

# The Super

# 6

# Guidebook

## Six Principles of IDEA

Contents developed by:  
Oklahoma State Department of Education  
Special Education Services  
In conjunction with the  
Oklahoma Parents Center, Inc.

Dear Parents and Guardians,

The Oklahoma State Department of Education's Special Education Services (OSDE-SES), along with the Oklahoma Parents Center, Inc. (OPC), Oklahoma's only Parent Training and Information Center (PTI), as authorized in Part D of the Individuals with Disabilities Education Act (IDEA), have developed The Super 6 Guidebook: The Six Principles of IDEA to help you understand your rights as the parent of a child who has been referred or identified as having a disability.

We realize that you are the best advocate for the lifelong needs of your child and care deeply about his or her education. Because your child has a disability, he or she may be eligible for special education services in school.

Special education laws and regulations are meant to protect students with disabilities to ensure that they receive the services and assistance necessary to make meaningful progress in their education programs. These protections, rights and opportunities will best help students with disabilities reach their full potential when parents, families and schools work together in partnership.

Oklahoma is committed to providing guidance and support to promote academic excellence for children with disabilities and their parents. OSDE-SES achieves this goal by sharing information and resources with families, schools, communities and agencies; fostering collaborative partnerships and providing timely and accurate technical assistance.

If you have questions, please contact your local school, the OSDE Special Education Services division or the Oklahoma Parents Center, Inc.

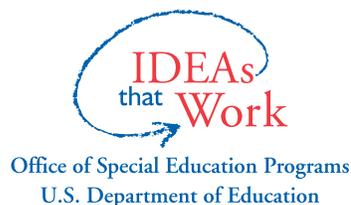
Oklahoma State Department of Education  
c/o Special Education Services  
Oliver Hodge Building  
2500 North Lincoln Boulevard  
Oklahoma City, OK 73105  
(405) 521-3351  
<http://www.ok.gov/sde/special-education>

Oklahoma Parents Center, Inc.  
223 North Broadway  
P.O. Box 512  
Holdenville, OK 74848  
(877) 553-4332 (toll free)  
(405) 379-6015  
<http://oklahomaparentscenter.org/>

We look forward to working with you to help your child learn, grow and achieve his or her highest potential.

Sincerely,  
Mark Sharp  
Executive Director, SoonerStart  
Oklahoma State Department of Education

Sharon Coppedge-Long  
Executive Director  
Oklahoma Parents Center, Inc.



The contents of this guidebook were developed, in part, under a grant from the U.S. Department of Education, #H328M100005. However, those contents do not necessarily represent the policy of the U.S. Department of Education, and you should not assume endorsement by the Federal Government. Project Officer, David Emenheiser.

This guidebook is funded, in part, by a contract with the Oklahoma State Department of Education (OSDE).

# INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA)

The Individuals with Disabilities Education Act (IDEA) is a law that ensures services to children with disabilities. IDEA governs how states and public agencies provide early intervention, special education and related services to eligible infants, toddlers, children and youth with disabilities.

According to Congress: “Disability is a natural part of the human experience and in no way diminishes the right of individuals to participate in or contribute to society. Improving educational results for children with disabilities is an essential element of our national policy of ensuring equality of opportunity, full participation, independent living and economic self-sufficiency for individuals with disabilities.”

## HOW DID IT ALL BEGIN?

On November 29, 1975, the passage of the Education for All Handicapped Children Act, now known as the Individuals with Disabilities Education Act (IDEA), guaranteed access to a free, appropriate public education (FAPE) in the least restrictive environment (LRE) to every child with a disability.

The current reauthorized Individuals with Disabilities Education Act (IDEA) was signed into law on December 3, 2004, by President George W. Bush.

Infants and toddlers with disabilities (birth-age 2) and their families receive early intervention services under IDEA Part C. Children and youth (ages 3-21) receive special education and related services under IDEA Part B.

## IDEA HAS FOUR DISTINCT SECTIONS: SECTIONS A, B, C AND D.

### PART A OF IDEA

Lays out the basic foundation for the rest of the Act.

### PART B OF IDEA

Lays out the educational guidelines for schoolchildren 3-21 years of age. IDEA provides financial support for state and local school districts. To receive funding, school districts must comply with 6 main principles set out by IDEA:

1. Every child with a disability is entitled to a free and appropriate public education (FAPE).
2. Children are entitled to an evaluation in all areas related to the suspected disability.
3. An Individualized Education Program (IEP) will be developed.
4. Educational services must be provided in the least restrictive environment (LRE).
5. Input of the child and his or her parents must be taken into account in the education process.
6. Parents have the right under IDEA to question their child’s program plan (due process).

