

A_{ll}
Boston (and you)
Can
Do



☆ **For Your Child** ☆

Parents' Guide to Special Education in Boston

SCHOOL YEAR 2006/2007

**Produced by Boston Medical Center
Division of Developmental and Behavioral Pediatrics**

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Introduction

Parents as Partners:

As a parent, YOU are the best advocate for your child. Legally, you are entitled and must be informed of all services available to your child. The greater your involvement and voice, the greater the outcome!

Tips on how to do this:

- Maintain interactive communication with your child's teacher and school system.
- Keep a log of contacts with the school
- Follow up important oral requests in writing
- Get Connected with a parent organization that offers FREE training and support for parents whose children have special needs (see Resource sections for contact info)

Rights to Special Education:

There are federal and state laws that define children's rights to special education services. There are three laws that you should be familiar with:

1. **The Individuals with Disabilities Education Act (IDEA) (federal)**
2. **Section 504 of the Rehabilitation Act (federal)**
3. **Chapter 766 (or, 766 Special Education Programs) (state)**

These laws ensure that all states provide a "free and appropriate public education" in the "least restrictive environment" to all school-aged children with disabilities and that no child is denied a free education and appropriate public education because of their disability.

What is Special Education?

It can be many different types of services. Some children need to be educated in a special classroom. Some need additional help in a regular classroom. Others need related services, like speech and language therapy, occupational and physical therapy, and counseling, to meet their needs.

So, What Is A TEAM Evaluation?

If you are concerned that your child is having difficulty in school, you can request a TEAM evaluation, sometimes called a “CORE”. A TEAM evaluation is a group of assessments that will help the public school systems determine whether your child has a disability that requires special education (programs and services adapted for the education of children with disabilities or unique needs). The test results will define your child’s strengths and areas of need. Your child’s eligibility for special education, as well as subsequent program planning, is based upon the results of the TEAM evaluation. The rest of this packet is designed to help you understand the TEAM process, your legal rights, and the important deadlines.

Understand the Process

It is extremely important that you **understand** all that occurs throughout the process. The following advice may help you.

- 1. ASK QUESTIONS!** When you do not understand something at a meeting, ask someone to further explain.
- 2. Prepare for meetings and phone calls concerning your child.**
 - Be familiar with the information that will be discussed.
 - List all concerns that you expect to be addressed.
- 3. Obtain as much information as you can about the process and your rights.** Besides the resources listed, the Division of Special Education provides the following documents free upon request:
 - Chapter 766 Regulations
 - Parents’ Rights Brochure
 - Eligibility Guidelines for Special Education

Also contact the Federation for Children with Special Needs (1-800-331-0688 or visit their website at www.fcsn.org).

- 4. Utilize advocates!** Professional representatives can help you make your voice heard.

An educational advocate can be assigned by the Department of Education to act on behalf of a child when the child’s parents are unavailable or have no educational decision-making rights.

Private independent advocates are available for all, although families that are 400% above the FPL (~68,000/family of four) can be charged a fee for services. The Bureau of Special Education Appeals (BSEA) provides a list of free and low-cost advocacy services and attorneys upon request (contact at 781-388-6400).

5. **Take advantage of parent groups.** Other parents are significant resources as they are experiencing or have experienced the same or very similar situations to you. The three major parent resources are:
 1. MASSPAC (www.masspac.org)
 2. Federation for Children with Special Needs (www.fcsn.org)
 3. Zone Parent Centers (see resources for contact info)
6. **Notify your child's primary care provider.** Your child's provider can better serve your child if s/he is aware that your child is receiving a TEAM evaluation. It is important that the doctor knows about the proceeding and what services your child receives as a result.

Important Reminders

Most Importantly...

1. A TEAM evaluation and the services your child may receive are all FREE.
2. All children in public school (regardless of immigration status) are able to request a TEAM evaluation.

You have the following rights:

1. You may attend all meetings, and they must be held at a place and a time that is convenient for you and the school representative.
2. Your child may attend the meetings if he/she is at least fourteen years of age, and a younger child may attend at the discretion of you and the evaluation team.
3. You may bring a person (or persons) of your choice to meetings, and this includes an advocate, a friend, a translator or a professional person who knows your child.
4. An interpreter who speaks your language must be provided if you do not speak or understand English fluently.
5. The school system cannot require you to pay the cost of any portion of your child's special education program, however, it may request that you use your insurance coverage to pay for certain services. They cannot delay the delivery of services while looking into the possibilities, and they must tell you if there is any possible loss of insurance or any co-payments.

