

## A Parent's Guide to the Special Education Process

### **Step 1: Referral**

Is your child suspected of having a disability? If so, a parent, teacher, or other professional involved in the education of the student may refer the student to special education. The school will gather information to decide if the student should be evaluated (tested) for special education eligibility.

### **Step 2: Notice of Rights**

At the referral process, and at other significant decision-making steps after the referral, the district must send you written information (called "notice") telling you about the actions the school wants to take (or is refusing to take) regarding your child's education and about your rights. If the school does not think your child needs to be evaluated for special education, they must send you written notice that tells you why they made that decision 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 consented in writing. If you do not consent to testing, the district may ask for mediation or a due process hearing to try and obtain your consent. However, they are not required to make any additional efforts to get you to consent to an evaluation.

### **Step 3: Full and Individual Evaluation**

If the referral process indicates that a student may need special education and related services, the school must, after obtaining the parent's consent, do a full and individual initial evaluation (testing) to determine if the student has a disability and needs special education services. The school must complete the evaluation process within 60 calendar days from the date the school receives written consent for testing signed by the parent or legal guardian. When the evaluation is completed, the school will contact you to schedule an ARD meeting.

### **Step 4: The ARD Meeting**

The Admission, Review, and Dismissal (ARD) committee meets at least once a year to develop your child's IEP. You are a member of your child's ARD committee. The first ARD meeting must be held no more than 30 days after completion of the initial evaluation. The committee will determine whether the evaluation shows a need for special education. If the ARD Committee determines that your child has a disability and needs special education services, you will be asked to give your written consent for the school to provide special education. The consent you gave to have your child evaluated is not also consent for services. The ARD committee will then develop your child's individual education program (the IEP). As long as your child receives special education, there will be an ARD meeting held at least once a year. There can be more ARD meetings during the year if needed. Some changes can be made in the IEP without an ARD meeting if both the parent 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. It is an agreement between the school and parents on how the student will be educated. The IEP must be reviewed at least annually. The most

important function of the ARD committee is the development of the IEP. Your participation and input is important. Remember, you know your child better than anyone else.

You will be asked to sign that you agree with the IEP developed by the ARD Committee. Before signing that you agree, read it again to be sure you understand what services your child will be receiving and when. 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.

Request additional ARD meetings, if needed.

The above information is part of "It's a New IDEA" The Manual for Parents and Students about Special Education Services in Texas. It is available in both English and Spanish online on The Arc of Texas website :[www.thearcoftexas.org](http://www.thearcoftexas.org) and Advocacy, Inc.'s website: [www.advocacyinc.org](http://www.advocacyinc.org) . This version is available in black and white or color and can be downloaded and used by anyone.