

Special Education

Oakland Schools Parent Handbook

For parents of a child with a disability



Prepared by:

Oakland Schools Special Education, Compliance Support Services
2111 Pontiac Lake Road, Waterford, MI 48328-2736

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www.oakland.k12.mi.us



OaklandSchools

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HOW TO OBTAIN SERVICES

If you think your child might qualify for Special Education services, call your school district. The number for the director or supervisor for Special Education programs and services in your district is listed below:

Public School Districts

Avondale	248.537.6015
Berkley.....	248.837.8050
Birmingham.....	248.203.3017
Bloomfield Hills	248.341.5415
Brandon.....	248.627.1855
Clarenceville.....	248.919.0290
Clarkston.....	248.623.8080
Clawson.....	248.655.4415
Farmington	248.489.3388
Ferndale	248.586.8611
Hazel Park.....	248.544.5343
Holly.....	248.328.3170
Huron Valley	248.684.8134
Lake Orion	248.693.5340
Lamphere.....	248.584.0168
Madison	248.399.7800
Novi.....	248.499.1200
Oak Park.....	248.336.7673
Oakland Schools.....	248.209.2533
Oxford.....	248.969.1884
Pontiac.....	248.451.7506
Rochester.....	248.726.3060
Royal Oak.....	248.435.8400
South Lyon	248.573.8220
Southfield.....	248.746.7650
Troy.....	248.823.5096
Walled Lake	248.956.2160
Waterford.....	248.682.3242
West Bloomfield.....	248.865.6470

Public School Academies

Academy of Southfield.....	248.557.6121
Academy of Waterford.....	248.647.1649
A.G.B.U. Alex and Marie Manoogian School.....	248.569.2988
Arts & Technology Academy of Pontiac.....	248.452.9309
Bradford Academy.....	248.351.0000
Crescent Academy.....	248.423.4581
Deer Trail Academy.....	810.229.5145
Dr. Joseph F. Pollack Academic Center for Excellence (PACE Academy)	248.569.1060
Faxon Language Immersion Academy	248.702.6272
Four Corners Montessori Academy	248.542.7001
Great Lakes Academy	248.334.6434
Holly Academy.....	248.634.5554
Jefferson International Academy	248.682.5000
Kingsbury Academy.....	248.628.5000
Laurus Academy	248.799.8401
Life Skills Center of Pontiac.....	248.322.1163
Michigan School for the Arts	248.338.2787
Momentum Academy.....	586.731.5300
Nexus Academy of Royal Oak	248.593.8440
Oakland FlexTech Academy.....	248.471.6799
Oakside Scholars Charter Academy.....	616.304.6601
Pontiac Academy for Excellence	248.745.9420
Taylor International Academy.....	248.354.1500
Walton Charter Academy	248.371.9300
Waterford Montessori Academy.....	248.674.2400
Sarah J. Webber Media Arts Academy	248.972.9100

Information in this handbook applies to students age three to twenty-six. Support for children age birth to three can be accessed through Early On Oakland.

[Early On Oakland](#)

248.209.2084

Dear Parents:

We invite you to become acquainted with the programs, people, and organizations available to help you and your child. This handbook was developed for parents of students with disabilities. It serves as one source of information about state and federal laws that have been written to protect the rights of students with disabilities. Copies of this handbook are available electronically on the Oakland Schools website.

<http://www.oakland.k12.mi.us/Departments/SpecialEducation>

Sincerely,

Kathleen Barker

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Dear Parents,

Welcome, on behalf of the Oakland Schools Parent Advisory Committee (PAC). As parents of children with different abilities, we form a supportive community to help each other navigate the journey through public education. One of the most useful resources we use on this journey is the Parent Handbook. This document has been collaboratively developed between the PAC and Oakland Schools and we hope it will prove useful to you. Please be sure to visit the Oakland Schools website for additional information about the PAC and Special Education. <http://www.oakland.k12.mi.us/Departments/SpecialEducation/ParentAdvisoryCommittee>

Kind Regards,

Ellen Hulverson

Ellen Hulverson
Oakland Schools PAC Executive Committee Chair - 2013/2014

Oakland Schools does not discriminate on the basis of sex, race, color, national origin, religion, height, weight, marital status, sexual orientation (subject to the limits of applicable law), age, genetic information, or disability in its programs, services, activities or employment opportunities. Inquiries related to employment discrimination should be directed to the Director of Human Resources at 248.209.2059, 2111 Pontiac Lake Road, Waterford, MI 48328-2736. For all other inquiries related to discrimination, contact the Director of Legal Affairs at 248.209.2062, 2111 Pontiac Lake Road, Waterford, MI 48328-2736.

