

Building Partnerships and Getting Organized

Book 1 of 5
The Guide to Special Education
in Maine: A Team Approach



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The Guide to Special Education in Maine: A Team Approach

Building Partnerships and Getting Organized

Building Partnerships and Getting Organized includes a brief look at the history of special education, eligibility, working with a team, and tips on how to stay organized.

It is part of the sixth edition of *The Guide to Special Education in Maine: A Team Approach*. The Guide was researched, written, and reviewed by people who know the Maine special education system best: parents, educators, special education advocates, lawyers, and officers of the Maine Department of Education.

While the 5-part guide does not address every possible circumstance, regulation, or policy concerning early intervention and special education in Maine, it does provide an in-depth overview of the law, especially your rights and responsibilities as a parent.

Editor's Note: In this part of the Guide, we often use language referring to school-age children. Much of the information also applies to younger children. We apologize if our language is not always inclusive.

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#3: *The School Years: 5 to 20*

#4: *Getting Older: Moving On*

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Building Partnerships and Getting Organized

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You Are Not Alone

Being the parent of a child with a disability sometimes seems overwhelming. Trying to sort out a jumble of emotions, as well as understand what services and options are available, can leave you confused, exhausted, and feeling very much alone.

But you're not. There were **more than 34,000 Maine children** receiving early intervention and special education services in 2007. While that's almost 18 percent of the state's 194,200 public school students, it's roughly 12 percent of the Maine's full child population (birth to 20), including kids who are home-schooled or in other institutions, according to Kids Legal (part of Pine Tree Legal Assistance, Inc.). Nationally, about 6.7 million individuals, or 14 percent of children receive special education or early intervention services. (All figures are for 2007).

In Maine, parents of children with special needs have many organizations and state agencies ready to offer information, advice, and support. As a parent, you also will belong to a team charged with assessing your child's strengths and weakness and developing plans for their education.

It still won't necessarily be easy. Being a parent is always demanding — and rewarding. Being a parent of a child with disabilities is especially demanding and, at times, especially rewarding.

The hardest reality

You'll need to understand your child's disabilities and rights (and learn lots of acronyms and language) to navigate the system. You'll have to ask a lot of questions, and listen with an open ear; be ready to disagree respectfully and compromise when necessary.

Perhaps the hardest reality for any parent who fiercely wants the best for their child is that the best is not always possible, sometimes not even definable. While the state and public schools must provide an “appropriate” education for your child, that education does not always coincide with what you and others may consider to be best or ideal. Your child’s team determines what is “appropriate.” You are a member of that team.

Remember that the growth and education of your child is a process. Progress does not always happen when we expect it. At times it could be a welcome surprise after a lot of hard work.

Learning how to pace yourself in this process is challenging. There will be times when you may lack the energy to be as strong an advocate as you want. But that’s OK. You will not fail as long as you don’t give up; continue to let yourself be surprised by what your child, with the right support and services, can do; and realize you are not alone.

A little history

Thirty-five years ago there was no framework, funding, or law to help children with disabilities receive a public education.

Some states had laws excluding children from school if they were deaf, blind, had mental retardation, or had other severe disabilities. Where laws didn’t exist, children with obvious disabilities often were simply discouraged from attending school. Children with less obvious issues — learning disabilities, for instance — might have a seat in the general classroom, but their problems were rarely recognized or accommodated.

Not long after World War II, parents of children with disabilities began organizing to advocate collectively for their children. Even so, as late as 1970, it’s estimated that only one in five children with disabilities — physical, developmental, or mental — were educated in public schools. Options included staying home or being sent away to an institution. Many parents were told at that time that institutionalization was the best option.

In 1973, Congress passed a law protecting the civil rights of individuals with disabilities. **Section 504 of the Rehabilitation Act** (usually just called Section 504) guarantees equal access to an education, including “accommodations and modifications.”

But more was needed. In 1975 Congress said children with disabilities are entitled to a “**free, appropriate public education**” (FAPE), something more than just the access and accommodation promised in Section 504. Students receiving services under the 1975 law (**Individuals with Disabilities Education Act or IDEA**) in general are covered by Section 504. The reverse is not true. Students who receive services under 504 are not guaranteed IDEA coverage.

The **Maine Unified Special Education Regulation (MUSER or Chapter 101)** implements IDEA in Maine.

IDEA and MUSER outline in detail the educational rights of individuals with disabilities, including where they should receive services. The most “**natural**” environment possible — usually the home or a community setting — is recommended for children age birth to 2; the “**least restrictive environment**” (LRE), is required for children age 3 and older. In both cases, environments are recommended that include children who have not been identified with disabilities.

IDEA’s most recent revision, in 2004, was fairly extensive. It includes requirements for highly qualified special education teachers, the use of research-based, general classroom interventions before a special education designation is applied; and higher achievement expectations for children with disabilities.

Who pays?

Special education can be expensive, sometimes requiring one-on-one instruction and support. However, it’s illegal not to provide an appropriate education for a child who has been identified as having special education needs. It also can be even more expensive for society in the long run.

The issue of cost, although perhaps not voiced, can be a source of friction you may face as you work with the education system or, when your child is very young, the state’s **Child Development Services (CDS)**.

