Visions of Community

School Options and Special Education

Presented by

Rosalie Rippey
FCSN–MA Statewide Family Engagement Center

Aceriane Leal
FCSN–School Finder Help Line

Garvy Altine
Department of Elementary & Secondary Education
Today’s Learning Objectives

• Develop a "birds-eye view" of laws and procedures in Special Education and English Learner Education
• Broaden your understanding of your own student’s rights, options, and opportunities
• Learn about actions at the State level to increase equitable access to opportunity
• Identify where to go with questions and concerns
Overview of Rights & Procedures

Students with Disabilities / Special Needs
English Learners
What is Public Education?

• The U.S. Dept. of Education sets standards that all states must follow, based on U.S. law.

• The MA Department of Elementary and Secondary Education (DESE) sets standards for MA schools, based on MA and U.S. law.

• Local school districts are overseen by a Superintendent and elected School Committee.

• All students who live in the U.S. are entitled to a free public education.
Equal Access to Educational Opportunity

The Massachusetts School Attendance Law states that students should not be excluded or discriminated against in public education on the basis of race, color, sex, religion, national origin, gender identity or sexual orientation.
Regardless of Immigration Status

According to the U.S. Department of Education:

“Under Federal law, States and local educational agencies are obligated to provide all children – regardless of immigration status – with equal access to public education at the elementary and secondary level.”
Access to Information

• All families should have equal access to information.
• The law protects the right of families to receive information in their own language.
• Families are also entitled to disability accommodations such as ASL, Braille, and captioning.
• Families can ask the school for help with other barriers to access, such as a technology barrier.
Accessibility Is Important

Especially for formal documents, which should be translated or presented in a format that you can understand. Examples:

- School / Parent Handbook
- Admissions Policies
- Any other policy or procedure document
- IEP (Individualized Education Program)
- 504 Plan (Accommodation Plan)
- Any other form that you must sign

If a translation is low quality, it’s ok to inform the school that the translation is confusing and needs to be corrected.
Addressing Student Language Barriers: English as a Second Language (English Learner) Services

Home Language Survey
- First language
- Family’s language
- Primary language

Language Testing
- How well student can listen, speak, read, and write in English

Placement
- Student’s English Level
- Recommended Placement
All Students with Disabilities are entitled to a Free and Appropriate Public Education (FAPE)

“To be appropriate, education programs... must be designed to meet their individual needs to the same extent that the needs of nondisabled students are met.”

U.S. Department of Education
English Learners with Disabilities & FAPE

- For English Learners, a Free and Appropriate Public Education means that their language-related needs must be addressed.

Service providers will need to work together and work with families to ensure both disability-related needs and language learning needs are met. For example:

- Making sure that special education assessments take the student’s language into account.
- Finding ways to provide both types of services at once such as in-classroom support from a special education para who speaks both English and the child’s first language.
The IEP Team

...is a group of equal partners who make decisions together. These decisions are written into a document known as an **Individualized Education Program** - or IEP.

Families are equal members of the IEP team.
Decisions are discussed, then the School then writes these decisions into a proposed Individualized Education Program (IEP)

- At the end of the IEP is a form asking whether you agree with the the proposed services. *You may accept, partially reject, or reject the services.*
- Another form asks whether you agree with the proposed placement. *You may accept or reject the placement.*
- If the student already has an IEP, you may exercise “stay put.”
Questions about English Learner & Special Education:
FCSN Parent Information & Training Center
(617) 236-7210

Call Center
FREE info about Special Education Rights
https://fcsn.org/information-center-2/
Language Line available for multiple languages

FREE Workshops
• Understanding the IEP
• Discipline & Suspension
• Transition Planning and MORE!
https://fcsn.org/pti/workshops/
Transition Planning: Preparing for Adult Life

Only for Students with Disabilities

Student’s Career-Related Goals & Needs

- Pre-Employment Services through MA Rehabilitation Commission
- Public-School Provided programs – up to age 22
- Specialized transition program through a collaborative or private special education school
- MAICE – (Inclusive Concurrent Enrollment) college experience with extensive support

General Education Options

- Career & Technical Education
- STEM schools, Arts schools
- Community-supported youth employment programs
- Jobs & Internships
- Early College – supports students to take college courses while in high school
Questions?
School Finder Website

https://www.doe.mass.edu/families

This tool will display all schools for which the entered address and grade selection may provide a student with potential enrollment preference, even if the school is located farther than the selected distance.

Please note: We are in an ongoing process of updating multilingual content on this webpage. Please check back as we continue to expand language access. Thank you.

Enter address, city or town, and distance.*

Select Pathway/Program (Grades 9-12 only)
In Public Education...