THE TEAM PROCESS: How To Get An Evaluation Done

STEP 1: REFERRAL

Who and Why

Any person in a caregiver or professional position concerned with a child's development can request a TEAM evaluation.

If a **parent** wants to request a **TEAM evaluation** s/he must bring a **SIGNED AND DATED LETTER AND CONSENT FORM** to:

- The principal of the school your child attends or the Education Team Facilitator for that school
- OR
- The nearest Boston Public School or Parent Zone Center (if your child is not attending a Boston Public School)

Types

There are two times that a child may be referred for a TEAM evaluation:

1. Child in school: If a child is having difficulty in school, the child can be referred.

2. Pre-school child: If it is believed that a child who has not yet entered kindergarten may be in need of special education services before entering kindergarten, there are two options.

Direct: A TEAM evaluation may be requested. Visit the closest Parent Center to request a TEAM (See Resources for contact information, pg 14)

OR

Early Childhood Screening: Preliminary tests will be performed that will determine whether or not a child needs an evaluation. Screenings are done on the last Monday of every month at designated schools((See Resources for schools and contact information).

STEP 2: NOTIFICATION OF REFERRAL AND CONSENT

Regardless of who has referred your child, a notice (including a consent form if not already signed) will be sent to you.

.....
THE CONSENT FORM MUST BE **SIGNED** AND **RETURNED** BY
A PARENT IN ORDER FOR THE EVALUATION TO BEGIN.
.....

This notice may include the following important information:

1. **Introductory letter**
2. **Consent form (if not already signed)**
3. **Parents' Rights brochure**

Pre-Evaluation Conference

You may schedule a meeting with your child's Evaluation Team Facilitator (ETF) prior to the evaluation. The ETF is responsible for arranging the assessments and meetings of the team, organizing all forms and materials needed for your child's evaluation, and helping to choose specialists, if needed. The purpose of this meeting may be as follows:

- Discuss reasons for your child's referral
- Request additional assessments that the school did not include
- Decide whether a home-visit might be helpful and/or necessary
- Ask specific questions about the process

STEP 3: EVALUATION

Time of Completion

All TEAM evaluation assessments must be completed within thirty school/working days after the school receives the parental consent form.

Types of Evaluation

A Partial TEAM Consists Of:

1. **Educational history/ classroom performance:** An administrative representative will make a statement about your child's school progress and current standing.
2. **Specialist assessments:** Depending upon your child's needs, other evaluations may be suggested, which may include, but are not limited to, tests of your child's communication skills and/or ability to move.

A Full TEAM Consists Of:

1. **Psychological assessment:** A trained psychologist will conduct a psychological examination, which will probably include both meeting with your child and observing her/him in familiar settings such as the classroom; testing may include achievement and intelligence quotient testing.
2. **Medical examination:** You may request that your child's primary care provider fills out a form, which often includes vision and hearing screening, or the school will refer you to a physician who will conduct a medical examination at the school's expense.
3. **Family history:** As you spend more time with your child than anyone else does, you can best describe your child's behaviors and feelings in many developmental areas that are related to education. These topics may include play, extracurricular interests, friends, and family relations, as well as growth and development.
4. **Home visit:** With your permission, a home-visit by a nurse, social worker, or counselor may be appropriate.

STEP 4: EVALUATION RESULTS

Team Meeting

The purpose of a Team Meeting is to bring everyone together to present their results so that the best possible Individualized Education Program (a.k.a. IEP) can be created for your child. This is an extremely important meeting, as the final IEP will first describe your child's special needs as viewed by the school system and will then include an outline of all recommended services for your child's education program on it. It is therefore imperative that you understand all proceedings at this meeting.

Timeline of Completion

- The Team Meeting must occur forty-five school working days after the school receives the parental consent form.
- Within 10 school working days after the Team Meeting, if the school determines that your child needs special education services, the IEP will be sent to you.
- Two days prior to the Team Meeting (at which the evaluation will be discussed and a plan suggested), you may request a **written summary of assessments**.

Familiarize Yourself with the Results

It will be helpful to you if you are familiar with the results before the meeting. You may need to discuss the results with a knowledgeable source such as your child's ETF or an advocate.

Leave the meeting satisfied that you know:

1. Who is attending the meeting and why?
2. Are all concerns about your child addressed?
3. Are all test results addressed?
4. How will your child be transported?
5. Who will make sure that the IEP is enacted?
6. When can you observe the program with your child in it?
7. When will you receive progress reports?
8. When will reviews occur?

