

**PARENTS' GUIDE
TO
SPECIAL EDUCATION
SERVICES
IN
SOUTH CAROLINA**



**Inez Moore Tenenbaum
State Superintendent of Education**

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CONTENTS

Preface.....	iii
A Glossary of Terms That You May Need to Know	1
Disability Categories.....	5
Steps to Becoming Your Child’s Best Advocate	7
Identifying a Child with Disabilities	9
Keeping Students in General Education.....	11
Evaluation for Special Education Services	13
Individualized Education Program (IEP) Team.....	15
Disagreements about a Child’s Program.....	22
High School Credits, Diplomas, and Certificates	24
Suspension and Expulsion	26
Private and Charter Schools	28
Transfer of Rights at Age of Majority.....	30
Transition to Preschool.....	31
APPENDIXES	
A. IEP Meeting Reminders for Parents.....	35
B. State Organizations and Programs for Individuals with Disabilities	37
C. Instructions for Completing the Complaint Form.....	45
Complaint Form	46
D. Instructions for Completing the Mediation Request Form	48
Mediation Request Form	49
E. Instructions for Completing the Due Process Hearing Request Form.....	50
Due Process Hearing Request Form.....	51
F. Instructions for Completing the Expedited Due Process Hearing Request Form	53
Expedited Due Process Hearing Request Form	54

PREFACE

You have been given this guide because your child may be receiving special education services or may need them. This guide will tell you more about special education services and the rights your family has.

Special education is a service, not a place. Each child is different, with special strengths and needs. Some children need help from professionals who have had special training. Children may need special education services for only a while or for the whole time they are in school. They may need services for part or all of the school day. They may need services during the school year or during the summer.

Each child has a right to the kind of education he or she needs to do well in school and in life. Educators try to find the appropriate services for your child, but they need your help. You know your child better than anyone else. When educators look at whether your child needs special education services, you are an equal member of the team.

Your family also has rights when educators start to look at whether your child needs special education services and when your child is getting those services. Some of your rights are described in this guide. Your school will give you a complete list of those rights on these occasions:

- when the school wants your permission to look at whether your child needs special education services,
- when you sit with others to decide what services your child needs,
- when educators look at whether the services your child is receiving are appropriate and whether he or she still needs those services, and
- when you ask for a hearing about your child's education.

All parents want the best possible education for their children. As a parent, you are a partner with your school in deciding what services your child needs. When you understand how the special education process works, you can be a stronger partner. This guide can help you to do that.

You can find additional information on the State Department of Education's Web site at <<http://www.myschools.com>>. To enter the Web page for the Office of Exceptional Children, use the following steps: (1) click the "SDE Offices" link and (2) click the "Office of Exceptional Children" link on the right side of the page.

This guide describes some of your rights. For a complete list of your rights and your child's rights, read the *Listing of Parental Rights* or the *Parent Handbook to Special Education*. The principal of your child's school or the director of special education in your school district can give you a copy.

A GLOSSARY OF TERMS THAT YOU MAY NEED TO KNOW

You may not know the meaning of some of the terms that special educators use. This is a glossary of the most important ones.

annual goals. Statements of what the IEP team decides your child should learn in one year in the areas of need.

annual review. A meeting of the IEP team once a year to look at how your child is doing in school and to write a new IEP for the next year. You are an equal member of that team.

assistive technology device. Any item, piece of equipment, or system that is used to increase, maintain, or help a student with a disability succeed in school.

assistive technology service. Any service that directly assists a student with a disability in picking out, obtaining, or using an assistive technology device.

Child Find. A program to find and appropriately serve students who are suspected of having disabilities and of being in need of special education. These children may be attending school and progressing from grade to grade, or they may not have gone to school yet. They may go to a private school or move a lot the way migrant students or homeless students do.

consent. Your written permission for your child to be evaluated or reevaluated or for your child's placement to be changed. You have a right to all the information you need to make that decision. You have a right to this information in the language that you use.

When you give consent, it means you understand and freely agree. You can change your mind about that consent at any time. If you take away your consent for your child to be placed in a special education class, the school must convene the IEP team to determine if your child may be dismissed from special education. If the decision of the IEP team is that your child should continue in a program of special education and you disagree, you may request mediation or an impartial due process hearing. The school must take any steps required (such as mediation or an impartial due process hearing) to provide your child with a free appropriate public education (FAPE) if, because you took away your consent, you prevented your child from receiving certain special education services.

disability. A physical, emotional, or mental condition that makes it difficult for a student to get full benefit from school. Every student with a disability has a right to services to help him or her get an education. A student with a disability can also get certain services under Section 504 of the Rehabilitation Act of 1973 without going through the special education process required by the IDEA. Different kinds of disabilities are described in this guide.

dismissal. The return of your child to general education because he or she no longer needs special education services. Your child can also be placed in the general education classroom while he or she still gets some support services from special education teachers, but that placement does not constitute dismissal.

due process. A series of steps to protect your family's rights. Federal and state laws spell out the steps that a school must take.

evaluation. A review of your child by trained professionals. Evaluators look at what your child can do, how your child feels, what medical needs your child has, and what your child's strengths and needs are in other areas. Evaluators determine whether they think your child has a disability and, if so, what kinds of services may help him or her.

extended school year (ESY). Special education and related services beyond the normal school year that are provided to a student with a disability according to the student's IEP, that are free to the family, and that meet the standards of the State Department of Education.

The determination of eligibility for ESY services must be made during the IEP meeting. The need for ESY services must be addressed on all students' IEPs and must be made available, as appropriate, to meet the individual needs of all students with disabilities. ESY services must be provided only if a student's IEP team determines that the services are necessary in order to provide a free appropriate public education (FAPE) to the student. The school must not limit ESY services to particular categories of disabilities or unilaterally limit the type, amount, or duration of those services. The IEP team must review all appropriate information related to progress toward identified critical goals and objectives.

free appropriate public education (FAPE). A basic right under the IDEA. The school must educate your child at no cost to you as outlined in an IEP. That education must meet your child's needs. The goal of that education is to give your child the skills he or she needs to make progress and to become an independent adult who can be part of the community.

Individuals with Disabilities Education Act (IDEA). The federal law that says that every student with a disability has the right to a free appropriate public education (FAPE). Under the IDEA, school districts/agencies must go through a process to decide whether a student has a disability, to work out a program that meets the student's needs, and to protect the rights of families.

individualized education program (IEP). The plan that covers every part of your child's special education program and his or her specific needs for the period of one year. The IEP team is the group that meets every year to develop your child's IEP. You are an equal member of that team.

individualized family service plan (IFSP). The plan that documents the services necessary to facilitate the development of a baby and toddler (newborn through age

two) with a disability. The IDEA directs that your child and family have a right to services from an early intervention service system such as BabyNet. The school does not offer early intervention services.

independent educational evaluation. A look at your child's skills and needs by a qualified examiner who is not a member of the school staff.

interim alternative educational setting. A place where your child can get temporary special education services. It might, for example, be another classroom or another school in the district.

least restrictive environment (LRE). The federal mandate that a student with a disability spend as much time as possible with students who do not have disabilities. If possible, that interaction should occur in the general classroom. If the general classroom is not the appropriate place to give the child services, he or she should be part of other activities in the school, such as student activities or recreation, and should take the same bus other students take if possible. The IEP team considers LRE issues and must explain why a student needs to be separated from students without disabilities for part or all of the school day.

parent. A biological parent, a guardian, a person acting as the parent of a child (includes persons acting in the place of a parent, such as a grandmother or stepparent with whom a child lives, as well as persons who are legally responsible for a child's welfare), or a surrogate parent (a person assigned to represent a child when the parent or guardian are not known or cannot be found, or when the child is in the custody of the state). The term "parent" does not include the state if the child is a ward of the state.

present levels of educational performance. A statement on the IEP about your child's educational skills and needs. For a preschool child, the statement describes how the child handles activities that most children the same age can perform.

reevaluation. An evaluation that occurs when school districts/agencies take a new look at your child's needs every three years, or more often if necessary, to make sure that he or she still needs special education services and is getting appropriate services. They will ask for your consent before they conduct any new assessments.

referral. A request to evaluate a student for special education. As a parent, you can request an evaluation of your child.

related services. Services that may be required to help a child benefit from special education. These services could include transportation, hearing or vision services, counseling, physical or occupational therapy, speech and language therapy, and assistive technology.

student intervention team (SIT). A group of educators in a school who help a teacher find ways to help a student before he or she is referred for evaluation. The SIT may also suggest other services in the school or community to help the student. This team

is sometimes called the student assistance team (SAT) or the schoolwide assistance team (SWAT).

transition. The movement from one stage to another—from home into school or from school to post-school work or study. The transition plan is part of your child's IEP. The IEP team may decide to develop a transition plan for your child at another age—for example, transition from a special school to your regular school, from elementary to middle school, or from early intervention to a public school.