School budgets can be tight. So at times they may seem reluctant to agree to certain services or plans. But a school district must offer a free appropriate education under federal statute. Federal laws take precedence. This is a good reason why you should be familiar with your child's educational rights and understand that you play a significant role in deciding what those services are.

Money and the availability of funds for services are not appropriate topics of conversation at the regular meetings concerning your child special education or early intervention needs.

Money for special public education comes from three main sources: the United States Department of Education, the Maine Department of Education (MDOE), and local communities.

In 1975, Congress agreed that federal dollars would cover 40 percent of the cost of special education. While there is much debate over what was meant by 40 percent, federal appropriations have not come close; they cover on average about 15 percent of actual special education costs. States and local school districts pick up the rest.

In fiscal year 2006, for example, federal dollars accounted for about 15 percent of the \$346.5 million spent on special education in Maine. The state's share was \$170 million, roughly 47 percent. Local school districts chipped in \$127 million, a little under 38 percent. An average of \$9,700 was spent per capita for early intervention and special education for the 35,600 eligible Mainers age birth to 20 in fiscal 2006.

Types of disabilities

Maine law describes 14 different categories of disability that may qualify for early intervention or special education services. They range from autism to visual impairment. Besides having a disability that fits one or more of those descriptions, the child must require specially designed instruction to be able to access and benefit from the general education curriculum. State regulations, in general, also require that the disability "adversely affects the child's educational performance."

For children under age 3, eligibility criteria include indications of developmental delay in one or more areas, or conditions, such as premature birth, that might contribute to developmental delay.

Specific learning disabilities (SLD) account for the largest number of children in Maine receiving special education services, about 29 percent or 10,000 children in 2007. Speech and language impairment is the second largest category, accounting for 19 percent or 8,600 of Maine public school students receiving special education services in 2007.

The smallest numbers of children receiving special education services include individuals who are blind, deaf, or have brain injury or orthopedic impairment.

**Children and youth (ages 3-21) identified by the
Maine Department of Education as having
disabilities** 12/1/07

Specific Learning Disability.....	10,053	29%
Speech and Language Impairment.....	8,612	25%
Other Health Impairment.....	5,528	16%
Multiple Disabilities.....	3,082	9%
Emotional Disability.....	2,943	9%
Autism.....	1,990	6%
Developmentally Delayed.....	888	3%
Mental Retardation.....	798	2%
Hearing Impairment.....	219	1%
Visual Impairment/Blindness.....	81	>1%
Traumatic Brain Injury.....	81	>1%
Deafness.....	72	>1%
Orthopedic Impairment.....	71	>1%
Deaf-Blindness.....	7	>1%

TOTAL 34,425

Accommodations

Some children have disabilities that do not meet the established criteria but are disabilities that interfere with access to an equal education. They may be eligible for accommodations under Section 504, (a federal civil rights law). These accommodations can be as simple as letting a student sit at the front of a classroom to better see the chalkboard or hear the teacher.

Section 504 accommodations are not considered special education since the student does not need direct specialized instruction in the school. However, they are still planned and reviewed by a team that includes you as the student's parent.

When do you know?

Parents often know, or strongly suspect, when something is not right with their child.

Talk with your pediatrician about typical development. Even if assured your child is "fine," you may still feel there is a problem. You have the right to request an evaluation, (called a **referral**) to see if your child is eligible for special education services. Make sure your referral is in writing and that you keep a copy.

Parents often blame themselves and feel guilty when their child's disability is confirmed. They think they should have recognized problems earlier and taken action. Often, however, a learning disability goes undetected by both teachers and parents until about the fourth grade when reading issues become more visible as students move from learning to read, to reading to learn.

There may be warning signals. For instance, a young child may not respond to loud noises; an older child may misbehave at school when learning is difficult. Another sign might be your child taking an extraordinarily long time or struggling to complete even simple school assignments.

Child Find is a state and federal mandate that charges either the regional offices of **Maine's Child Development Services (CDS)** or local Maine school districts with actively identifying newborns through 20-year-olds who may be eligible for special services. CDS officers routinely urge hospitals, day care programs, doctors, and

other health and social service agencies to inform them of any baby or toddler they believe might be eligible for early intervention. For children age 3 or older, the responsibility shifts to school districts.

What happens then?

A parent may request a referral at any time. So may a school or other agency. A referral starts the process of determining if your child has a disability that qualifies for special services, and, if so, helping secure and monitor those services. Depending on the child's age, different agencies may be involved and different services available. For instance, if your child is not yet school age, (under age 5), you would contact your local Child Development Service (CDS) site; if older, you would contact your local public school.

Check with your pediatrician, one of Maine's several parent organizations, your local school system, or the state Department of Education for guidance.

The referral process is examined in more detail later in this book and in other booklets that make up this parents' guide.

Keep notes



With your first phone call, (or even before), start keeping notes. A sometimes tedious truth about working with any service system, especially over the long haul, is: "If it's not written down, it didn't happen."

Get a notebook or a file folder. Enter every phone call or meeting, noting the date, the agency, the phone number, the people you talked with, and what was said. Some parents use a calendar to keep track of the chronology of events and remind them of what they need to do next, such as calling a teacher, changing medications, or noting when their child was sent home.