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WHAT IS SPECIAL EDUCATION?

Special Education is specially designed instruction, at no cost to the parent, to meet the unique needs of a child with a disability.

WHY DOES MY CHILD NEED AN EVALUATION?

An evaluation helps answers these questions:

- Does the child have the characteristics of a disability or specific disability?
- How is the child currently performing in school?
- What are the child's educational needs?
- Does the child need Special Education and related services?
- What additions or modifications, if any, are needed to enable the child to meet annual goals in the Individualized Education Program (IEP) and participate, as appropriate, in the general curriculum?

WHAT ARE THE STEPS IN THE EVALUATION PROCESS?

Before a child is evaluated for the first time, the school must notify the parent and describe any evaluation the school proposes to conduct. The parent must give informed consent for the child to be evaluated. The process involves gathering and reviewing existing information on the child by an IEP Team. This includes consideration of current classroom assessments, observations, and information provided by parents and school staff.

HOW IS A CHILD EVALUATED FOR THE PRESENCE OF A DISABILITY?

The testing is done individually in the child's native language. Standardized tests must be used correctly and fairly and be administered by trained, knowledgeable personnel.

WHO DECIDES IF A CHILD IS ELIGIBLE FOR SERVICES?

After the evaluation has been completed, the IEP Team, consisting of qualified professionals, the parent and the child whenever appropriate, will decide if the child is eligible for Special Education service(s).

WHO IS A "CHILD WITH A DISABILITY?"

Any child age birth through age 25 who has not graduated with a regular high school diploma and, as the result of a comprehensive evaluation;

- Has the characteristics of a specific disability as defined in the Michigan Administrative Rules for Special Education. (See the Special Education categories listed on page 4 of this book.) and
- Needs Special Education and related services because of that disability.

WHAT HAPPENS AFTER A CHILD/ STUDENT IS FOUND ELIGIBLE?

Another role of the IEP Team is to develop the student's program or Individualized Education Program (IEP). As stated earlier, the IEP Team is comprised of the parents, school professionals, and the student, whenever appropriate. After the IEP is developed, the student begins to receive Special Education and related services as described in the IEP Team report.

WHAT IS AN INDIVIDUALIZED EDUCATION PROGRAM (IEP)?

An “Individualized Education Program” means a written plan for a student with a disability that spells out the Special Education and related services the student will receive. The IEP is developed at a meeting that is scheduled at a mutually agreeable time. The written document is a record of the IEP Team meeting. The IEP is reviewed and revised at least once a year.

WHAT IS INCLUDED IN THE IEP?

The requirements include:

- A statement of the student’s Present Level of Academic Achievement and Functional Performance
- A statement of measurable annual goals and short-term objectives that address:
 - How to help the student be involved in and make progress in the general curriculum (or appropriate activities, for preschool children)
 - How the student’s progress toward the annual goals will be measured, and
 - How the parents will be regularly informed of that progress
- A statement of how Special Education programs/services and supplementary aids will be provided to the student, and any accommodation, modifications or other supports for the school personnel
- The projected starting date for services as well as the duration, anticipated frequency, and location of where programs and services will be delivered
- An explanation of the student’s Least Restrictive Environment (LRE)
- A statement of any accommodations the student will need to take the state - and/or district-wide assessment tests. If the IEP Team determines that the test is not appropriate for the student, a different assessment will be used.
- A statement of transition services no later than the first IEP that is to be in effect when a student is 16. This may be considered in an IEP at age 13.

Minor changes to a current IEP are made through an addendum. Minor changes include, but are not limited to:

1. Adding, modifying, or deleting instructional goals and objectives
2. Modifying the amount of time in the current program
3. Adding, modifying or deleting related services or provisions related to supplementing aids/services assessment, or transportation.

WHAT IS LEAST RESTRICTIVE ENVIRONMENT (LRE)?

LRE looks at the setting in which the student receives an education. The law presumes that students with disabilities are most appropriately educated with their same-aged, non-disabled peers in the general education setting.