## PART C OF IDEA

Provides guidelines concerning the funding and services to be provided to children from birth through 2 years of age.

## PART D OF IDEA

Describes national activities to improve the education of children with disabilities. These activities include grants to improve the education and transitional services provided to students with disabilities. In addition, this section provides resources to support programs, projects and activities which contribute positive results for children with disabilities (IDEA, 1997).

## EARLY INTERVENTION SERVICES (PART C)

Early intervention is a system of services that helps babies and toddlers with developmental delays or disabilities. Early intervention focuses on helping eligible babies and toddlers learn the basic and brand-new skills that typically develop during the first three years of life, such as:

- Physical (reaching, rolling, crawling, walking)
- Cognitive (thinking, learning, solving problems)
- Communication (talking, listening, understanding)
- Social/emotional (playing, feeling secure and happy)
- Self-help (eating, dressing)

Early intervention is intended for infants and toddlers who have a developmental delay or disability. Eligibility is determined by evaluating the child (with

parents' consent) to see if the child does, in fact, have a delay in development or a disability. Eligible children can receive early intervention services from birth through the third birthday.

In 1989, Oklahoma established the Oklahoma Early Intervention Act to provide further guidance for early intervention services to infants and toddlers with disabilities and their families. As a result of the Oklahoma Early Intervention Act, the SoonerStart Early Intervention Program (SoonerStart) was created to provide services to children from birth to 36 months of age.

SoonerStart uses the Operations Manual to provide SoonerStart staff and families with information and instruction regarding IDEA, Part C requirements and to establish standardized operating procedures for the SoonerStart program. This document, as well as many others, can be found at <http://ok.gov/sde/soonerstart-families>.

## FOR MORE INFORMATION

Parents who have questions about a topic regarding Early Intervention in Oklahoma are encouraged to contact SoonerStart.

Oklahoma State Department of Education  
c/o SoonerStart Early Intervention Program  
Oliver Hodge Building  
2500 North Lincoln Boulevard  
Oklahoma City, OK 73105

(405) 521-3351



## **SPECIAL EDUCATION SERVICES (PART B)**

Special education is instruction that is specially designed to meet the unique needs of children with disabilities.

Special education and related services are provided in public schools at no cost to families and can include special instruction in the classroom, at home, in hospitals or institutions or in other settings.

More than 5 million children ages 3 through 21 receive special education and related services each year in the United States. Each of these children receives instruction that is specially designed:

- To meet his or her unique needs resulting from a disability
- To help the child learn the information and skills that other children are learning in the general education curriculum

The Oklahoma State Department of Education (OSDE) publishes two important documents to assist in providing guidance and support:

- [Special Education Policies](#)
- [Special Education Handbook](#)

These documents, as well as many others, can be found on the Oklahoma State Department of Education's website at <http://ok.gov/sde/documents-forms>.

## **FOR MORE INFORMATION**

Families who have questions about a topic regarding special education in Oklahoma are encouraged to contact the OSDE-SES.

Oklahoma State Department of Education  
c/o Special Education Services  
Oliver Hodge Building  
2500 North Lincoln Boulevard  
Oklahoma City, OK 73105

(405) 521-3351

**The following pages contain information about the six main principles of the Individuals with Disabilities Education Act (IDEA) Part B, which provide the framework around which special education services are designed and provided to students with disabilities.**

# Free

## FREE AND PUBLIC EDUCATION

IDEA guarantees that each child with a disability, eligible for special education, will be entitled to a Free Appropriate Public Education (FAPE), even if the child is suspended or expelled.

### FREE

Requires that the education of each child with a disability must be provided at public expense. There is no cost to you, the parent or guardian. However, any incidental fees (such as membership fees for clubs) will be at the same cost for your child as for general education students.

### APPROPRIATE

Means that each child with a disability is entitled to an education that is “appropriate” for his or her needs. “Appropriate education” is determined on an individual basis and may not be the same for each child with a disability. Each child with a disability will be entitled to an education that is tailored and planned to meet his or her needs as stated in the child’s Individualized Education Program (IEP).