Also keep copies of all correspondence (whether by snail mail or e-mail). And know that you can record any meeting, as well as bring along anyone you want as support or to help you process what happens.

Labels

Parents sometimes are concerned that their child will suffer by being labeled a “special needs kid.” It can be a legitimate concern. But it’s important to weigh concern that against the extra educational resources and protections a child may only receive in the program, and what may be the long-term consequences if this kind of support is not available.

On the other hand, parents may challenge an evaluation that concludes there either is no problem or that the child’s disability does not qualify for early intervention or special education services.

Some parents hesitate even to seek a referral because they are worried they will lose control of what happens to their child. As a member of your child’s planning team, you are assured a say in decisions made concerning their education. You also have the right to confidentiality and the right to challenge certain decisions.

But perhaps the most important right for you as a parent is to be an equal member of the team that develops, monitors, and reviews an ongoing education program for your child.

Teamwork

The law gives you the right to be part of the team that maps a path for your child’s early intervention and, later, school-aged special education services. But it’s up to you to be the kind of team member who will make a difference in your child’s future. Ask questions. Educate yourself. Share what may benefit your child the most. Be open to the insights of others. Understand that at times there will be limitations to what can be provided within the public education system, and figure out when those limitations are unacceptable.

If your child is under 5, the team will include a case manager from a regional **Child**

Development Services (CDS) site, evaluators, special educators, and service providers. In addition, a parent may invite other family members, an unrelated advocate, or a friend to join the team.

The case manager will help arrange a professional evaluation for your child.

If your child is under 3 and qualifies for early intervention services, the team will develop an **Individualized Family Service Plan (IFSP)**. If your child is 3 or older, the team is charged with developing and implementing an **Individualized Education Program (IEP)**.

Both the IFSP and IEP are written blueprints for your child's education. Make sure they include what your child's team agreed to during the meeting.

Get to know your child's teachers. Take the time, if you can, to visit different classrooms before your child is placed, looking out for the kind of environment and teaching style that might best fit your child's needs.

A parent does not have the right to choose their child's teachers, but as a member of the IFSP/IEP team, you help determine what your child's education will include and what educational environment might be most helpful.

Transitions

Every year is a transition, with new teachers, new programs, and, at times, new schools.

The most challenging times for both parents and children can be during transitions, partially because different laws and regulations often come into play. The biggest transitions can be infant/toddler to preschooler, preschooler to kindergarten, and high school to adulthood.

Plans for that last transition begin when your child is 14 and the IEP team begins to develop a transition plan. That plan may address post-graduation work, living situations, and continuing education.

Any student's education is a process: things evolve, options change, children

develop skills and put them to use. The process for students with a disability needs to be more directed than for students without disabilities. This is especially true for transition from high school.

Don't give up

The rest of this book — the first in a series for the parents of children involved in special education — focuses on team-building and staying organized. There are tips about consensus decision-making, templates for keeping track of data, model letters for requesting information. There's also a list of special education terms. And there's a directory of Maine organizations and agencies concerned with early intervention and special education. This may be the section you will use the most.

Information is important. But for the parents of a child with a disability, attitude and endurance are just as important. There will be good days and bad days; good years and bad years. At times you will be frustrated, angry, full of grief or confusion. But there will be other times when you will feel proud, amazed, and satisfied when you see results from your efforts, your child's efforts, and the efforts of the team.

So don't give up. Advocate for your child, even if it does not come naturally to you. Talk with other parents, get involved, go to support groups and/or workshops and remember: you are not alone.

What's worked for me as a parent...

"I keep a list of what my child needed to succeed in his school and give it to the teacher at the beginning of each year. My list often went like this: Structure; Consistency; Predictability; Clear expectations; Quiet when he is stressed; A place to go to regroup if upset; Eye contact. So when I got a call that he was falling apart and learned he had a substitute teacher that day who spoke loudly and didn't follow the classroom routine, I could convey that he was probably upset because some of his needs were not being met."

Is My Child Eligible for Special Education?

Eligibility requirements for early intervention or special education services change depending on a child's age. If a child is under age 3, eligibility is based on whether or not the child is developmentally delayed or has a diagnosed condition that has a high probability of resulting in developmental delay.

After age 3, to be eligible for special education, the child must have a disability that fits at least one of 14 disabilities described in state regulations. In addition, the child requires specially designed instruction to access and benefit from the general education curriculum. State regulations, in general, also require that the disability “adversely affects the child’s educational performance.”

Section 504

If a student has a disability that does not meet state criteria for special education services, they may still be eligible for some services under Section 504 of the Rehabilitation Act.

The decision of eligibility is made by a team that includes a case manager, school personnel, evaluators, and you, as the parent. If you do not agree with the decision you have the right to challenge it.

Referrals

When you — or the school or another agency — starts the process to see if your child qualifies for special education services, it's called making a referral.

The state law (MUSER) describes 14 different categories of eligibility, ranging from autism to visual impairment. The law also describes in detail how eligibility for each category must be assessed.

No matter which disability category your child might be placed in, they are entitled to receive appropriate services based on all their strengths and weaknesses.

