



Administrator's Guide to Special Education

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Introduction

The mission of the Department of Defense Education Activity (DoDEA) is to provide a quality educational program that prepares *all* students for success in a global environment. In DoDEA, students with disabilities are provided a free, appropriate education in schools where placement and service decisions are based on the individual needs of the student, in the least restrictive environment and in accordance with the system's guiding principles. DoDEA is committed to promoting inclusive education, which is defined as the participation of all students, including those with disabilities, limited English proficiency, identified gifts and talents, and other special needs in the general education program, as appropriate.

As the local instructional leader, you have a profoundly important role in demanding that high expectations be set for all students, including students with disabilities, and to ensure that appropriate educational opportunities exist to meet all students' unique educational needs. This *Administrator's Guide to Special Education* for DoDEA is intended to serve as a quick reference manual, aiding you in performing your day-to-day responsibilities, specifically as they relate to serving students with disabilities. This guide will provide you with snapshots of DoD Instruction 1342.12; DoDEA *Special Education Procedural Guide* (DoDEA 2500 13-G, September 2005); and IDEA 2004 (the Individuals with Disabilities Education Improvement Act). For additional information on special education procedural questions, refer to DoD Instruction 1342.12 and the *DoDEA Special Education Procedural Guide (2500.13-G)*.

Note: Throughout this document, references to the *Special Education Procedural Guide* pertain to DoDEA 2500.13-G (September 2005).

Success for All Students

In DoDEA's Community Strategic Plan, the vision statement, the mission statement and the guiding principles each embrace the notion that ALL students will be successful in our schools. DoDEA believes that ALL students can learn when instruction is geared to their strengths and they are given sufficient opportunity to learn. As a school administrator, you are challenged to set a school-wide expectation that every student will be successful by employing numerous interventions that are proven to help all students—particularly those who are struggling learners.

Response To Intervention

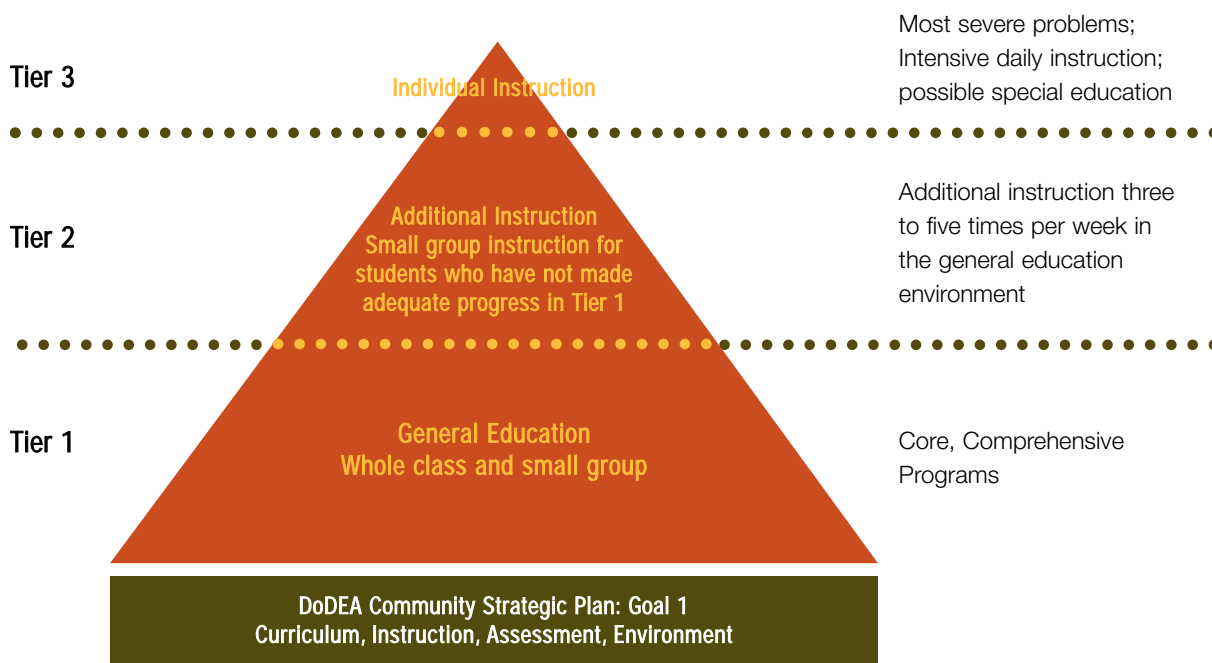
The reauthorization of the Individuals with Disabilities Education Act (commonly referred to as IDEA 2004) promotes the use of a Response to Intervention (RTI) model to provide interventions to struggling learners well in advance of considering a

referral into the special education process. This model involves providing research-based, high-quality instructional interventions targeted to student needs, and monitoring progress to make data-driven decisions about instructional changes. Even though this language is not used in DoDEA's current *Special Education Procedural Guide (DoDEA 2500.13, September 2005)*, this model actually serves to strengthen DoDEA's common practice of 'prereferral activities.'

DoDEA Three-Tier RTI Model

RTI encompasses multiple tiers of increasingly intensive instruction to address the needs of all students. Low-performing students receive intervention designed to fill the gaps in specific skills, and their progress is monitored to determine whether the intervention is effective.

DoDEA Three-Tier Model



Overview of the Special Education Process

Special education is defined as specially designed instruction provided to meet the unique needs of the student with a disability. As an administrator, your role is to oversee the special education process, which requires that a student's unique educational needs be identified, that the student receives a multidisciplinary evaluation, and that the student is determined eligible to receive services using DoDEA's "Categories of Eligibility."