An IEP team must start working on a post-school transition plan for your child when he or she is fourteen years of age. The plan may describe the kinds of courses or occupational training your child will need. When your child becomes sixteen years of age, his or her IEP must have a program of transition services. Such a program can begin before a child reaches the age of sixteen, but it *must* be in place for the school year during which he or she reaches the age of sixteen and each year thereafter.

Preschool transition planning and an IEP for a child with a disability before he or she turns three years of age are required. The IEP must describe the preschool services your child needs to get a good start in school.

DISABILITY CATEGORIES

Federal and state laws set out categories of disability with complicated definitions. Your child may have more than one disability. The evaluation will help to decide which one is the “primary” disability, but the IEP may also list another disability. Your child has a right to the services he or she needs to succeed in school.

Although school districts/agencies must use the legal definitions, the following descriptions of disabilities are not as complicated as those definitions. They are written to give you a basic idea of what these terms mean.

Autism

Autism is a condition that causes severe problems with a child’s communicating and relating to others. Children with this disability often do the same thing over and over, cannot deal with change, and do not want to be touched. It usually starts in very young children, and it interferes with learning.

Deaf and Hard of Hearing

The term “deaf” refers to a hearing difficulty that, even with a hearing aid, interferes with learning. “Hard of hearing” refers to a hearing difficulty that comes and goes but nonetheless interferes with learning.

Deafblindness

Deafblindness is a severe disability involving both seeing and hearing. It makes a child fall behind in development and have a hard time learning and communicating.

Emotional Disability

An emotional disability is an emotional difficulty that has lasted for a long time and interferes with learning. Students with this disability may be unable to learn, but there does not seem to be an intellectual, physical, or health reason for that. They may not be able to “connect” with teachers or other students. In a normal situation, students with this disability may behave or feel very differently from most of the other students. They may often feel unhappy or depressed. They may manifest severe physical symptoms or fears when they have personal or school problems.

Mental Disability

A mental disability is a difficulty in the student’s general ability to think and reason that makes it hard for him or her to adapt to change or to solve problems.

Multiple Disabilities

The term “multiple disabilities” refers to two or more difficulties, such as deafness and severe problems with bones, that affect the same individual.

Orthopedic Impairment

The term “orthopedic impairment” means a severe difficulty with bones, muscles, or joints that interferes with learning. The student may have been born with the condition, or it could have been caused by an accident or illness.

Other Health Impairment

The term “other health impairment” refers to a health difficulty that affects a student’s strength or alertness—such as asthma, attention deficit disorder (ADD), attention deficit hyperactivity disorder (ADHD), a heart problem, sickle cell anemia, and tuberculosis—or another condition that interferes with learning.

Preschool Child with a Disability

A preschool child with a disability is a child of three, four, or five years of age who has trouble doing some things that most children his or her age can do. A program of special education is needed to be sure that such a child is prepared for school experiences.

Specific Learning Disability

A specific learning disability is a problem in the way a student can listen, think, speak, write, read, spell, or do math. The problem is caused by the way the student processes information and learning—not by problems in seeing, hearing, or using muscles and not by anything related to his or her environment, culture, or economic level.

Speech or Language Impairment

A speech or language impairment is a difficulty in communicating that interferes with learning. A student with this impairment may not be able to pronounce some sounds. Such a student does not have a hearing problem but still may have trouble understanding others or explaining him- or herself.

Traumatic Brain Injury

A traumatic brain injury is a head injury that occurs after birth and that severely interferes with thinking, judgment, physical functions, speech, or other skills needed for learning.

Visual Impairment

A visual impairment is a problem that interferes with learning, even when the student wears glasses. A “visually impaired” student may have some sight or may be blind.

STEPS TO BECOMING YOUR CHILD'S BEST ADVOCATE

1. **Recognize** the fact that you know your child better than anyone else and are an equal partner in your child's education.
2. **Be open to learning** about special education laws and the way they work for you and your child. Make a list of your child's teacher(s), principal, special education director, district superintendent, and school board members each year. Include addresses and phone numbers. This is the chain of command in the school district. (Addresses and other contact information for state organizations and programs can be found in appendix B of this guide.)
3. **Ask questions** such as *who, what, where, when, why or why not, and what does that mean?*
4. **Organize** all school and medical records regarding your child, putting the *most recent* on top:
 - Keep copies of everything including report cards, progress, evaluation reports, IEPs, letters and notes from the school, and any other documents from agencies and medical personnel.
 - Keep copies of the most current information sheets and booklets about special education services in your school, including this guide.
 - Make copies of all letters and notes you send to school staff. Make notes (with dates) about any talks you have had—including telephone calls—with school staff, doctors, or other professionals; at parent and teacher conferences; and at IEP team meetings.
 - Make notes about your child's needs. Keep a record of changes in your child's behavior, skills, concerns, and feelings. Keep a list of the medicines your child gets at home and school. Include the name of the medicine, the amount given, the times it is given, the prescription number, any changes in the amount given, and your child's reaction.
5. **Participate** in meetings and conferences regarding your child. This is one of the most important things you can do for your child. Here are some things to remember:
 - You are a member of your child's IEP team and will need to attend the IEP team meetings. You have real knowledge about your child that no one else on the team has. You can learn a lot at the meeting if you listen, ask questions, and talk things out. Remember that you are an equal partner.
 - Conferences with your child's teacher can let the teacher hear the things you know about your child. You will be able to find out what your child is doing at

school and how you can help your child learn at home. The two of you have a lot to talk about.

- Parent groups, such as the parent and teacher association (PTA), need your voice and help. Think about bringing together other parents of children who get special education services. You can help each other, and together you can help the school make changes to help your children.
- You and your child are a part of the school community. You may want to participate in schoolwide activities such as fundraisers, to serve on committees, to become a class helper, or to chaperone school activities.
- Stand up for your child's rights, but give others in the meetings respect. Treat others as you wish to be treated.

IDENTIFYING A CHILD WITH DISABILITIES

Children develop skills at different times and levels. Each child is different, with his or her own strengths and needs.

You should ask the school or your child's doctor for help if your child has problems doing any of the following:

- identifying shapes, colors, and familiar objects that other children the same age can identify easily;
- speaking or putting together phrases and sentences the way that other children the same age can;
- maintaining balance and coordination;
- paying attention;
- following directions and remembering things; or
- learning or doing ordinary things that other children the same age can learn or do.

Ask the school or your child's doctor for help if your child does any of the following:

- pulls away from people,
- bumps into and trips over things,
- hears sounds but does not understand what someone is saying,
- spends lots of time imagining or never imagines,
- pulls at an ear or has pain in an ear, or
- wants to be alone for long periods.

How do schools find children who need special education services?

Children with disabilities living in the state—including children with disabilities who are attending private schools and religious schools, regardless of the degree of their disability, and who are in need of special education and related services—must be located, identified, and evaluated. These requirements apply to children with disabilities whose families move around a lot, such as migrant and homeless students. This also includes students who are already attending public school and are suspected of having disabilities and needing special education, even though they are advancing from grade to grade.

Can parents refer their children for a special education evaluation?

Yes. Parents or concerned others can make a referral, but the school cannot evaluate your child unless they have your permission in writing.

If you refer your child for evaluation and the school refuses, or even if the school does an evaluation and decides your child does not need special education services, federal and state laws require the school to give you this information in writing. The information should include

- the action refused (for example, refusing to evaluate your child or evaluating your child and finding that he or she does not qualify for special education services under federal and state laws);
- the choices that were considered and why they were judged not to be good for your child;
- each evaluation procedure, test, record, and report used in making the decision;
- anything else that helped in making the decision; and
- an explanation of your family's rights.

What is screening?

Screening is the way the school finds out how your child is developing so that they can spot any problems early. The school will check your child's general health and progress in school. You may be asked to provide information about your child's health and growing stages. School districts/agencies screen all students when they first start school and at regular times after that. The school should share the results with you. You will not need to pay for the school screening.

KEEPING STUDENTS IN GENERAL EDUCATION

Does the school try to keep a student in general education classes?

Yes. If the school finds a problem with your child's learning, the school will try to help your child before considering him or her for a special education evaluation. For example, the school might

- have a team work with your child's teacher to find different ways to help your child so that he or she can remain in the general education classes or
- change your child's classroom routine—for example, changing his or her seating, using different homework assignments, or giving your child more time to take tests.

If your child has a serious learning problem or if the school suspects that your child has a disability, however, he or she may be referred for special education evaluation immediately.

What is Section 504?

