

# The Parent's Guide to Special Education in Missouri



**July 2017**

**Making decisions about a student's education is very important. We hope this guide is helpful to everyone who is involved with the education of students with disabilities and will foster a true partnership between parents and educators.**

This document was developed by the Compliance Section of the Office of Special Education (OSE) in the Missouri Department of Elementary and Secondary Education (DESE) in collaboration with the Missouri Parents Act (MPACT).

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MPACT is the Missouri Parent Training Center funded through IDEA and the parent partner of the OSE at DESE. Additional resources related to special education, parent support, and parent training are available from MPACT on their website [www.missouriparentsact.org](http://www.missouriparentsact.org), via email at [info@missouriparentsact.org](mailto:info@missouriparentsact.org), or by phone at 800-743-7634.

This document is provided as a guide for the provision of special education and related services. If any portion of this document conflicts with law or regulation, the law or regulation takes precedence.

Please contact us if you have questions about information contained within this guide:

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# Introduction

Children with disabilities have a right to a free appropriate public education (FAPE). Children differ in mental abilities, sensory development, physical traits, emotional or social behaviors, or communication skills. Some may require modification to their school program or special education and related services in order to benefit from their schooling.

Congress recognized that children with disabilities have special needs and passed what is now called the Individuals with Disabilities Education Act (IDEA) in 1975. That law provided that children with disabilities must receive a free appropriate public education (FAPE) in the least restrictive environment (LRE). The law has since been reauthorized six times and this booklet reflects the latest changes made by Congress in 2004.

Missouri House Bill 474 was originally passed in 1973 authorizing special education. Later legislation made it the law of the state to provide special education services, sufficient to meet the needs of all children with eligible disabilities, from the child's third birthday to age 21, at no cost to the parent. The Missouri State Plan for Special Education contains all regulations that must be followed by all public school districts and other responsible agencies in the provision of special education services.

This guide was developed to provide information concerning your rights and responsibilities as the parent of a child with a disability as defined in the Missouri State Plan for Special Education. For more information on these rights, ask your school district for a copy of the Procedural Safeguards Notice for children and parents or access them at <https://dese.mo.gov/special-education/compliance/procedural-safeguards>.

**Almost 30 years of research and experience has demonstrated that the education of children with disabilities can be made more effective by strengthening the role and responsibility of parents and ensuring that families of such children have meaningful opportunities to participate in the education of their children at school and at home.**

**IDEA 2004**



## Effective and Informed Parents

Parents are their children's first teacher and the only lifelong advocate for their child. You are an expert on your child. You observe your child in all of the various environments in which he or she functions over the span of his or her childhood.

Parents and educators work as partners to determine the most appropriate education for each child when a child is eligible for special education services. For parents to be effective partners on this team, they must know the special education process. Research has shown that parents' participation in their child's education is important to the child. Your involvement makes a difference. This guide is based on federal regulations under Part B and Part C of IDEA and their implementation through the Missouri State plans for special education. The purpose of this guide is to help you understand special education in Missouri for children ages 3 to 21.

The Missouri State Plan for Special Education under Part B of IDEA specifies the process that all school districts are required to follow in identifying, evaluating, and serving all children with disabilities who live in the school district. This guide gives you information on the steps in this process and resources for more information and assistance. The guide is a first step on the path to becoming an informed, effective parent to benefit your child's education.

Schools and parents should keep in mind that partnering together leads to significant results for children. Schools cannot do it alone. Parents need to find ways to get involved in their child's learning. Opportunities for learning are abundant in everyday life. As stated earlier, the attitude of the parent about school and learning is the most important element to a child's school success. Studies show that when parents are visible in the school building, their child does even better.

Ask your school about ways you can assist your child at home in different subject areas. Find ways that you can volunteer at the school, even if you cannot during the school day. Most importantly, hold high expectations for your child and insist everyone else do the same. When your child receives special education services encourage him or her to exceed expectations. All children are capable of learning and being successful. Parents and schools, working together, can ensure the success of all children.

**The research is abundantly clear; nothing motivates a child more than when learning is valued by schools and families and community working together in partnership.**

**Michael Fullan (1997)**



# How Special Education Works in Missouri

Special education and related services are support services for children with disabilities. In order for a student to be eligible for special education and related services, the child must first be determined to have a disability and need specialized instruction. Once eligibility is determined, an Individualized Education Program (IEP) is developed and special education and related services can begin. This chapter and the flowchart on page 8 give a very brief overview of the steps in the special education process.



**Child Find:** School districts must identify, locate, and evaluate all children with disabilities residing in the district, including children who are homeless or are wards of the state, and children with disabilities attending private or parochial school who are in need of special education and related services. To accomplish this task, school districts conduct “Child Find” activities such as notices in local newspapers and on their district website, public notices on local radio and television stations, placing posters in school offices, or sending written information to parents.



**Request for Initial Evaluation and Referral:** School district personnel (i.e. teacher, counselor, principal) may request that a child be evaluated to determine if the child is a child with a disability and the educational needs of the child. Parents can also request that their child be evaluated. While this request can be verbal or written, it is recommended that parents make their request in writing.

The school district has 30 days to consider this request and determine if a disability is suspected. If no disability is suspected, the school district will provide the parent with a Notice of Action explaining the rationale for refusing to conduct an evaluation. If a disability is suspected, the school district will proceed to conduct a review of existing data.



**Review of Existing Data:** The review of existing data is conducted by a team of individuals that meet the requirements of an IEP team, including the parent and other professionals as appropriate. The review of existing data may be conducted in a meeting or by conferring with the members of the team. Current information is gathered in the areas of health, motor skills, vision/hearing, speech/language, cognitive skills, adaptive behavior, academic skills, social/emotional behavioral, post-secondary transition, and assistive technology needs. The team reviews all of this data and determines what additional data is needed, if any, in order to make an eligibility determination. The parent is then provided a Notice of Action proposing to conduct this evaluation and describing the evaluation in all areas related to the child’s disability. This Notice of Action must be provided no later than 30 days from the date of the parent request for the initial evaluation. The 30 day timeline to provide this Notice of Action may be extended for acceptable reasons such as snow days, child illness, summer breaks, or school holidays.



**Evaluation:** The Notice of Action informs the parent of the school district’s proposal to conduct an evaluation to determine if the child is eligible for special education. The evaluation proposed must be broad enough to identify all of your child’s special education needs and the results of the evaluation must be a true reflection of your child’s abilities.

Written consent is required from parents before their child can be tested as part of this evaluation. Testing must be completed and a meeting held with the parents within 60 calendar days of receiving the parent’s informed written consent. Evaluation timelines may be extended for acceptable reasons such as snow days, child illness, summer breaks, or school holidays.

The evaluation results, including input from the child’s teachers and information provided by the parents, are used to decide the child’s eligibility for special education and related services as well as to make decisions about an appropriate educational program for the child. If the parents disagree with the results or conclusions of any part of the evaluation, they have the right to request an Independent Educational Evaluation (IEE) at public expense. The parents of the child can request one IEE each time they disagree with the school district’s evaluation.



**Eligibility Determination:** A team of qualified professionals and the parents meet within 60 days of the date the parent provided consent for the special education evaluation to review the evaluation results. Eligibility has two components

- The child is a “child with a disability” as defined by the Missouri State Plan for Special Education.
- The child must have a need for special education and related services.