In this Administrator's Guide, the terms 'evaluations' and 'assessments' will be used interchangeably.

Child Find

Child Find is the ongoing process used by DoDEA and the military departments to seek and identify individuals (ages 3 through 21, inclusive) who are eligible to receive special education and related services. (Military departments conduct Child Find for infants and toddlers from birth to two years old on military installations.) Child Find activities in DoDEA include:

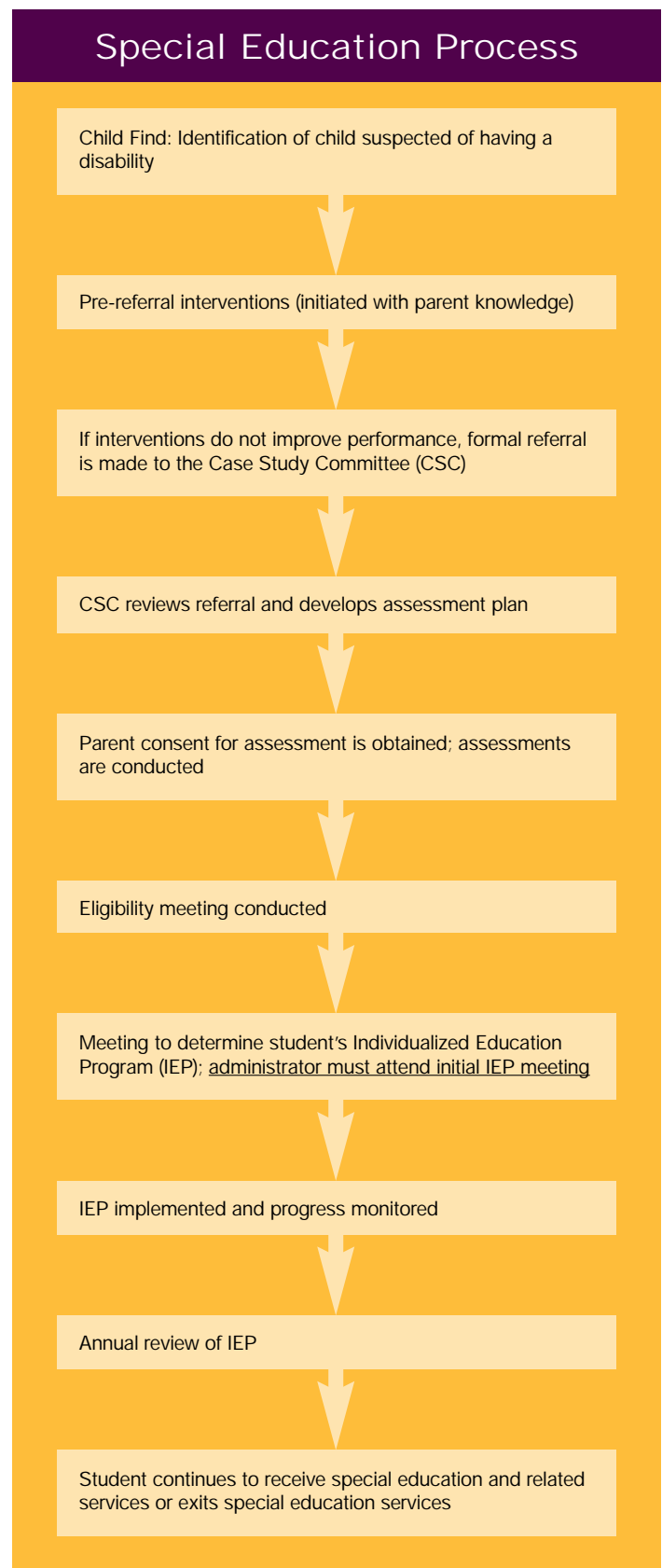
- the dissemination of information to the public
- screening, referral, and identification procedures

Because disabling conditions may appear at any point in the developmental process, it is important that the Child Find activities continue through secondary programs.

Refer to Section 2 of the *Special Education Procedural Guide* for details about Child Find.

The Case Study Committee (CSC)

The Case Study Committee (CSC) is composed of school personnel involved in the special education



Section 2

process (including the administrator or designee). There are two reasons the CSC meets:

- To conduct common special education business; e.g., coordinating and scheduling special education meetings or actions, determining and monitoring timelines, addressing compliance issues, etc. This meeting is often referred to as a *CSC business meeting*.
- To conduct *student specific* activities; i.e., those activities directly related to a specific student conducted from the time of referral through Individual Education Program (IEP) development. This is the most frequent reason CSCs meet. Administrators must attend the initial IEP development meeting.

As the school administrator, you have the ultimate responsibility for the functioning of the Case Study Committee and the implementation of the DoD Instruction 1342.12.

The CSC should meet as frequently as necessary to ensure timely consideration of referrals and issues concerning the special education program. A written record (CSC Minutes) of each CSC meeting in which a student is discussed should be placed in the student's special education folder. These documents, as well as meeting agendas and related materials, are protected by the Privacy Act and their disclosure to persons other than the parents of the child and school personnel with a need to know may violate law and/or regulation.

CSC Minutes must accurately reflect enough detail for someone who did not attend the meeting to read the written record and fully understand what transpired.

Pre-Referral Interventions

Pre-referral is the process of identifying and documenting activities employed to correct a student's learning and/or behavioral difficulties demonstrated in a regular education environment before the student is formally referred to the Case Study Committee for assessment.

- In pre-referral interventions, school teams make suggestions about educational procedures and practices that the classroom teacher can implement when a student is experiencing difficulties.
- If the suggested procedures or activities are successful, a formal referral is not needed.
- If a formal referral to a CSC is deemed necessary, the actions taken by a teacher to address a student's classroom difficulties become a part of the pre-referral documentation.