Individualized Education Program (IEP)

Within 10 school working days after the Team Meeting, if the school

determines that your child needs special education services, **two copies of the IEP will be sent to you.** The IEP will state whether your child should receive special services. Read the IEP thoroughly, and be sure that you understand everything. Do not hesitate to schedule a meeting with your child's ETF to discuss the IEP, as it is likely that you may need to ask clarifying questions. If the school determines that your child does not need special education services, **a written explanation of a finding of "no special needs" will be sent to you.**

The IEP will include the following type of information:

- Your child's learning profile, including identification of your child's strengths and weaknesses
- Reasonable goals and objectives that your child will be expected to meet during the next year
- A description of your child's abilities within each identified area of need
- A description of your child's participation in the regular education program
- Whether you should waive or accept your child's participation in state-mandated Basic Skills Training or Curriculum Assessment Training, if your child is in the appropriate grade level
- Suggested teaching approaches and specialized materials
- How your child's progress will be evaluated
- Whether your child can be expected to meet school rules or must follow a modified discipline code
- Whether your child is expected to graduate, including the specific criteria, if your child is fourteen years of age or older
- Whether continuing services will be necessary for your child, if s/he will graduate or be twenty-two years of age within the next two years
- Most importantly, the special education service delivery schedule, consisting of:
 - a. Types and amounts of services provided
 - b. Objectives of each service
 - c. Type of setting and location of each service
 - d. Personnel who provide each service and transportation services
 - e. Projected date service will begin
 - f. Frequency and duration of service

The school system may provide your child's program in one of four manners:

1. The program may be run in the school system.
2. The program may be part of a collaborative effort with other school systems.
3. The program may be offered at another school that your child will be recommended to attend.
4. The program may be offered at a private school and your child's tuition will be paid by the school system.

STEP 5: DECISION AND OPTIONS

Timeline of Completion

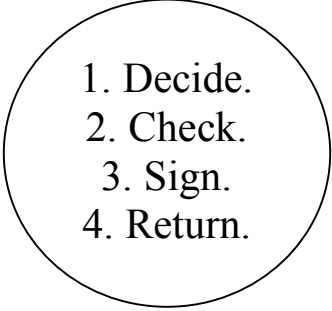
Within thirty calendar days of receipt of the IEP copies, you must make a decision about whether to accept the IEP, reject the IEP or accept or reject the IEP in part.

Ending the Process

You **MUST**:

1. Make a decision. You may choose to:
 - a. Accept the decision in full.
 - b. Accept the decision in part/ reject the decision in part.
 - c. Reject the decision in full.

*You may request a meeting with your child's ETF regarding your decision, especially if you reject any portion of your child's IEP.
2. Check the box of your choice on the last page of one copy of the IEP. Be aware that if any parts are rejected, all others will be assumed accepted.
3. Sign on the last page of that copy.
4. Return the checked and signed copy of the plan to your child's school.

- 
1. Decide.
 2. Check.
 3. Sign.
 4. Return.

What Happens If You Reject All or Part of the IEP/Decision?

Appeals:

If you are not satisfied with the results of any part of the evaluation or the results, you have the right to an appeal through the Bureau of Special Education Appeals of the Department of Education. There are two types of appeals:

- **Mediations** allow the parent and school committee to voluntarily work together to solve their dispute.

- **Hearings** bring the parent and school in front of a hearing officer who will listen to each side and make a decision.

Independent Evaluation:

If you are dissatisfied with the findings of the evaluation of your child, you may have your child re-evaluated by a provider outside the school. In order for the school to pay for the independent evaluation, you must make a written request to the school. The school is required to pay for all repeat assessments if your child receives free and reduced lunch, but additional assessments may be subject to a hearing before they are subsidized.

Other Options

1. **Contact Boston Medical Center's Family Advocacy Program (FAP).** We recommend that you contact FAP before making a formal complaint. Located at BMC, the FAP is an advocacy organization of attorneys who may be able to assist you with any problems that warrant the filing of a complaint to the Department of Education (617-414-3658).
2. **File a complaint.** If at any time during the TEAM process you feel:
 - the school is not abiding by the prescribed timeline
 - the school is not providing services as required by the IEP
 - dissatisfied by any part of the process

You can file a complaint with the Massachusetts Department of Education's Program Quality Assurance Department at 781-388-3300.

Follow-Up

Annual Review

- The first review must take place within 1 year of your child's first placement in special education
- After that, the review meetings must be held at least every year.