If the team cannot agree on your child’s eligibility, the district must make the final decision about the child’s eligibility. The school district must provide the parent with a Notice of Action describing the eligibility determination and the rationale for the decision. A copy of an Evaluation Report containing the evaluation results and eligibility determination must be provided to the parent within a reasonable amount of time, generally not more than 20 days after the meeting. Parents may challenge the eligibility decision through a due process hearing. For more information, read about due process in “Resolving Disputes” in this guide or at the DESE website at <https://dese.mo.gov/special-education/due-processchild-complaint>.



**The Individualized Education Program (IEP):** If your child is determined eligible for special education under one of the categories as defined by IDEA and the Missouri State Plan, the IEP team must meet within 30 calendar days after the eligibility determination to develop an IEP based on your child’s unique needs. Children coming from First Steps must have eligibility determined and, if eligible, an IEP in place by the child’s third birthday so long as the child was referred to First Steps greater than 90 days prior to their third birthday.

### **IEP Team Meeting Notification**

School personnel will schedule the IEP meeting and must invite all participants, including the parents. Parents must be notified of the meeting early enough to ensure they will have an opportunity to attend. The IEP meeting notification must state the purpose of the meeting, who will be in attendance as well as include the date, time, and location of the meeting.

The meeting notification must also indicate that either the parent or the school district may invite individuals to the meeting that they believe have knowledge or special expertise regarding the child. The determination of that individual's knowledge or special expertise is made by the parent or the district that invited the individual to be a member of the IEP team.

For the initial IEP for children who participated in First Steps, an invitation to the First Steps service coordinator or the First Steps representative will be sent at the parent's request. For the IEP that is to be in effect by the child's sixteenth birthday, the IEP meeting notice must also include

- The purpose of the meeting is the consideration of the postsecondary goals and transition services for the student.
- An invitation to the student.
- Identification of any agency representatives that have been invited.

The IEP meeting is to be scheduled at a mutually agreed upon time and place. If the parent cannot attend the IEP meeting, the district shall attempt to reschedule the meeting and/or use other methods that ensure parent participation, including individual or teleconference calls. If the district is unable to gain parent participation after attempting to schedule two separate meetings, they may proceed to hold the IEP team meeting without the parent.

### **IEP Team Meeting Participants**

School personnel team members may serve in more than one role. Some school district team members may be excused from IEP team meetings with written agreement from the parent and the district when the area of curriculum or related services is not being modified or discussed in the meeting. When the meeting involves a modification to or discussion of the member's area of curriculum or related services, the parent and district must consent to the excusal and the member must submit written input to the parent and the IEP team prior to the meeting.

### **The IEP Team Includes**

- The parents of the child.
- Not less than one general education teacher of the child.
- Not less than one special education teacher of the child.
- A representative of the school district.
- Not less than one individual who can interpret instructional needs identified in the evaluation process.
- Other individuals who have knowledge or special expertise about the child, invited by either the parent or the agency. Knowledge or special expertise of the child is determined by the party who invited the individual to be a member of the IEP team.
- The child, whenever appropriate.

### **The IEP Team Meeting**

At the meeting, the IEP team will talk about your child's unique educational needs, develop measurable annual goals, identify what services need to be provided in order for your child to achieve the goals, and then determine the appropriate placement to provide those services as close as possible to your child's home.

When determining placement, the IEP team must consider whether your child can achieve satisfactorily in the general classroom with the use of supplementary aids and services and, if not, then how your child is being integrated to the maximum extent appropriate.

The school district will provide the parent with a Notice of Action describing the decisions made at the IEP team meeting and the rationale for making each decision. Before the school district may provide special education and related services to your child for the first time, the parents must give informed written consent for those services. The child begins to receive services as soon as possible after informed written consent is given by the parent and received by the school district.

The school district must implement the IEP as it was written as soon as possible after the IEP meeting. Parents must be given a copy of the IEP within a reasonable amount of time following the IEP team meeting, generally no more than 20 days from the date of the meeting. Each of your child's teachers and service providers have access to the IEP and know his or her specific responsibilities for carrying out the IEP, including all accommodations, modifications, and supports that must be provided to your child. The IEP is a tool for you and the district to ensure your child receives a free appropriate public education (FAPE).

If the parents do not agree with the IEP and/or placement, they should discuss their concerns with the IEP team at an IEP meeting. If parent concerns cannot be resolved, DESE will make a neutral trained IEP facilitator or mediator available at no cost to assist in resolving disputes if both the parents and district agree to participate in the facilitated IEP meeting or mediation. For more information, see IEP Facilitation and Mediation in the "Resolving Disputes" section of this publication.

### **IEP Goal Progress Reporting**

Your child's IEP will include a statement describing how your child's progress toward the IEP annual goals will be measured and when periodic reports on your child's progress toward meeting annual goals will be provided to you.

### **IEP Amendments**

Changes to the IEP may be made by amending the IEP rather than by redrafting the entire IEP. An IEP amendment can be made by either the entire IEP team at an IEP meeting or by mutual agreement between the parent and school district staff. If the amendment is made without a meeting, then both the parent and the district must agree to the changes to be made to the IEP. If changes to the IEP are made, it is the district's responsibility to ensure that all IEP team members are informed of the changes. Upon request, a parent shall be provided with a revised copy of the IEP that includes the amendments.

## **The Annual IEP Review**

The IEP team must review and revise, as needed, your child's IEP at least once a year to determine whether the annual goals are being achieved. The IEP may be reviewed and revised more often if the parents or school personnel ask for a review.

The IEP review addresses any lack of expected progress toward the child's annual goals or in the general education curriculum; the results of any reevaluation; information about the child provided to or by the parents; the child's anticipated needs; or other matters. Parents can make suggestions for changes, can agree or disagree with the IEP goals and services, and agree or disagree with the placement. Parents should discuss their concerns at the IEP meeting with other members of the IEP team and try to work out an agreement. The school district must provide the parent with prior written notice of any proposal or refusal to change the identification, evaluation, educational placement, or provision of a free appropriate public education (FAPE) as a result of the IEP team meeting.

If parents agree with the IEP and/or the services and/or placement described in the Notice of Action, they may waive the 10 day waiting period and allow the change to take place immediately. If parents do not agree with the IEP and/or the services and/or placement described in the Notice of Action, they must file due process within 10 days of the date of the Notice of Action to keep the proposed change from taking effect.