- Schools may not exclude or reject a student on the basis of disability, English Learner needs, or any other protected status.
- Admissions processes must be transparent and fair.
- Student IEPs and 504 Plans must be followed. If a student transfers to another school or district, a new IEP Team is formed and any changes to the IEP must be decided upon as a team.
- Some schools and programs are allowed to have “competitive admissions” processes.
- Some public schools may have admissions requirements that focus on the needs of certain groups of students.
School Options Without Admission Requirements
All Grade Levels
Your Local Public School District
Also known as your “District of Residence”

• Responsible for educating all students who live within the school district.
• Most districts serve one city or town, but a few may serve multiple communities.
• Transportation is provided based on the distance between home and school (or through the student’s IEP).
• Families may choose other options.
Inter-District School Choice

Students may be able to attend participating public school districts in other communities.

- Admissions take place throughout the year as long as space is available.
- If there are more applicants than seats, admissions are on a random basis.
- Once admitted, students have the same opportunities, rights and responsibilities as other students in the district.
- Students may choose to stay enrolled until they graduate or age out. They may also return to their district of residence.
- Transportation is *not* provided unless the student receives transportation through their IEP.
Virtual Schools

All Grade Levels

• Public schools with classes taught by licensed teachers. Special education services are provided virtually.

• Any Massachusetts resident may apply to Commonwealth Virtual Schools.

• In addition, some communities have established virtual schools for students in their school district.
Grades Levels Will Vary

Charter Schools

• Considered their own school district
• Most use a lottery for admissions, although some may have selective criteria
• Transportation may be available
• The Charter School is responsible for holding IEP meetings and providing “full continuum of in-district special education services”
• May choose to collaborate with a local school district to provide some of the services the student requires
If a Charter School student requires a special education placement not available within the Charter School

- The Charter School must invite the student’s district of residence (home school district) to a special Placement meeting.
- The district of residence may agree to an out-of-district placement before the meeting takes place.
- The district of residence may offer a placement within their district. Families must consider the placement, but are not required to agree to the proposed placement.
- If the family, charter school, and district of residence do not agree on the placement the student has a right to remain in the last agreed-upon placement (the Charter School) until the dispute is resolved through the special education appeals process.
Homeschooling

Families who wish to homeschool their children must submit a formal application to their school district to show that the student’s right to an education is being respected.

Students with disabilities can receive some IEP services through the school district.
Questions?
Section 3

Schools with Competitive Admissions Processes
“Magnet,” Pilot, and Exam High Schools

Public high schools located within a larger school district that focus on a subject area such as academics or Fine Arts.

- May not discriminate and must follow student IEPs and 504 Plans
- **May** have specific admissions requirements:
  - Schools might require essays, letters of recommendation, academic records
  - Exam schools require students to pass a test
  - Fine arts schools may require a portfolio or audition
Career & Technical Education High Schools

• Merges high academic standards with career exploration and technical training
• Provides a strong foundation for college and has been shown to lead to higher earnings
• Academics are combined with hands-on training in career fields such as Animal Science, Biotechnology, Carpentry, Computer Programming, Robotics, Engineering, Environmental Science
• An application and interview may be required, and unexcused absences and specific, serious disciplinary issues may be considered during the admissions process.
• The need for Special Education or English Learner Education services may not be considered.
Career & Technical Education

• **Regional Technical Schools** accept students from participating sending districts.

• Some communities offer **Career & Technical Education within the local school district**. These may be stand-alone schools or embedded in a traditional high school.

• In very limited instances, students may be allowed to apply to schools outside of their district.

• Once accepted, the student’s IEP Team is responsible for identifying how needed accommodations, services and modifications will be implemented.
Private Schools

With the exception of Approved Private Special Education Schools, private schools (including religious schools) do not receive public funding.

Many laws apply to these schools (for example child welfare laws). However, they are not mandated to provide Special Education or English Learner services and related legal protections.

Students may receive some services through their district of residence.
Section 4

Schools Serving Specific Student Groups
Only for Students with Disabilities

Special Education Schools

Most special education schools only accept referrals for admission from school districts. The decision to make a referral happens through the Placement portion of the IEP process. Tuition and transportation are funded by the home school district.

There are two exceptions:

• In a “unilateral placement,” families may attempt to enroll their child and then go to court to pursue tuition from their district of residence. This requires a lengthy legal battle with no guarantee of success.

