

Navigating Special Education for Autistic Students in Maryland

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Partnership for Extraordinary Minds:
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Outcomes of Today's Presentation

- You will understand the following:
 - The IEP / 504 Eligibility Process
 - IDEA vs. Rehabilitation Act of 1973
 - Parts of the IEP
 - How to Monitor Progress on IEP Goals
 - The IEP Annual Review
 - The Triennial Re-Evaluation
- Have your specific questions about the special education process answered

IEP vs. 504 Plan

- Individualized Education Programs (IEPs)
 - Governed by Individuals with Disabilities in Education Improvement Act 2004 (IDEA), which is an *education law*
 - Provides children with disabilities the right to a free and appropriate public education (FAPE)
 - Eligibility determined by specific requirements
 - Child's disability adversely affects educational performance
- Section 504 Plan
 - 504 Plans governed by Section 504 of the Rehabilitation Act of 1973, which is a *civil rights law*
 - Child cannot be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program receiving federal financial assistance
 - Child may need accommodations or modifications but does not meet eligibility requirements for special education services under IDEA

The Eligibility Process

- **Step 1: Referral**
 - Parent or teacher can make a written referral for a screening
- **Step 2: Assessment**
 - Screening meeting to determine whether a child should be assessed (tested)
 - Parents attend the screening meeting
 - School should test in “all areas of suspected disability”
 - Parents must provide written consent before the school can test
- **Step 3: Eligibility Determination Meeting**
 - Must be held within 60 days after parents consent to testing

Developing the IEP

- Step 4: IEP Development: Initial IEP meeting
 - IEP must be developed within 30 days after a student is found eligible for special education services
 - Services can't start until parents give their consent in writing

The IEP Team

- IEP team members:
 - Parents
 - At least one general education teacher
 - At least one special educator
 - A school administrator
 - Someone who can interpret test results
 - The student (starting at age 14)



Parts of the IEP

- Student Information
- Present Level of Academic Achievement and Functional Performance (Present Levels/PLOPs/PLAAFPs)
- Special Considerations and Accommodations
- Extended School Year
- Transition
- Goals
- Services
- Least Restrictive Environment (LRE)

Parts of the IEP: Student Information

Name: _____ Agency: _____ IEP Team Meeting Date: / /

STUDENT AND SCHOOL INFORMATION

First Name: _____ Middle Name: _____ Last Name: _____
 Address: _____
 City: _____ State: _____ Zip Code: _____
 Grade: _____
 Unique Student Identification Number (State): _____
 Student Identification Number (local): _____
 Date of Birth: (MM+DD+YYYY)
 Age: _____ Gender: MALE FEMALE

RACE CODES

Ethnicity: Hispanic or Latino Yes No
 American Indian or Alaskan Native Native Hawaiian or other Pacific Islander
 Asian Black or African American
 White

Student identified as an English Learner: YES NO
 Student's native language: _____
 Residence County: _____
 Residence School: _____
 Service County: _____
 Service School: _____
 Does the student requires a specific accommodation for an emergency evacuation? YES NO
 If yes, state the evacuation accommodation(s) here: _____
 Which jurisdiction is financially responsible? _____
 Is the student currently under the care and custody of a state agency? YES NO
 If yes, name of state agency: _____
 Does the student require a parent surrogate? YES NO
 Parent Surrogate Name: _____ Surrogate Phone: _____

PARENT/GUARDIAN 1

First Name: _____ MI: _____ Last Name: _____
 Home Phone: () - - Cell: () - -
 Email: _____
 Parent native language, if not English: _____
 Interpreter needed? YES NO

PARENT/GUARDIAN 2

First Name: _____ MI: _____ Last Name: _____
 Home Phone: () - - Cell: () - -
 Email: _____
 Parent native language, if not English: _____
 Interpreter needed? YES NO

Case Manager: _____

IEP Team Meeting Date(s): _____

IEP Annual Review Date: _____

- Parent was provided a copy of the Procedural Safeguards Parental Rights document.
- The parents were provided a verbal and written explanation of the parents' rights and responsibilities in the IEP team process.
- Parents were provided verbal and written information about access to habilitative services, including a copy of the Maryland Insurance Administration's Parents' Guide to Habilitative Services.

