

2023



**PARENT INFORMATION SERIES**  
Special Education Services in Maryland:

# Special Education Process

Special Education  
Process

Parental Rights

Understanding  
the IEP

Secondary  
Transition



# INTRODUCTION

**A Family Guide To Special Education Services in Maryland** is part of **Maryland's Birth through 21 Parent Information Series**, a collection of publications designed to support families in the statewide special education system of services in Maryland. With this booklet, we wish to welcome you into a community of dedicated professionals, and guide you through a process created by federal and state law to support the success of your child and assist your family.



# TABLE OF CONTENTS

page 4

**Special Education Services**

---

page 5

**What is Special Education?**

---

page 6

**Maryland's IEP Process**

---

page 11

**A Checklist for Parents**

---

page 13

**What If I Have Questions or  
Need Help?**

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# Welcome to Special Education Services in Maryland

Parents play an important role in their child's education. This is especially true for parents of children who have disabilities. You know what your child enjoys doing and what they struggle with. You have a vision of what you think your child will do in the next year and once they finish school.

When your child has a disability and needs special education services it is important for you to learn about the special education process. You are your child's best advocate. When you understand the special education

process, it will help you to work effectively with your child's Individualized Education Program (IEP) team. This will help your child be successful in school and beyond. YOU are part of the team that makes decisions about your child's education. YOU have expertise and knowledge that your child's team needs.

This booklet gives an overview of the special education process in Maryland. It will also give you tips to understand your role in the process and how to prepare for your meetings.



## What the Law States

### What is the IDEA?

**The Individuals with Disabilities Education Act (IDEA) is a federal law ensuring services to eligible children with disabilities throughout the nation.** The IDEA governs how states and public agencies provide early intervention and special education and related services to more than 7.2 million eligible infants, toddlers, and children and youth with disabilities. The State of Maryland provides a seamless, comprehensive system of coordinated services for eligible children from birth through age 21 with disabilities.



# What is **Special Education**?

**Special education is specially designed instruction to meet your child's unique needs.** Special education is not a place or a class, it is a service. It may include related services like speech therapy, counseling, or physical therapy. It is provided at no cost to the family and can take place in a variety of settings. Every child who receives special education is entitled to a Free Appropriate Public Education, or FAPE. This means that services will be provided to your child free of charge. The services will be based on your child's specific needs. The goal is for your child to make progress in school and to be prepared for life beyond school.



## Child **Find**

Maryland school systems or local education agencies (LEAs) must look for, identify, and evaluate children, ages birth through 21, who need special education. This includes children who are:

- Home schooled;
- In private schools;
- Homeless;
- Migrant or highly mobile;
- Wards of the state; or
- Suspected of having a disability even though they are passing from grade to grade.



### **The role of the parent(s):**

Contact the special education director or Child Find office in your school system or LEA if your child is not enrolled in the public school system. If your child is in public school, you can contact the principal or your child's teacher.



# Maryland's IEP Process

## Parents have a role in every step

### Referral/Screening

If you think your child may have a disability you should ask for an Individualized Education Program (IEP) team meeting to talk about your concerns. It is best to make the request, in writing, to the school principal or teacher. A teacher may also make a referral if they have concerns.

The school will invite you to a meeting to discuss your concerns and review available information. The team will review classroom performance information, state assessments, county assessment results, information provided by you, and any other relevant information.

The outcomes of this meeting may be: (1) No suspicion of an educational disability; no action needed; (2) no suspicion of an educational disability right now, implement formal or informal interventions and review the data within a specified time period; (3) suspicion of an educational disability and additional information is needed; or (4) there is sufficient information to determine the presence of an educational disability.

Whatever the results of the meeting, you will receive a written explanation called Prior Written Notice (PWN) following the meeting and before any of the recommendations are implemented. You will also receive a document called your Procedural Safeguards to let you know your rights moving forward.

### The IEP Process



#### The role of the parent(s):

If you are not able to attend an IEP meeting tell the school as soon as possible to reschedule. There will be contact information on the invitation. At the meeting, share your concerns and any reports from doctors or others who may have given you information.



## The Meeting Invitation

You will receive an invitation at least 10 days before any IEP meeting. It will tell you the purpose of the meeting, who else has been invited and their role or job title. It will also include the time, date and where the meeting will be. Meetings should be collaboratively scheduled.

You will also receive a copy of any documents that will be talked about at the meeting at least 5 days before the meeting.

Tell the school as soon as possible if you can't be at the meeting and need it to be rescheduled. You can choose to attend the meeting virtually or by telephone if you can't be there in person.



## The IEP Team

### The IEP Team Core members include:

- Parents;
- A general education teacher of the child;
- A special education teacher of the child;
- An administrator or designee;
- An evaluator who can interpret the results of assessments;
- The student, if appropriate; and
- Other individuals who have knowledge regarding the student invited by the parents or Local Education Agency (LEA) or Public Agency (PA).