• Some special education schools accept students whose families pay tuition out of pocket.
Alternative High Schools

- General education public school for students who face challenging circumstances that interfere with completing high school
- May be part of a school district or may be a separate school – for example, a charter school
- Provide a deliberate, student-centered focus with small class sizes, flexible scheduling and added support
- The student population served will vary
- Students may or may not have an IEP
Recovery Schools

- Public high schools specifically designed to support students with substance use disorder (drug or alcohol addiction)
- Students and families may self-refer or be referred by a professional
- There are currently five Recovery Schools in Massachusetts.
  - Located in Beverly, Boston, Brockton, Springfield and Worcester
School Finder Help Line
Call us! 1 (800) 208-2242

A Partnership between the Federation and the Department of Elementary & Secondary Education (DESE)

- Understanding educational options
- Helping families navigate school systems & other supports
- Staff speak Cantonese, English, French, Haitian Creole, Mandarin, Portuguese, Spanish and Vietnamese + phone interpretation line
- Open to all families – regardless of language, background, or disability/ability.
Questions?
Section 5

Expanding Access & Opportunity
Unequal Access to Career & Technical Education

English learners, students with disabilities and other student groups are under-represented in CTE. In addition, both students of color and students with disabilities are under-represented in the highest-paid fields, including STEM fields.

Sources
- [www2.ed.gov/datastory/cte/index.html](http://www2.ed.gov/datastory/cte/index.html)
- [www2.ed.gov/datastory/cte/index.html#WHOCONCENTRATESWHERE](http://www2.ed.gov/datastory/cte/index.html#WHOCONCENTRATESWHERE)
Racial Disparities in Employment and Transition Services

• Studies show that people with disabilities from racial and ethnic minority groups have less favorable employment outcomes than white youth with disabilities.

• People with disabilities from racial and ethnic minority groups may experience both racial and disability-based discrimination (Gould, Mullin, & Harris, 2021).

• While white and Asian people with disabilities are less likely to apply for vocational rehabilitation services, Black, American Indian/Alaska Native, and Latinx people with disabilities are less likely to be found eligible and receive services (Shaewitz & Yin).

• White people who receive vocational rehabilitatiion services have the highest rates of competitive employment while Black Americans have the highest rates of non-competitive outcomes (Olney & Kennedy, 2016).
Quality System of Support (QSS)

- The Office of College, Career, and Technical Education has used the past two years to rethink and redesign how we support districts around program implementation and equitable student success.

- QSS is designed to have tiered supports based on specific program, school, and district needs.

- As part of this system, we collaboratively review data, ask schools to complete a Comprehensive Local Needs Assessment and then we partner with those districts to develop a multi-year strategic plan to develop systems and supports that enhance the student experience.
Equitable Access Grant Support (FC427)

• The goal of this federally funded multi-year targeted grant program is to provide supplementary support to build school and district capacity to address issues around equitable access in Career Technical Education (CTE) programs.

• Specifically in underrepresented populations including students with disabilities and English learner students and students of color.

• Target professional development is also supported through external DESE partners
MyCAP (My Career and Academic Plan)

- *My Career and Academic Plan* prepares students for college, career and civic readiness.
- The MyCAP process engages students in authentic postsecondary planning through a continuum of learning focused on the individual student's interests, skills and talents.
Innovation Career Pathways

• Innovation Pathways are designed to give students coursework and experience in a specific high-demand industry, such as information technology, engineering, healthcare, life sciences and advanced manufacturing.

• Innovation Pathways are designed to create strong partnerships with employers in order to expose students to career options and help them develop knowledge and skills related to their chosen field of study before they graduate high school.
Early College

• Early College programs are intentionally designed to empower students traditionally underrepresented in higher education.

• MA Early College Designated Programs blend elements of high school and college to provide students with the opportunity to experience and complete college level academic coursework.

• Early college programs also reduce the time and expense of earning a college credential while increasing the likelihood of college completion.
If Problems Arise

Questions, Laws and Procedures

Problem Resolution System (PRS)
781-338-3700

Office for Civil Rights (OCR)
1-800-421-3481

Resolving IEP Disagreements

Facilitated IEP Meeting
781-397-4750

Mediation
781-397-4750

Bureau of Special Education Appeals
781-397-4750
School Finder Help Line
Call us! 1 (800) 208-2242

A Partnership between the Federation and the Department of Elementary & Secondary Education (DESE)

- Understanding educational options
- Helping families navigate school systems & other supports
- Staff speak Cantonese, English, French, Haitian Creole, Mandarin, Portuguese, Spanish and Vietnamese + phone interpretation line
- Open to all families – regardless of language, background, or disability/ability.
Questions?
Help us Improve!

Please use our last few minutes together to complete the workshop evaluation. The link was sent to you in your handout email and can be found in the chat.
Thank You!

Federation for Children with Special Needs
The Schrafft Building
529 Main Street, Suite 1M3
Boston, MA 02129

Main Number: (617) 236-7210
Website: www.fcsn.org
Contact Us: fcsn.org/fcsn-intake-form

Special Education Information: (800) 331-0688

Families of Children with Special Needs:
Family TIES - (800) 905-8437

New! School Finder Hotline: (800) 208-2242
Federation for Children with Special Needs

Engaging Educating Empowering Families

www.fcsn.org