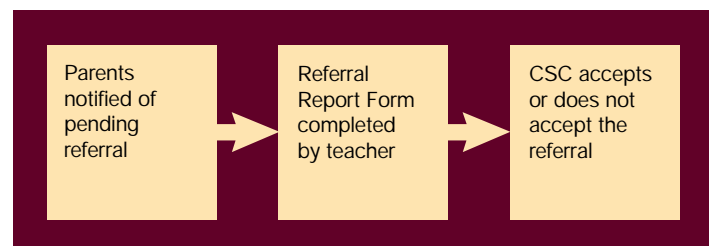
Pre-referral interventions or activities can be academic, behavioral, organizational, or another form of modification designed to assist a child having difficulties in the general education environment. A few examples include such strategies as using graphic organizers and flash cards (academic), reducing distractions and allowing activity breaks (behavioral), and providing small group instruction (organizational).

Refer to Section 3 of the *Special Education Procedural Guide* for details on pre-referral activities.

If a referral is made for a child not currently enrolled in a DoDEA school (e.g., preschool aged, home schooled, etc.) but who is entitled to receive an education from DoDEA, the referral is directed to the school the child normally would attend.

Making A Referral

In cases where pre-referral interventions/activities are unsuccessful in addressing a student's difficulties, the classroom teacher will complete a Referral Report Form to summarize the strategies attempted to resolve the student's problems and to document the reason for a referral to the CSC.



The referring teacher must notify the parents of the pending referral before submitting the referral to the CSC. Contact may be made in person, by conference, by letter (including email) or by phone and will be documented on the referral form. Parents should have a clear understanding about why their child is being referred to the CSC.

Assessment Planning

As one of the first steps in the referral process, the student is evaluated by trained personnel in all areas related to the suspected disability. If more than one disability is suspected, the CSC will develop an assessment plan that includes the assessment requirements for each disability.

The assessment plan is developed at a CSC meeting that includes at a minimum the following individuals:

- The referring teacher
- A special education teacher
- A school administrator or representative
- The assessor, whenever possible.

Parent participation in the assessment plan development meeting is not required. However, parents may be invited to the meeting as appropriate to minimize circumstances that may lead to parent objection to necessary evaluations.

Refer to Section 3-11 of the *Special Education Procedural Guide* for a list of disability categories and areas of assessment.

Parents must give informed consent prior to beginning the administration of the assessments indicated on the assessment plan. If the parent did not attend the assessment planning meeting, a representative of the assessment planning team, the case manager, the

referring teacher, or an administrator shall contact the parent to explain the purpose and nature of the assessment(s) and request signed consent on the Parent Permission to Assess form.

Assessments must be completed within 45 school days from the date that the parents sign consent, or the CSC must obtain a new parent permission to assess.

Determining Eligibility

After all assessments are completed, the CSC will meet to determine eligibility for special education instruction and related services. A meeting of assessors may be held prior to the eligibility meeting to synthesize assessment results and determine whether further assessments are necessary. The CSC must use the *Case Study Committee Eligibility Report* to document the determination of eligibility or non-eligibility.

The administrator or a school representative is required to participate in the eligibility meeting, along with:

- General education teacher of the student
- Special education teacher
- Parent(s)
- Student, age 14 or older (must be invited but attendance not required)

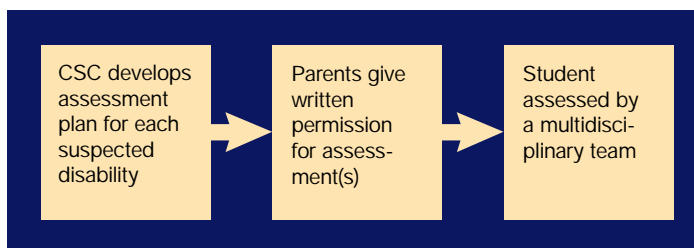
Section 5-2 and 5-3 in the *Special Education Procedural Guide* list documentation requirements for the CSC Eligibility Report.

Other individuals may be included at the discretion of the parents or the school.

Disabilities are classified into five categories:

- **Criterion A** - Physical Impairments
- **Criterion B** - Emotional Impairments
- **Criterion C** - Communication Impairments
- **Criterion D** - Learning Impairments
- **Criterion E** - Developmental Delay

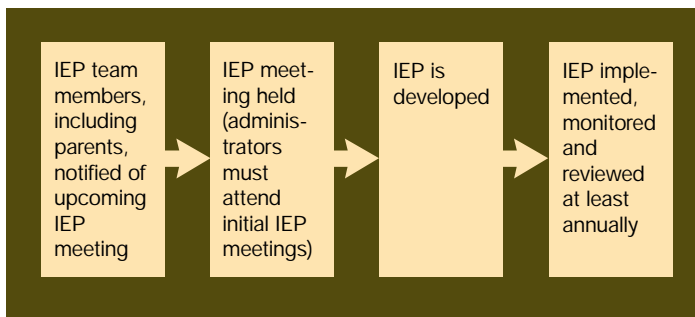
For detailed definitions of each disability category, refer to Sections 5-6 through 5-25 in the *Special Education Procedural Guide*. In all of the definitions for eligibility, “educational performance” refers to how a student functions in the educational setting. It may or may not require academic achievement testing as noted within each category.



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The Individualized Education Program

If a student is determined to have a disability and be eligible for special education and related services, he or she must have an Individualized Education Program (IEP). The IEP defines the specially designed instruction, including related services, required for a student with a disability to succeed in his or her educational program. The IEP document is developed and implemented in accordance with DoDI 1342.12.