### PUBLIC

Refers to the public school system. Children with disabilities, regardless of the nature or severity of their disabilities, have the same right to attend public schools as their non-disabled peers. The public school system must educate students with disabilities, respond to their individual needs and help them plan for their future.

### EDUCATION

Guarantees that eligible children with disabilities will receive a public education that includes special education and related services as directed by the child’s Individualized Education Program (IEP), based on the child’s individual needs. The education should prepare the child for the future—further education, employment and independent living.

### WHAT A SCHOOL IS REQUIRED TO DO UNDER FAPE

- Provide special education and related services to students who need them. Services might include things like speech therapy or counseling.
- Provide these services at no charge to families.
- Tailor an Individualized Education Program (IEP) to meet a student’s needs.
- Educate students with disabilities in the least restrictive environment (LRE). This may mean spending most or all of the day in a general education classroom or spending that time in a special education classroom. Least restrictive environment is based upon the needs of the student.

### WHAT A SCHOOL IS NOT REQUIRED TO DO UNDER FAPE

- Provide services superior to the services students without disabilities receive.
- Provide a specific program or adjust the school setting because it’s your preference. You can make suggestions, but the final decision isn’t yours alone.
- Give a child with disabilities preferential treatment or guarantee a spot in an extracurricular activity. Schools have to provide the same treatment to all students.

# APPROPRIATE EVALUATION

All children with disabilities and who are in need of special education and related services are identified, located and evaluated.

## WHAT IS AN EVALUATION?

An evaluation is the process used to determine whether or not a child has a disability and needs special education and related services. The term evaluation is the process, not one test. The IDEA requires that a child must receive a comprehensive evaluation before special education services are provided by the local education agency (LEA), more commonly known as your school district. The evaluation is the first step in gathering detailed information to help the child learn.

**IDEA REQUIRES THAT EACH CHILD SUSPECTED OF HAVING A DISABILITY RECEIVE AN APPROPRIATE EVALUATION.**

A group of people, including you, the child's parent/guardian, will evaluate the child. The group will begin by looking at what is already known about the child. Then, the group will determine what information is still needed, and the team will work together to collect that information.

**If the team determines, based on the evaluation results, that a child is eligible for special education and related services, the next step is to develop an Individualized Education Program (IEP) to meet the child's needs.**

## EVALUATION "MUSTS"

1. The evaluation must be conducted in the child's native language or other means of communication (for example, Spanish, sign language, Braille, etc.).
2. Tests must be given in such a way that they do not discriminate against the child based on disability, racial heritage, cultural background or gender.
3. Those who test the child must be qualified examiner(s) and must give each test according to the instructions specific to that test.
4. Evaluation results must be used to decide if a child is a "child with a disability" and to determine what kind of educational program the child needs. These decisions cannot be made based on only one procedure (such as only one test).
5. The child must be evaluated in all areas of each suspected disability category.

# APPROPRIATE EVALUATION

All children with disabilities and who are in need of special education and related services are identified, located and evaluated.

## FREQUENTLY ASKED QUESTIONS

### 1. How do you request an evaluation?

As the child's parent/guardian, you must request the evaluation in writing (via U.S. mail or email) to the school. The school must respond to your request within a reasonable amount of time.

If the school is requesting the evaluation, it must notify you in writing (called prior written notice) that it would like to evaluate the child.

### 2. How long does it take to get an evaluation?

The initial evaluation must be done within 45 school days from when you give consent. This timeline can change if the parent/guardian repeatedly refuses or misses the evaluation.

### 3. How are evaluation results used?

After the child's evaluation is complete, you will meet with the school and evaluators to discuss all the test results and determine whether the child has a disability under IDEA. The school must provide you with a copy of the evaluation report and a written determination of eligibility.

### 4. When is a child reevaluated?

A child receiving special education services must be evaluated at least once every three years but no more than once every year, unless you and the school both agree that a reevaluation is needed to make educational decisions.

### 5. What if you disagree with the school's evaluation?

As parent/guardian, you have the right to request an independent educational evaluation (IEE) at public expense after the school's evaluation. An IEE is conducted by qualified examiners not employed by the school. The school must provide you with a list of names of possible examiners and administer the evaluation at no cost to you or your family.

If the school district refuses your request for an IEE at public expense, the district must initiate a due process hearing to show that its evaluation was appropriate.

# INDIVIDUALIZED EDUCATION PROGRAM

An individualized education program is developed, reviewed and revised for each child with a disability.