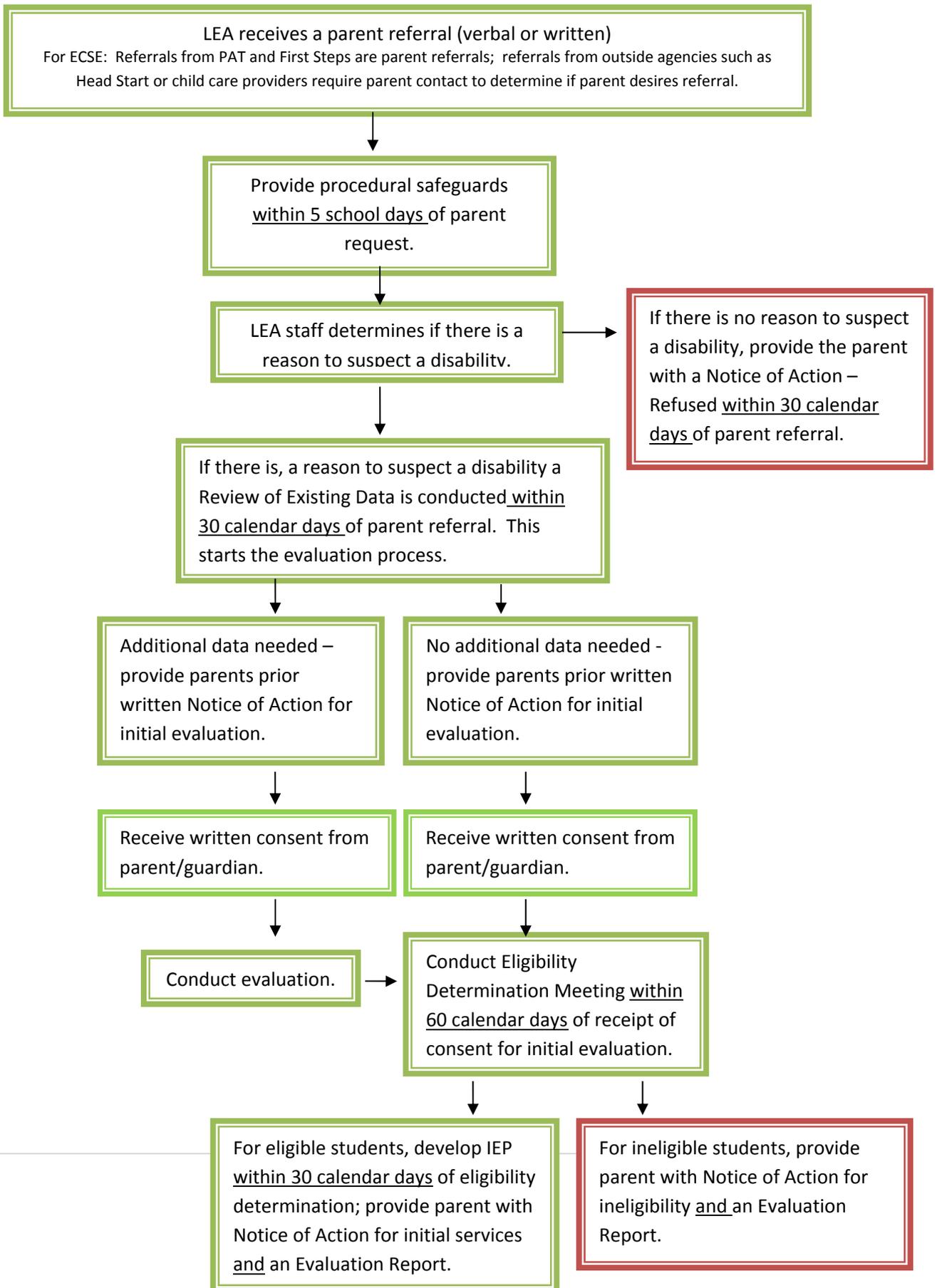
**Reevaluation:** At least once every three years your child will be reevaluated to determine continued eligibility for special education. This reevaluation may or may not include actual testing of your child. The IEP team may agree that your child still qualifies as a child with a disability following a review of existing data. If you believe additional testing is necessary in order to help determine your child's educational needs or continued eligibility, you should document this request in writing to your child's IEP team.

**There needs to be a lot more emphasis on what a child can do  
instead of what he cannot do.**

**Temple Grandin**



## Initial Evaluation Process – PARENT REFERRAL Flow Chart



# **The Evaluation Process**

## **Request for a Special Education Evaluation and Referral**

The Individuals with Disabilities Education Act (IDEA) requires an initial evaluation of the child to be conducted in order to determine if a child is a child with a disability. The child must first be identified as a child with a disability in order for the child to receive special education services. There are three ways a child could be referred for an initial evaluation

1. school district personnel when general education intervention indicates the child may have a disability;
2. the parents who formally request an initial evaluation; or
3. First Steps when a child is approaching age three and will need to transition to the school-based early childhood special education program.

Within five days of the request for a special education evaluation and referral, the parents must be given a copy of the Procedural Safeguards Notice which explains their parental rights under IDEA. The Procedural Safeguards Notice must be provided in the parent's native language. If the parent's language is not a written language (such as sign language), the school must ensure that the parents understand the Parent Rights document. Copies of the Procedural Safeguards Notice in a variety of languages are available on the DESE website at <https://dese.mo.gov/special-education/compliance/procedural-safeguards>.

## **Written Notice of Action and Consent**

The school must provide the parents with prior written notice and ask for written permission from the parents before an initial evaluation can be conducted. The request for permission to conduct the initial evaluation must inform the parents what they are giving permission or consent for. When parents give consent for an initial evaluation, they are not giving consent for placement to receive special education and related services.

If requested by the parent, a school will give parents a chance to meet to discuss the reasons for wanting the evaluation. The written notice may be mailed or personally delivered to the parents. In addition, a parent may choose to receive the notice by email if the school makes that option available. The prior written notice for initial evaluation and request for consent must

1. provide a description of the reasons they are requesting an initial evaluation and any relevant factors;
2. clearly describe the evaluation procedures, including the kinds of assessments, records, or reports to be used as part of the evaluation;
3. provide a description of other options considered and the reason why those options were rejected;

4. inform parents they are protected by the procedural safeguards in the Procedural Safeguards Notice and how they can obtain a copy; and
5. give parents resources to contact for help in understanding their rights.

If the parents give written consent for the evaluation, the school may start the evaluation immediately. If the parents have not given consent for the evaluation, the school should try to contact the parents to explain the need for the evaluation and answer any questions they may have. If the parents still refuse to consent to the evaluation, the school can either (1) accept their decision, or (2) ask for mediation or a due process hearing. The school should keep records of contacts and meetings with the parents.

If the parents refuse to give consent and the school decides it needs to do the evaluation, the school may ask the parents if they want to participate in mediation. Mediation is voluntary for both the parents and the school. There is no cost to either of them because mediation is paid for by DESE. Mediation may not be used to deny or delay the parent's right to a due process hearing or to deny any other rights. Mediation has been found to be an informal and positive way to resolve issues. Discussions during mediation are confidential and may not be used as evidence in any later due process hearings or civil proceedings.

If the parents request an initial evaluation and the school decides that the evaluation is not necessary, the school would provide the appropriate written notice to the parent. This written notice must be provided to the parents within 30 school days from the date the school receives the parent's request. If the parent disagrees with the school's decision that the initial evaluation is not necessary, the parent may request mediation or a due process hearing.

Under some circumstances, a school may have to get consent for an initial evaluation from a person other than a parent of the student. For example, when the parent's rights have been terminated by a court or the parents cannot be located, an educational surrogate must be appointed to make educational decisions for that student. Another example is that a judge may appoint a person other than the parent to make educational decisions for the student. In cases like these, the school must get consent from the appropriate person before conducting an initial evaluation.

## **Initial Evaluation**

In conducting the initial evaluation, the school will use a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information including information provided by the parent. No single measure or assessment will be used as the sole criterion for determining an appropriate educational program for the child. The evaluation will use technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors.