Native Language Translation: Parent informed YES NO N/A Parent requested YES NO

Projected Annual Review Date: _____

Most Recent Evaluation Date: _____

Projected Evaluation Date: _____

Primary Disability: _____

Areas affected by Disability: _____

IEP TEAM PARTICIPANTS

IEP Case Manager: _____	Principal/Designee: _____	School Psychologist: _____	Agency Representative: _____
IEP Chair: _____	General Educator: _____	Social Worker: _____	Others in attendance: _____
Parent/Guardian: _____	Special Educator: _____	Speech/Language Pathologist: _____	Others in attendance: _____
Parent/Guardian: _____	Guidance Counselor: _____	Student: _____	Others in attendance: _____

Parts of the IEP: Present Levels

Area of Concern:
Early Learning Skills
Academic
Behavioral

Sources:
Classroom data (teacher reports/observations)
Parent Input (outside reports)
Formal Testing (Woodcock Johnson, Map-M)
Informal Curriculum-based Assessments
Data from Behavior Intervention Plan (BIP)

INDIVIDUALIZED EDUCATION PROGRAM (IEP) II. PRESENT LEVEL OF ACADEMIC ACHIEVEMENT AND FUNCTIONAL PERFORMANCE

MARYLAND STATE DEPARTMENT OF EDUCATION (MSDE) DIVISION OF EARLY INTERVENTION AND SPECIAL EDUCATION SERVICES (Form approved by MSDE for use July 1, 2019)

Name: _____ Agency: _____ IEP Team Meeting Date: / /

ACADEMIC _____ Document student's academic achievement and functional performance levels in academic areas, as appropriate.

Source(s): _____ Summary of Assessment Findings (including dates of administration): _____

Instructional Grade Level Performance: _____
(Consider private, state, local school system, and classroom based assessments, as applicable.)

Does this area impact the student's academic achievement and/or functional performance? YES NO

Grade Level Performance:
For academic goals, how do the student's skills correspond to grade level (technically required to categorize this **without** supports)?

For social-emotional or behavior goals, how does the student perform in terms of chronological / developmental age?

If marked "yes," the team needs to write a goal.

Narrative description that includes both strengths and needs.

Parts of the IEP: Special Considerations

- Communication
- Assistive Technology
- Behavioral Intervention
- Instructional and Assessment Accessibility Features
 - Instructional and Testing Accommodations
- Supplementary Aids, Services, Program Modifications, & Supports
 - Classroom Accommodations

Parts of the IEP: Goals

Area of Need:

There should be at least 1 goal for every area listed in PLOPs as “impacting academic or functional performance.” (YES was checked on PLOPs)

GOAL	
Goal:	_____
By: <input type="checkbox"/> <input type="checkbox"/> • <input type="checkbox"/> <input type="checkbox"/> • <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> (MM/DD/YYYY)	
Evaluation Method:	<input type="checkbox"/> INFORMAL PROCEDURES <input type="checkbox"/> CLASSROOM-BASED ASSESSMENT <input type="checkbox"/> OBSERVATION RECORD <input type="checkbox"/> STANDARDIZED ASSESSMENT <input type="checkbox"/> PORTFOLIO ASSESSMENT <input type="checkbox"/> OTHER _____
With _____	<input type="checkbox"/> % Accuracy <input type="checkbox"/> % decrease <input type="checkbox"/> ___ out of ___ trials <input type="checkbox"/> % increase <input type="checkbox"/> other _____
ESY goal?	<input type="radio"/> YES <input type="radio"/> NO
Objective 1: _____	Objective 3: _____

Goal states that given certain supports, the student will change competency (increase, decrease, etc.) by acting in a certain way until she reaches the desired level of attainment (grade level, independently, etc.).