An Individualized Education Program (IEP) is a written statement of the educational program designed to meet a child's unique individual needs. The key word is *individualized*. In order to ensure that students with disabilities receive an appropriate and individualized education, IDEA requires that, after looking at current evaluation information, a team develops the IEP (see below for more information about the IEP team). The IEP process is a way for you and school staff to talk about the student's needs and to create a program to meet them.

## THE IEP HAS TWO GENERAL PURPOSES

1. To establish measurable annual goals for the child
2. To identify and state the special education, related services and supplementary aids and services that the school will provide for the child-

An IEP lays the groundwork for what the school day of a child with a disability will look like, including the services the school will use to help the student be successful in achieving meaningful IEP goals. The development of the IEP is, therefore, of great importance to educators, administrators and families.

**SPECIAL EDUCATION IS NOT A PLACE. IT IS A SERVICE!**

Special education services are designed without regard to where they happen. The educational program (what services are needed) is decided first; the placement or setting (where the services will be provided) is decided second.

IDEA contains clear language about:

- Who develops the IEP
- The information the IEP must contain

## WHO DEVELOPS THE IEP?

IDEA describes the IEP team as including:

- A parent/guardian. This can be a grandparent, step-parent or other relatives with whom the child lives or an individual who is legally responsible for the child's welfare.
- At least one regular education teacher. The regular education teacher knows the curriculum for a child's grade level and what children in regular education classes are typically expected to do.
- At least one special education teacher. This teacher has more training with issues that provide for students' unique needs, including supplementary aids and services, special accommodations and other aspects of individualizing instruction. The special education teacher has responsibility for working with or for the child to implement the IEP.

# INDIVIDUALIZED EDUCATION PROGRAM

An individualized education program is developed, reviewed and revised for each child with a disability.

- A representative of the public agency. The administrative representative is generally a principal or superintendent. This person must have the authority to commit the resources needed so that services can be provided as described in the IEP and will ensure those services are actually provided.
- An individual who can interpret the instructional implications of evaluation results. This person explains the evaluation results to the IEP team and describes how the team can use the results to provide appropriate instruction to the student. He or she may already be a member of the team, such as a special education teacher, or someone such as a school psychologist.
- Other individuals who have knowledge or special expertise regarding the child. You, as parent or guardian, and/or the school system can invite anyone you feel may have knowledge or special expertise about the child, such as a neighbor, babysitter, grandparent, advocate, etc.
- The child with a disability (when appropriate). IDEA requires that the child be invited to the IEP meeting if transition goals and services will be discussed. It is up to the family/guardian to determine when it is appropriate for a child to attend meetings.

**EACH IEP TEAM MEMBER IS AN EQUAL PARTNER IN DEVELOPING THE IEP.**

## WHAT INFORMATION IS REQUIRED IN THE IEP?

1. What the child can currently do. These are called present levels. This is both academic and functional information.
2. Measurable annual goals measure how much improvement the team expects over the course of the year. Goals must be meaningful and measurable.
3. How the student's progress toward meeting the goals will be measured and when reports will be issued to the family/guardian. This is more than a grade or report card that must be shared at least as often as peers are given reports on their grades.
4. The special education and related services to be provided and program modifications or supports for school staff. Related services are helpful tools for students that the school should identify in the IEP on the Related Services page. Related Services include but are not limited to speech therapy, occupational therapy, physical therapy, counseling services or others.
5. If the student is not in the general education classroom, a detailed explanation of why he or she is not included must be required.

# INDIVIDUALIZED EDUCATION PROGRAM

An individualized education program is developed, reviewed and revised for each child with a disability.

6. A list of any accommodations required on statewide assessments. If the student is taking an alternate assessment, the IEP must state why this option was chosen.
7. The start date, how often, where and how long the student will receive services and accommodations.
8. At the IEP meeting just before the student reaches age 16 or enters 9th grade (or younger if appropriate), transition goals, course of study, other agencies involved and coordinated activities to assist the student in meeting his or her transition are required. In some instances, transition services start earlier.

## HOW OFTEN SHOULD THE IEP TEAM MEET?

The IEP team should hold an annual meeting to take a look at the child's IEP and how he or she is progressing towards the goals set out in the IEP. At this meeting, the IEP team will talk about the child's present levels of educational performance, review the previous year's goals and progress and add new goals and measurements for the coming year.

**The IEP team can meet any time before an annual meeting if the parent or school has a concern about the child's educational plan.**

The parent will also receive information every three years about whether or not additional evaluations are needed. Again, the parent or school can request additional evaluations before the three-year reevaluation mark if any IEP team member believes more data is needed to support the child.