The initial evaluation must be finished within 60 days from the date the school receives written consent from the parent. This timeline may be extended for acceptable reasons such as snow

days, child illness, summer breaks, or school holidays. If a child transfers from one school district to another during the evaluation of the child, the parent and the school shall agree on a reasonable time for the completion of the evaluation. A school shall not be held to the timeline if the parent fails or refuses to make the child available for the evaluation.

The evaluation team will use a variety of assessment tools and strategies including: record reviews, interviews, observations, tests, and the child's response to scientific research-based interventions. The child will be assessed in all areas related to the suspected exceptionality and all assessments will be administered by trained and knowledgeable personnel. The purpose is to get academic, functional, and developmental information, including information from the parents that may help determine if the child is eligible for special education services.

Some of the information from the evaluation also becomes a part of the child's individualized education program (IEP), including information about the present levels of academic achievement and functional performance, and how the child will be involved in and progress in the general curriculum. For preschool children, this means how they can participate in activities appropriate for their age.

The team will review all of the information they have about the child. The team may decide they have enough information for the evaluation without conducting additional assessments. In this case, the school will provide the appropriate written notice to let the parent know they have enough information and will not conduct any more assessments. The parent may still request that additional assessments be conducted if they think it is necessary to determine eligibility and the educational needs of the child.

## **Eligibility**

After the evaluation is completed, the evaluation team meets to decide if the results of the evaluation show that the child is eligible for special education services. No one measure can be used as the only evidence to decide if a child is eligible. For example, an Intelligence Quotient (IQ) test score cannot be the only source of information used to determine that a child meets the requirements to be identified as a child with a disability.

The child's parents are to be invited to be part of the team making this decision. They may attend the meeting or have their opinions given by another person or a team member. The team provides the parents a copy of the evaluation report and the documentation of determination of eligibility.

Under Missouri special education law, a child is eligible for special education and related services if the child meets both of the following criteria

1. meets the requirements of at least one disability category noted below:
  - Autism
  - Deaf/Blindness

- Hearing Impairment and Deafness
- Intellectual Disability
- Multiple Disability
- Orthopedic Impairment
- Other Health Impairment
- Specific Learning Disability
- Speech or Language Impairment
- Traumatic Brain Injury
- Visual Impairment/Blindness
- Young Child with a Developmental Delay

2. is in need of special education and related services as a result of the identified disability.

It is important to remember that if the evaluation results show the child is a child with a disability, the team must also decide if the child needs special education services. A child may be a child with disabilities but may not need special education services; however, the child may still need some special help. In such cases, the child may have their needs met through differentiated instruction of the general education curriculum by the classroom teacher. Or if the child has a disability as defined by Section 504 of the Rehabilitation Act of 1973, the student may need accommodations in the general education setting as described in an Accommodation Plan.

A team made up of parents and qualified professionals make the decision about eligibility. No one person can decide if the child is eligible for special education services. If the child's learning problems are primarily from a lack of instruction in reading or math, or limited English ability, the child is not eligible for special education services. In those situations, the team should suggest what other services or programs might help the child.

## **Reevaluation**

The child is to be reevaluated at least once every three years unless the parent and the school district agree that a reevaluation is not necessary. A reevaluation may also be conducted any time the school district believes the needs of the child should be reevaluated or when the parent or teacher requests a reevaluation. A reevaluation may not happen more than once a year unless the parent and the school agree that it is necessary.

The school must give the parents the same notice as for an initial evaluation and ask the parents for their written consent before doing any reevaluation. If the school tries several times to get the written consent and the parents do not respond, the school can go ahead with the reevaluation. If the parent refuses to give consent for a reevaluation, the reevaluation will not take place unless the school pursues mediation or due process to obtain agreement. The school shall document the different ways they tried to reach the parents, such as phone calls, personal visits, mail, etc. The procedures and requirements for a reevaluation are the same as for an initial evaluation.

## **Review of Existing Data (RED)**

As part of an initial evaluation, if appropriate, and any reevaluation, the IEP team and other qualified professionals will look at the assessment information that is already available, including previous evaluations, information from parents, current classroom-based assessments, and observations by teachers and related service providers. The team will also identify what additional information, if any, is needed to decide

- if the child has, or continues to have, a disability as described in IDEA and the Missouri State Plan;
- if the child needs, or continues to need, special education and related services; and
- the child's present levels of academic achievement and related developmental needs.

The team may decide that it has enough information for the reevaluation without conducting additional assessments. In this case, the team will provide the appropriate notice to let the parent know they are requesting to conduct a reevaluation, but they have enough information for the reevaluation and will not conduct any more assessments. The parent may still request additional assessments be conducted if they think it is necessary to determine eligibility and the educational needs of the child.

## **Evaluations Before Change in Eligibility**

The school district must reevaluate a student with a disability before deciding that the child no longer needs special education services. For example, a child may have accomplished the goals on the IEP and be doing well in the general education classroom. There may be no more need for special education services, but to be sure, the team does the reevaluation. However, a reevaluation is not needed when special education services will end due to graduation from secondary school with a diploma or because the child has reached the age of 21.

## **Independent Educational Evaluations**

The parents of a student with a disability may obtain an independent outside educational evaluation of their child at their own expense at any time and may choose to share the results of that evaluation with the school district. The parents may request an independent educational evaluation (IEE) at school expense any time they disagree with the evaluation conducted by the school.

When the parents ask for an IEE at school expense, the school must either provide the parent with information about how to obtain the IEE or begin a due process hearing to show that the school district's existing evaluation is appropriate. If the final due process decision is that the

school's evaluation is appropriate, the parent still has a right to an independent evaluation, but the school does not have to pay for it.

When an IEE is done, the same requirements for evaluations done by school staff must be followed. The people who do the evaluation must meet the qualifications required by the school for its own evaluators.

The results of any IEE must be considered by the school or hearing officer, or both, in decisions made about the child's special education services.

***If a child cannot learn in the way we teach . . .  
we must teach in the way the child can learn.  
Ivar Lovaas***



## **Frequently Asked Questions: Evaluation Process**

### **How do you make a referral/request for an initial evaluation?**

Each school district has procedures for making a referral for an initial evaluation. This information should be available to parents and school staff. A parent may contact the school office or the teacher for this information. A request can be made by the parent either in writing or verbally to a school official.

A referral may also be made by the school personnel when screening or general education interventions indicate a child may need special education services in order to make progress in the general education curriculum. Before age three, the referral from the First Steps program is considered a parent referral for an initial evaluation.

### **What can school staff do to be sure evaluations do not discriminate?**

All evaluation procedures must be conducted in the language the child uses or in the way the student communicates with others. For example, if a child is from a home where English is not used, school staff decides what language the child understands the best. That is the language they use for the evaluation. Also, each assessment and other materials are to be provided in the language and form most likely to provide accurate information on what the student knows and can do academically, developmentally, and functionally.

The evaluation or access to special education services cannot be delayed because the child cannot communicate effectively in English. Also, a child cannot be identified as a child with a disability because of limited ability to speak English.

### **What are the qualifications of the people doing the evaluation?**

All assessments that are part of the evaluation must be given by a professional qualified to give and interpret that test or assessment.