Section 504 of the Rehabilitation Act of 1973 is a civil rights law designed to prevent discrimination based on disability by public and private agencies that receive federal assistance. Section 504 applies to all public schools and protects school-aged students who qualify as disabled. A student with a disability under Section 504 has a physical or mental impairment that substantially affects a major life activity. These activities include learning, walking, seeing, breathing, working, caring for one's self, and performing manual tasks. The disabling condition need only limit one major life activity in order for your child to qualify under Section 504.

A student is eligible so long as he or she

- has a qualified disability,
- has or has had a physical or mental impairment that substantially limits a major life activity, or
- has a record of such an impairment or is regarded by others as having such an impairment.

A 504 plan should provide

- an evaluation of your child based on current levels of performance, teacher reports, and documentation of areas of concern;
- the development and implementation of an accommodation plan that provides reasonable modifications for your child to benefit from the general education curriculum;

- procedural safeguards for your family, including written notification of all school decisions concerning your child's evaluation or educational placement and due process; and
- a review and reevaluation of modifications and placement on a regular basis and prior to any change of placement.

A 504 plan may need to be considered for your child if he or she

- shows a pattern of not benefiting from the instruction being provided in general education classes,
- returns to school after a serious illness or injury,
- is evaluated for special education services and does not qualify, or
- shows a chronic health or mental health condition that interferes greatly with his or her ability to learn.

EVALUATION FOR SPECIAL EDUCATION SERVICES

What happens after my child has been referred?

Whether you refer your child or someone else does, the school will talk to you about the reasons for the referral, explain why your child needs to be evaluated, and ask for information and records on your child.

Here are things you need to know about the evaluation:

- The school cannot evaluate your child until you give your consent in writing.
- School staff will get information on your child in several ways: by giving intelligence and psychological tests, observing your child in several school settings, and by reviewing the records and anything else that might help solve your child's problems.
- Special tests must be used for students who are blind or deaf or do not speak English well.
- All tests and materials must be fair to students of all races and cultures.
- School staff giving the tests must have special training and must be certified or licensed by the state.
- Your child's evaluation is free.

How long will the evaluation take?

A complete evaluation should be completed forty-five calendar days from the day you gave your consent in writing. The IEP team, with you as a member, will meet within thirty days after the evaluation is completed to decide if your child has a disability and needs special education and to develop a plan for special education services if your child needs them.

What should I expect after my child has been evaluated?

Each person who observes or tests your child will prepare a report. An IEP team will review the results of reports and any other information related to your child that will be useful. The reports and information will help the IEP team to

- decide whether your child has a disability;
- decide whether your child needs special education services to get an appropriate education;

- define your child's strengths, needs, and levels of performance; and
- develop a specific plan to meet those needs.

What is an independent educational evaluation?

An independent educational evaluation is a look at your child's skills and needs by a qualified examiner who is not a member of the school staff. School districts/agencies keep a list of independent educational evaluators who are qualified through special training.

What should I do if I do not agree with the school district's/agency's evaluation?

If you think the school staff did not have all of the information about your child or got something wrong, you should tell the director of special education in your school. Your child has a right to an independent educational evaluation. The school must either initiate a due process hearing immediately to show that its evaluation is appropriate or see that your child receives an independent educational evaluation at no cost to you. (See the section titled "Disagreements about a Child's Program").

If the district/agency and the hearing officer do not agree with you, you can still get an independent educational evaluation, but you will have to pay for it. The school must consider the independent evaluation results in planning your child's educational program.

INDIVIDUALIZED EDUCATION PROGRAM (IEP) TEAM

What is an IEP?

After your child has been evaluated, a team is formed to look at the results and decide whether your child needs special education services and, if so, what the services should be. You are an equal member of the team. The team develops an individualized education program (IEP). The IEP is a plan just for your child.

Who is on the IEP team?

The IEP team includes the following persons:

- You the parent, guardian, or surrogate parent.
- Your child, when you decide it is appropriate or when transition needs or services are to be discussed.
- A special education teacher.
- A general education teacher.
- Someone from the school who can make sure the IEP will be carried out.
- Someone who understands and can explain your child's evaluation. The first time your child is evaluated, that person must be a school psychologist.
- Other people you or the school think should be there. You can bring other people to tell the team something about your child and his or her abilities.
- If your child is fourteen years of age, or will turn fourteen during the year that the IEP will be in place, the team will talk about a plan for the transition from school to work or college. When your child becomes sixteen years of age, or will turn sixteen during the year, the team will focus on how to implement that plan. If the plan involves services from an agency, such as the Department of Vocational Rehabilitation, the school will ask a representative from that agency to come to the meeting and will also invite your child.

How can I prepare for the IEP team?

The school will let you know in writing when and where the IEP team will meet and who will be there. The meeting has to be at a time and place that is convenient for you and the school.

You are the best expert on your child. To prepare yourself, and to help the team, you may want to write down the things you think the team needs to know. You will find a listing of IEP meeting reminders in appendix A of this guide.

Before the meeting, it helps to take the following steps:

1. Look at your child's school records, such as private evaluations, medical reports, previous IEPs, progress reports, report cards, and teacher's notes.
2. Go over your child's current IEP carefully.
3. Talk to people who know something about your child, such as teachers, evaluators, and other professionals.
4. Write down the things your child can do and the skills you want your child to learn.
5. Think about whether your child's education program is helping him or her learn those skills. If the answer is no, what do you think would be better?
6. Write down any other services you think your child needs, such as related services, special help in the general classroom, transportation, or occupational training.

What if I cannot get to the IEP team meeting?

If you cannot go to the meeting at the scheduled time or place, let the school know as soon as possible because many people are involved. The school may change the time or place or arrange to help you get there. If you cannot go to the meeting, it is good to explain your concerns about your child to the school district's/agency's director of special education before the meeting.

If you are not at the meeting, the school will send you a copy of the IEP that the team developed. If you do not agree with something in it, contact the school immediately. If your child is going to get special education services for the first time, the district/agency cannot do anything until you give your written consent.

What happens at the meeting?

You and the other IEP team members will

- talk about what the evaluation results, teacher reports, and other records mean;
- decide if your child is eligible under federal and state laws for special education services;
- decide what services would be appropriate for your child;
- decide where your child should be served—in the least restrictive environment appropriate for your child; and
- develop the IEP based on those discussions.

What is in an IEP?

The IEP has several parts:

- A statement as to
 - (a) the month, day, and year that the IEP will begin;
 - (b) the planned month, day, and year that the IEP is to be completed;
 - (c) the planned month, day, and year of the IEP annual review meeting; and
 - (d) the frequency, location, and length of the services and modifications included in the IEP.
- A statement as to your child's present levels of educational performance. This statement must include specifics about how the disability affects your child's progress in school. For preschool children, it must include specifics about how the disability affects your child's participation in activities that other children the same age can usually do.
- A statement of measurable annual goals including short-term objectives or benchmarks. This statement must include what skills your child will learn and what methods will be used to help your child benefit from the general curriculum.
- A statement explaining the methods by which your child's progress toward the annual goals will be measured and the methods by which you will be informed (which must be at least as often as parents of children without disabilities). A statement describing the specific special education and related services, program modifications/supports, and supplementary aids and services to be provided to your child or on his or her behalf.
- A statement as to whether your child will take district and state tests or an alternate assessment. Any modifications that may be needed, such as a longer time to finish the test, must also be included.
- A statement as to the type of physical education to be provided.
- A statement as to the type of career and technical education to be provided.
- A statement as to transition needs (such as courses needed to prepare for college or occupational training needed to prepare for a job), which the IEP must include by the time a child turns the age of fourteen, and sometimes even before. By the time a child turns the age of age sixteen or before, the IEP must be specific about the transition services that will be needed, including what services other agencies will need to provide.
- A statement that your child has been informed of the rights that will transfer to him or her on reaching the age of majority (eighteen years old).

- A statement that the appropriateness of ESY services has been determined and that an ESY plan has been added to the IEP if these services are needed.
- A statement as to whether your child will be subject to the rules/guidelines as outlined in the school's student handbook.
- A statement as to whether your child will work toward a state-issued diploma or a certificate.
- A statement as to whether your child requires promotion/retention standards that are different from those that students without disabilities must meet.
- A statement as to the extent (hours or periods per week) to which your child will participate in the general education environment in academic, nonacademic, and extracurricular activities with students who are nondisabled.
- A statement describing specifically how the school will make sure your child is placed in the least restrictive environment (LRE) that is appropriate for him or her—in other words, the efforts the school will make to give your child services in a way that as much as possible puts him or her with students who do not have disabilities. If your child is going to be served in a separate classroom or a separate building or school, the IEP must explain why that is necessary.
- A statement for you to sign, saying that you agree with the plan.

What else does the IEP team do?

