





Who is Considered a Parent Under the IDEA

The IDEA defines a "parent" as:

A biological or adoptive parent

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- A guardian authorized to make general or educational decisions (but not the state if the child is a ward of the state)
- A nindividual acting in place of a biological or adoptive parent (including a grandparent, stepparent, or other relative) with whom the child lives, or an individual who is legally responsible for the child's welfare
- A surrogate parent who has been appointed by the student's local education agency A person appointed by a judge's order

- There are protections in IDEA that ensures the rights of students who are eligible or suspected to be eligible for special education services when a:

 - parent can't be identified the school cannot locate the parent the child is a ward of the state the child is an unaccompanied homeless youth

When a student turns 18, all parental rights transfer to the student unless a legal guardian has been appointed through court proceedings.

Child Find early on. build 3 years to 5 years buildupmi.org Birth through 25 years Office of Special Education Birth to 3 years MiEarlyChildhood.org 1-888-320-8384 1-888-320-8384 1-800-Early-On (1-800-327-5966) (MI Special Education Info (MI Special Education Infor Line) Child Find is a legal requirement of the Individuals with Disabilities Education Act (IDEA) that schools identify, locate and evaluate all children who are in need of special education programs and services. In Michigan Child Find covers every child from birth through age 25. The process of public awareness activities, screening and evaluation is designed to locate as early as possible children with disabilities who need early intervention and special education services. In Michigan, Child Find activities are coordinated by Early On (birth-age 3) and Child Find Coordinators (ages 3 through 25). Michigan Alliance for Families

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If your child is struggling in school, find out why.

Your child may have a disability that is affecting his/her educational performance and may be eligible for special education and related services that can help.

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Interventions Prior to Evaluation

Using interventions in the general education classroom or modifying instruction cannot be used to delay or deny an evaluation for special education services when there is a suspected disability.

If interventions provided to all children are not working for your child, an evaluation can be requested.

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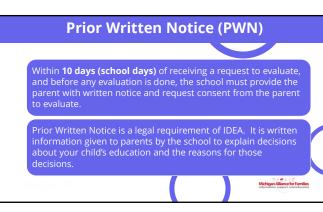
Request to Evaluate

A parent can request that their child be evaluated, or the school may ask to evaluate the child.

When a verbal request is made, the school must support the parent in documenting this request.

If an evaluation is going to be done, the school must evaluate the child at no cost to the parent.

If the school says they will not evaluate your child, you must be notified in writing.





When is Prior Written Notice Required?

Prior Written Notice is required whenever the school wants to

(or refuses to): • Evaluate your child

- Change your child's disability identification
- Change your child's educational placement
- Change the way in which your child is provided with a free appropriate public education (FAPE)

Notice is required prior to the school requesting consent to evaluate your child and the first time your child will receive special education and related services.

The information in the notice will help parents make an informed decision about providing consent.

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Requirements of Prior Written Notice (PWN)

Prior Written Notice for an initial evaluation must include providing information outlining parent and student rights in a document called the Procedural Safeguards.

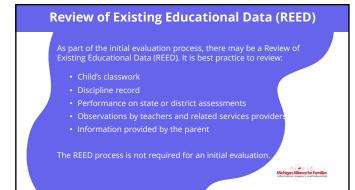
As part of providing Prior Written Notice, the school must:

 $^\prime$ Describe what action the school wants to take (or is refusing to take)

Important Notice

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- Explain why it wants to conduct an evaluation (or why it refuses);
 Explain why it wants to conduct an evaluation of the second sec
- ✓ Describe each evaluation procedure, assessment, record, or report the school district used in proposing the evaluation (or refusing to conduct the evaluation);
- ✓ Explain where parents can go to get help in understanding IDEA's provisions;
- Explain what other options the IEP team considered and why those were rejected;
- Provide a description of other factors relevant to the school's proposal (or refusal) to evaluate.



Parental Consent (Informed Consent) (CFR §300.300)

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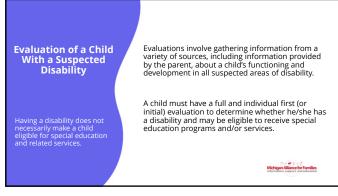
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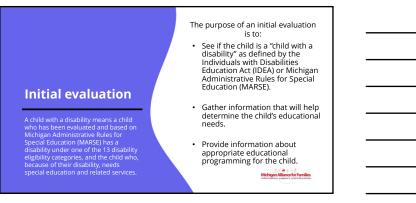
The IDEA requires the school to obtain parent consent before an initial evaluation.

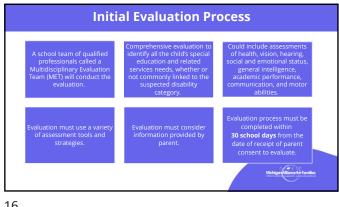
- Consent means:
 - Parent has been fully informed of all relevant information about the evaluation in native language or through another mode of communication.

 - Parent understands and agrees in writing to the evaluation.
- Parent understands that granting consent is voluntary and can be withdrawn at any time. Parental consent to evaluate **is not** consent for the initial provision of special education and related services.
- School may seek to conduct an initial evaluation of your child if parent refuses consent or doesn't respond to request to provide consent, using consent override procedures.