### **What is required to be part of the initial evaluation?**

The assessment must provide enough information to determine eligibility for special education and develop an IEP for the child. There must also be information related to enabling the child to make progress in the general education curriculum, or for preschool children, to participate in appropriate activities.

The child should be evaluated in all areas of concern. The team must assess the learning, behavior, physical, and developmental areas, to the extent these are areas of concern. The team must use a variety of assessments tools and strategies to gather functional, developmental and academic information, including assessments, observations, review of records, and interviews with parents and others knowledgeable about the child.

**What is the timeline for an initial evaluation?**

Each evaluation must be done within 60 days from the date the school received written consent to conduct the evaluation from the parents. There are acceptable extensions to the 60 day timeline including snow days, student illness, summer break, and agency vacation days.

**What if a child is not eligible for special education services?**

If a child is evaluated and does not qualify for special education services, some other kinds of help may be needed. The school district’s student improvement team process may need to be used again to consider other resources or find out if the child is eligible for an Accommodation Plan under Section 504 of the Rehabilitation Act.

**What if a child transfers to another school district during the initial evaluation?**

The two school districts are to share information and be sure that the evaluation is completed as soon as possible. The new school shall make sufficient progress to ensure a prompt completion of the evaluation. The school and the parent should agree on a timeline for completion of the evaluation.

**Why would a parent agree to not have a three year reevaluation?**

A parent may agree to forgo a three year reevaluation if their child has been receiving special education services for many years or if there is enough information available to determine the educational needs of the child and that the child continues to need special education services. Through annual IEP reviews, there should be continued assessment data reviewed by the IEP team of the child’s progress in meeting the measurable annual goals.

***When you judge someone based on a diagnosis  
you miss out on their abilities, beauty &  
uniqueness.  
Sevenly***



# Individualized Education Program (IEP)

## Purpose of the IEP

Many people have called the Individualized Education Program (IEP) the most important part of the Individuals with Disabilities Education Act (IDEA). The IEP is individualized so it is right for each child. It must be educational, that is, it must ensure the child receives a Free Appropriate Public Education (FAPE). It is also a program or a plan for the child's success in learning and for their future.

The parents of a child with a disability are expected to be equal participants with school personnel in developing, reviewing, and revising the IEP for their child. This is an active role in which the parents:

- provide critical information regarding the strengths of their child and express their concerns for enhancing the education of their child;
- participate in discussions about the child's need for special education and related services and supplementary aids and services; and
- join with the other participants in deciding how the child will be involved and progress in the general curriculum and participate in state and districtwide assessments and what services the agency will provide to the child and in what setting.

The IEP lays out how the child will receive a Free Appropriate Public Education (FAPE) in the least restrictive environment. Among other components, the IEP

- describes the child's academic achievement and functional performance;
- describes how the child will be included in the general education curriculum;
- establishes annual goals for the child and describes how those goals will be measured;
- states what special education and related services are needed by the child;
- describes how the child will be appropriately included in state and districtwide assessments including through the use of alternate assessments; and
- determines what accommodations and/or modifications may be appropriate for the child's instruction and assessments.



## **IEP Meeting Notification**

The school must schedule an IEP meeting at least annually. Parents are to be notified in writing at least 10 days before the date of the IEP meeting. The notice should tell the parent

- the purpose of the meeting;
- the proposed meeting date, time, and place it will be held; and
- the names and/or specific positions of the people who are invited to attend the meeting.

The meeting should be at a mutually agreed upon date, time, and place if at all possible. If the parents ask for, or agree to meeting on an earlier date, the 10 days can be waived. Parents may ask to have the meeting at a different date, time, and place, or to participate in the meeting through a conference call, video conference, or other ways.

## **IEP Team Members**

The required members of the IEP team include

- the parents (or educational decision maker);
- not less than one of the child's general education teachers, if the child is or may be participating in the general education environment;
- not less than one of the child's special education teachers or special education providers;
- someone who understands how the evaluation results effect the instruction of the general curriculum for the child;
- a representative of the school district who:
  - is qualified to provide or supervise specially designed instruction to meet the unique needs of children with exceptionalities;
  - knows about the general curriculum;
  - knows about the school's resources;
- at the discretion of the parent or school, others who have knowledge or special expertise about the child, including related services personnel; and
- the child at age 16, or earlier, if appropriate; and
- if the child has been in First Steps, the parent can ask that an invitation be sent to a representative of that program.

If one of the purposes of the IEP meeting for a child age 16, or earlier if appropriate, is to discuss the goals for the child after high school and the transition services needed to help the child in reaching those goals, the following people must be invited

- the child (if the child does not attend the IEP meeting, the school should be sure the child's preferences and interests are considered); and
- a person from any agency likely to provide or pay for transition services.

## **Excusal from the IEP Team Meeting**

A member of the IEP team can be excused from all or part of the meeting if the parent and school agree in writing that the member does not need to come because the member's area of the curriculum or related services is not being changed or discussed in the meeting.

A member of the IEP team may be excused from all or part of the IEP meeting when the member's area of the curriculum or related services is being discussed if the parents and school consent in writing and the team member submits written input into the development of the IEP before the meeting.

## **Parent Attendance at the IEP Team Meeting**

It is important that parents are involved in the development of the IEP for their child and every effort should be made to have the parents attend the IEP meeting. If neither parent can attend, parents may be part of the meeting by use of a conference call, video conferencing, or other ways. However, the IEP meeting can be held without the parent if the school can show that they tried, but were unable to contact the parent or the parents did not want to attend the meeting. Detailed records will be kept showing the date, time, and person making telephone calls, visits to the home, correspondence, and other attempts to contact the parents.

## **Other Invited Participants at the IEP Team Meeting**

If they wish, the parents or the child may invite others to attend the IEP meeting. They may invite people they know who can provide useful information about the child, such as an advocate or relatives. If parents invite people who charge a fee for their time, the school does not have to pay the fee. The parent must inform the school district if they intend to have an attorney attend the IEP team meeting with them just as the school district must inform the parent of all persons invited to attend the IEP team meeting, including any attorney, in the IEP Team Meeting Notification.

The school district must obtain written consent from the parent in order to share confidential information about the child with the persons the parent has invited to the IEP team meeting.



## **Timeframe for the IEP Team Meeting**

The meeting to develop a child's first IEP must be held within 30 calendar days after the team determines the child is eligible for special education services. After that, IEP meetings must be held at least every year to review the child's current IEP and revise it as appropriate. In addition, the parents or staff can ask for an IEP meeting any time during the school year if they feel there is a need for changes or discussion.

The length of an IEP team meeting is different, based upon what needs to be discussed. On average, an IEP team meeting usually takes thirty minutes to one hour. The initial IEP meeting and meetings where transition issues are being discussed may require extra time.

## **Changes to the IEP**

Changes made to the IEP, after the annual review of the IEP, may be made by all of the team members or if the school and parent agree, the changes can be made by an agreement between a school district representative and the parent. The school will give the parent prior written notice of any changes made to the IEP and get consent from the parent if the changes affect the child's identification, evaluation, placement, or provision of FAPE. Parents may request a copy of the revised IEP. Changes made after the annual review do not change the annual IEP date.