Parts of the IEP: Services

- **Hours of Special Education Services**
 - Inside general education (either provided by classroom teacher or push-in support from special ed or therapist)
 - Outside general education (pull-out or in self-contained classroom)
- **Related Services**
 - Speech Language Therapy
 - Occupational Therapy
 - Physical Therapy
 - Transportation

Parts of the IEP: Least Restrictive Environment (LRE)

- **Elementary Diploma Track:**
 - Home School Model
 - Asperger Program
 - Learning Center
 - Social Emotional Special Education Services (SESES)
- **Secondary Diploma Track:**
 - Neighborhood Middle / High School
 - Learning and Academic Disabilities
 - Asperger Program
 - Autism Resource Services
 - Bridge
 - SESES

Parts of the IEP: Least Restrictive Environment (LRE)

- Appendix A and Parental Consent
 - MCPS cannot take your child off the diploma track without your consent
- Elementary Alternative Learning Outcomes (Certificate) Track:
 - Learning Center
 - Learning for Independence (LFI)
 - Classic Autism
 - School/Community-Based (SCB)
 - Extensions
- Secondary ALO Track:
 - Learning for Independence (LFI)
 - Classic Autism
 - School Community Based (SCB)
 - Extensions
 - Rock Terrace

Parts of the IEP:

Least Restrictive Environment (LRE)

- What happens if MCPS can't meet your child's needs?
- Referral to Central IEP Meeting (CIEP)
- CIEP Team will review your child's file
- Send referral to appropriate non-public schools for consideration

Implementation

- **Step 5: IEP Implementation**
 - The IEP should be implemented immediately after parents give written consent
- **Step 6: Progress Monitoring**
 - Parents should get a quarterly progress report when they receive the student's report card
 - Ask for work samples if you have doubts about progress
 - Request that “home school communication” be added as a supplementary service to your child's IEP

Annual Review

- **Step 7: Annual Review**

- IDEA requires that the IEP team meet AT LEAST every year to assess student progress
- Make sure that the Present Levels have been updated
- Goals should not simply be carried over from one year to the next

Re-evaluation

- Step 8: Re-evaluation (triennial)
 - Must be conducted every three years to find continuing eligibility for special education services
 - At the re-evaluation planning meeting, the IEP team will agree which, if any, assessments need to be performed
 - MCPS will conduct relevant assessments
 - Assessments must be completed within 60 days after the planning meeting/parents gives written consent
 - Parents may opt to have private testing done at their own expense
 - MCPS must consider private testing, but is not required to adopt recommendations provided from outside evaluator
 - If parents disagree with the outcome of MCPS's assessments, they may request an Independent Educational Evaluation (IEE)

Effective Parent Participation

- Complete the Parent Report before each Annual Review:
 - <https://www.montgomeryschoolsmd.org/departments/forms/pdf/336-39.pdf>
 - [https://xminds.org/resources/Documents/IEP Development Parent Report.pdf](https://xminds.org/resources/Documents/IEP%20Development%20Parent%20Report.pdf)
- Know what your child's IEP says
 - MCPS MUST provide you with any documents, including draft IEP, to be discussed at the IEP meeting 5 days before the meeting (“5 day rule”)
 - Thoroughly read through these documents prior to any meeting and note questions
- Maintain data (including email / text correspondence with school) throughout the year
- Save examples of your child's work
- Present outside reports, evaluations, etc. to the IEP team for their consideration, if applicable

When Parents Disagree

- Periodic Review

- You may call a meeting anytime you think changes to the IEP should be made.
- The team should call an IEP whenever a child is not making “sufficient progress” on a goal

- Prior Written Notice

- Anything you or the school proposes, including requests that are denied, should be recorded in the PWN.
- This is a permanent record of things that you and the school agreed or disagreed on

- Mediation

- If you and school cannot reach agreement, you can request mediation by contacting the MCPS Resolution and Compliance Unit (RACU)
- Invokes the “stay put” rule

- Due Process

- An administrative law judge, appointed through the Maryland Office of Administrative Hearings, runs the hearing and makes the decision
- You should hire an attorney, but you are not required to

Resources

- “Navigating Special Education,” xMinds Website

<https://xminds.org/Navigating-Special-Education>

- “Parent Resources,” MCPS Department of Special Education

<https://www.montgomeryschoolsmd.org/departments/special-education/parent-resources/>

- *Parental Rights: Maryland Procedural Safeguards Notice*, Revised January 2021 (you should receive a copy of this at every IEP meeting)

<http://www.marylandpublicschools.org/programs/Documents/Special-Education/mpsn/MDProceduralSafeguardsNoticeEnglish.pdf>

Questions

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