHF of Jefferson, Inc.</b> <b>Region 10 - Jefferson Parish</b> 201 Evans Road, Bldg. 1, Suite 100 Harahan, Louisiana 70123 504-888-9111 or 1-800-766-7736 504-888-0246 Fax E-mail: <a href="mailto:info@fhfjefferson.org">info@fhfjefferson.org</a> Website: <a href="http://www.fhfjefferson.org">www.fhfjefferson.org</a>



## Appendix B: EarlySteps Contacts

<b>Region I &amp; X SPOE (Single Point of Entry)</b> Southeast Area Health Education Center Brian Jakes Phone: (985) 429-1252 Toll free: (866) 640-0238 Fax: (985) 429-1613 Email: <a href="mailto:ahecbpj@l-55.com">ahecbpj@l-55.com</a>	<b>Regional Coordinator</b> Joyce Ridgeway Phone: (504) 599-0236 Fax: (504) 599-0235 E-mail: <a href="mailto:jridgeway@dhh.la.gov">jridgeway@dhh.la.gov</a>
<b>Region II SPOE</b> Southeast Area Health Education Center Brian Jakes Phone: (225) 925-2426 Toll Free: (866) 925-2426 Fax: (225) 925-1370 Email: <a href="mailto:ahecbpj@l-55.com">ahecbpj@l-55.com</a>	<b>Regional Coordinator</b> Valencia Allen Phone: (225) 925-6421 Fax: (225) 925-7245 Email: <a href="mailto:vallen@dhh.la.gov">vallen@dhh.la.gov</a>
<b>Region III SPOE</b> Southeast Area Health Education Center Brian Jakes Phone: (985) 447-6550 Toll Free: (866) 891-9044 Fax: (985) 447-6513 Email: <a href="mailto:ahecbpj@l-55.com">ahecbpj@l-55.com</a>	<b>Regional Coordinator</b> Timothy Butler Phone: (985) 447-0895 Fax: (985) 449-5172 Email: <a href="mailto:tjbutler@dhh.la">tjbutler@dhh.la</a>
<b>Region IV SPOE</b> First Steps Referral and Consulting Mary Hockless Phone: (337) 359-8748 Toll free: (866) 494-8900 Fax: (337) 359-8747 Email: <a href="mailto:teamfsrc@bellsouth.net">teamfsrc@bellsouth.net</a>	<b>Regional Coordinator</b> Monica Dowden Phone: (337) 262-1890 Fax: (337) 262-5233 Email: <a href="mailto:mdowden@dhh.la.gov">mdowden@dhh.la.gov</a>
<b>Region V SPOE</b> First Steps Referral and Consulting Mary Hockless Phone: (337) 359-8748 Toll free: (866) 494-8900 Fax: (337) 359-8747 Email: <a href="mailto:teamfsrc@bellsouth.net">teamfsrc@bellsouth.net</a>	<b>Regional Coordinator</b> Steven Ivey Phone: (337) 475-4827 Fax: (337) 475-8055 Email: <a href="mailto:sivey@dhh.la.gov">sivey@dhh.la.gov</a>
<b>Region VI SPOE</b> Families Helping Families at the Crossroads Teresa Harmon Phone: (318) 640-7078 Fax: (318) 640-5799 Toll Free: (866)-445-7672 Email: <a href="mailto:tjharmon891@hotmail.com">tjharmon891@hotmail.com</a>	<b>Regional Coordinator</b> Penny Thibodaux Phone: (318) 484-2449 or 2347 Fax: (318) 484-2458 Email: <a href="mailto:pthidobe@dhh.la.gov">pthidobe@dhh.la.gov</a>
<b>Region VII SPOE</b> Families Helping Families at the Crossroads Rebecca Thornton Phone: (318) 226-8038 Toll free: (866) 676-1695 Fax: (318) 425-8295 Email: <a href="mailto:spoereg7ps@bellsouth.net">spoereg7ps@bellsouth.net</a>	<b>Regional Coordinator</b> April Herron Phone: (318) 741-2898 Fax: (318) 741-7445 Email: <a href="mailto:ahearrone@dhh.la.gov">ahearrone@dhh.la.gov</a>
<b>Region VIII SPOE</b> Easter Seals of Louisiana Peyton Fisher Phone: (318) 322-4788 Toll Free: (877)-322-4788 Fax: (318) 322-1549 Email: <a href="mailto:peytonfisher@mac.com">peytonfisher@mac.com</a>	<b>Regional Coordinator</b> Tracy Crump Phone: (318) 362-5197 Fax: (318) 362-5305 Email: <a href="mailto:kwaxman@dhh.la.gov">kwaxman@dhh.la.gov</a>

<p><b>Region IX SPOE</b>  <b>Southeast</b> Area Health Education Center  Brian Jakes  Phone: (985) 429-1252  Toll free: (866) 640-0238  Fax: (985) 429-1613  Email: <a href="mailto:ahecbj@l-55.com">ahecbj@l-55.com</a></p>	<p><b>Regional Coordinator</b>  Wanda Stroud  Phone: (985) 871-8300  Fax: (985) 871-8303  Email: <a href="mailto:wstroud@dhh.la.gov">wstroud@dhh.la.gov</a></p>
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Parents are hired as Community Outreach Specialist. Contact your regional coordinator for more information.