Attending special classes or separate schools, or removing students with disabilities from the general education classroom occurs only when the nature or severity of the disability prevents the student from achieving satisfactory progress even when supplementary aids and services are used.

WHAT IS A “FREE APPROPRIATE PUBLIC EDUCATION” (FAPE)?

FAPE means that education and related services are provided at public expense, under public supervision and direction, and without charge. The services provided must meet the standards of the Department of Education for all students and be designed to meet the student’s IEP goals and short-term objectives.

HOW DOES A PARENT PARTICIPATE IN THE DECISION-MAKING PROCESS?

Parents are encouraged to be meaningfully involved by providing input about their child in a variety of ways:

- Parents are equal members in decision-making meetings such as meetings that determine the identification, evaluation, educational placement, reporting of progress toward goals, Review of Existing Educational Data (REED), and the appropriate education of the student.
- Parents give consent for initial evaluations, initial placements and reevaluations.

CAN THE STUDENT BE INVOLVED IN THE IEP?

Students often provide valuable insights regarding their strengths and needs. When they are involved in determining their own goals and objectives, they are more committed to achieving them. When appropriate, each student has the option to be a part of the IEP Team process. Students can participate in their own annual transition planning by age 16, or younger as appropriate. Students who are age 17 are notified that their rights will be transferred to them upon reaching the age of majority (18). At age 18 both the student and parents are notified that the rights are transferred to the student, unless other legal decisions have been made.

WHAT ARE PROCEDURAL SAFEGUARDS?

They are legal safeguards that protect the rights of students with disabilities and their parents. They provide the information that parents need to make decisions about their student's education. They explain the procedures used to resolve disagreements between parties. The Procedural Safeguards in this book are from state rules and federal regulations. Sometimes they are difficult to understand. If you have any questions regarding them, please contact Oakland Schools, your local school district, or sources listed in this handbook.

WHAT TRANSPORTATION SERVICE DOES A DISTRICT PROVIDE FOR STUDENTS WITH AN IEP?

The same transportation services available to general education students are available to students with IEPs. In addition, specialized transportation services are provided by school districts if the IEP Team determines that the student needs those services to receive a Free Appropriate Public Education (FAPE). The school district's responsibilities related to transportation include furnishing any specialized services documented on a student's IEP (such as a lift bus or safety harness) and following appropriate safety, medical, and traffic rules and procedures.

WHAT ARE MY RESPONSIBILITIES RELATED TO TRANSPORTATION OF MY CHILD WITH AN IEP?

It is important for parents/guardians to read transportation policies and procedures provided by their district or transportation office and to discuss those policies with your son/daughter, when possible. Besides reinforcing safety rules, it is the responsibility of parents to assist their child to the bus if he/she cannot travel independently between the residence and the bus due to physical problems, immature development, or inaccessibility of the residence. Teamwork, communication, and cooperation between parents and schools are important in achieving safe transportation of students.

WHAT IF I HAVE A CONCERN ABOUT MY CHILD'S SPECIAL EDUCATION SERVICES?

For most students and families, standard Home-School Communication Methods such as progress reports, daily logs, e-mail, phone calls, IEP meetings and conferences provide ample and effective opportunity to address concerns that may arise. In some instances, however, other strategies may be necessary. You may choose to contact your teachers or ancillary staff in writing or by email if you believe your child needs different or additional services and supports. A parent can, at any time, request an IEP Meeting using a dated letter or email. In this instance, send an additional copy of your request to someone else on your IEP Team or in your district. Explain in detail the purpose for convening the IEPT meeting. There is no requirement to wait for the scheduled annual review.

If you still have a concern or need to bring additional attention to your concern, contacting the Special Education Supervisor or Director for your district or the school principal by phone, email, or dated written correspondence can be effective. You may also choose to contact Oakland Schools (the Intermediate School District for Oakland

County) for guidance or assistance. This can be done through the website (<http://www.oakland.k12.mi.us>), by phone (248.209.2314), by email or in writing. Services from Oakland Schools are free and can be very helpful.

For those occasions when a more prescribed means of addressing a concern might be needed, there are several options for families. You may choose to request a facilitated IEP Team meeting using a dated request form, email or a phone call. The trained facilitators are neutral and this service is free to families. A second option is to request the use of a local resolution process through a dated letter or email. Resolution processes are also free to families. A third option would be to request mediation using a dated request form, email or phone call. This process is free and a signed mediation agreement is enforceable in court.