Categories of eligibility

- ◆ Autism
- ◆ Deafness
- ◆ Developmental delay (3-5 or kindergarten)*
- ◆ Emotional disturbances
- ◆ Hearing impairment
- ◆ Mental retardation
- ◆ Orthopedic impairment
- ◆ Other health impairment
- ◆ Multiple disabilities
- ◆ Speech and language problems
- ◆ Specific learning disability
- ◆ Traumatic brain injury
- ◆ Visual impairment, including blindness

** While federal law states the category of developmental delay can be used until age 9, Maine uses it mostly for children under 5 or while a more definitive category is under consideration during the child's kindergarten year.*

Response to Intervention/ Pre-Referral

A state Eligibility Task Force recently spent more than two years revising eligibility requirements for special education. The many changes are reflected in **Chapter 101 (Maine Unified Special Education Regulations or MUSER)**.

One change, recommended by federal law, is that research-based interventions must be tried after a child has been identified as being at risk of failing. The student's **response to intervention** must be routinely assessed and a modified or different intervention tried if needed. The general education classroom teacher or another general educator is responsible for directing the research-based intervention, although specialists may be consulted.

This approach is encouraged now, and will be required in all Maine schools beginning in July 2010.

Parents may request that the referral process for special education or related services begin while the pre-referral procedures are underway. If the child's response to the pre-referral intervention(s) is not satisfactory, the wheels are already in motion for a special education eligibility determination.

(See Request for Referral for Special Education, Initial IEP meeting, and Educational Evaluations, in Sample Letters section of this book.)

IDEA/504 COMPARISON

IDEA

SECTION 504

Student is referred to IEP Team

Consideration of 504

↓
Does the student have a disability that meets eligibility criteria for special education services?

↓
Does the student have a disability that substantially limits one or more- major life activities or major bodily function?

*Not eligible for special education
Refer for 504*

↓ ↓
YES NO

NO YES

Not protected by 504

↓
The student has the right to Special Education and related services.

↓
The student has the right to an education equal to one provided for students without disabilities.

↓
The student may be eligible for accommodations.

↓
Specific education and related services (as needed) are outlined in:

↓
A formal written plan of reasonable accommodations are made in physical and instructional settings.

↓
Specialized education, aides and services may be set down in a written:

Individualized Education Program (IEP)

504 Plan

How to Build Good Communication



Being part of a team can be challenging. Building relationships that foster openness, honesty, and cooperation takes work. But it takes a team to meet your child's needs. It's the law. It also is a good idea, especially when the team works well.

You may already have been a team member — at work, in school, or in another organization. Or teamwork may be something new to you. Either way, you can help build a good team. It begins with good communication.

More than words

Communication involves a lot more than words. In fact, according to several studies, in direct person-to-person communication, words account for only 7% of what is conveyed. Body language, facial expression, eye contact, how you present yourself, (clothes, grooming, posture, etc.), and non-word sounds, (sighs, grunts, etc.) account for an astounding 55% , and another 38% is conveyed in how something is said, (tone, pitch, volume, and inflection).

It sounds as if it might be safest to stick to e-mail, letters, and phone conversations! You will use most or all of those as you build partnerships around the education of your child. But, as you probably already know, face-to-face communication often is the most open and positive, and offers the least risk of misunderstanding or misinformation.

Different roles

Team members should be sensitive to times when emotions — their own or those of other people — may be compromising the sense of partnership. Sensitivity also is needed around the issue of roles.

Every member brings a different expertise to the team. As a parent, you are the expert when it comes to your child; you know your child better than anyone else. You provide the team with critical information about your child's strengths and needs, and about how well you think your child is responding to their **Individualized Family Service Plan (IFSP) or their Individualized Education Program (IEP)**.

Other team members have expertise in what resources are available, how particular approaches have worked with other children, and what might be most appropriate and helpful for your child.

Staying in touch

The IFSP and IEP team meetings are the main time for the full team to exchange information. Barring special circumstances, full teams are required to meet at least once (IEP) or twice (IFSP) a year. Additional meetings may be held as needed or at the request of parents. The district is obligated to respond to your request, although not required to hold additional, unscheduled full team meetings.

There are other, less formal, ways for you to maintain communication and keep track of your child's progress between team meetings. Talk with your child's teacher or case manager at the beginning of the school year to set up a plan for staying in touch.

One option is to meet regularly with the service provider, teacher, or another member of the team to discuss progress and concerns. Other options include a notebook that can travel between home and school for exchanging notes on your child's progress or phone calls or e-mails once a week or every other week. Choose the option that works best for all concerned, then work hard to stick with it.

Tips for successful communication

- ◆ Listen — and talk — respectfully.
- ◆ Accept that differences are valuable.
- ◆ Clarify what is expected.
- ◆ Recognize time and resource limitations, and share complete and honest information.
- ◆ Notice nonverbal communication (body language, facial expression, etc.).
- ◆ Know that cooperation takes time, commitment, and goals.
- ◆ Use statements that begin with “I” (*I think... I wonder... I feel...*).
- ◆ Trust that problems have solutions.
- ◆ Try not to interrupt.
- ◆ Look people in the eye.
- ◆ You can accept a person’s idea and still disagree with it.
- ◆ Take your time; schedule more time if you need it.
- ◆ Remember that feelings and situations are temporary.
- ◆ Give and receive respect.
- ◆ Avoid blaming.