Depending on your child's needs, the IEP team will also consider

- his or her strengths and any concerns you have about his or her education,
- results of his or her most recent evaluation,
- help he or she needs in order to communicate with others,
- his or her assistive technology needs,
- ways to help your child improve his or her behavior,
- his or her language needs (if your child does not speak or write English well),
- braille services (if your child is blind or visually impaired), and
- communication services (if your child is deaf or hard of hearing).

What is a “least restrictive environment” (LRE)?

Federal and state laws give your child a right to spend as much time as possible with students who are not disabled. Here are some things to remember:

- Your child should be in a general classroom, if appropriate, for as much time as possible.
- Your child should go to the same school that he or she would attend if not disabled. If this is not the appropriate place, your child should go to school as close to your home as possible and in a place as much like the regular school as possible.
- Your child should be part of other activities in the school, such as eating in the lunchroom and participating in recreation, after-school programs, and extracurricular events as much as possible.
- Your child should travel on the same bus, if possible, with students who do not have disabilities.
- The place where your child goes to school should not separate him or her from the general school program or from other students the same age any more than necessary.

What kinds of placements are available for my child?

The IEP team (including you) will think about the appropriate place to serve your child’s needs. That place could be

- a general classroom with supportive services in the classroom or in a resource room;
- a self-contained class (that is, a separate class taught by a teacher with special training in a room in the same school your child would usually attend or in another school in the district or in another district);
- a special school with special facilities or programs for students with your child’s disability;
- in the hospital or in your home, if your child cannot physically go to school;
- in the home if your child is age three to five and the IEP team decides this is an appropriate way to serve your child;
- a community facility such as a Head Start center; or
- other places such as a special private school if your district cannot give your child the special services on his or her IEP.

Will my child be tested?

Under federal and state laws, your child's progress must be tested in some way. If at all possible, your child will take the same district and state tests that other students take. Otherwise, he or she will participate in an alternate assessment. If your child needs an appropriate modification that will also be used during instruction, the district/agency must arrange for this modification so that your child has the same chance to do well on the test as students without disabilities do.

How can I check on my child's progress?

Your child's IEP has a statement as to how, and how often, your child's progress will be measured. The school will send you a report on your child's progress. You have a right to get reports at least as often as the parents of students without disabilities get reports.

There are other ways that you can check on your child's progress. These are some of them:

- Meet with your child's teachers, the school principal, tutors, therapists, or any other professional serving your child, to talk about how your child is doing in school and how you can help your child do even better.
- Start a notebook to exchange notes with your child's teacher so that you and the teacher can share comments, suggestions, and concerns. The notebook can include a checklist of the goals and objectives in your child's IEP.
- Join your local parent-teacher organization and participate in school activities so that you can easily share information with other parents.
- Ask your child how school is going and what he or she likes in school. Look over your child's homework and help him or her with it.

How often will my child's IEP be reviewed?

Your child's IEP must be reviewed at least once a year (the "annual review"), but it must also be reviewed every time your child's program seems to need to be changed. A change may be needed because your child is doing so well that he or she does not need a particular service anymore or because you or the teacher thinks a different kind of service would help your child.

You can ask for an IEP team meeting anytime you think it is needed. But it is a good idea to talk with school staff to get a picture of your child's progress before you ask for an IEP meeting.

When will my child be evaluated?

Your child must receive a full evaluation of all his or her strengths and needs before special education services are arranged the first time. Every three years after that, the IEP team will have a reevaluation review to determine if additional testing is needed in order to continue providing appropriate services to your child. If you or the teacher thinks that your child's needs have changed or if it looks as though your child does not need special education services anymore and is being considered for dismissal, a reevaluation review can be conducted to determine if additional assessments are needed.

Professionals with special training who follow federal and state guidelines conduct the evaluation. The IEP team has to consider evaluation results in developing your child's educational program.

Do I have a right to see my child's records?

Yes. You must receive a copy of the evaluation report, the IEP, and other materials used to decide whether your child is eligible for special education services. You also have a right to look at any other records on your child as soon as possible after you ask for them (no more than forty-five days) and before an IEP team meeting or due process hearing.

Are my child's records confidential?

Yes. No one can look at the records unless they have a legitimate educational interest in your child. You have a right to refuse your consent to disclose your child's records, and you have a right to be told who has looked at your child's records. If your school requires parental permission prior to the release of records for a legitimate educational interest and you refuse release of the information, the school must request mediation or a due process hearing if they are unable to convince you that you should give your consent.

DISAGREEMENTS ABOUT A CHILD'S PROGRAM

What if I disagree with the school about my child's program?

During the IEP team meeting, tell the others why you feel your child needs another approach.

If you agreed to the IEP but do not think the program is being followed or believe that it should be changed, there are formal ways to make a complaint. It is usually best, however, to try to work it out informally first. Follow the chain of command in your school district, calmly explaining your concerns to

- your child's teacher,
- the school principal,
- the school district director of special education,
- the school district superintendent, or
- the chairperson of the school board for the district or another school board member.

If you disagree with the IEP team's decision that your child's placement needs to be changed, your child stays in his or her same placement during the disagreement, unless you agree with the school to change your child's placement or a due process hearing officer or court orders a change in the child's placement.

Is there anyone else I can talk to?

Yes. The State Department of Education can help you work out the problem. Call the Office of Exceptional Children at 803-734-8224 or the Department's ombudsman at 800-763-KIDS (5437).

There are also advocacy and parent groups that can help you. Contact information is provided in appendix B of this guide. These are two statewide advocacy organizations, for example:

- PRO-Parents is located in Columbia but works throughout the state. Call 803-772-5688 or 800-759-4776.

Protection and Advocacy for People with Disabilities, Inc., is located in Columbia but works throughout the state. Call 803-782-0639, 866-275-7273 (voice) and toll free 866-232-4525 (TTY).

What if that does not solve my problem?

There are several ways to handle the situation. Your school should already have given you a copy of your complete rights as a parent of a child with a disability, but you can

get another copy from the school. Here are three ways you can get someone to deal with your problem:

A **formal complaint** to the state is a written statement from an individual or organization, with supporting documents, saying that the school has violated a specific state or federal regulation. You can find the complaint form, with instructions for filling it out, in appendix C of this guide. You must sign the complaint and make sure it includes your child's category of disability, a detailed description of the violation, names of the people involved, and the dates when the violation occurred. Send the complaint to the director, Office of Exceptional Children, 1429 Senate Street, Columbia, South Carolina 29201-3799. Once the Office gets the complaint, it has to complete an investigation within sixty calendar days.

Mediation is an informal process to work out complaints, led by an impartial, trained mediator approved by the State Department of Education. Both you and the district/agency must agree to mediation. It costs you nothing. See appendix D of this guide for the mediation request form and instructions for filling it out.

A **due process hearing** is a formal review by an impartial hearing officer. You have a right to request a due process hearing. The request must include your child's name, address, school, a description of the problem(s) you are having with the school, and a description of how you would like this problem to be resolved. Include facts in the request. If you do not agree with the hearing officer's decision, you can appeal to the State Department of Education, which will conduct an impartial review of the hearing. If you do not agree with that decision, you can go to court. If any of the decisions are in your favor, you may be able to collect attorneys' fees. See appendix E of this guide for the due process hearing request form and instructions for filling it out.

You can use any of these ways to get a problem addressed. Most problems involve the way the school identified, evaluated, or placed a student; the denial of services to a student; the denial of free appropriate services to a student; or the punishment of a student for behavior a parent believes was caused by the child's disability.

HIGH SCHOOL CREDITS, DIPLOMAS, AND CERTIFICATES

What do I need to know about high school?

Before your child starts high school, the IEP team will need to decide whether your child should work toward a high school diploma or an educational, occupational, or employment training certificate. The occupational and employment training certificate will not provide the necessary credits to enable your child to receive a state high school diploma.

Your child's guidance counselor, principal, or the IEP team can give you detailed information. Here is a brief summary:

- **South Carolina High School Diploma**
Students working toward a state high school diploma need to obtain the required 24 credits and pass all three sections of the high school exit exam to receive a South Carolina high school diploma.
- **South Carolina High School Certificate**
Students who are working toward a state high school diploma but who do not pass all three sections of the high school exit exam by the time they graduate will receive a South Carolina high school certificate.
- **School District Certificate of Attendance**
Students who complete an educational, occupational, or employment training program without receiving all of the required credits for a South Carolina high school diploma will get a certificate of attendance. The local school district, which determines the requirements, will award this certificate. Some school districts give a student a special certificate for completing an occupational or employment training program.

What are the requirements for a South Carolina high school diploma?

Your child will need to complete the following:

- A. Earn at least 24 credits in the following subjects:
 - English and language arts (4 credits),
 - United States history and Constitution (1 credit),
 - economics ($\frac{1}{2}$ credit),
 - United States government ($\frac{1}{2}$ credit),
 - United States history (1 credit),
 - other social studies (1 credit),
 - mathematics (4 credits),
 - science (3 credits),

physical education or junior ROTC (1 credit),
computer science, including keyboarding (1 credit),
foreign language or occupational education (1 credit), and
electives (7 credits).