The IEP process requires an appropriately staffed meeting to develop the IEP, and a written document (the IEP) of the decisions reached at the meeting. The participants at the CSC meeting to develop the IEP shall include:

- school administrator
- parent(s) of students with disabilities
- the student (if appropriate)
- one or more special education teachers
- one or more general education teachers of the student
- related service provider(s)
- other representatives, as appropriate

As the DoDEA administrator, your participation at an IEP team meeting will ensure that you have offered a free appropriate public education in the least restrictive environment and are committing resources to ensure this happens. The IEP must be signed by all parties, including parents, before a student receives special education and related services, and parents must receive a copy of the finalized IEP.

Refer to Section 6-7 in the *Special Education Procedural Guide* for a list of components that must be included in a student's IEP.

Service Delivery

After developing the student's goals and objectives, the IEP team must decide the student's placement (where the IEP services will be implemented). The CSC, including the parents, makes the placement decision based upon their knowledge of the student, the evaluation results, and the types of appropriate placements. Decisions about the types of special education services to be provided and the locations are based upon the individual needs of each student.

Placement is based upon the goal of providing services to meet the student's needs in the least restrictive environment. The decision about the location where special education and related services will occur is based on:

- Provision of accommodations and supplementary aids and services in the general education classroom;
- Severity of assessed needs;
- Individual learning style; and
- Impact on other students in the environment.

Sections 6-11 through 6-15 in the *Special Education Procedural Guide* list address service delivery location options and collaborative teaching practices.

Locations: Special education services may be provided in a variety of locations beginning with the general education classroom and extending to self-contained settings. Services and locations are determined by the CSC and are provided in the least restrictive environment appropriate to the needs of the individual student and include:

- General education classroom with supplementary aids and services
- General education classroom with consultative services from a special educator(s)
- General education classroom with collaborative instruction (i.e., coteaching) by special educator or paraprofessional support
- Special education classroom/therapy room for short-term pullout sessions
- Special education classroom for specialized instruction (all or part of the school day)

- A non-DoD school for specialized instruction. **(NOTE: This option is rare and necessitates the involvement of the district and Area Office special education coordinators.)**

The general education classroom with supplementary aids and services is the first consideration for delivering special education and related services.

Sections 6-11 through 6-15 in the *Special Education Procedural Guide* list address service delivery location options and collaborative teaching practices.

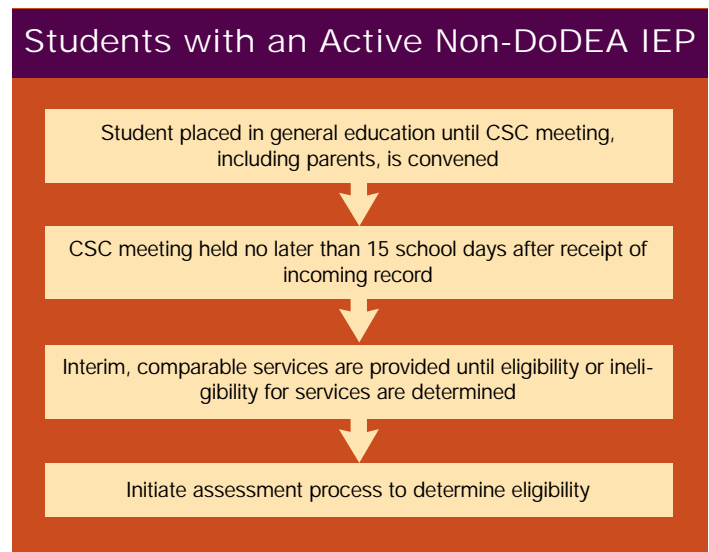
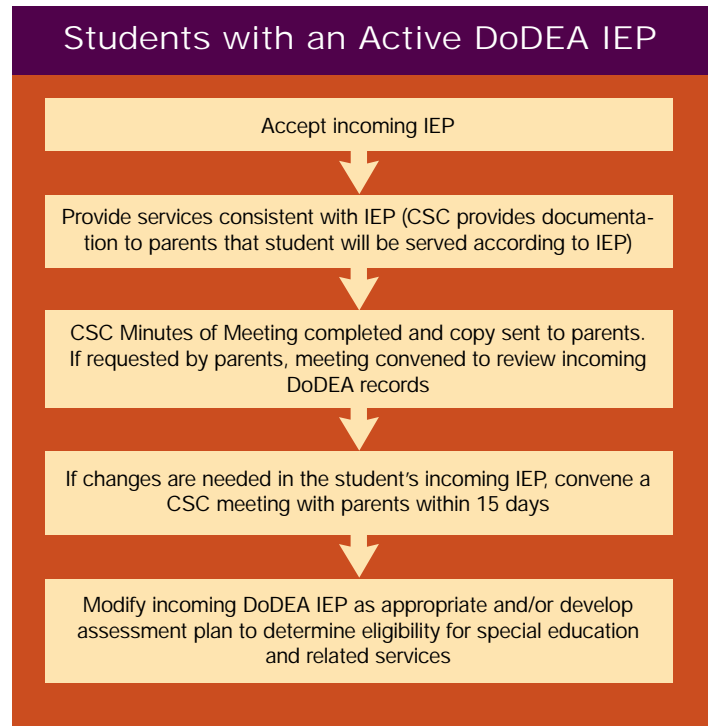
Reviewing And Revising The IEP

The IEP for each student with a disability must be formally reviewed and revised at least annually in a CSC meeting. The purpose of this review is to see whether the child is achieving his or her annual goals. In addition, a review or revision of the IEP may be conducted at any time at the request of the parent, related service provider, or school personnel. However, *any revision* of the IEP must be accomplished within a CSC meeting, and any modification of the IEP requires an IEP meeting with the parents. The need for the modification may be documented through an analysis of the student's progress (or lack of progress) on any of the goals and objectives on the student's current IEP.