What’s worked for me as a parent....

“I found writing (and remembering to send) thank you notes after a meeting is a great way to express appreciation for team members taking an active role in my child’s education. This was important even if we were not in agreement. Later my children wrote their own thank you notes as I taught them to do for any gift they received. In our house we believe education is a gift.”

What’s worked for me as a teacher...

“It is my responsibility to establish and maintain collaborative working relationships with members of the team. I contact parents when students are falling behind on assignments, or when I have specific concerns. I also make an effort to contact parents when their child has done something good or kind or exceptional.”

How to Get Organized and Stay Organized

When working with any system, if it's not written down, it doesn't count. But it also doesn't count, even if written down, if you can't find it. So keep track of information.



Don't expect to find all the records of your child in one place — unless you keep those records yourself. Some schools will keep academic achievement records in one department, while holding IEPs in another. Doctors, teachers, and specialists will come and go, and sometimes their records with them.

You often are the only person with copies of all your child's records. And as the single most constant — and usually most involved — individual in your child's life, that makes sense. Developing a home file can feel overwhelming, but it's invaluable.

If you need help, ask a community case manager, another parent, or one of the parent organizations listed in the resource section of this booklet.

Parents have the right to review any of their child's records. That right is guaranteed by federal law: both the IDEA and **FERPA (Family Educational Rights and Privacy Act)**. If you need copies of your child's educational records, the school must provide you access. You may be charged a nominal fee for copies.

Creating a home file

It's never too late to start a home file on your child. What to keep in a home file is easy — just about everything pertaining to your child's health and education.

- ◆ ALL your child's written evaluations
- ◆ Individualized Family Service Plans (IFSP)
- ◆ Individualized Education Plans (IEP)
- ◆ Written notices
- ◆ Report cards
- ◆ Progress reports
- ◆ Maine Educational Assessment (MEA) results
- ◆ A copy of any document the school gives you
- ◆ Notes from teachers, specialists
- ◆ Notes from staff or other informal educational meetings
- ◆ Discipline slips, procedural safeguards
- ◆ All correspondence, including copies of e-mails
- ◆ Information from physicians, teachers, therapists, counselors
- ◆ Records of screenings, observations
- ◆ Letters to and from members of your child's team
- ◆ Frequently used personal contacts (doctor, lawyer, friends)
- ◆ Notes on phone calls and conversations

Some parents like to start with a large, 3-ring binder, divided into sections labeled:

- ◆ Evaluation reports
- ◆ IFSPs/IEPs
- ◆ Notices
- ◆ Communication (letters & e-mails)
- ◆ Verbal Communication Logs
- ◆ Reference Information (such as information on your child's disability)

Many parents place the most recent information at the beginning of each section so it's easier to find. Make sure there are dates and names noted with information, especially notes on meetings or phone calls.

It is helpful to review information in your home file before attending an IFSP or IEP meeting. You may wish to bring some file items to those meetings, along with photos of your child and samples of your child's work. From the files you may wish to bring:

- ◆ A copy of Maine Unified Special Education Regulations,
- ◆ The school's student handbook,
- ◆ Maine's Learning Results and/or Early Learning Standards, and
- ◆ A list of your child's strengths and needs

What's worked for me as a parent...

"I throw all papers from the school in one notebook and just before the IEP meeting I organize and review all the information. I also ask in a letter that teachers write a list of things that have worked and what the challenges are in educating my child. The list goes into the notebook on a page I call 'Notes from my teachers.' These pages have helped me gain valuable information to share with others."

What's worked for me as a teacher...

"I attempt to learn from parents and students what rewards work as motivators for students. I ask parents to share their concerns. I contact parents prior to meetings."

Sample Letters

While requests and questions often are first discussed in a meeting or on the phone, they also frequently require a written letter.

It's that old paper trail; so make sure you keep a copy of every letter you send out (and not just in your computer, if you are using one; print it out and put it in your Home File).

This section has some samples of letters or (e-mail) you may need to write.

What has worked for me as a parent...

“If I am upset it is usually best for me to draft an uncensored letter then rip it up. This helps me express my feelings and sort through what I am really upset about. After I do what I call a ‘blame-and-complain letter,’ I draft a letter expressing my concerns and share it with another parent or professional for feedback. Finally, I make a final letter to send. My goal is to express my concerns respectfully in a way they can be heard which ultimately helps my child. I also found ‘cc’ing’ a letter to other members of the team helped keep all members up to date.”

Request for Referral for Special Education, Initial IEP meeting, and Educational Evaluations

Today's date (month, day, year)

Your name and address

Your phone number

*Principal, Special Education Director, etc.
name and address*

Dear Mr, Mrs, Ms, etc. (*name*):

I am writing to refer my child, (*your child's name*), for special education.

I believe my child may be eligible for special education because (*describe the evidence that supports giving special education services to your child, such as physician's reports or your own concerns*).

I feel it is important to gain a better understanding of (*child name's*) learning difficulties in order to best plan for (his or her) educational needs.