Every three years there must be a re-evaluation of your child. You will be asked to give written consent for this reevaluation and the same timelines will hold.

Timeline for Parents

Referral

Caregiver or professional concerned about child's development requests

Parental Consent Form Signed and Returned to School

Evaluation

Tests and Assessments

Must be completed within 30 SWD of consent signed

Written Summary of Assessments

Team Meeting

Must occur within 45 SWD consent signed

Available 2 days prior to team meeting

Individualized Education Plan (IEP)

Sent within 55 SWD of consent signed

Decision

Acknowledge IEP

Return within 30 Calendar Days

Receive Service

Appeal

Resources

Boston Public Schools

26 Court St., 7th Floor, Boston 02114

Main Number	635-9000
Guidance Services/Pupil Adjustment Services	635-8030
Parent Support Services	635-9660
Special Education	635-8599
Special Needs Parent Advisory Council	635-7810
Student Support Services	635-8030
Superintendent	635-9050
Title I Parent Resources Center	635-7750

Parent Centers

East Zone 635-8015

Campbell Resource Center, 1216 Dorchester Ave.

North Zone 635-9010

26 Court St, 4th Floor.

West Zone 635-8040

Jennie Barron Building, 515 Hyde Park Ave.

Multilingual Communication & Placement Center 635-6547

Madison Park Complex, 55 Malcolm X Boulevard

Early Childhood Screening Schools

North Cluster

Blackstone School, 380 Shawmut Ave 635-8471

Bradley School, 110 Beechview Rd, East Boston 635-8422

Winship School, 54 Dighton St, Brighton 635-8399

East Cluster

Condon School, 200 D St, South Boston 635-8608

Lee School, 155 Talbot Ave, Dorchester 635-8687

Mattahunt School, 100 Hebron St, Mattapan 635-8792

West Cluster

Agassiz School, 20 Child St, Jamaica Plain 635-8198

Trotter School, 135 Humbolt Ave, Roxbury 635-8225

Other Important Organizations

Boston Partners in Education

Cities largest school volunteer organization, providing programs with an academic and mentoring component.

44 Farnsworth St., Boston 02210 451-6145

Boston Public Schools Central Adult High School

An evening school offering a 16-unit program leading towards a high school equivalent diploma

Madison Park High School, 55 New Dudley St., Bldg. 1, Roxbury 02119 635-9827

Bureau of Special Education Appeals

Conducts mediations, advisory opinions and due process hearings to resolve disputes among parents, school districts, private schools and state agencies.

350 Main St., 2nd Floor, Malden 02174 (781) 388-6400

Citywide Parents Council

Provides parents support by advocating quality education for all Boston Public School students

Boston Latin Academy, 21 Deakard St., Boston 02121 635-9210

Department of Mental Health (www.state.ma.us/dmh)

(DMH) sets the standards for the operation of mental health facilities and community residential programs and provides clinical, rehabilitative and supportive services for adults, children and adolescents with serious mental illness or emotional disturbance

25 Staniford St., Boston 02114 626-8123

Department of Mental Retardation (www.dmr.state.ma.us)

The state agency that provides support to citizens with mental retardation and their families

500 Harrison Ave. Boston 02118 727-5608

Disability Law Center (www.dlc-ma.org)

A private, non-profit organization responsible for providing protection and advocacy for the rights of Massachusetts residents with disabilities

11 Beacon St., Suite 925, Boston 02108 723-8455
(800) 872-9992

Families First (Parenting Programs)

Provides educational and supportive programs designed to help parents build positive, constructive and satisfying relationships with their children

99 Bishop Allen Dr., Cambridge 02139 868-7687

Family Advocacy Program

Providing families in need of legal guidance with program attorneys who offer legal consultation and representation

Boston Medical Center, 1 Boston Medical Center Place, Boston 02118 414-3654

Federation for Children with Special Needs

Parents Advocacy League (www.fcsn.org)

A center for parents and parent organizations to work together on behalf of children with special needs and their families

1135 Tremont St. Suite 420, Boston 02120 236-7210 (x171)
(800) 331-0688

Greater Boston Association for Retarded Citizens (www.gbarc.org)

A non-profit organization that supports adults and children with developmental disabilities and their families

221 North Beacon St., Boston 02135 783-3900

Hispanic Office of Planning and Education (HOPE)

A statewide agency created to advocate, develop, facilitate, coordinate, and evaluate educational, human services, and community development programs for the Hispanic community of Massachusetts