- B. Pass all three sections (reading, writing, and mathematics) of the BSAP Exit Examination.

The IEP team will decide if your child needs accommodations to take the BSAP Exit Examination. The accommodations will allow your child to take the test in a way that allows his or her knowledge and skills, rather than his or her disability, to be evaluated. These accommodations should be used in general education classes and should be listed in the IEP.

The BSAP Exit Examination will be replaced by the South Carolina High School Assessment Program as a requirement for students graduating in the spring of 2006.

- C. Show that he or she is computer literate before graduation.
- D. Earn 1 credit in a foreign language if he or she is enrolled in a college preparatory program or earn 1 credit in an occupational education course if he or she is enrolled in a technology preparation program.

SUSPENSION AND EXPULSION

Can my child be suspended?

Yes, for less than ten days. Suspension for more than ten days in a row is a change in placement. If your child is suspended for less than ten days but is then suspended again several times for a *total* of more than ten days, it could be considered a change in placement, depending on the length of each suspension and how close the suspensions are to each other. The school cannot change a placement without following the process required by federal and state law.

Can my child be suspended even if the behavior is caused by his or her disability?

Yes, but not for more than ten days in a row. If there is a continuing problem, the IEP team can change a student's placement—perhaps moving him or her to another school. If a student is suspended for more than ten days in a row, the school must

- continue to provide services and modifications, including those described in the student's current IEP, that will enable him or her to meet the goals set out in that IEP and
- include services and modifications designed to prevent the behavior that caused the suspension from happening again.

Can my child be expelled?

The school cannot expel a student with a disability if the behavior that caused the expulsion is related to the disability. If the behavior is not related, however, the student may be expelled in the same way that a student without a disability can, but the IEP team must determine the extent to which services are necessary to enable the student to appropriately progress in the general curriculum and advance toward achieving goals set out in his or her IEP.

If a student with a disability brings a gun or other weapon to school or knowingly possesses, uses, sells, or solicits drugs at school or at a school function, the school can place the student in an interim alternative educational setting for up to forty-five calendar days. The student may be placed in the interim alternative educational setting for either of these reasons even if the behavior is related to the disability.

A hearing officer can place the student in an interim alternative educational setting if the school shows by “substantial evidence” that

- the student’s staying in the current school is very likely to cause injury to him or her or to others,
- the school has made reasonable efforts to deal with the student’s behavior, and
- the student’s current placement is inappropriate.

The school can also go to court instead of a hearing officer to ask for a temporary order to remove the student if school authorities feel that student is a danger to him- or herself or to others.

PRIVATE AND CHARTER SCHOOLS

If my child is in a private school, will the school district provide services?

It depends on when, why, and how your child went to the private school. The following are some of the facts to remember:

- The school district is not required to pay for the cost of education—including special education and related services—of a student with a disability at a private school or facility if the school district made a FAPE available to the student and the parents chose to place their child in a private facility.
- The school district will, however, include that student in Child Find efforts, including locating, identifying, and evaluating all students in private and religious schools within the jurisdiction of the school district.
- If a parent disagrees with the school district about the availability of a program appropriate for the student or questions financial responsibility, the parent may request a due process hearing.
- If a student with a disability who has received special education and related services from the school district is enrolled by his or her parents in a private school because the parent believes the child is not receiving a FAPE, a court or hearing officer may require the school district to reimburse the parents for the cost of that enrollment. Reimbursement would be required if the court or hearing officer found that the school district had not made a FAPE available in a timely manner prior to that enrollment and that the private placement is appropriate.
- A parental placement may be appropriate even if it does not meet the state standards that apply to education provided by the school district.

Can the district refuse to reimburse me for private school costs?

Yes. Reimbursement can be reduced or denied if a court or hearing officer finds that you acted unreasonably when you put your child in private school. It might be unreasonable if you do not do the following:

- Tell the IEP team at the most recent meeting that you reject the proposed placement, explain why, and say you are going to put your child in private school at public expense.
- Give the district written notice at least ten business days before you put your child in private school. (“Business days” include holidays that fall on business days.)

- Make your child available after the district notifies you—before you put your child in private school—that it wants to evaluate your child, giving you a full explanation of the reasons why.

Reimbursement cannot be reduced or denied, however, because a parent has failed to provide notice if any one of the following situations exists:

- The parent is illiterate.
- The parent cannot write in English.
- Delay would cause serious physical or emotional harm to the student.
- The parent was prevented from providing notice or was not told that notice was required.

What about charter schools?

Charter schools are public schools. If your child attends a charter school, the school district has to make sure that special education services are provided to him or her just as it does to all other students with disabilities in the district.

TRANSFER OF RIGHTS AT AGE OF MAJORITY

What happens when my child becomes a legal adult?

In South Carolina, a child legally becomes an adult at age eighteen. Your rights as a parent are transferred to a child when he or she becomes an adult unless

- a court has named you as your child's guardian,
- you obtain a power of attorney, or
- your child lets the school know that he or she wants you to be involved in making the educational decisions.

The school must name a person to explain your child's rights at the IEP team meeting before he or she reaches age eighteen. The school must give both you and your child a notice regarding the transfer of rights. A student's rights will transfer even if he or she is in a correctional institution. The district/agency may choose to invite you to attend the IEP meeting since either you or the district/agency may invite persons with knowledge or special expertise about your child to attend.

TRANSITION TO PRESCHOOL

What is a transition?

Transition is a movement from one stage to the next. With toddlers who need special services, transition is the process of moving into preschool programs for children ages three to five. Planning makes the move smoother and helps to make sure your child will get needed services.

If your child is two years old, here are some things you need to know about this kind of transition:

- Private agencies give early intervention services to children from birth to age three. Public schools give preschool services to children ages three to five. A transition plan is needed when the child's movement is from a private agency to school and from one type of services to another.
- The transition plan becomes part of your child's individualized family service plan (IFSP). Your early intervention primary service coordinator will help your family through the transition.
- Not all toddlers who get early intervention services need or qualify for preschool educational services.
- Your child does not have to get early intervention services to qualify for preschool educational services.

How does the transition start?

Preschool transition planning starts when someone contacts the school district about a two-year-old child who may need special education services. That person can be you, your doctor, your clinic, or anyone else. If your child is getting early intervention services, the agency will start transition planning for you. When your toddler turns two, the agency's lead service coordinator will

- give you training about the transition,
- update your toddler's IFSP, and
- get your permission to send information about your child to the school district.

The lead service coordinator and the school district will set up a transition conference with your family. The conference must happen at least ninety days before your child turns age three.

What happens at the transition conference?

The transition conference starts the transition process. This conference is a chance for you and the school staff members to share information and for them to get your permission to find out whether your child needs preschool. During the conference, the following will occur:

- School staff will get a chance to know about the needs of your child and family.
- You will hear about your options and the school district's preschool program, other services, and rules for eligibility.
- You will find out about your rights and responsibilities.
- School staff can get any needed records or information about your child so that they can see whether they need to schedule tests or get other information.
- You can give your written consent for your child to be evaluated.
- A transition plan will be worked out, including program options and key dates during the transition.
- You might be asked if you want to visit schools with programs for preschool children in your school district.
- School staff might suggest things you can do to prepare your child for the transition.
- You will have a chance to ask questions and give suggestions.

After the transition conference, the school district will start the screenings, tests, evaluations, and other actions needed to find out if your child is eligible for preschool special education services. If other professionals or agencies completed evaluations after your child turned age two, the school district can use those results to save time and keep your child from having to be evaluated again. Once that review is finished, you will be asked to join an IEP team to develop an appropriate program for your child.

If your child was not in an early intervention program, the school district will do the same things in a conference with you. School staff will want your child's records and the names of doctors, clinics, and other professionals whom your child has seen. Bring these records to the conference.

What happens if my child turns age three over the summer?

The school district will complete the evaluations and paperwork to make sure your child can start preschool on the first day of school. But it is important to start the process early because the IEP team may decide that your child could be helped by summer services after his or her third birthday.

How can I help my child make a smooth transition?