Students With Incoming Records

Students enrolling with an active DoDEA IEP are eligible for placement in special education and related services in any DoDEA school. If the new school is unable to serve the student exactly as required by the incoming IEP, a meeting with the parent(s) must be convened within 15 school days of the student's enrollment.

A student enrolling from a non-DoDEA school with an IEP will be placed in general education until a CSC meeting is held. The meeting must be held no later than 15 school days following receipt of incoming records. After the CSC meets, interim comparable services will be provided until DoDEA determines eligibility and develops a DoDEA IEP, or until ineligibility for services is established.



Transition From Early Intervention Services

A significant number of preschool children participate in Early Intervention Services (EIS) before transitioning to Preschool Services for Children with Disabilities (PSCD). In DoDEA communities, the

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Educational and Developmental Intervention Services (EDIS) provide Early Intervention Services for children from birth through age 2 and 11 months. The CSC must coordinate with EIS for the timely transition of eligible children from these services to PSCD.

Children in EIS have an Individualized Family Services Plan (IFSP). When an eligible child is referred from EIS because he or she is approaching the third birthday, the CSC of the receiving school that will provide PSCD must treat the child as one who is entering with incoming records. (The IFSP would be considered in the same way that an active non-DoDEA IEP would be considered.) The transition process for a child with an active IFSP is as follows:

- When an eligible child is 2, the EIS coordinator may provide the family with specific information regarding the transition process.
- When the child is approximately 2.5 years old, the service coordinator may obtain written parental permission to share pertinent information about the child and current services with DoDEA.
- In collaboration with EIS and their evaluation, the CSC determines eligibility based on information in the child's record or creates a multi-disciplinary assessment plan to determine eligibility.
- The CSC develops a transition plan that states the date upon which the child will leave the EIS and enter PSCD, unless the child has been determined not eligible for PSCD.
- When the child is approximately 2 years and 9 months old, the CSC chairperson or designee should schedule a transition/eligibility meeting at the local school.

- If the child is eligible for special education services, a meeting to develop an IEP for the child should be held in sufficient time to ensure that resources will be in place to implement the plan on the child's third birthday.

NOTE: The starting date for PSCD should be as close to the child's third birthday as possible; however, the CSC may determine another date that coincides with a natural break or transition time.

When a child with an IFSP is found ineligible for special education services, the service coordinator is encouraged to work with the family to access appropriate community resources, such as Sure Start, the Child Development Center, and local preschools to find the most appropriate program option for the child. Based on EIS eligibility criteria, the child may continue to receive services through an IFSP until the third birthday.

Termination Of Special Education

A student's right to special education services is automatically terminated either at the end of the school year in which the student reaches 21 or upon graduation from high school. Termination of services also may occur as a result of a decision reached by the CSC (including the parents) or by order of a hearing officer or court. Termination of an IEP is a serious step that requires specification of the reason and documentation of the circumstances surrounding the decision.

In addition, a student who is making reasonable progress in the general education curriculum without extensive accommodations or special education services may be considered for dismissal from special education at any point. In such instances, the CSC should convene a meeting with the full committee (including the parents) to discuss the proposed change in placement. At the meeting, the CSC members must provide evidence and documentation to support the recommendation for dismissal from special education services.

Examples of the type of documentation supporting a recommendation for dismissal are listed in Section 5-30 of the *Special Education Procedural Guide*.

Working With Parents

Parental Involvement

Parents are required members of all eligibility and IEP meetings specific to their children and must be afforded the opportunity to participate in these meetings. As the administrator, you should encourage their active involvement at meetings related to eligibility determination, the development of the IEP, and other meetings when a change to the child's educational program is required.

The presence of one parent constitutes parental participation in the CSC meeting. The CSC may conduct an eligibility or IEP meeting without parents in attendance if the parents are unable or elect not to attend or participate by alternate means (e.g., telephone conference). Care should be taken to document all attempts to contact and involve the parents in an IEP meeting before proceeding without them.

Parents must be given prior written notice whenever DoDEA refuses a parent request or the school proposes to initiate or change the identification, evaluation, or educational placement of a student or the provision of a free and appropriate public education (FAPE). See Section 12 of the *Special Education Procedural Guide* for additional information. This can be accomplished by having well-written, accurate CSC Minutes.

Communicating With Parents

Parents of students with disabilities have information about their children that is essential to developing the programs, services, and instructional goals required under DoD Instruction 1342.12 and public law. Good communication between your office, general education teachers, special education service providers, and parents of students with disabilities is critical. As an administrator, you can encourage parental involvement and provide additional compliance with IDEA require-



ments by communicating with parents of students with disabilities about the progress their child is making toward accomplishing the goals and objectives in their Individualized Education Program.

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Procedural Safeguards

Due process procedures in special education refer to those legal procedures and safeguards created to ensure that the student, the parent(s), and the DoDEA schools are afforded their rights under the law (IDEA). Parents have the opportunity to obtain conferences, mediation, due process hearings, administrative appeals, and civil judicial proceedings in order to resolve disagreements related to the identification, evaluation, and provision of a free appropriate public education for their student.