## **Content of the IEP**

At an IEP meeting, the parents, the child if appropriate, and the school staff meet as a team to decide together

- how the child learns best and the learning needs of the child;
- the concerns of the parents for the child to receive a good education;
- the results of the initial evaluation or reevaluation;
- the academic, developmental, and functional needs of the child; and
- the services that will be provided to meet the child's needs.

When revising an IEP, the team will also consider if the annual goals are being achieved. The team also revises the IEP to address

- any lack of expected progress toward the annual goals and in the general education curriculum;
- the results of any reevaluation;
- information provided by the parents;
- the child's anticipated needs;
- any other matters, as appropriate.

The IEP document must include a description of the child's Present Level of Academic Achievement and Functional Performance (PLAAFP). This is a "snapshot" of the child's current performance and should include the concerns of the parent for enhancing the education of the child. The school district is not required to include the verbatim written parent concerns but must include a summary of any written concerns shared by the parent.

Based upon the PLAAFP, the IEP team must develop annual goals for the child. These goals must be specific, measureable, attainable, results-oriented, and time bound within the annual IEP cycle. For children taking the alternate assessment, the annual goal(s) must also include short-term objectives or benchmarks to demonstrate progress towards achieving the annual goal.

Based upon the annual goal(s), the IEP team must determine the specific special education and related services the child will need in order to achieve the goal(s). Every service must relate to an IEP goal. The IEP team must also consider if any supplementary aids/services are required for the child to access the general education curriculum.

Every service included in the IEP must state the frequency the service will be provided (e.g. minutes per week), the location the service will be provided (e.g. special education or general education setting), and the duration of the service (e.g. the annual IEP cycle).

Based upon the special education and related services, the IEP team must then decide the placement the services will be provided. These services must be provided in the least restrictive environment and the IEP team will need to consider a continuum of placement options including the general education setting, the special education setting, through the more restrictive placements outside of the school district until an appropriate placement option is determined for the child.

The IEP will also include a description of the following

- any special factors that may affect the child's educational programming such as vision, hearing, and/or behavioral concerns;
- the child's participation in state and districtwide assessments;
- the need for extended school year services for the child;
- any accommodations or modifications that must be made in the general education setting to address the child's disability;
- post-secondary outcomes and a transition plan for children age 16 (or younger if appropriate); and
- how the child's progress toward meeting the annual goals will be measured and when reports on the progress the child is making will be provided to the parents.

## Parent Copies following the IEP Team Meeting

As a member of the IEP team, the parent will be asked to sign the IEP to indicate the parent's attendance at the meeting. The school district must provide a copy of the IEP to the parent within a reasonable amount of time following the IEP team meeting. In Missouri, 20 calendar days is considered a reasonable amount of time for the IEP to be provided to the parent.

The school district must provide the parent with a Notice of Action proposing or refusing to make changes to the IEP when the changes affect the provision of FAPE or placement. The IEP should be implemented as soon as possible following the IEP team meeting or within 10 calendar days of the provision of any prior written notice to the parents.

**When schools work together with families  
to support learning, children tend to succeed  
not just in school, but throughout life.**

**Henderson and Mapp**



## **Frequently Asked Questions: Individualized Education Program (IEP)**

### **How can parents be involved in the IEP meeting when they work during the day?**

The school district should make every effort to have the parent attend the IEP team meeting. Meetings can be held at a time convenient for the parent, such as, before the parent goes to work in the morning or during lunch time. Parents who cannot attend the IEP meeting may participate by telephone or video conference.

### **What if the parents do not speak English?**

In order to help the parent understand what is being proposed for their child during the IEP meeting, the school should provide a translator for parents who do not speak English.

### **Where do we get the information to describe the child's present level of academic achievement and functional performance?**

Information is gathered from a variety of sources. The general education teacher reports interventions and strategies used in the classroom setting. Observations and data should be shared by the special education teacher(s) and any related services staff working with the child during the school year. The parents will also have observations and insight about the child to share. Information can also come from the most recent evaluation of the child. Remember that information can include both formal and informal assessments of child performance, observations of child behavior at home and school, child work samples, plus any other input from parents and teachers that is relevant.

### **What should the IEP team consider when it decides how the child will participate in state or districtwide assessments?**

The IEP team will decide if the child can participate in the Missouri Assessment Program's general statewide or districtwide assessments or whether the child meets the eligibility criteria to take the alternate assessment for children with the most significant cognitive disabilities. For children determined eligible for the alternate assessment, the IEP team must describe the following factors

- the child's most significant cognitive disabilities and limited adaptive skills;
- how the most significant cognitive disability impacts access to the curriculum and requires specialized instruction;
- how the most significant cognitive disability impacts the child's post-school outcomes;
- any other factors, but ensure the inability to participate in the general statewide assessment is due to the child's most significant cognitive disabilities and not excessive absence, visual/auditory disabilities or social cultural, language, or economic differences.

**What if the child/family transfers to another school district during the school year?**

The new school will get copies of the records from the old school as soon as possible. The new school will provide the services on the IEP or services as similar as possible until the new IEP team can meet to review the current IEP and adopt it or develop and implement a new IEP that better meets the child’s needs. The school may ask the parents for consent to conduct a reevaluation.

**How are the parent’s concerns for their child included in the IEP?**

The IEP team will ask for and discuss any concerns or information that the parent may have about the child’s learning needs. This discussion may help the team decide on what should be included in the plan and to see what the teacher can do to help the child to learn and make progress in meeting the IEP goals. The parents’ concerns for enhancing the education of their child will be included in the IEP.

**Does LRE apply to preschool?**

Yes, LRE requirements apply to children receiving early childhood special education services. Some schools in Missouri offer preschool for all 3-and 4-year-old children without disabilities, but most do not. The team should consider where the child would be if the child did not have a disability. Some settings for LRE for preschool are

- Head Start,
- community preschool,
- child care,
- home, and
- play groups.

***All students can learn and succeed,  
but not on the same day  
and in the same way.***

***William G. Spady***



## **Parent and Child Rights**

Parents and children have many rights under the Individuals with Disabilities Education Act (IDEA). It is important that parents and children understand their rights and it is the responsibility of the school to provide parents with notice of their rights in understandable language. Parents also have a responsibility to participate in the education of their child through the participation in meetings about their child and by providing consent to allow the school to provide the support and services that the parents and school agree are necessary for the child to be successful.

### **Definition of Parent**

IDEA allows for multiple persons to fulfill the role of parent. School personnel must determine the appropriate person(s) to make educational decisions on behalf of the child and may request documentation to substantiate this designation. Those individuals are to receive notice, give consent, file formal complaints, request mediation, file due process, give or refuse to give permission for release of records, and all other requirements.

In Missouri, the definition of "parent" is a biological, adoptive, or foster parent of a child or a guardian generally authorized to make educational decisions for the child (but not the state if the child is a ward of the state); a person acting in place of the biological or adoptive parent (including a grandparent, stepparent, or other relative) with whom the child lives; an individual who is legally responsible for the child's welfare; or an educational surrogate who has been appointed by either the state or the courts. When more than one person meets the definition of parent, the biological parent shall fill the role unless a court has appointed an educational guardian to make educational decisions for the child.