Going to preschool is a big change for your child. It is a different place with different teachers, children, and routines. These are some ways you can help make it easier:

- Participate in transition committee meetings and IEP team meetings. Explain what your child is like and what you think he or she needs. If you do not agree with something, say so. Try to work out with the others at the meeting another way of helping your child.
- Take notes at the transition committee meeting about how the school district will evaluate your child. Explain the process to your child at each step very simply—for instance, tell your child that “a lady is going to talk to you and show you some pictures.”
- At the IEP team meeting, ask questions about the program your child will be enrolled in. If possible, visit the program and talk to the teacher. Then every few days, tell your child little things about the program and the teacher. If your child can easily be taken to the program, ask the school if he or she can visit before the first day of preschool.
- Give your child a chance to learn the skills he or she will need in school, such as dressing for outdoors. If you know other children who go to that school, ask them to talk to your child about school.
- Meet with the teachers before school starts. Tell them about your child’s likes and dislikes, strengths, and problems. Tell them what you want your child to learn. Find out the best ways and times to keep in touch with the teachers after your child starts school. How often they are going to get in touch with you? Your interest will make a difference to them.
- Make sure the school district gives you the dates and times of every meeting and evaluation appointment, as well as when your child starts school, when the bus comes, and when your child will return from school. Ask about anything your child needs to bring to school. Get information in writing if possible. That way, you can plan and prepare your child. Last minute surprises are not going to help you or your child.

What if my child does not qualify for preschool?

Whether or not your child received early intervention services, the school district has to use federal and state standards to decide if he or she qualifies for preschool. The point of early intervention is to help your child catch up in development, so he or she may no longer have a disability that qualifies for services. Even if your child still qualifies for early intervention services, the federal and state definitions may not cover the disability when he or she goes to preschool.

If the district says your child does not qualify, you may want to do one of the following:

- Ask why. And if you do not agree, appeal the decision (see the section titled “Disagreements about a Child’s Program”).
- Ask the district and your early intervention agency about other services for your child. The school district cannot help until your child is old enough for kindergarten (or prekindergarten, if it is offered), but they may know about other programs such as Head Start.
- Ask the district or the early intervention agency what you can do at home to help your child. Ask about good books, toys, and other materials you can use. Ask about the kind of schedule you can keep to help your child develop. Ask about places to go for help with your child and other resources in your community.

Appendix A

IEP MEETING REMINDERS FOR PARENTS

Before the IEP meeting:

1. Read all school records, including
 - private evaluations,
 - medical reports,
 - previous IEPs,
 - progress reports,
 - report cards, and
 - teachers' notes.
2. Talk with people who have worked with or tested your child to see how they think he or she is doing.
3. Review the present IEP (if there is one) to see if you think the goals have been met.
4. Note the following:
 - How do you handle your child's behavior at home?
 - In what situations does he or she work best?
 - Have there been any recent changes in your family or your family's living style or environment?
5. Make a list of what you think your child can do. Create your list by thinking in terms of such areas as
 - academic skills,
 - developmental skills (if preschool or younger),
 - motor skills,
 - speech-language skills,
 - social skills,
 - self-help skills,
 - daily living skills, and
 - prevocational and vocational skills
6. Make a list of skills you feel your child should acquire and decide how you think he or she can learn these.
7. List related services your child may need.

8. List special education services your child may need.
9. List any special transportation needs your child may have.
10. List any special help your child may need in the general classroom.
11. If you like, arrange for someone to attend the meeting who has special knowledge or expertise.

You may wish to record the meeting. Many parents find this helpful for future reference. Please note, however, that a school has the option to prohibit, limit, or otherwise regulate the use of recording devices at IEP meetings. If a school has a policy that prohibits or limits the use of recording devices at IEP meetings, that policy must provide for exceptions if they are necessary to make sure that the parent understands the IEP or the IEP process or to implement other parental rights guaranteed under federal and state law.

At the end of the IEP meeting:

1. Make sure that all spaces on the IEP form are filled in.
2. Make sure that all needed services for your child and the amount of time for each are listed.
3. Make sure you understand what the IEP means before you sign it.

After the IEP meeting:

1. Get a copy of the completed IEP form for your records.
2. Visit the school to see how your child is doing and talk with the teachers.
3. Remember that you can ask for a review of your child's IEP at any time during the school year.

Appendix B

STATE ORGANIZATIONS AND PROGRAMS FOR INDIVIDUALS WITH DISABILITIES

**Alexander Graham Bell Association for the Deaf
South Carolina Chapter**

Post Office Box 2451
Columbia, South Carolina 29202
Phone: 803-736-9789
<http://www.agbell.org/>

The ARC of South Carolina

Post Office Box 8707
Columbia, South Carolina 29202
Phone: 803-935-5266
E-mail: TheARCSC@arcsc.org
<http://www.arcsc.org/>

BabyNet

South Carolina Department of Health and Environmental Control
Robert Mills Complex, Box 101106
Columbia, South Carolina 29211
Phone: 803-737-4046
Email: strickll@columb61.dhec.state.sc.us
<http://www.scdhec.net/babynet/>

Barksdale Sickle Cell Anemia Foundation

Post Office Box 191
Spartanburg, South Carolina 29304
Phone: 864-587-0021
<http://www.webaxces.com/barksdale>

Brain Injury Alliance of South Carolina (BIASC)

1030 St. Andrews Road
Columbia, South Carolina 29210
Phone: 803-731-0588, 800-290-6461
E-mail: scbraininjury@mindspring.com
<http://www.biausa.org/SC/>

Captioned Media Program (CMP)

National Association of the Deaf (NAD)
1447 East Main Street
Spartanburg, South Carolina 29307
Phone: 800-237-6213
TTY: 800-237-6819
E-mail: info@cfv.org
<http://www.cfv.org/>

Center for Disability Resources

Department of Pediatrics
USC School of Medicine
Columbia, South Carolina 29208
Phone: 803-935-5248
http://www.med.sc.edu:83/divisions/disability_resources.htm

Center for Rehabilitation Technology Services (CRTS)

South Carolina Vocational Rehabilitation Department
1410-C Boston Avenue,
West Columbia, South Carolina 29170
Phone: 803-896-6079
E-mail: Jvassey@scvrd.state.sc.us
<http://www.scvrd.net/>

Children's Case Resolution System (CCRS)

Office of Children's Affairs
Edgar Brown Building
1205 Pendleton Street
Columbia, South Carolina 29201
Phone: 803-734-0457
E-mail: oca@govoep.state.sc.us
<http://www.govoep.state.sc.us/ocaccrs.htm>

Client Assistance Program (CAP)

Office of the Governor
Edgar Brown Building
1205 Pendleton Street, Suite 308
Columbia, South Carolina 29201
Phone: 803-734-0285, 800-868-0040
TDD: 803-734-1147
<http://www.govoep.state.sc.us/cap/>

COBRA Sickle Cell Program

3962 Rivers Avenue North Charleston, SC 29405
Phone: 843-225-4866, 800-354-4704

Continuum of Care for Emotionally Disturbed Children

Office of the Governor
220 Stoneridge Drive, Suite 300
Columbia, South Carolina 29210
Phone: 803-253-6272
http://www.state.sc.us/children_services/continuum/

Developmental Disabilities Council

Office of the Governor
Edgar Brown Building
1205 Pendleton Street, Room 372
Columbia, South Carolina 29201
Phone: 803-734-0465
TTY: 803-734-1147
<http://www.scddc.state.sc.us/>

Disability Action Center

3126 Beltline Boulevard
Columbia, South Carolina 29204
Phone: 800-779-5121
TDD: 803-779-0949
E-mail: DAC_CIL@aol.com
<http://www.midnet.sc.edu/dac/>

Division of Children's Services

Office of the Governor
1205 Pendleton Street
Columbia, South Carolina 29201
Phone: 803-734-0220
E-mail: children@govoep.state.sc.us
<http://www.govoep.state.sc.us/children/>

Epilepsy Foundation of South Carolina

652 Bush River Road, Suite 211
Columbia, South Carolina 29210
Phone: 803-798-8502
E-mail: epilepsysc@mindspring.com
<http://www.epilepsysc.org/>

Family Connection of South Carolina, Inc.