I understand that the school has 15 school days after receiving this request to provide me with a consent form and/or convene the initial IEP meeting. I understand that at this meeting we will determine which full and individual educational evaluations are needed.

I am available (*dates*), (*at times*), (*at phone number*) to discuss a mutually agreeable time for the initial IEP meeting.

I understand that these evaluations need to be completed within 45 school days and that I will receive copies of the evaluation reports at least 3 days before the IEP team meets again. Thank you.

Sincerely,

(Your signature)

(Your name - type or print)

Request for Records

Today's date (month, day, year)

Your name and address

Your phone number

*Principal , Special Education Director, etc.
name and address*

RE: Review of Files

(student's name)

(student's date of birth)

Dear Mr, Mrs, Ms, etc. *(name)*:

I am writing to request a Review of Files on the above referenced student. I wish to review 1) the cumulative file, 2) health file, 3) special education file, and 4) any other files that may exist on this student at your school or other schools.

Please contact me by *(date, perhaps 10 days from when this letter is mailed)* with a date and time that is convenient for you and your staff. I wish to complete this review by *(date, specific date within perhaps 30 days from mailing of this letter)*.

I understand that the school has the right to charge a nominal fee for copies of information I am requesting.

Sincerely,

(Your signature)

(Your name - type or print)

Follow-up Letter

Today's date (month, day, year)

TO: *name of person you talked with*

SUBJECT: Follow-up

This letter confirms our conversation today in which we discussed:
(note briefly what was discussed)

During the conversation the following was made clear:
(note briefly your understanding of the conclusions/decisions of the conversation)

The following items remain unresolved:
(note briefly your understanding of what still needs to be decided)

Please respond by *(date at least 10 days after follow - up letter mailed or e-mailed)* if you have a substantially different understanding about any of these details. Otherwise this letter will serve to document our understanding to this date.

Thank you.

Sincerely,

(Your signature)

(Your name- print or type)

Request for an IFSP/IEP Meeting

Today's date (*month, day, year*)

Your name and address

Your phone number

*CDS case manager or school's Special Education Director
name and address*

Dear Mr, Mrs, Ms, etc. (*name*):

I am the parent of (*name of child*). I am requesting an IFSP/IEP meeting because (*describe your concerns, such as IFSP/IEP not complete, child not making progress, need for additional evaluations, etc.*). Please contact me so that the IFSP/IEP meeting may be scheduled at a mutually agreeable time and place.

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

Sincerely,

(Your signature)

(Your name - type or print)

Letter of Intent to Obtain an Independent Educational Evaluation

Today's date (month, day, year)

Your name and address

Your phone number

*CDS Case Manager or Special Education Director
name and address*

Dear Mr, Mrs, Ms, etc. *(name)*:

My child, *(child's name)*, is presently enrolled in *(name of school or program)*.

I am writing to let you know that I disagree with the *(date of evaluation)* Educational Evaluation provided by the CDS site or school district for the following reasons:
(list your reasons).

I will be obtaining an Independent Educational Evaluation at public expense.
(choose which statement applies to your situation).

I need information about qualified evaluators and appropriate fees.

or

The Independent Educational Evaluation will be performed by
(name of evaluator or give qualifications/credentials of possible evaluator).

Please contact me if you wish to discuss this matter. Thank you.

Sincerely,

(Your signature)

(Your name - type or print)

cc: *(CDS site Director or Superintendent name)*

Resources

Special Education Language

Get used to hearing acronyms like IEP, IFSP, IDEA, and FAPE. Get used to asking: “What does that mean? How does that work?” As long as your child is receiving early intervention or special education services, you will be hearing those terms.

ABA	Applied Behavior Analysis
ADA	Americans with Disabilities Act
ADD	Attention Deficit Disorder
ADHD	Attention Deficit Hyperactivity Disorder
APS	Approved Private School
ASD	Autism Spectrum Disorder
AT	Assistive Technology
AYP	Adequate Yearly Progress
BIP	Behavior Intervention Plan
CBA	Curriculum-Based Assessment
CDS	Child Development Services
CFR	Code of Federal Regulations
CMCI	Compliance Monitoring for Continuous Improvement
CSPD	Comprehensive System of Personal Development
DAP	Developmentally Appropriate Practices
DHHS	Department of Health and Human Services
DHHS/CBS	Department of Health and Human Services / Child Behavioral Services

DIBELS	Dynamic Indicators of Basic Early Literacy Skills
DTT	Discrete Trial Teaching
ED	Emotional Disability
EDGAR	Education Department General Administrative Regulations
EHA	Education for all Handicapped Children Act of 1975
EI	Early Intervention
EITA	Early Intervention Technical Assistance
ELL	English Language Learners
EPSDT	Early Periodic Screening Diagnosis and Treatment
ESY	Extended School Year
FAPE	Free Appropriate Public Education
FBA	Functional Behavioral Assessment
FERPA	Family Educational Rights and Privacy Act
IAES	Interim Alternative Educational Setting
IASA	Improving America's Schools Act
IDEA	Individuals With Disabilities Education Act
IEE	Independent Educational Evaluation
IEP	Individualized Education Program
IFSP	Individualized Family Service Plan
IQ	Intelligence Quotient
LD	Learning Disability
LEA	Local Educational Agency
LEP	Limited English Proficiency
LRE	Least Restrictive Environment
LREA	Least Restrictive Educational Alternative
MACECD	Maine Advisory Council for the Education of Children with Disabilities
MADSEC	Maine Administrators of Services for Children with Disabilities
MD	Multiple Disabilities
MDOE	Maine Department of Education
MDT	Multidisciplinary Team
MPF	Maine Parent Federation
MR	Mental Retardation
MUSER	Maine Unified Special Education Regulations

