

Definitions & Questions about Services: Special Education & Other Services

Special Education

What is special education?

Special education services are provided to children and young people who require accommodations or additional supports to succeed in school. The Individuals with Disabilities Education Act (IDEA) mandate special education (a “free and appropriate education”) at the federal level. IDEA includes provisions for state’s special education services for young people ages birth through twenty-one.

For more information on special education: <http://nichcy.org/schoolage>

For more information on IDEA: <http://www.wrightslaw.com/idea/index.htm>

Who qualifies for special education?

The federal special education law, IDEA, includes disability terms and definitions that guide how States define disability and who is eligible for a “free appropriate public education” under special education law. It is important to remember that in order to meet the definition and be eligible for special education, a child’s educational performance must be adversely affected due to the disability.

The term “adversely affects educational performance” does not mean that a child has to be failing in school to receive special education and related services. According to IDEA, states must make a free appropriate public education available to “any individual child with a disability who needs special education and related services, even if the child has not failed or been retained in a course or grade, and is advancing from grade to grade.”
[§300.101(c)(1)]

For more information: <http://nichcy.org/disability/categories>

Does receiving special education services automatically mean that the child will receive other kinds of public disability services (i.e. outside of school)?

Not necessarily. Because IDEA deals only with educational performance, eligibility for special education services may not mean that a child is also eligible for other types of supports (for example, continuing services as an adult, special transportation, or employment accommodations). Thus, it is important to not assume that a child who has received or is receiving special education services is “being taken care of” by other systems of care.

What is an IEP?

An IEP is an Individualized Education Plan. IDEA mandates that every child who receives special education services have an IEP in place. It is a written document that contains the child's educational goals for the year and the educational program and program supports that are needed for the child to reach those goals. Thus, the IEP both sets goals for the student and states the services the school district will provide to achieve those goals.

Writing IEPs should be a joint activity between the child's teacher (or teachers), the child's family (biological and foster, if appropriate), and other key support staff, from the school and from other systems that the child is involved with, including child welfare.

For more information visit: <http://nichcy.org/schoolage/iep/overview>

Who has to be at an IEP meeting? Who should be?

According to IDEA, the following individuals are required to attend an IEP meeting:

- the parents of the child;
- not less than one regular education teacher of the child (if the child is, or may be, participating in the regular education environment);
- not less than one special education teacher of the child, or where appropriate, not less than one special education provider of the child;
- a representative of the public agency who is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities; is knowledgeable about the general education curriculum; and is knowledgeable about the availability of resources of the public agency;
- an individual who can interpret the instructional implications of evaluation results;
- other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate (invited at the discretion of the parent or the agency); and
- the child with a disability (when appropriate). (IDEA (at §300.321)

For a child who is involved with child welfare services, it is important to include representatives from all the areas of the child's life. These may include both biological and foster parents, child welfare case workers, and any other stakeholders who will play a role in the implementation of the IEP's action steps and goals.

For more information visit: http://dredf.org/special_education/

What are some examples of special education services?

Needless to say there are many, many examples of special education services. Some services are delivered to ensure that the student can remain integrated into the general education ("mainstream") curriculum, for example, adapting instruction or assignments to accommodate a child's learning. Some students may need to receive their instruction

separately from the general education classroom, for either some or all of the day. Other types of services are delivered outside of class time, such as speech therapy or social work services, or mobility assistance. Still other services are supplemental to the educational curriculum, such as tutoring, or using assistive technologies, such as audio recordings of required texts. As well, students who receive special education services may qualify for accommodations when they are taking district-wide or state-wide assessment tests. Finally, teachers and school staff may receive training and or other support so that they are better able to tailor their methods to meet the needs of students with disabilities.

For more information: <http://nichcy.org/schoolage/accommodations#part2>

Disabilities and Disability Services Other than Special Education

How prevalent are disabilities in the general population? How prevalent are children with disabilities in the child welfare system? What about parents with disabilities?

The prevalence of people with disabilities in the general population, according to the U.S. Census is about 12% of the total population, regardless of age, ethnicity, or gender.

Although numbers vary, it is clear that children with disabilities are involved in the child welfare system in numbers that are disproportionate to their number in the general population. For example, research has found that children with disabilities are between 1.7 and 3.4 times more likely to experience maltreatment than their peers without disabilities (Crosse, Kaye, & Ratnofsky, 1992; Sullivan & Knutsen, 2000). Other research has found that children with disabilities are about 2 times more likely to be in out-of-home placement than their peers without disabilities (Lightfoot, Hill, & LaLiberte, 2011).

The number of parents with disabilities involved in the child welfare system is also not well documented. However, anecdotal evidence and what research there is available indicates that parents with disabilities are involved with the child welfare system in numbers that are disproportionate to their presence in the general population (Lightfoot, LaLiberte, & Hill, 2010).

For more information on parents & children with disabilities in child welfare visit: <http://www.cehd.umn.edu/ssw/cascw/research/Disabilities/>

For more information on parents with disabilities in child welfare visit: <http://www.lookingglass.org/home>

For more information on children with disabilities in child welfare visit: <https://www.childwelfare.gov/outofhome/casework/children/disabilities.cfm>

What are disability services? What do they include?

Public services for people with disabilities are available from a variety of sources and for a wide range of purposes. They include special education, employment training and supports, medical services, mental health services, financial supports, assisted living and housing, transportation, and civil rights protections.

Private and nonprofit services and supports also exist, and also provide a wide array of services. Some of the best-known disability services agencies include the ARC, Goodwill Industries, Special Olympics, Centers for Independent Living, and Disability Law Centers.

Good sources for more information about disability services include

- PACER: <http://www.pacer.org/>
- The ARC: <http://www.thearc.org/>
- National Council on Disabilities: <http://www.ncd.gov/>
- American Association of People with Disabilities: <http://www.aapd.com/>

Disability Services for Children

Many of the disability services that children receive are through the school system and, therefore, fall under the jurisdiction of special education. However, other areas where children with disabilities may receive services or supports include:

- [Early Intervention Services](#)
- [Special Health Care Needs](#)
- [Assistive and Adaptive technology](#)
- [Mental health services](#)
- [Financial assistance](#)

Disability Services for Adults

Disability services for adults encompass a wide range of services and supports. Some disability services are provided by public (government) agencies, others through nonprofit and private entities. Some places to start if you are looking for more information about services and supports for adults with disabilities:

- [Centers for Independent Living](#)
- [Federal disability agencies and programs](#)
- [Disability.Gov](#): Clearinghouse of disability information maintained by the federal government. Includes links and information on national, state, and local resources.
- [Through the Looking Glass \(National Center for Parents with Disabilities\)](#)
- [Minnesota Disability Law Center](#)