If there is no general educator of the student, a grade level teacher will attend if there is any possibility of the child being included with non-disabled peers.

## Evaluation and Assessment

If additional information is needed to determine the presence of an educational disability, the team will recommend assessments in all areas of suspected impact. School staff will use different types of assessments and information gathering strategies to understand your child's needs and strengths.

The team will look at:

- existing data and assessment results;
- information from you, the parent(s);
- classroom, statewide, and district assessments;
- classroom observations; and
- information from teachers.

They will assess in all areas of concern. This could include social emotional and behavior, academics, general cognitive testing, speech and language, and motor skills. The information gathered will help set a starting place for what your child is able to do if they qualify for services.

There will be another meeting within 60 days after receiving written consent for assessments to review the results and determine your child's eligibility for services. You will receive a copy of all assessments results and any documents that will be discussed at least 5 days before the meeting.



### **The role of the parent(s):**

You may be asked to complete surveys, check lists or other paperwork. Fill them out and send them back as soon as you can. Ask questions if needed, and follow the directions.

## What If I Disagree with the Evaluation?

If you disagree with the evaluation results, you can request an Independent Educational Evaluation (IEE) that is at public expense, or request mediation or a due process hearing to resolve your dispute.

An IEE is an evaluation completed by someone outside the school system. The school will either agree to your request for funding or say no and file for a Due Process Hearing within 30 days of receiving the request. You can also get an IEE at your own expense. The IEP team must consider all outside evaluations when making educational decisions about your child. See the Parental Rights booklet in this series for more information about your dispute resolution options.





## What are the Disability Categories for Special Education Eligibility?

- Autism
- Deaf-Blindness
- Developmental Delay
- Emotional Disability
- Hearing Impairment including deafness
- Intellectual Disability
- Multiple Disabilities
- Orthopedic Impairment
- Other Health Impairment
- Specific Learning Disability
- Speech Language Impairment
- Traumatic Brain Injury
- Visual Impairment

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## Implementation of the IEP

An IEP is like a contract. The terms must be honored; therefore, they must be clearly understood. It is critical that the team ensures that every part of the IEP is clearly defined, and every team member has the same understanding. Ask questions, make sure things are clear on the IEP document itself so that everyone has the same understanding.

The services and supports will begin as soon as possible after the IEP is finalized, but after you have a reasonable time to review and consider the proposals made by the team.

The school staff will work with your child on their goals and objectives. All of your child's teachers will be given information that is in the IEP, including any accommodations they must use in the classroom. School staff will collect data on progress toward the goals and objectives.

You will receive progress reports every quarter, or as stated in the IEP. If your child is not making progress, there must be an IEP meeting to talk about what changes to the IEP may be needed. It is possible that your child would need more or different supports, or that goals need to be adjusted.



### **The role of the parent(s):**

Ask school staff what you can do at home to help your child. Share concerns and celebrations with teachers. Ask for a meeting if you have new information, concerns or if your child is not making progress.

## Annual Review of the IEP

The IEP team must meet at least once each year to review your child's progress and revise the IEP. This is necessary to make sure that the IEP continues to meet your child's needs as they progress from grade to grade. IEP meetings can be held more often if parents or teachers ask for a meeting.

All documents to be discussed at the meeting will be sent home 5 days before the IEP meeting. If documents are not sent 5 days before the meeting you can request to postpone until you have had a chance to review them. A draft IEP may be sent home. Keep in mind that a draft IEP is a starting place for discussion. The drafts that are sent home can always be changed during the meeting.

It is important that you review the documents sent home, take notes about any questions you have. Be prepared to share what works for your child at home or during other activities that may help your child be successful in school. You may want to send your questions or recommendations to your child's case manager before the meeting so the team can be prepared to respond to them.

Make sure that you share your suggestions for revisions and clarifications or state any disagreements you may have with the final recommendations that the team makes. You are an equal, and very valuable member of the IEP team. Your voice and questions are important to the team and to the process.



### **The role of the parent(s):**

Reschedule if you cannot be at the meeting. Share concerns and successes with the team. Talk about what you notice at home related to school or homework, etc. Give input and make suggestions for changes. Review all documents sent home before and after the meeting.



### **The role of the parent(s):**

Share any new information and concerns with the rest of the team. Complete and return any paperwork, checklists, etc. sent home as part of the re-evaluation. Participate in all meetings. Give input, share concerns and opinions.

## Re-Evaluation

At least every 3 years the IEP team must decide if your child is still eligible for special education services. They will also want to be sure that they have the most current information about your child's needs and strengths. Parents and school staff can request testing sooner if there are any concerns or new information is needed.

The IEP team may decide that no additional information is needed to confirm your child's continued eligibility for services or determine their current levels of performance. The team may also decide that additional assessments are needed. If so, you will meet again within 90 days after you give permission for the assessments to be completed to discuss the results and revise the IEP, if needed.

Your child must be re-evaluated before your child can be dismissed from special education services. If the team determines that no additional information is needed to dismiss your child, you have the right to request assessments before they are dismissed.