NAEP	National Assessment of Educational Progress
NASDSE	National Association of State Directors of Special Education
NCLB	No Child Left Behind
NOREP	Notice of Recommended Educational Progress
O&M	Orientation and Mobility
OCD	Obsessive Compulsive Disorder
OCR	Office of Civil Rights
ODD	Oppositional Defiant Disorder
ODR	Office of Dispute Resolution
OHI	Other Health Impairment
OI	Orthopedic Impairment
OSEP	Office of Special Education Programs
OSERS	Office of Special Education & Rehabilitative Services
USDOE	US Department of Education
OT	Occupation Therapy
OVR	Office of Vocational Rehabilitation
RSU	Regional School Units
RTI	Response to Intervention
SAT	Student Assistance Team
SATs	Scholastic Aptitude Tests
SAU	School Administrative Unit
SDI	Specially Designed Instruction
SEA	State Educational Agency
SLD	Specific Learning Disability
SMPA	Southern Maine Parent Awareness
SNOW	Strengths, Needs, Opportunities, and Worries
SSDI	Social Security Disability Income
SAT	Student Assistance Teams
TBI	Traumatic Brain Injury
TTY	Telecommunication Devices for the Deaf
VI	Visual Impairment

Contacts

Advocacy and Legal Rights

Disability Rights Center of Maine

www.drcme.org 800.452.1948

Developmental Disabilities Council

www.maineddc.org 800.244.3990

Kids Legal Aid of Maine

www.kidslegalaid.org 866.624.7787

Wrightslaw

www.wrightslaw.com

Assistive Technology

ALLTECH

www.alltech-tsi.org 866.688.4573

Pine Tree Society

www.pinetreesociety.org 207.443.3341

UMaine Farmington AT Resource Center

<http://specialed.umf.maine.edu/at.php> 207.778.7260

Alpha One mPower Loan Program

www.alphaonenow.com 800.640.7200

Autism

Autism Society of Maine

www.asmonline.org 800.273.5200

Asperger's Association of NE

www.aane.org

Blindness and Visual Impairment

American Council of the Blind

www.acb.org 800.424.8666

Educational Services for Blind & Visually Impaired Children

www.ccmaine.org 800.781.8550

The Iris Network

www.theiris.org 800.715.0097

Maine Bureau of Rehabilitation Services

www.maine.gov/rehab TTY 800.698.4440 888.755.0023

Brain Injury and Disorders

Brain Injury Association of Maine

www.biame.org 800.275.1233

Cerebral Palsy

United Cerebral Palsy of Northern Maine

www.ucpofmaine.org 877.603.0030

Deafness and Hearing Impairment

Maine Educational Center for Deaf and Hard of Hearing

www.gbsd.org 207.781.3165

Maine Center on Deafness

www.mainecenterondeafness.org 207.797.7656 800.639.3884

Maine Division of Deafness

www.maine.gov/rehab/dod/index.htm TTY 800.698.4440 888.755.0023

Community Counseling Center, Deaf Services

www.commcc.org TTY 207.874.1043 207.874.1030

Developmental Disabilities

Maine Developmental Disabilities Council

www.maineddc.org 800.244.3990

Maine Department of Health & Human Services (DHHS)

www.maine.gov/dhhs TTY 800.606.0215 207.287.3707

National Dissemination Center for Children with Disabilities

www.nichcy.org 800.695.0285

Down Syndrome

National Down Syndrome Society, Down Syndrome Society of Maine
www.ndss.org 207.873.2311 800.221.4602

Learning Disabilities

Learning Disabilities Association of Maine
www.ldame.org 207.465.7700 877.208.4029

Mental Health

National Alliance for the Mentally Ill in Maine (NAMI-ME)
www.nami.org 800.464.5767

Ingraham (Crisis Response Services)
www.ingraham.org 207.774.HELP 888.568.1112

Maine DHHS, Services for Children with Special Needs
www.maine.gov/dhhs/bds/children/home.html 207.287.4251

Parent Organizations

Maine Parent Federation/SPIN
www.mpf.org 800.870.7746

Southern Maine Parent Awareness
www.somepa.org 207.324.2337 800.564.9696

Gaining Empowerment Allows Results (G.E.A.R.)
www.gearparentnetwork.homestead.com/gearparentnetwork.html 800.264.9224

Parenting

Mainely Parents
www.mainelyparents.org 207.842.2984 800.249.5506

Parent Effectiveness in Resolving Conflict (PERC)
www.parentingteens.org 207.423.3763