## WHAT SHOULD YOU AS PARENT/GUARDIAN DO DURING THE IEP MEETING?

- **Stay focused.** Use notes to keep the team on track. Make sure the focus is on the child's needs.
- **Ask questions.** If anything is not clear, ask for an explanation. Also, if there is a disagreement, request documentation that supports each member's point of view.
- **Be thorough.** Do not move away from one area until it fully addresses the child's needs. If an agreement cannot be made, add it to your list of concerns.
- **Keep emotions under control.** Remember, the purpose of the meeting is to outline the child's educational needs by developing an IEP that is appropriate.

**AN IEP IS THE ROAD MAP FOR HOW THE SCHOOL WILL EDUCATE THE CHILD!**

# LEAST RESTRICTIVE ENVIRONMENT (LRE)

Children with disabilities must be educated with their nondisabled peers as much as is appropriate using supplementary aids and services.

## WHAT DOES LRE REALLY MEAN?

To the maximum extent appropriate, children with disabilities are to be educated with children who are not disabled. However, it may be determined that the student cannot be educated satisfactorily in the general classroom, even with the provision of supplementary aids and services. The IEP team must then consider other placements outside the general classroom in order to provide FAPE for the child.

IDEA also requires that the child's placement:

1. Be determined at least annually
2. Be based on the child's IEP
3. Be as close as possible to the child's home

**LEAST RESTRICTIVE ENVIRONMENT IS BASED ON THE CHILD'S UNIQUE, INDIVIDUAL NEEDS.**

Least Restrictive Environment (LRE) means that:

- Any placement outside the general education classroom and the reason for that placement is justified by the child's individual disability-related need(s)

- Students must have meaningful access to same-age peers without disabilities
- Schools must provide supplementary aids and services in the general education classroom
- Supplementary aids and services can also support involvement in extracurricular and other activities to meet the disability needs of the student
- Funding cannot be the sole reason for a more or less restrictive placement

## WHO DECIDES WHAT PLACEMENT IS APPROPRIATE?

Placement is determined by you as the child's parent/guardian, personnel who understand placement options and individuals who understand the data used to create the IEP. Generally, this decision is made by the IEP team during the IEP annual meeting (for more on the annual meeting, see below).

## WHAT PLACEMENT OPTIONS ARE AVAILABLE?

Placement is not the same as location. Regardless of placement, the child will be given appropriate access to the general education curriculum, as determined by the IEP team.

# LEAST RESTRICTIVE ENVIRONMENT (LRE)

Children with disabilities must be educated with their nondisabled peers as much as is appropriate using supplementary aids and services.

Here are some examples of placement options:

- Full-time general classroom with support services
- Part-time special education/general education classroom
- Full-time special education classroom
- Special school (public or private)
- Home instruction
- Instruction in hospitals
- Instruction in institutions or residential facilities (correctional facility)
- Adapted and modified classwork and assignments
- Assistive technology, such as a text reader
- Extended time to complete an assignment or test
- Special seating in the classroom
- Differentiated instruction

## WHAT ARE SUPPLEMENTARY AIDS AND SUPPORT SERVICES?

The team is required to explore all aids needed to ensure that the student can receive a satisfactory education in the general education classroom. There is no specific list of supplementary aids and support services to choose from.

Below are examples of things that could be done to support the child, but if there are other supports not on this list that are a better fit for the child, they can and should be used.

## DOES LRE ONLY APPLY TO SCHOOLWORK?

**No!** Students with disabilities are to be given equal opportunity to participate in nonacademic social and extracurricular activities that are appropriate for them, such as: **lunch and recess, dances, sports (competitive and non-competitive), performing arts such as band and choral groups and student clubs and committees.**

**DISABILITY NEVER DRIVES PLACEMENT!**

# PARENT/GUARDIAN AND STUDENT PARTICIPATION IN DECISION-MAKING

**IDEA requires that parents/guardians (and students, as appropriate) have the opportunity to participate in each step of the Special Education process.**

One of IDEA's foundational principles is your right as parent/guardian to participate in educational decision-making regarding your child with a disability. The law is very specific about what school systems must do to ensure that you have the opportunity to participate if you choose. This principle reinforces the belief that the education of children with disabilities is made more effective by strengthening the role of the child's family in the special education process.