The following resources provide information about due process protections:

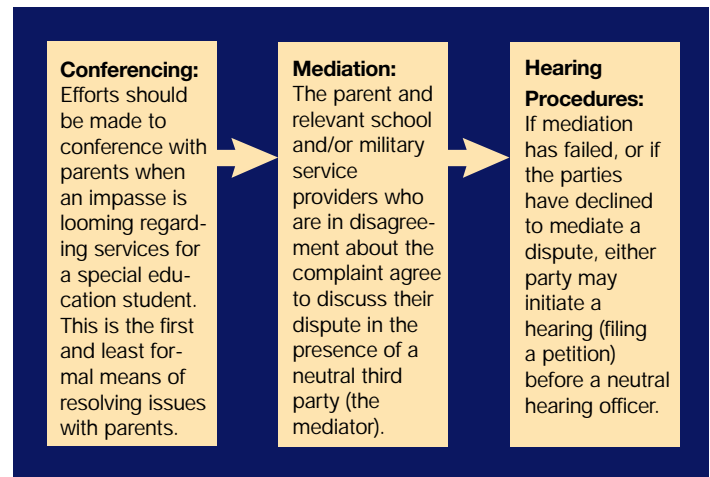
- **The Individuals with Disabilities Education Improvement Act**
- **DoD Instruction 1342.12 Provision of Early Intervention and Special Education Services to DoD Dependents (April 11, 2005)**
- **DoDEA Special Education Procedural Guide 2500, 13-G (September 2005)**
- **DoDEA Regulation 2500.1 Special Education Dispute Management System (August 28, 2001)**
- **Center for Alternative Dispute Resolution in Education (CADRE) www.cadre.org**

A complaint concerning the identification, evaluation, or educational placement of a child, or the provision of a FAPE (free, appropriate public education) to the child, may be filed for an alleged violation that occurred not more than two years before the complainant (e.g., the parent or DoDEA) knew or should have known about the action that forms the basis of the complaint.

Despite the best intentions of all the members of a CSC, sometimes education professionals and parents share different points of view. Usually, these different perspectives improve discussions and help to enrich the development of a student's IEP. On occasion, however, the differing points of view between education professionals and parents result in conflicts that the CSC team members find difficult to resolve. DoDI 1342.12 and DoD Regulation 2500.010 provide specific due process procedures to resolve these disputes, including resolution conferences, mediation, and due process hearings.

Mediation is available whenever the parties are unable to resolve a disagreement over a student's iden-

tification, evaluation, special education placement or free appropriate public education. The desired outcome is the execution of a formal agreement that resolves the



conflict, supports the child's educational program, and avoids disputes requiring a due process hearing.

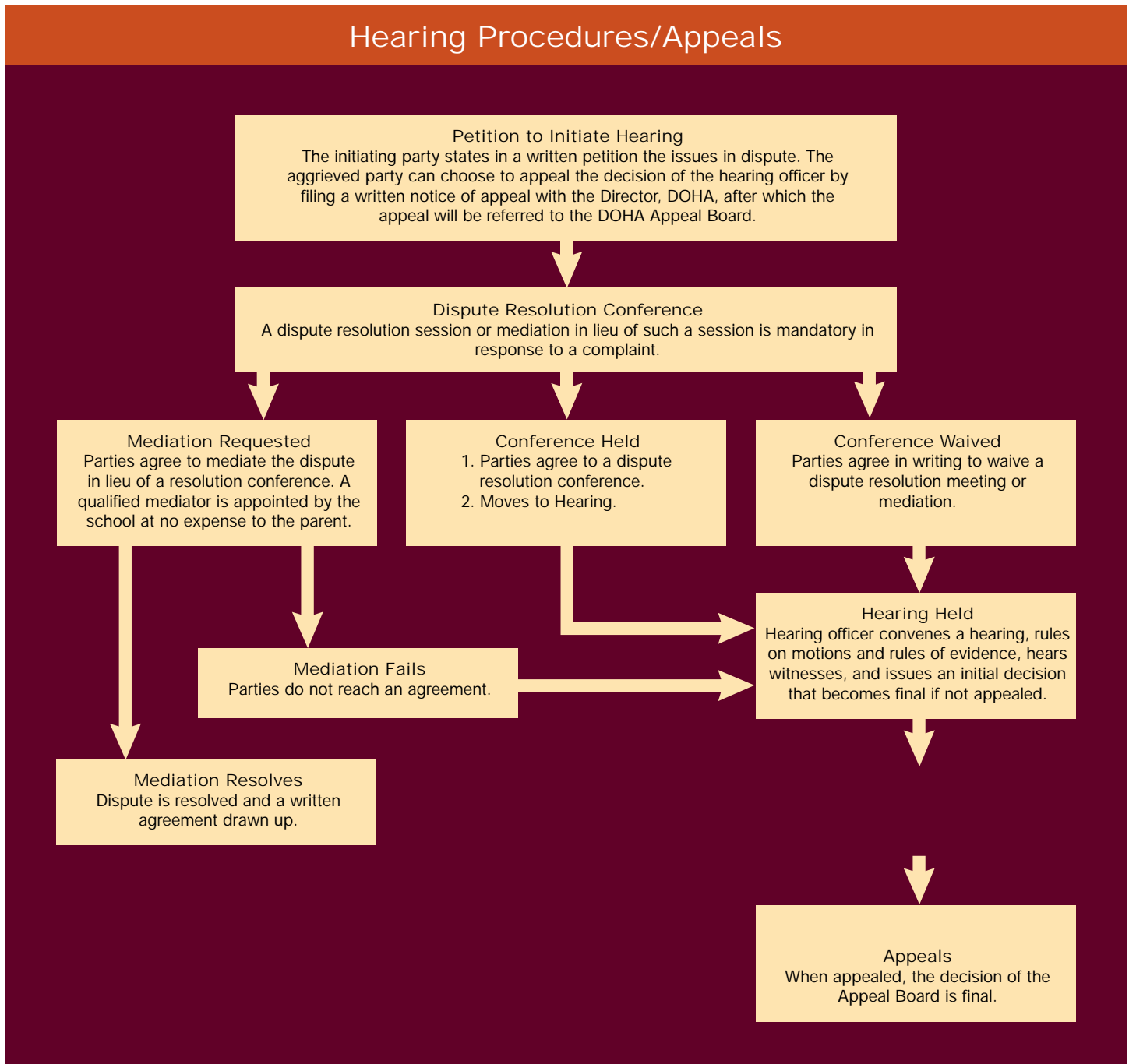
A hearing is initiated with either party files a petition with the Department of Defense Office of Hearings and Appeals (DoHA) and provides a copy of that petition to the opposing party. The petition must describe the nature of the dispute, to include a statement of the facts in dispute and the desired relief. Unlike the mediator, who merely facilitates the discussion and empowers the parties to come to an agreement, the hearing officer is a judge who makes decisions and has the power to order either party to take action consistent with the child's best interests.