### **Parent Participation**

Parents are to be included as members of any decision making team for their child, including decisions about eligibility, initial evaluation and reevaluation, development of an individualized education program (IEP) for the provision of a Free Appropriate Public Education (FAPE), and educational placement. This requirement does not include informal or unscheduled meetings involving school personnel and meetings on issues such as teaching methods, lesson plans, or coordination of service provision if those issues are not addressed in the child's IEP. A meeting also does not include the preparation of a proposal or response to a parent proposal that will be discussed at a later meeting.

If neither parent can be present in a meeting about educational decisions for their child, the school must use other methods to ensure their participation. These methods could include individual or conference telephone calls or video conferencing. If the school cannot reach the parent, or if the school cannot convince the parents they should come to the meeting, the meeting

can be held without the parent, but the school must document at least two attempts by two methods to reach the parent.

The involvement of parents in all decisions about their child will help result in services that are individualized to meet the unique needs of the child and in the development of a closer, more collaborative relationship with school. The contributions that parents make to the process are important because they help ensure the educational success of the child.

## **Procedural Safeguards Notice**

The Procedural Safeguards Notice provides the foundation for ensuring the child with a disability has access to FAPE. The Procedural Safeguards Notice provides the parents with the opportunity to understand their rights, the rights of their child, and the procedures for resolving differences. Hopefully, this document will also help to facilitate communication between parents and school personnel.

The Procedural Safeguards Notice outlines all of the rights and safeguards available to parents of children with disabilities and children who are their own decision maker. A copy of the Procedural Safeguards Notice must be given to parents at least one time per year. Additionally, a copy of the Procedural Safeguards Notice must be given upon

- initial referral or parental request for evaluation;
- receipt of the first request for a due process hearing;
- a disciplinary removal of a child from school that would constitute a change of placement; and
- parental request.

The Procedural Safeguards Notice must be written in language understandable to the general public and provided in the native language of the parent or other mode of communication used by the parent (such as Braille or sign-language), unless it is clearly not feasible to do so. If necessary, the school will translate the notice orally or by other means so the parent understands the content of the notice. Parents may elect to receive required notices by electronic mail (email) if the school makes that option available.

If parents would like a more detailed explanation of the rights included in the Procedural Safeguards Notice, they can contact the principal at their child's school, a school administrator, the local special education director, or the Office of Special Education at the Missouri Department of Elementary and Secondary Education at 573-751-0699. Copies of these rights in English, Spanish, American Sign Language, Braille, and other languages are available at <https://dese.mo.gov/special-education/compliance/procedural-safeguards> or by calling 573-751-0699.

## Parent Bill of Rights

The Office of Special Education at the Missouri Department of Elementary and Secondary Education developed a Parents' Bill of Rights in 2009 pursuant to Missouri Statutes at 161.850 RSMo. School districts must provide the Bill of Rights to parents when

- a child is determined eligible for special education services or,
- the initial Individualized Education Program (IEP) is developed and,
- the Procedural Safeguards Notice is provided to parents.

Copies of these rights in English, Spanish, American Sign Language, Braille, and other languages are available at <https://dese.mo.gov/special-education/compliance/parents-bill-rights> or by calling 573-751-0699.

**Every child deserves a  
CHAMPION  
-an adult who will  
NEVER GIVE UP  
on them,  
who understands the  
power of  
CONNECTION  
and insists that they  
BECOME  
the best that they can  
possibly  
BE.**

**Rita F. Pierson**



## RESOLVING DISPUTES

Special education laws and regulations include many important rights for parents of children with disabilities. Among these is the right to be a part of the team of persons who will develop an Individualized Education Program (IEP) for their child. As part of their child's IEP team, parents have the opportunity to

- provide input to the IEP team;
- make proposals regarding services and placement;
- grant or withhold consent when the team proposes an initial evaluation, initial services, or a reevaluation with additional assessment; and
- waive the 10 day waiting period if in agreement or file for due process when disagreeing with the school district's proposal or refusal for a change in services, placement, or the provision of FAPE to the child.

This process for developing a child's IEP sometimes includes spirited negotiations which can lead to disagreements among team members. At times, these disagreements may become intense and result in deep frustrations, misunderstandings, and hard feelings on the part of all involved.

When you have questions or concerns about your child's educational program, talk with your school district staff. You should first discuss your concerns with your child's teacher or one of the other staff who attended the IEP meeting. Staff may include any of the special education or related services personnel working with your child or the school principal. The director of special education or the superintendent should also be available to meet with you regarding your concerns. It is a good idea to schedule an appointment to meet with them.

If you are unable to resolve your disagreements with the school district staff, you may call the Office of Special Education, Compliance Section, Department of Elementary and Secondary Education (DESE) at 573-751-0699 for assistance. A Special Education Compliance Section staff person will listen to your concerns and answer your questions.

You may also wish to call Missouri's Parent Training and Information Center, Missouri Parents Act (MPACT) at 800-743-7634 or Missouri's Protection and Advocacy organization at 800-392-8667 for assistance.

However, when multiple attempts have been made to resolve disagreements without success, a parent should know that other options are available to help them resolve special education disputes. In Missouri, there are several options available to help resolve disputes between parents and school districts. These include the Facilitated IEP (FIEP) process, mediation prior to filing a formal complaint, the child complaint investigation process, and conducting a formal due process hearing before an administrative law judge.

## **Facilitated IEP (FIEP)**

Parents or school district staff may agree to conduct a facilitated IEP team meeting when both parties agree that it would be beneficial to have a neutral person assist the IEP team to efficiently and effectively address team concerns. The neutral IEP facilitator helps to create an environment in which the IEP team members can listen to one another's points of view. The neutral IEP facilitator's role is to assist the IEP team to work together to build consensus in developing an IEP that meets the child's needs and is acceptable to both the parents and the school district. This process is designed to be utilized when there is a sense from either of the parties that the issues at the IEP meeting may lead to significant disagreement or create an uncomfortable climate. While FIEP is helpful when there are special education disputes, FIEP is available any time the parent and school district agree it would be beneficial to hold a facilitated meeting. IEP facilitation is provided at no cost for IDEA-related cases and is requested through the Missouri Department of Elementary and Secondary Education (DESE), Office of Special Education. Additional information is available at <https://dese.mo.gov/special-education/compliance/facilitated-individualized-education-program-fiep>

## **Mediation**

Mediation is a structured, yet informal, voluntary process in which an impartial third party mediator helps parents and schools, who are experiencing conflict, reach an agreement. Mediation builds positive working relationships, encourages mutual understanding, and helps parents and schools focus on their common interest – the child. The proceedings are confidential and at no cost to the parties.

Mediation can occur prior to filing a formal complaint or at any time during the child complaint investigation or due process procedures. Participating in mediation can be beneficial to both parties in helping to resolve disputes for the following reasons

- can be used to resolve disputes regarding the identification, evaluation, educational placement, or related services for children with disabilities
- clarifies areas of agreement and disagreement;
- fosters better relationships between parents and schools
- is offered free of charge to parties upon DESE's receipt of a request for mediation raising an issue under the Individuals with Disabilities Education Act (IDEA); and
- no attorney can participate or attend on behalf of any party, but parents may bring a lay advocate.