2712 Middleburg Drive, Suite 103-B
Columbia, South Carolina 29204
Phone: 803-252-0914
<http://www.familyconnectionsc.org/>

Federation of Families of South Carolina

Post Office Box 1266
Columbia, South Carolina 29202
Phone: 803-779-0402
Toll-free outside Columbia: 866-779-0402
E-mail: fedfamSC@yahoo.com
<http://www.midnet.sc.edu/ffsc/>

James R. Clark Memorial Sickle Cell Foundation

1420 Gregg Street
Columbia, South Carolina 29201
Phone: 803-765-9916, 800-506-1273
E-mail: jrcsc@bellsouth.net
<http://www.midnet.sc.edu/jrcsc/>

Learning Disabilities Association of South Carolina (LDASC)

Post Office Box 1592
Cayce, South Carolina 29033
Phone: 803-926-8302
E-mail: lweldon@aik.tec.sc.us
<http://www.gabn.net/weldon/ldasc/>

Life Abilities—The Easter Seal Society of South Carolina

3020 Farrow Road
Columbia, South Carolina 29203
Phone: 803-256-0735, 800-951-4090

Medicaid

Department of Health and Human Services (DHHS)
Post Office Box 8206
Columbia, South Carolina 29202-8206
Phone: 803-898-2655
http://www.dhhs.state.sc.us/Medicaid_info/mediciaidindex.htm

Mental Health Association in South Carolina

1823 Gadsden Street
Columbia, South Carolina 29201
Phone: 803-779-5363
E-mail: mhasc@mindspring.com
<http://www.mindspring.com/~mhasc/>

Muscular Dystrophy Association (MDA)

2700 Middleburg Drive, Suite 240
Columbia, South Carolina 29204
Phone: 803-799-7435
<http://www.mdausa.org/>

AND

29 Leinbach Drive
Charleston, South Carolina 29407
Phone: 843-556-3654

National Alliance for the Mentally Ill of South Carolina (NAMI SC)

5000 Thurmond Mall Boulevard, Suite 205
Post Office Box 1267
Columbia, South Carolina 29202
Phone: 803-733-9592
E-mail: NAMIOFSC@logicSouth.com
<http://www.logicsouth.com/~namiofsc/index.htm>

Office of Disability Services

University of South Carolina
106 Leconte College
Columbia, South Carolina 29208
Phone: 803-777-6742
<http://www.sa.sc.edu/dss/>

Orangeburg Area Sickle Cell Foundation

Post Office Box 892
Orangeburg, South Carolina 29116
Phone: 803-534-1716

Palmetto AIDS Life Support System of South Carolina

WALK-IN ADDRESS:
1924 Taylor Street
Columbia, South Carolina 29211
MAILING ADDRESS:
Post Office Box 11705
Columbia, South Carolina 29211
Phone: 803-779-7257, 800-922-7319

PRO-Parents

652 Bush River Road, Suite 218
Columbia, South Carolina 29210
Phone: 803-772-5688, 800-759-4776
<http://www.proparents.org>

Protection and Advocacy for People with Disabilities, Inc.

3710 Landmark Drive, Suite 208

Columbia, South Carolina 29204

Phone: 803-782-0639, 866-275-7273 (voice) and toll free 866-232-4525 (TTY)

<http://www.protectionandadvocacy-sc.org>

Shriners Hospital for Crippled Children

950 West Faris Road

Greenville, South Carolina 29605

Phone: 864-271-3444

<http://www.shrinershq.org/>

South Carolina Assistive Technology Project (SCATP)

USC School of Medicine

Columbia, South Carolina 29208

Phone: 803-935-5263

<http://www.sc.edu/scatp/>

South Carolina Association of the Deaf

437 Center Street

West Columbia, South Carolina 29169

Phone: 803-794-3175

TTY: 803-794-7059

<http://www.scadeaf.org/>

South Carolina Association of School Psychologists (SCASP)

Post Office Box 11711

Capital Station

Columbia, South Carolina 29211

Phone: 803-790-6895, 800-303-2309

<http://scaspweb.org/index.html>

South Carolina Autism Society

652 Bush River Road, Suite 203

Columbia, South Carolina 29210

Phone: 803-794-2300

E-mail: scautismsociety@juno.com

<http://www.scautism.org/>

South Carolina Congress of Parents and Teachers

1826 Henderson Street

Columbia, South Carolina 29201-2619

Phone: 803-765-0806, 800-743-3782

E-mail: sc_office@pta.org

<http://www.myschoolonline.com/site/0,1876,-110242-48-1146,00.html>

South Carolina Department of Disabilities and Special Needs

WALK-IN ADDRESS:

3440 Harden Street Extension
Columbia, South Carolina 29203
Phone: 803-898-9600, 888-376-4636
V/TTY: 803-898-9600

MAILING ADDRESS:

Post Office Box 4706
Columbia, South Carolina 29240
E-mail: ddsnweb@ddsn.state.sc.us
<http://www.state.sc.us/ddsn/>

South Carolina Occupational Therapy Association (SCOTA)

3650-A Centre Circle
Fort Mill, South Carolina 29715
Phone: 803-802-5454
<http://www.scotassociation.org/sis/school.html>

South Carolina Program Assistance Line (PAL)

Office of the Lieutenant Governor
Post Office Box 142
Columbia, South Carolina 29202
Phone: 803-734-2050
<http://www.state.sc.us/lsgov/lsgtable.htm>

South Carolina Registry of Interpreters for the Deaf (SCRID)

145 Lynn Road
Spartanburg, South Carolina 29306
TTY: 864-573-1075
E-mail: president@southcarolinarid.org
<http://www.southcarolinarid.org/>

South Carolina School for the Deaf and the Blind

355 Cedar Springs Road
Spartanburg, South Carolina 29302-4699
Phone: 864-594-3315, 864-594-3316
<http://www.scsdb.k12.sc.us/>

South Carolina Services Information System (SCSIS)

E-mail: scsis@dhhs.state.sc.us
<http://www.scsis.org/>

South Carolina Speech-Language-Hearing Association (SCSHA)

3008 Millwood Avenue
Columbia, South Carolina 29205
Phone: 803-252-5646
E-mail: info@scsha.com
<http://www.scsha.com/>

South Carolina Vocational Rehabilitation Department

Post Office Box 15
West Columbia, South Carolina 29171
Phone: 803-896-6500
Toll-free outside Columbia: 800-832-7526
<http://www.scvrd.net/>

Special Olympics

WALK-IN ADDRESS:
295 Greystone Boulevard
Columbia, South Carolina 29221
MAILING ADDRESS:
Post Office Box 210099
Columbia, South Carolina 29221
Phone: 803-254-7774
<http://www.so-sc.org/>

Appendix C

INSTRUCTIONS FOR COMPLETING THE COMPLAINT FORM

Please print or type.

1. Complete **Section I** by checking the appropriate boxes in parts A and B and by providing the information requested in parts C through E. This information can be found on the student's IEP.
2. Complete **Section II** by explaining what you would like to see changed.
3. Complete **Section III** by printing or typing in the information about the student, the parent/guardian, and the school district/agency.
4. Forms will not be accepted without the **signature** of the parent/guardian or the person filing the complaint.
5. **Mail the form** to the Office of Exceptional Children to this address:

**Office of Exceptional Children
Rutledge Building
South Carolina Department of Education
1429 Senate Street, Room 808
Columbia, South Carolina 29201-3799**

Signed faxed copies will be accepted.

Fax: 803-734-4824

You can get additional information by calling the Office of Exceptional Children at 803-734-8224 and by going to the Department of Education's Web site at <<http://www.myscschools.com/offices/ec/>>.

COMPLAINT FORM

Section I (Please print or type all text).

A. Check the category of disability listed on the student's IEP (if he or she has an IEP):

- | | |
|--|--|
| <input type="checkbox"/> Preschool Child with a Disability | <input type="checkbox"/> Deafblindness |
| <input type="checkbox"/> Mental Disability | <input type="checkbox"/> Orthopedic Impairment |
| <input type="checkbox"/> Specific Learning Disability | <input type="checkbox"/> Other Health Impairment |
| <input type="checkbox"/> Emotional Disability | <input type="checkbox"/> Traumatic Brain Injury |
| <input type="checkbox"/> Speech or Language Impairment | <input type="checkbox"/> Autism |
| <input type="checkbox"/> Deaf and Hard of Hearing | <input type="checkbox"/> Multiple Disabilities |
| <input type="checkbox"/> Visual Impairment | |

B. Check the type of class that the student is in:

- | | |
|---|---|
| <input type="checkbox"/> Regular class | <input type="checkbox"/> Hospital/homebound instruction |
| <input type="checkbox"/> Regular class with supportive services
(itinerant/resource) | <input type="checkbox"/> Home-based instruction |
| <input type="checkbox"/> Self-contained class | <input type="checkbox"/> Other program option (please describe):
_____ |
| <input type="checkbox"/> Special school | _____ |
| <input type="checkbox"/> Community agency programs (e.g., Head
Start for preschool children) | |

C. List the names of the people who violated your rights or the rights of the student:

(Attach additional pages if you do not have enough room on the form.)

D. Describe how you believe the school or school district/agency has violated your rights or the student's right to special education:

(Attach additional pages if you do not have enough room on the form.)

E. Give the dates of these violations:

(Attach additional pages if you do not have enough room on the form.)

Section II (Please print or type.)

What would you like to see changed?

(Attach additional pages if you do not have enough room on the form.)

Section III (Please print or type.)

Name of student

Name of parent/guardian

Street address

Street address

City State Zip

City State Zip

Phone

Home phone

Name of school

Work phone

Name of school district/agency

✕
Signature of parent/guardian Date

Name of person filing complaint if *not* parent

Street address of person filing complaint if *not* parent

Signature of person filing complaint if *not* parent Date

City State Zip

Home phone

Work phone

Appendix D

INSTRUCTIONS FOR COMPLETING THE MEDIATION REQUEST FORM

The mediation request form should be filled out by the parent/guardian and taken to the special education director in your school district/agency. The special education director or school district/agency representative will sign the form if the school district/agency agrees to mediation.