RESOLUTION SESSION

The purpose of a resolution session is for parents to discuss their concerns with district staff so that the parties have an opportunity to resolve the dispute. The district shall convene a meeting with the parents and the relevant member(s) of the IEP Team who have specific knowledge of the facts identified in the complaint. The meeting shall: (1) occur within 15 calendar days of receiving notice of the parent's complaint; (2) include a representative of the agency who has decision-making authority on behalf of the agency; (3) not include an attorney of the district unless the parent is accompanied by an attorney; (4) be a meeting where the parents of the child discuss their complaint.

Please see **Special Education Informal Dispute Resolution Processes** for more information. A copy can be found at <http://www.oakland.k12.mi.us/Portals/0/SpecialEd/OaklandCountyParentsguidefordisputeresolution>

WHAT FORMAL WAYS EXIST TO RESOLVE DISPUTES OR MAKE A COMPLAINT?

Dispute resolution is available whenever a dispute arises with respect to Special Education. It includes, but is not limited to mediation, state complaint, due process complaint, and as part of the due process complaint procedures, a resolution session.

MEDIATION (page 15 of the MDE Procedural Safeguards Notice)

The MDE has established procedures to make mediation available to allow you and the school district to resolve disagreements including matters arising prior to the filing of a state complaint or a due process complaint. Thus, mediation is available to resolve disputes whether or not you have filed a due process complaint to request a due process hearing.

STATE COMPLAINTS and DUE PROCESS COMPLAINTS (page 17 of the MDE Procedural Safeguards Notice)

There are separate procedures for State complaints and for due process complaints and hearings. Any individual or organization may file a State complaint alleging a violation the requirement of IDEA by a school district, the MDE, or any other public agency. Only a parent or a school district may file a due process complaint on any matter relating to a proposal or a refusal to initiate or change the identification, evaluation or educational placement of a child with a disability, or the provision of a FAPE to the child. Staff of the MDE generally must resolve a State complaint within a 60-calendar-day timeline, unless the timeline is properly extended. An Administrative Law Judge (ALJ) must hear a due process complaint (if not resolved through a resolution meeting or through mediation) and issue a written decision within 45-calendar days after the end of the resolution period (described on page 24 of the MDE Procedural Safeguards Notice), the ALJ may grant a specific extension of the timeline at your request or the school district's request. The State complaint and due process complaint, resolution and hearing procedures are described more fully in the MDE Procedural Safeguards Notice. www.michigan.gov/documents/mde/May09-ProceduralSafeguardsNotice_278611_7.pdf

SCHOOL-BASED MEDICAID

Medically necessary services already provided by schools may be billed under the school-based Medicaid Program. Enrollment by a school district for billing to Medicaid is not expected to result in any change in your child's program or services elsewhere. Districts are responsible for obtaining parent consent prior to initiating billing the Medicaid school-based program.

NOTICE OF NONDISCRIMINATION POLICY

Oakland Schools does not discriminate on the basis of sex, race, color, national origin, religion, height, weight, marital status, sexual orientation (subject to the limits of applicable law), age, genetic information, or disability in its programs, services, activities or employment opportunities. Inquiries related to employment discrimination should be directed to the Director of Human Resources at 248.209.2059, 2111 Pontiac Lake Road, Waterford, MI 48328-2736. For all other inquiries related to discrimination, contact the Director of Legal Affairs at 248.209.2062, 2111 Pontiac Lake Road, Waterford, MI 48328-2736.

SPECIAL EDUCATION DISABILITY AREAS

Each district must provide or contract for appropriate Special Education programs and/or services for students identified as having:

- Autism Spectrum Disorder
- Cognitive Impairment
- Deaf-Blindness
- Early Childhood Developmental Delay
- Emotional Impairment
- Hearing Impairment
- Other Health Impairment
- Physical Impairment
- Severe Multiple Impairment
- Specific Learning Disability
- Speech and Language Impairment
- Traumatic Brain Injury
- Visual Impairment

Additional Information

Appendix A – [Procedural Safeguards \(MDE\)](#)

(for Procedural Safeguards in Arabic, Spanish or American Sign Language (ASL) [click here](#))

Appendix B – [Early On Oakland Community Guide](#)

Appendix C – [Transition: A Guide to the Process](#)

Appendix D – [Oakland County Guide to Community Resources](#)