When both parties in a dispute agree to mediate, they need to jointly agree on and contact a mediator on the DESE's list of approved mediators who must agree to take the case. One of the parties informs the Department which mediator has been selected and the Department confirms the appointment. Mediation cannot proceed until the appointment letter is issued by DESE. This ensures the Department will pay for the mediator's services. The mediator will notify the parties of the time, date, and location of the appointment.

Parents and school staff are the active participants in the mediation process which is designed to encourage parents and schools to work together in a partnership to resolve conflicts. The process is a suitable alternative to a costly and stressful due process hearing or formal complaint. A successful mediation results in a signed agreement from both parties describing the plan to resolve the dispute. If mediation is not successful, the parent may choose to proceed with the more formal dispute resolution options.

Additional information about mediation is available at <https://dese.mo.gov/sites/default/files/se-dp-mediation-booklet-finalized-2009.docx> Word Document.

### **Child Complaint Process**

Any individual or organization may file a child complaint with the Office of Special Education at DESE if they believe that a local school district is not following the requirements of special education laws and regulations. If you believe educational rights of your child are being violated, you may want to file a child complaint with DESE. This must be done in writing to:

Attention: Child Complaint Coordinator  
Office of Special Education  
Missouri Department of Elementary and Secondary Education  
PO Box 480  
Jefferson City, MO 65102-0480

Your letter should address your concern(s) and as detailed a description of the alleged violation(s) as possible. Include your child's name, parent or guardian's names, your mailing address, daytime phone number, and the name of your child's school district. You may want to include copies of documentation or evidence related to your concern(s); however, you will have an additional opportunity to provide that information during the investigation process. If known, you should also propose a resolution to the conflict. The child complaint form is available on at the DESE's website site at <https://dese.mo.gov/special-education/compliance/due-processchild-complaint/due-processchild-complaint-forms>.

You must also provide the school district with a copy of the child complaint.

Following receipt of the child complaint, you and the school district will receive a letter about the complaint. Also, you and the district will be made aware of the availability of mediation provided by the Office of Special Education (OSE) at any time during the investigation of the child complaint. Both the district and the parent must agree to mediate and agree to the mediator.

OSE will investigate the complaint and the assistant commissioner for special education will issue the findings and the decision within sixty calendar days of the child complaint being filed, unless an extension is necessary to investigate the complaint. If an extension is necessary, you will receive a letter notifying you of the reason for the extension and the new date for completion.

OSE provides a copy of the Procedural Safeguards Notice to the parents when parents file the first child complaint that school year.

The child complaint process is intended to investigate the district's compliance with specific procedural requirements. If the investigation results in a decision that the district violated a requirement, the district will be required to correct the violation within a specified period of time.

## **Due Process**

A due process hearing is another step in resolving disagreements between parents and school districts. Due process procedures are used when there is a disagreement that is not able to be resolved concerning the identification, evaluation, provision of a free appropriate public education, or placement of a child with a disability. These procedures can be used by parents and by school districts. More information concerning due process hearings can be found in the Procedural Safeguards Notice available by request from OSE, your school district, or online at <https://dese.mo.gov/special-education/compliance/procedural-safeguards>.

Due process hearing requests must be made in writing to the other party and a copy of the complaint must also be sent to:

Attention: Due Process Coordinator  
Office of Special Education/Compliance Section  
Missouri Department of Elementary and Secondary Education  
PO Box 480  
Jefferson City, MO 65102-0480

Your request must include your child's name, parent or guardian's names, address, the name of the school district, a description of your concern(s) and the resolution you are seeking. With receipt of your written request, ODE will provide you with information about the availability of mediation and information for a Missouri lawyer referral. The DESE website contains assistance for parents when filing for a hearing, including a sample form <https://dese.mo.gov/special-education/compliance/due-processchild-complaint/due-processchild-complaint-forms>. These forms may also be requested by contacting OSE Compliance Section at 573-751-0699.

Within 15 calendar days of receiving notice of your due process complaint and before the due process hearing begins, the school district must convene a resolution meeting with you and the relevant members of the IEP team. The purpose of the meeting is for you to discuss your due process complaint so the school district has the opportunity to resolve the dispute. Additional information about the resolution process may be found in the Procedural Safeguards Notice.

During the time a due process hearing is pending and until the due process is concluded, your child will remain in his or her current educational placement unless you and the school district mutually agree otherwise. This is commonly known as "stay-put." There are some exceptions to

this “stay-put” rule that relate to disciplinary actions. These exceptions are explained in your Procedural Safeguards statement.

OSE will provide a copy of the Procedural Safeguards Notice to parents who file for a due process hearing.

**Never doubt that a small group of thoughtful, committed people can change the world. Indeed, it’s the only thing that ever has.**

**Margaret Mead**



## Resources

### **Missouri Department of Elementary and Secondary Education (DESE)**

PO Box 480 / Jefferson City, MO 65102-0480

#### **Office of Special Education**

<https://dese.mo.gov/special-education>

**Data Coordination**, 573-751-7848 — Collects data for analysis and reporting to support effective decision making at state and local level.

**Effective Practices**, 573-751-0187 — Assists schools in improving performance for all children and students through professional development activities.

**Special Education Compliance**, 573-751-0699 — Monitors school districts and other responsible agencies for implementation of IDEA. Investigates child complaints and provides technical assistance addressing compliance requirements and private agency approvals. Relay Missouri 800-735-2966 (TDD).

#### **Division of Financial and Administrative Services**

<https://dese.mo.gov/financial-admin-services/special-education-finance>

**Funds Management**, 573-751-0622 — Develops and implements an automated, integrated electronic financial accounting and payment system for all grants and contracts within special education. Processes all fiscal payments.

### **Missouri Parents Act (MPACT)**

Missouri's Parent Training and Information Center for parents of children with disabilities — provides parent training and information on special education issues, disability issues, menu of training available, individual assistance, volunteers, lending library, parent-to-parent support, and a website with links to important sites for families.

MPACT / 87421 Mexico Road, Suite 200 / St. Peters, Mo 63376

[www.missouriparentsact.org](http://www.missouriparentsact.org) / 800-743-7634

### **Missouri Protection and Advocacy**

Provides advocacy and free legal services according to annual priorities.

925 South Country Club Drive / Jefferson City, MO 65109

<http://www.moadvocacy.org/> / 800-392-8667

### **Office for Civil Rights**

Advises on issues related to Section 504 of the Rehabilitation Act of 1973.

1010 Walnut Street, Suite 320, Kansas City, MO 64106

<https://www2.ed.gov/about/offices/list/ocr/addresses.html> / 816-268-0550

Email: [OCR.KansasCity@ed.gov](mailto:OCR.KansasCity@ed.gov)

## NOTES



**Revised July 2017**

The Department of Elementary and Secondary Education does not discriminate on the basis of race, color, religion, gender, national origin, age, or disability in its programs and activities. Inquiries related to Department programs and to the location of services, activities, and facilities that are accessible by persons with disabilities may be directed to the Jefferson State Office Building, Office of the General Counsel, Coordinator – Civil Rights Compliance (Title VI/Title IX/504/ADA/Age Act), 6th Floor, 205 Jefferson Street, P.O. Box 480, Jefferson City, MO 65102-0480; telephone number 573-526-4757 or TTY 800-735-2966; email [civilrights@dese.mo.gov](mailto:civilrights@dese.mo.gov).