165 Brookside Ave., Jamaica Plain 02130 522-1212

Massachusetts Adult Literacy Hotline

Provides information and referrals to over 350 independent organizations and learning programs

throughout the state that offer one-on-one tutoring, small-group or classroom instruction to adult learners
(800) 447-8844

Massachusetts Advocates for Children (www.massadvocates.org)

Provides advocacy and legal assistance regarding educational issues for parents of children with special needs
100 Boylston St., Boston 02116-4610 357-8431

Massachusetts Assn. Of 766 Approved Private Schools (MAAPS)

Publishes guide to Massachusetts approved private special education schools
(781) 245-1220

Massachusetts Commission for the Blind

The mission of the Massachusetts Commission for the Blind is to work in partnership with legally blind individuals to reach their goals of independence and participation in their communities.
48 Boylston St., Boston 02116 727-5550

Massachusetts Commission for the Deaf and Hard of Hearing

Advocates, provides and coordinates public policies, regulations and programs to provide full and equal opportunity for deaf, late deafened and hard of hearing people in Massachusetts
150 Mount Vernon St. 5th Floor, Dorchester 02125 740-1600

Massachusetts Department of Education (www.doe.mass.edu)

Works in partnership with Massachusetts' school districts to improve the public school system and other organizations that provide educational programs and services
350 Main St., Malden 02148 (781) 388-3300

Massachusetts Office on Disability

A state advocacy agency that serves people with disabilities of all ages with a primary mission to ensure access!
1 Ashburton Place Room 1305, Boston 02108 727-7440

Master Parents Advisory Council (Bilingual)

A BPS parent supportive group for bilingual families
Madison Park High School, 55 New Dudley St., Bldg. 1, Roxbury 02119 635-8339

Parent and Children Services

Parental Stress Line 437-0110

A statewide service that offers support to parents
654 Beacon St., 3rd Floor, Boston 02115 437-1777

Parent Information Line

Call to request up to 10 school profiles 800 297-0002

Parents United for Child Care (www.pucc.com)

An organization of low- and moderate-income parents, child care providers, and other community residents committed to increasing the supply of quality, affordable child care in Massachusetts
30 Winter St. 7th Floor, Boston 02108 426-8288

The Right Question Project, Inc.

Providing an educational strategy for families in dealing with publicly supported programs, agencies and institution with the goal to expand democracy
2464 Massachusetts Ave. Suite 314, Cambridge 02140 492-1900

United States Department of Education Office for Civil Rights (Boston Office)

Enforces several federal civil rights laws that prohibit discrimination in programs or activities that receive federal financial assistance from the Department of Education (ED)

540 McCormack Courthouse, Post Office Square, Boston 02109

223-9317

Volunteer Lawyers Project (www.vlpnet.org)

Provide legal representation in civil matters to the indigent of Boston through the *pro bono* services of private attorneys and paralegals

29 Temple Place, Boston 02111

423-0648

TEAM Process Checklist

Dates:

_____ **Parent** submits request-letter and consent form

_____ Pre-evaluation conference (optional*)

_____ **Parent** receives introductory packet from school *~within 1 wk~*

_____ **Parent** signs and returns consent form (if not already done)

_____ **School** receives consent form

...Assessments performed... *~within 30 days of school receiving consent~*

_____ **Parent** receives written summary of assessment (optional*)

_____ **Team Meeting** *~within 15 days of Assessment~*

(Time: _____, Place: _____)

_____ **Parent** receives two copies of the IEP

_____ **Parent** returns IEP with decision and signature *~within 30 days of Team Meeting~*

_____ **School** acknowledges receipt of IEP

- Optional: requires parent request; this is not automatic.

TEAM Evaluation Request Letter

LETTER TO SCHOOL DEPARTMENT

Date of request _____

Dear _____,
(school principal)

As the parent/guardian of _____, I am requesting a TEAM evaluation for my child.

I am concerned about the following areas in which my child is experiencing difficulties:

I would appreciate meeting with the Educational Team Facilitator before the testing begins so that I can share important information about my child and learn more about the testing process. In addition, I would like to review a written copy of the assessments performed on my child prior to the Team Meeting, which I understand will occur forty-five days after you receive my signed consent.

Thank you for your prompt consideration of this matter. I am happy to assist this process in any way possible. I look forward to hearing from you.

Sincerely,

(signature of parent/guardian)

(printed name of parent/guardian)

If you have any questions, please contact _____ (child's pediatrician) at -
_____.

Cc: Primary Care Provider