## **PARENTS KNOW THEIR CHILDREN BETTER THAN ANYONE ELSE.**

IDEA guarantees that you are given the opportunity to participate. The rest — whether to participate, how much to participate — is an individual decision that varies from family to family.

## **PARENT/GUARDIAN RIGHTS OF PARTICIPATION CAN BE SUMMARIZED AS FOLLOWS:**

1. You have the right to participate in meetings related to the evaluation, identification and educational placement of your child.

2. You have the right to participate in meetings related to the provision of a free appropriate public education (FAPE) for your child.
3. You are entitled to be members of any group that decides whether your child is a "child with a disability" and meets eligibility criteria for special education and related services.
4. You are entitled to be members of the team that develops, reviews and revises the Individualized Education Program (IEP) for your child.
5. You are entitled to be members of any group that makes placement decisions for your child.

If you cannot attend a meeting, the school must use other methods to ensure your participation, including individual or conference calls or video conferencing.

## **HOW DOES IDEA DEFINE THE WORD PARENT?**

1. A biological or adoptive parent of a child
2. A foster parent
3. A guardian



# PARENT/GUARDIAN AND STUDENT PARTICIPATION IN DECISION-MAKING

**IDEA requires that parents/guardians (and students, as appropriate) have the opportunity to participate in each step of the Special Education process.**

4. An individual acting in the place of a biological or adoptive parent (including a grandparent, step-parent or other relative) with whom the child lives or an individual who is legally responsible for the child's welfare
5. A surrogate parent who has been appointed
6. If a judicial decree or order identifies a specific person or persons to act as the "parent" of a child or to make educational decisions on behalf of a child, then such person or persons shall be determined to be the "parent" for purposes of this section.

**STUDENTS MUST BE INVITED TO ANY IEP MEETINGS IF TRANSITION SERVICES ARE TO BE DISCUSSED.**

When considering transition goals and services, IDEA requires that the child be invited to the meeting. Students are encouraged to advocate for themselves, and IDEA promotes this by stating that they are members of the IEP team, when appropriate. You, as parent/guardian decide when it is appropriate for the child to attend meetings.

# PROCEDURAL SAFEGUARDS

**These are special rules that ensure the rights of children with disabilities and their parents are protected and understood.**

The IDEA, as reauthorized in 2004, includes a section called Procedural Safeguards designed to protect the rights of parents/guardians and their children with a disability and, at the same time, give families and school systems several mechanisms by which to resolve their disputes.

**THESE ARE NOT THE ONLY PROCEDURAL SAFEGUARDS UNDER IDEA, BUT THEY ARE THE MOST RELEVANT TO THE MAJORITY OF PARENTS.**

1. Access to Educational Records – you have the right to see, request copies of and receive an explanation of any and everything that is in your child’s educational records.
2. Procedural Safeguards Notice – the school must provide you with a written explanation of all the procedural safeguards under federal and state laws. For a copy of the Oklahoma Parents Rights in Special Education: Notice of Procedural Safeguards, visit [ok.gov/sde/sites/ok.gov.sde/files/SpecEd-ParentsRights-English.pdf](http://ok.gov/sde/sites/ok.gov.sde/files/SpecEd-ParentsRights-English.pdf).
3. Prior Written Notice – The school system must inform you about any actions they are proposing to take or refusing to take. This includes notifying you of upcoming meetings far enough in advance to ensure you can attend and scheduling meetings at a mutually agreed-on time and place.
4. Understandable Language – the written notices you receive must be understandable by the general audience and be in your native language or other mode of communication used by you (including Braille, sign language, Spanish, etc.).
5. Confidentiality of Information – the school must protect your child’s confidentiality. This includes name, address, Social Security number, etc. There are some exceptions under the Family Educational Rights and Privacy Act (FERPA) located at [familypolicy.ed.gov/?src=fpc-faqs](http://familypolicy.ed.gov/?src=fpc-faqs).
6. “Stay Put” Rights allow your child to stay in the current placement while you and the school resolve a dispute via due process.
7. Resolving a Dispute – IDEA includes specific and formal ways to resolve conflicts.
  - Mediation – you and the school can communicate openly and respectfully about your differences as you try to reach an agreement with an impartial professional mediator. This process is free and voluntary. The decision-making power resides with the participants in mediation. For frequently asked questions about mediation, visit [ok.gov/sde/faqs/special-education-mediation](http://ok.gov/sde/faqs/special-education-mediation).