Please print or type.

1. Complete **Section I** by explaining what the disagreement with the school district/agency is.
2. Complete **Section II** by reading each of the statements there. If you do not understand these statements, please ask for help from the special education director. For mediation to take place, both the parent/guardian and the school district/agency must agree to these statements.
3. Complete **Section III** by printing or typing in the requested information about you as the parent/guardian and the school district/agency.
4. Forms will not be accepted without the **signature** of the parent/guardian or the person requesting the mediation.
5. **Take the form to the special education director in your school district/agency.**

MEDIATION REQUEST FORM

Section I (Please print or type.)

We are requesting that a mediator approved by the South Carolina Department of Education be named to help us work out the following disagreement:

(Attach additional pages if you do not have enough room on the form.)

Section II

- We have reviewed the procedures for mediation in special education in South Carolina and understand that it is a voluntary process and not a requirement.
- We agree to meet to work out our differences in a way acceptable to each of us and in the best interest of the student.
- We understand that the student's current placement remains the same.
- We understand that by agreeing to mediation, neither the school district/agency nor the parent/guardian gives up the right to due process.
- We understand that mediation is confidential and agree not to require the mediator to be a part of any future due process or court proceeding. We understand that whatever is said or happens during mediation cannot be used in a future due process hearing or court proceeding.

Section III (Please print or type.)

Name of school district/agency

Street address

City State Zip

Phone

Signature of special education director/representative

Name of parent/guardian

Street address

City State Zip

Home phone

X _____
Signature of parent/guardian

Appendix E

INSTRUCTIONS FOR COMPLETING THE DUE PROCESS HEARING REQUEST FORM

The request form for a due process hearing should be filled out by the parent/guardian and provided to the special education director in the school district/agency.

Please print or type.

1. Complete **Section I** by checking the appropriate boxes in parts A and B and by providing the information requested in parts C through E. This information can be found on the student's IEP.
2. Complete **Section II** by explaining what you would like to see changed.
3. Complete **Section III** by printing or typing in the information about the student, the parent/guardian, and the school district/agency.
4. Forms will not be accepted without the **signature** of the parent/guardian or the person requesting the hearing.
5. Take the form to the special education director in your school district/agency.

You can get additional information by calling the Office of Exceptional Children at 803-734-8224 and by going to the Department of Education's Web site at <<http://www.myschools.com/offices/ec/>>.

DUE PROCESS HEARING REQUEST FORM

Section I (Please print or type all text).

A. Check the category of disability listed on the student's IEP (if he or she has an IEP):

- | | |
|--|--|
| <input type="checkbox"/> Preschool Child with a Disability | <input type="checkbox"/> Deafblindness |
| <input type="checkbox"/> Mental Disability | <input type="checkbox"/> Orthopedic Impairment |
| <input type="checkbox"/> Specific Learning Disability | <input type="checkbox"/> Other Health Impairment |
| <input type="checkbox"/> Emotional Disability | <input type="checkbox"/> Traumatic Brain Injury |
| <input type="checkbox"/> Speech or Language Impairment | <input type="checkbox"/> Autism |
| <input type="checkbox"/> Deaf and Hard of Hearing | <input type="checkbox"/> Multiple Disabilities |
| <input type="checkbox"/> Visual Impairment | |

B. Check the type of class that the student is in:

- | | |
|---|--|
| <input type="checkbox"/> Regular class | <input type="checkbox"/> Hospital/homebound instruction |
| <input type="checkbox"/> Regular class with supportive services
(itinerant/resource) | <input type="checkbox"/> Home-based instruction |
| <input type="checkbox"/> Self-contained class | <input type="checkbox"/> Other program option (please describe): |
| <input type="checkbox"/> Special school | _____ |
| <input type="checkbox"/> Community agency programs (e.g., Head
Start for preschool children) | _____ |

C. List the names of the people who violated your rights or the rights of the student:

_____	_____
_____	_____
_____	_____

(Attach additional pages if you do not have enough room on the form.)

D. Describe how you believe the school or school district/agency has violated your rights or the student's right to special education:

(Attach additional pages if you do not have enough room on the form.)

E. Give the dates of these violations:

(Attach additional pages if you do not have enough room on the form.)

Section II (Please print or type.)

What would you like to see changed?

(Attach additional pages if you do not have enough room on the form.)

Section III

We understand that both the school or school district/agency and the parent/guardian have the right to

- a. bring an attorney and/or persons with special knowledge or training about the problems of students with disabilities to the hearing;
- b. request the attendance of particular witnesses;
- c. present evidence as well as question and cross-examine witnesses;
- d. object to letting in evidence at the hearing that has not been shared with the school district/agency and the parent/guardian or his or her attorney at least five days before the hearing;
- e. get a written or tape-recorded transcript of the hearing; and
- f. get a written statement of the findings of fact and the decisions made at the due process hearing.

Section IV (Please print or type.)

Name of student

Name of parent/guardian

Street address

Street address

City State Zip

City State Zip

Phone

Home phone

Name of school

Work phone

School district/agency

X _____
Signature of parent/guardian

Appendix F

INSTRUCTIONS FOR COMPLETING THE EXPEDITED DUE PROCESS HEARING REQUEST FORM

The request form for an expedited due process hearing should be filled out by the parent/guardian and provided to the special education director in the school district/agency.

Please print or type.

1. Complete **Section I** by checking the appropriate boxes in parts A and B and by providing the information requested in part C. This information can be found on the student's IEP.
2. Complete **Section II** by explaining what you would like to see changed.
3. Complete **Section III** by printing or typing in the information about the student, the parent/guardian, and the school district/agency.
4. Forms will not be accepted without the **signature** of the parent/guardian or the person requesting the expedited hearing.
5. Take the form to the special education director in your school district/agency.

You can get additional information by calling the Office of Exceptional Children at 803-734-8224 and by going to the Department of Education's Web site at <http://www.myschools.com/offices/ec/>.

EXPEDITED DUE PROCESS HEARING REQUEST FORM

Section I (Please print or type all text.)

A. Check the category of disability listed on the student's IEP (if he or she has an IEP):

- | | |
|--|--|
| <input type="checkbox"/> Preschool Child with a Disability | <input type="checkbox"/> Deafblindness |
| <input type="checkbox"/> Mental Disability | <input type="checkbox"/> Orthopedic Impairment |
| <input type="checkbox"/> Specific Learning Disability | <input type="checkbox"/> Other Health Impairment |
| <input type="checkbox"/> Emotional Disability | <input type="checkbox"/> Traumatic Brain Injury |
| <input type="checkbox"/> Speech or Language Impairment | <input type="checkbox"/> Autism |
| <input type="checkbox"/> Deaf and Hard of Hearing | <input type="checkbox"/> Multiple Disabilities |
| <input type="checkbox"/> Visual Impairment | |

B. Check the type of class that the student is in:

- | | |
|---|--|
| <input type="checkbox"/> Regular class | <input type="checkbox"/> Hospital/homebound instruction |
| <input type="checkbox"/> Regular class with supportive services
(itinerant/resource) | <input type="checkbox"/> Home-based instruction |
| <input type="checkbox"/> Self-contained class | <input type="checkbox"/> Other program option (please describe): |
| <input type="checkbox"/> Special school | _____ |
| <input type="checkbox"/> Community agency programs (e.g., Head
Start for preschool children) | _____ |

C. Give the reason you are requesting an expedited due process hearing:

(Attach additional pages if you do not have enough room on the form.)

Section II (Please print or type.)

What would you like to see changed?

(Attach additional pages if you do not have enough room on the form.)

Section III

We understand that both the school or school district/agency and the parent/guardian have the right to

- a. bring an attorney and/or persons with special knowledge or training about the problems of students with disabilities to the hearing;
- b. request the attendance of particular witnesses;
- c. present evidence as well as question and cross-examine witnesses;
- d. object to letting in evidence at the hearing that has not been shared with the school district/agency and the parent/guardian or his or her attorney at least five days before the hearing;
- e. get a written or tape-recorded transcript of the hearing; and
- f. get a written statement of the findings of fact and the decisions made at the due process hearing.

Section IV (Please print or type.)

Name of student

Name of parent/guardian

Street address

Street address

City State Zip

City State Zip

Phone

Home phone

Name of school

Work phone

School district/agency

X _____
Signature of parent/guardian

The South Carolina Department of Education does not discriminate on the basis of race, color, national origin, sex, or disability in admission to, treatment in, or employment in its programs and activities. Inquiries regarding the nondiscrimination policies should be made to the director of the Office of Human Resources, 1429 Senate Street, Columbia, South Carolina 29201, 803-734-8505.