## Appendix C: Louisiana Rehabilitation Services

<p><b>NEW ORLEANS REGION I</b>          6620 Riverside Drive, Suite 101          Metairie, LA 70003          (504) 838-5180 (office)          (504) 483-5413 (fax)          1(800) 737-2957 (inside Louisiana only)          EMAIL: <a href="mailto:lrsno@dss.state.la.us">lrsno@dss.state.la.us</a>          Parishes Served: Jefferson, Orleans, Plaquemine, St. Bernard, St. Charles, St. James, St. John, St. Tammany</p>	<p><b>BATON ROUGE REGION II</b>          3651 Cedarcrest Avenue          Baton Rouge, LA 70816-4010          Voice or TDD: (225) 295-8900          1-800-737-2959 (inside Louisiana only)          Fax: (225) 295-8966          EMAIL: <a href="mailto:lrsbtr@dss.state.la.us">lrsbtr@dss.state.la.us</a>          Parishes Served: Ascension, East Baton Rouge, East Feliciana, Iberville, Livingston, Pointe Coupee, St. Helena, Tangipahoa, Washington, West Baton Rouge, West Feliciana</p>
<p><b>THIBODAUX REGION III</b>          1442 Tiger Drive          Thibodaux, LA 70301-4337          (985) 447-0809 (office)          (985) 449-5006 (fax)          1(800) 590-5762          EMAIL: <a href="mailto:lrsthib@dss.state.la.us">lrsthib@dss.state.la.us</a>          Parishes Served: Assumption, Lafourche, Terrebonne</p>	<p><b>LAFAYETTE REGION IV</b>          825 Kaliste Saloom Rd.          Brandywine VI, Suite 350          Lafayette, LA 70508-4285          Voice or TDD: (337) 262-5353          1-800-520-0587 (inside Louisiana)          Fax: (337) 262 5727          EMAIL: <a href="mailto:lrslaf@dss.state.la.us">lrslaf@dss.state.la.us</a>          Parishes served: Acadia, Evangeline, Iberia, Lafayette, St. Landry, St. Martin, St. Mary, Vermilion</p>
<p><b>LAKE CHARLES REGION V</b>          3616 Kirkman St.          Lake Charles, LA 70607-3006          Voice or TDD: (337) 475-8038          1-800-520-0589 (inside Louisiana only)          Fax: (337) 475-8037          EMAIL: <a href="mailto:lrslic@dss.state.la.us">lrslic@dss.state.la.us</a>          Parishes Served: Allen, Beauregard, Calcasieu, Cameron, Jefferson Davis</p>	<p><b>ALEXANDRIA REGION VI</b>          900 Murray Street, Suite H-100          Alexandria, LA 71301          Voice or TDD: (318) 487-5335          1-800-520-0578 (inside Louisiana only)          Fax: (318) 487-5366          EMAIL: <a href="mailto:lrsalex@dss.state.la.us">lrsalex@dss.state.la.us</a>          Parishes Served: Avoyelles, Catahoula, Concordia, Grant, LaSalle, Rapides, Vernon, Winn</p>
<p><b>SHREVEPORT REGION VII</b>          1525 Fairfield, Suite 708          Shreveport, LA 71101-4303          Voice or TDD: (318) 676-7155          1-800-737-2966 (inside Louisiana only)          Fax: (318) 676-7176          EMAIL: <a href="mailto:lrsshr@dss.state.la.us">lrsshr@dss.state.la.us</a>          Parishes Served: Bienville, Bossier, Caddo, Claiborne, DeSoto, Lincoln, Natchitoches, Red River, Sabine, Webster</p>	<p><b>MONROE REGION VIII</b>          122 St. John Street, Room 311          Monroe, LA 71201-7386          Voice or TDD: (318) 362-3232          1-800-737-2973 (inside Louisiana only)          Fax: (318) 362-3223          EMAIL: <a href="mailto:lrsmon@dss.state.la.us">lrsmon@dss.state.la.us</a>          Parishes Served: Caldwell, East Carroll, Franklin, Jackson, Madison, Morehouse, Ouachita, Richland, Tensas, Union, West Carroll</p>