# PROCEDURAL SAFEGUARDS

**These are special rules that ensure the rights of children with disabilities and their parents are protected and understood.**

- Filing a State Complaint – this is a formal written letter or state complaint form you send to the Oklahoma State Department of Education Special Education Services (OSDE-SES) to report a violation or problem with a school. A state complaint can be completed by a parent/guardian, organization or individual, must describe the requirement of IDEA the school has violated, and must be signed. The decision-making power resides with the OSDE-SES. For the State Complaint Form, visit [ok.gov/sde/sites/ok.gov.sde/files/SpecEd-ComplaintReqState%20%28revised%29.pdf](http://ok.gov/sde/sites/ok.gov.sde/files/SpecEd-ComplaintReqState%20%28revised%29.pdf).
- Due Process is the most formal way of resolving disagreements between you and the school. To begin this process, you or the school must write a formal complaint. You have the right to issue a complaint if you believe the school is violating IDEA as it concerns your child. The decision-making power resides with the hearing officer. For a Due Process Complaint Form, visit [ok.gov/sde/sites/ok.gov.sde/files/SpecEd-DueProcess-Parent.pdf](http://ok.gov/sde/sites/ok.gov.sde/files/SpecEd-DueProcess-Parent.pdf).

Parents and schools will attend a due process hearing, which resembles a courtroom trial. Parents and the school will present arguments, witnesses and evidence to a hearing officer. Parties may represent themselves or be represented by attorneys at their own expense. There may be circumstances in which parents and/or the school would be deemed responsible to pay attorneys' fees for the other side. Any fees awarded are determined by a court of law, not the hearing officer. For frequently asked questions about due process, visit [ok.gov/abletech/Special\\_Education\\_Resolution\\_Center/DueprocessFAQ.html](http://ok.gov/abletech/Special_Education_Resolution_Center/DueprocessFAQ.html).

If either party is dissatisfied with the decision from the due process hearing, the party may file an appeal to the Oklahoma State Department of Education. An impartial appeal officer will be assigned to review the case.

Oklahoma State Department of Education Special Education Services (OSDE-SES), in collaboration with the Oklahoma Parents Center, Inc. (OPC), annually collects information regarding SoonerStart/ Early Intervention and schools' efforts to partner with you for the provision of special education and related services. To do this, the OSDE-SES and OPC invite you to complete a parent survey.

Your responses will help guide our state's efforts to improve services and results for children and families.

The surveys are a collaborative effort of the Oklahoma State Department of Education Special Education Services (OSDE-SES) and the Oklahoma Parents Center. The responses are collected in alignment with federal regulations and are reported collectively to districts, SoonerStart offices and the U.S. Dept. of Education. Districts and SoonerStart sites can use this information to improve parent and family engagement in service design and provision.

The survey consists of fewer than 15 questions and should take you about 10 minutes to complete. Your responses are entirely anonymous, unless you choose to share your contact information. None of the information that could be linked to you will ever be shared with SoonerStart, district or school personnel. Your participation is voluntary, and you can stop the survey at any time (though we really appreciate complete surveys!).

## HOW CAN YOU TAKE THE SURVEY?

### By telephone:

Call the OPC to answer the survey over the phone during business hours.

(877) 553-4332

### By mail:

To request a survey be mailed to you, call our toll-free line.

(877) 553-4332

### Online:

Visit our website and follow the survey link.

[OklahomaParentsCenter.org](http://OklahomaParentsCenter.org)

## WHAT IS THE OKLAHOMA PARENTS CENTER?

The Oklahoma Parents Center (OPC) is Oklahoma's only federally funded Parent Training and Information (PTI) Center. We are funded through the U.S. Department of Education Office of Special Education Programs (OSEP) and Oklahoma State Department of Education (OSDE). We have been providing services to Oklahoma families of children with disabilities, their teachers and other professionals since 2000. Our PTI staff is here to help you navigate the many special education procedures and provide you with the information and tools you need to be an informed and active participant in your child's education.

## WHAT SERVICES ARE OFFERED BY THE OPC?

- Toll-free parent info line at (877) 553-4332 for individual support
- Parent education workshops on topics related to special education
- A monthly e-newsletter
- A lending library
- Services and support to Spanish-speaking parents

Email us: [info@oklahomaparentscenter.org](mailto:info@oklahomaparentscenter.org)

For more information or to schedule a workshop, call us toll-free at (877) 553-4332.