## A Checklist for Parents

### Before the meeting

- Respond to the meeting invitation.
- Review all documents sent home.
- Create or update your vision for your child.
- Write down any questions or concerns you want to share at the meeting.
- Prepare your parental input (you can send before the meeting).
- Ask for an interpreter, if you need one.

### During the meeting

- Consider having your child participate in the meeting regardless of their age. It builds self-advocacy skills and helps the team understand your child better. Students ages 14 and over must be invited to their IEP meetings.
- Share your vision and input with the team.
- Ask questions and share your thoughts.

### After the meeting

- Review all documents sent after the meeting.
- Contact the IEP chair or your child's teacher if you don't receive documents within 5 days or if you have questions or concerns about the documents that are sent home.
- Keep track of how your child is doing with schoolwork and homework.
- Share any concerns with your child's teacher.
- Ask for an IEP meeting if needed. It is best to do this in writing or by email.

# Glossary of **Terms**

## **Assessment**

The specific tests given in all areas of concern as part of the evaluation. They help to identify your child's strengths and needs.

## **Child Find**

Activities which are required by law to be conducted in states and local jurisdictions to identify, locate, and evaluate children with disabilities who need special education and related services.

## **Consent**

Written agreement to proposed actions.

## **Evaluation**

The process of reviewing information from parents, existing classroom data, assessment results, etc. to determine if a child has a disability and needs special education and related services to meet their needs.

## **FAPE**

Every child who receives special education services is entitled to a Free Appropriate Public Education.

## **IDEA**

The Individuals with Disabilities Education Act. This is the nation's special education law.

## **IEP**

The Individualized Education Program. This is the document created by the IEP team. It describes the services, supports and specialized instruction that will be provided to your child. An IEP is created for each individual child based on their needs.

## **IEP team**

The group of people who make decisions about a child who needs special education services. Parents are important IEP team members.

## **LRE**

Least Restrictive Environment. Where your child's IEP can be met. In general, schools are required to educate children with disabilities with their non-disabled peers as much as possible.

## **Parent**

A biological or adoptive, parent, guardian, acting parent, or surrogate parent; this term does not include the State if the child is a ward of the State.

## **Placement**

Where your child will receive their special education services. Placement is decided after the goals and services are written.





# Timelines Related to the Special Education Process

WHAT	WHEN
Parent must receive IEP meeting invitation	10 Calendar Days before the IEP meeting
Parents must receive documents to be reviewed at IEP meeting	5 Business days before an IEP meeting
Parents must receive a finalized IEP or, if not finalized, a draft copy of the IEP	5 Business days after an IEP meeting
A meeting must be held to discuss evaluations to determine eligibility	Within 60 days after you have given written consent
An IEP must be developed after your child has been found eligible	Within 30 days after your child is found eligible for special education
An IEP must be implemented	As soon as possible
Progress must be reported	At least Quarterly and as stated in your child's IEP
The IEP must be reviewed and updated (Annual Review Meeting)	At least once a year
The IEP team must consider the need for re-evaluations	At least every 3 years, unless the team decides no new information is needed
Results of re-evaluations must be reviewed, and IEP revised if necessary	Within 90 Calendar days after you give written consent for assessments
The school system must respond to a request for an Independent Educational Evaluation (IEE)	30 Calendar days after receiving the request



## What if I Have Questions or Need Help?

### LOCAL FAMILY SUPPORT SERVICES COORDINATORS

LOCAL EDUCATION AGENCIES	AGES BIRTH TO 5	AGES 5 TO 21
Allegany	240-920-6829	240-920-6829
Anne Arundel	410-562-6303	410-424-3258
Baltimore City	410-396-1666	443-642-3848
Baltimore County	443-809-9696	443-809-5443
Calvert	443-550-8406	443-550-8375
Caroline	410-479-3609	410-479-3609
Carroll	410-751-3955	410-751-3955
Cecil	410-996-5637	410-996-5637
Charles	301-934-7456	301-934-7456
Dorchester	410-901-6915	410-901-6915
Frederick	240-578-1244	240-236-8744
Garrett	301-553-0240, x2	301-914-1351
Harford	410-273-5579	410-273-5579
Howard	410-313-7161	410-313-7161
Kent	410-778-5708	410-778-5708
Montgomery	240-777-4809	240-753-9487
Prince George's	240-521-5054	301-431-5675
Queen Anne's	410-556-6103, x10	410-758-2403, x135
Somerset	410-651-1616, x11385	410-651-1616, x11385
St. Mary's	301-475-5511, x32218	240-309-4113
Talbot	410-822-0330	410-822-0330
Washington	301-766-8221	301-766-8221
Wicomico	410-677-5250	410-677-5250
Worcester	410-632-5234	410-632-5234
Maryland School for the Blind	410-444-5000, x1489	
Maryland School for the Deaf	443-277-8899	
Maryland State Department of Education	410-767-0255	

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