Maine Kids-Kin
www.mainekids-kin.org 866.398.0896

Special Education

Center for Community Inclusion and Disability Studies

www.umaine.edu/cci 800.203.6957

Child Development Services (CDS)

www.maine.gov/education/speced/cds/index/html 207.624.6660

Maine Administrators for Services of Children with Disabilities (MADSEC)

www.madsec.org 207.626.3380

Maine Department of Education

www.maine.gov/education/speced/index.htm 207.624.6650

Recreation

Maine Handicapped Skiing

www.skimhs.org 207.824.2440 800.639.7770

National Theatre Workshop of the Handicapped

www.ntwh.org 207.338.6894

Special Olympics of Maine

www.specialolympicsmaine.org 207.879.0489

Therapeutic Horseback Riding

www.narha.org 207.685.3765

Very Special Arts of Maine

www.vsartsmaine.org 207.761.3861

Substance Abuse

Maine Office of Substance Abuse

www.maine.gov/dhhs/bds/osa 800.499.0027

Transition

ME Division of Vocational Rehabilitation

www.maine.gov/rehab TTY 800.633-0770 207.624.6660

Maine Transition Network 800.328.9549

Timelines

Special education/early intervention regulations set deadlines for various actions to be completed. The following are some of the most important.

The formal dispute resolution deadlines also appear in the final book of this Guide, *Dispute Resolution: When Things Aren't Going Well*.

*All days refer to calendar days, unless otherwise noted (ie school or business days). All timeframes begin and end with the **receipt** – not the sending — of the written request, response, notice, determination, etc.*

Please note that there are exceptions for many of the deadlines

ELIGIBILITY FOR CHILDREN BIRTH - 3

45 days for CDS, after receipt of a written referral, to determine eligibility and, if appropriate, implement an IFSP for children, age birth-3.

ELIGIBILITY FOR CHILDREN BIRTH 3 - 5

60 days for CDS, from receipt of consent to evaluate, to conduct evaluation and determine eligibility for a child, age 3-5.

ELIGIBILITY FOR CHILDREN BIRTH 5 - 20

45 school days for school, from receipt of initial consent to evaluate, to conduct evaluation and determine eligibility at an IEP meeting for children 5-20

REQUEST FOR STUDENT RECORDS

45 days for school to comply with parent request to inspect and review education records.

TRANSITION CONFERENCE

90 days before a child's 3rd birthday for a transition conference to be convened.

RESPOND TO WRITTEN REFERRAL

15 school days for school to respond to written referral, for a child 3-20 years of age, by providing parents a consent form for evaluation and/or convening an IEP meeting.

INDEPENDENT EDUCATIONAL EVALUATIONS

30 days for school district to respond to a request for an Independent Educational Evaluation (IEE).

IMPLEMENTATION OF INITIAL IEP

30 days for the student's IEP to be implemented after student is identified or for the team to convene to identify alternative service options.

ADVANCE WRITTEN NOTICE

7 days advance written notice of an IEP team meeting.

SCHOOL SEND IEP

21 school days after IEP is established for school to send parents a full copy of the IEP.

WRITTEN NOTICE

7 days prior to implementation of changes regarding identification, evaluation, programming, and/or placement for school to provide Written Notice documenting the decisions made by the IEP Team.

Dispute Resolution Deadlines

COMPLAINT TIME LIMITS

1 year to file a complaint with the state, unless the complaint involves compensatory services; in those cases, you have **3 years**.

DUE PROCESS HEARING

4 years to file a request for a due process hearing, unless information you had a right to know has been withheld or misrepresented.

COMPLAINT INVESTIGATION COMPLETED

60 days for a complaint investigation to be completed and a decision issued_(without extensions for mediation or extenuating circumstances).

HEARING REQUEST REACH A DECISION

75 days counting full 30-day resolution period, for due process hearing request to reach a decision (without extensions for extenuating circumstances).

RESPOND TO WRITTEN NOTICE

10 days for you to respond in writing to notice that your child's school or CDS site has filed a request for a due process hearing.

CHALLENGE THE SUFFICIENCY

15 days to challenge the sufficiency of a hearing request.

DISPUTE RESOLUTION

15 days from the date the SAU receives a due process hearing request, for a resolution session to be held; unless the parties waive the meeting or agree to use a mediation process.

RESPOND TO SUFFICIENCY CHALLENGE

5 days for hearing officer to respond to a sufficiency challenge

ATTEMPT TO RESOLVE ISSUE

30 days for school to attempt to resolve issue without a hearing.

REVOKE RESOLUTION MEETING AGREEMENT

3 business days after signing a resolution meeting agreement for either you or the school to revoke it

EXHIBITS SUBMITTED

5 business days before a due process hearing to have all exhibits submitted..

ISSUE A DECISION

15 days after a due process hearing for officer to issue a decision (unless there is an extension).

EXPEDITED HEARING

20 days for an expedited hearing to take place.

EXPEDITED HEARING DECISION

10 days for a hearing officer decision to be issued after an expedited hearing.

SCHOOL TO DOCUMENT

45 days after a hearing decision is issued for the school to document how it is meeting the ruling (or note if it is appealing), unless the compliance timeframe determined by the DOE is different.

APPEAL DUE PROCESS HEARING DETERMINATION

90 days from the date of the hearing decision for any party to appeal a due process hearing determination.

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