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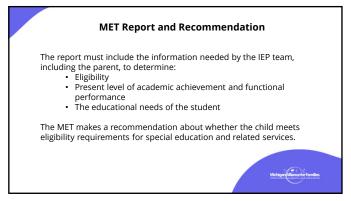
Multidisciplinary Evaluation Team (MET)

A Multidisciplinary Evaluation Team (MET) will-

- · Complete a full and individual evaluation of the child
- Meet to review information about the child
- Prepare a written report that is presented to the Individualized Education Program (IEP) team.

The MET must include a minimum of 2 people who are responsible for evaluating the student suspected of having a disability.

The team shall include at least 1 special education teacher or specialist who has knowledge of the suspected disability.





The Individualized Education Program (IEP) Team

The Individualized Education Program (IEP) team must include:

- Student's parents
 Student's parents
 At least one general education teacher (if the child is or may be participating in the general
 environmer)
 At least one special education teacher/special education provider
 At least one special education teacher/special education
 findividual who can interpret evaluation results
 Child, if appropriate

Parent or school may invite others who has specific knowledge or expertise about the child.

IEP meeting is held, and the school provides the parent with the notice of an offer of a free appropriate public education (FAPE) or determination of ineligibility.

If eligible, the IEP team must develop an Individualized Education Program (IEP) to address the child's unique needs that result from his/her disability. The results of the evaluation will form the basis for developing the IEP.

From the time parent signs consent to evaluate to the notice of the offer of FAPE or the determination of ineligibility must not be more than **30 school days**.

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Parent Participation in the IEP Meeting

Schools must take steps to ensure the meaningful participation of parents in the IEP meeting

- Notifying parent of the meeting early enough to ensure he/she can attend
 The structure parend upon time and place.
 - Scheduling the meeting at a mutually agreed upon time and place.

Schools may conduct meetings in person, virtually, or by teleconference.

Meaningful participation may need to include parent training on technology being used.

The schools must take whatever action is necessary to ensure that the parent understands the proceedings of the IEP team meeting, including arranging for an interpreter for parents who are deaf or hard of hearing or whose native language is other than English.

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Notice of FAPE and Initiation of the IEP

Within 10 school days of the request for an evaluation, the school must provide notice and request parental consent to evaluate.

The time from the school's receipt of the request for an evaluation to the offer of a FAPE or determination of ineligibility for special education services must not be more than **30 school days**.

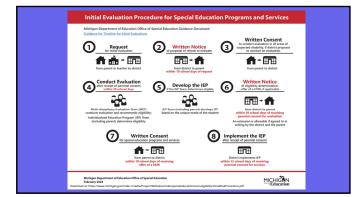
Within 7 school days of the IEP meeting, the school must provide an offer of a FAPE and identify where programs and services will be provided and when the IEP will begin. School and parents may agree to a later initiation date for the proposed IEP if the later date is clearly defined in the IEP.

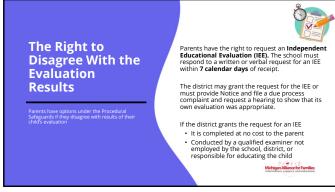
After receiving the initial offer of FAPE, a parent has **10 school days** to provide the school with parental consent to initiate special education programs and services.

Unless a parent has filed an appeal, the school must initiate a proposed IEP as soon as possible and not more than **15** school days after the parent's receipt of notification, or not more than **15 school days** after the receipt of parent consent.

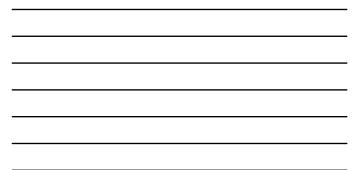


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FAPE for Adult Learners

Adult learners with disabilities, ages 18-26 retain their right to special education and related services if they have not received a regular education diploma.

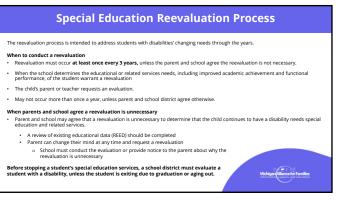
This includes young adults who are enrolled in adult education, alternative education, and transition $\operatorname{programs}$

Initial evaluations to determine an adult learner's eligibility for special education and related services are the same as for younger students.

In establishing the initial evaluation process, school districts have the flexibility as they adapt to the unique needs of adults.

The process should emphasize providing the adult learner with information about disability, evaluation process, special education supports, community supports, educational options, and self determination.

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An initial evaluation is the essential first step in the special education process for a child with a disability.

Parental consent (informed consent) must be obtained before the initial evaluation may be conducted.

The evaluation process is guided by requirements in Part B of the Individuals with Disabilities Education Act (IDEA) and Michigan Administrative Rules for Special Education (MARSE).

It's important to understand the initial evaluation process, procedures, timelines, the determination of whether your child is eligible for special education and related services, and what to do if you disagree with the evaluation results, so you can best advocate for what your child needs to be successful in school.

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