Once the hearing petition request is filed, the school must convene a final dispute resolution conference within 10 days to make a final attempt to resolve the dispute through agreement.

The parties may elect to proceed with mediation at that time, in lieu of the dispute conference. But, failure to participate in a final dispute resolution conference (or mediation in lieu of conference), unless both parties agree to waive the requirement, will delay the processing of any request for a hearing.

Administrator's Guide to Special Education

The chart below describes the hearing procedures and appeals from a hearing officer decision.



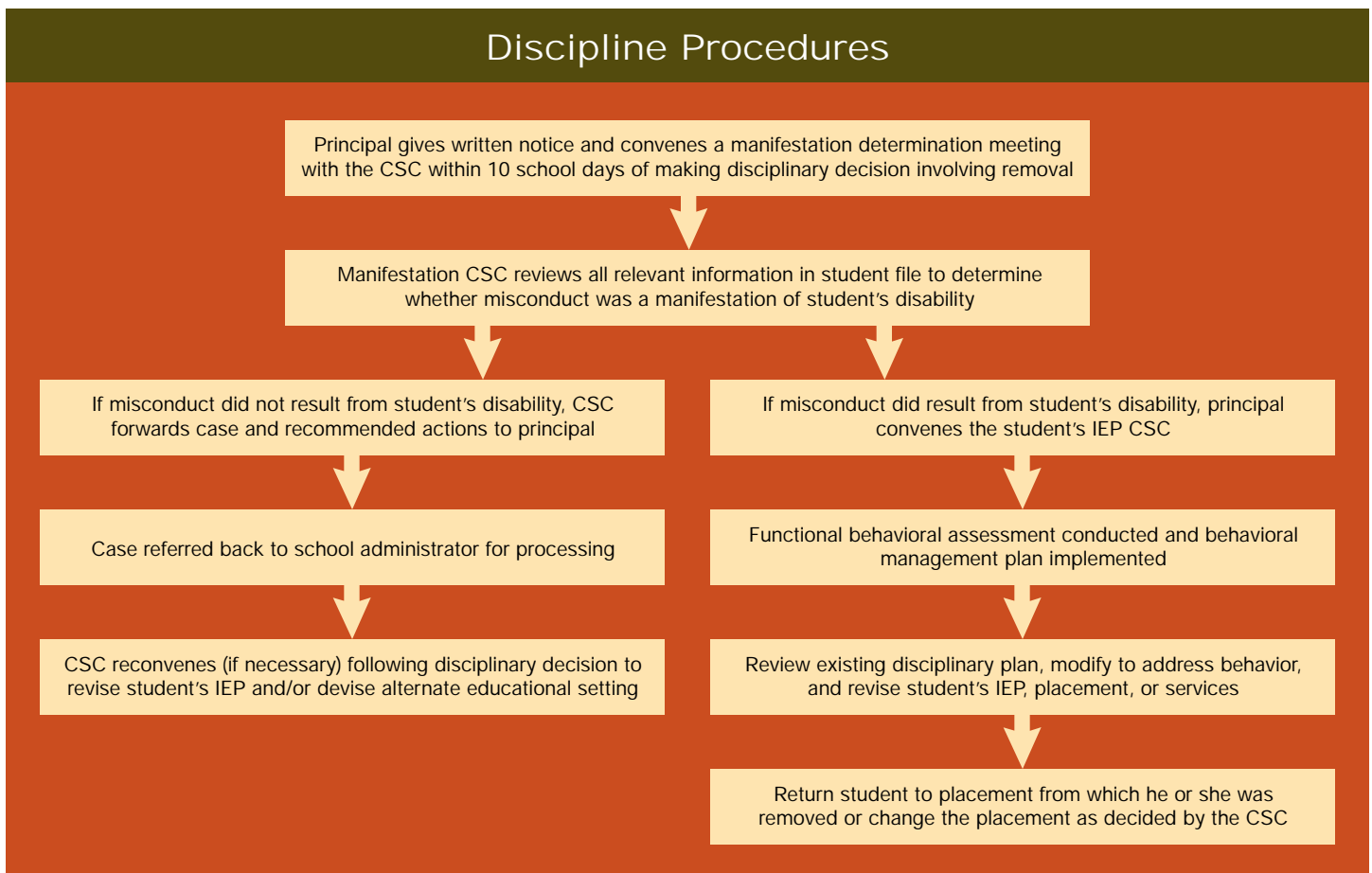
Discipline

Disciplinary Rules and Procedures

Administrators share responsibility for the management of student behavior, together with the student's parents/guardians, teachers, and the school community. Any necessary disciplinary actions must be administered fairly and without discrimination. Standard DoDEA disciplinary procedures are modified for students with disabilities when disciplinary action would change the student's placement, as described in the student's IEP. Disciplinary removal causing a change of placement occurs when, for a period of 10 or more consecutive school days, a student with disabilities is:

- Removed for disciplinary reasons to an in or out of school alternate educational setting not specified on the student's IEP
- Removed from class or from a student activity that is specifically prescribed by the student's IEP
- Removed from the school bus, when school bus transportation is specifically required by the student's IEP
- Expelled from school

The following chart illustrates the **standard procedures** for initiating disciplinary actions that would change the placement of a student with disabilities:



Other Components of Special Education

Preschool Services

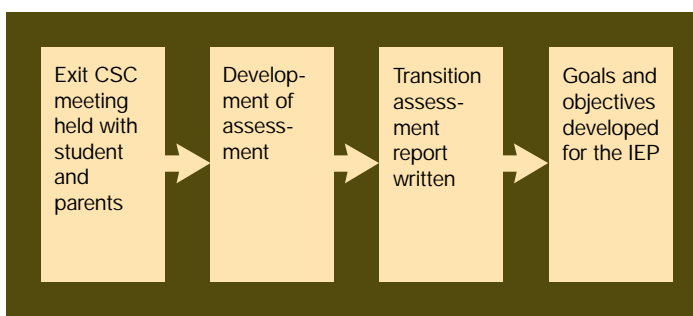
Preschoolers ages 3 through 5 with developmental delays or disabilities may be eligible to receive Preschool Services for Children with Disabilities (PSCD). Children who qualify for preschool services are eligible for PSCD on their third birthday. When feasible, the CSC should determine eligibility prior to the child's third birthday, so the child can begin receiving services at age three. DoDEA schools have the option to provide services to a child prior to his or her third birthday in certain circumstances.

Information about the delivery of Preschool Services for Children with Disabilities can be found in sections 9-13 through 9-15 in the *Special Education Procedural Guide*.

Secondary Programs and Transition Services

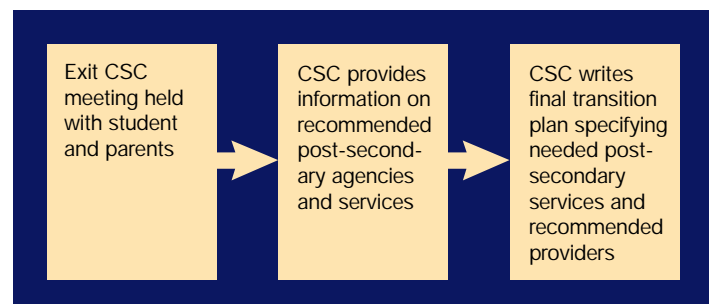
The CSC is required to focus on the transition needs and services of students with disabilities age 14 and older and include these in the IEP. This Transition IEP, or Individualized Transition Plan (ITP), focuses on the education program required to prepare the student with a disability for post-secondary education, employment, and independent living.

Transition Planning Process:



The CSC, including the student and parents, will develop a transition plan that identifies the student's transition goals and service needs. The transition plan should determine a course of study and include the educational and vocational experiences a student needs to prepare for the transition from secondary education to post-secondary life. Transition assessments can help students receiving special education service determine their interests, preferences, abilities and potential.

Final Year of School before Transition:



After a student reaches the age of majority (18 years old), the student becomes responsible for his or her educational program. Both the parents and the student must be notified of any transfer of rights and participate in the transfer meeting. Students are to receive notification at least one year before they reach the age of majority and a statement must be included in the IEP that the student has been informed that his or her rights will transfer when reaching the age of majority. After the student reaches the age of majority and rights have been transferred, any notice required by law must be provided to both the student and the parents.

Secondary Programs and Transition Services are described in detail in Section 10 of the *Special Education Procedural Guide*.

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Assistive Technology

IDEA requires that the assistive technology (AT) needs for every student with a disability be considered during the development of the IEP. As needed, an AT evaluation should be conducted by appropriately qualified staff to determine the specific devices or services a particular student may need. Assistive technology provided to students with disabilities should help them increase, maintain, or improve their ability to function in some way.

An assistive technology device is any item, piece of equipment, or product system used to increase, maintain or improve the functional capacities of individuals with disabilities. Assistive technology service means any service that directly assists a student with a disability with the selection, acquisition or use of an assistive technology device.

Assistive technology devices can range in complexity from low-tech devices, like a magnifying glass, to high-tech devices, like a complex communication system.

Even if a student does not currently require assistive technology, he or she may benefit from using it in the future, and a child's assistive technology needs must be considered as long as the child has an IEP. Specific information about assistive technology is available through DoDEA to help your staff meet the assistive technology needs for students with disabilities in your school.

Special Education Computer Management System

Excent, DoDEA's current computerized system of record management for special education, provides administrators with a convenient means of tracking special education functions. The system establishes a special education file on any student referred for special education, those entering with an existing special education file, and those currently receiving special education. Data include, but are not limited to:

- the name of the individual referring the student
- the suspected disability(ies)



- the areas of assessment and the assigned assessors
- the eligibility decision
- the educational areas and needs of the student
- the IEP requirements and services provided

The computer program maintains a record of invitations to parents; their responses to the invitations and the purpose, time, dates, and places of all CSC meetings requiring their participation; referral and assessment meetings; referral logs; and projected dates for annual and triennial reviews. As an administrator, you can access reports to help you monitor and assist your special educators in their delivery of services to students with disabilities.

The ESL-Special Education Relationship

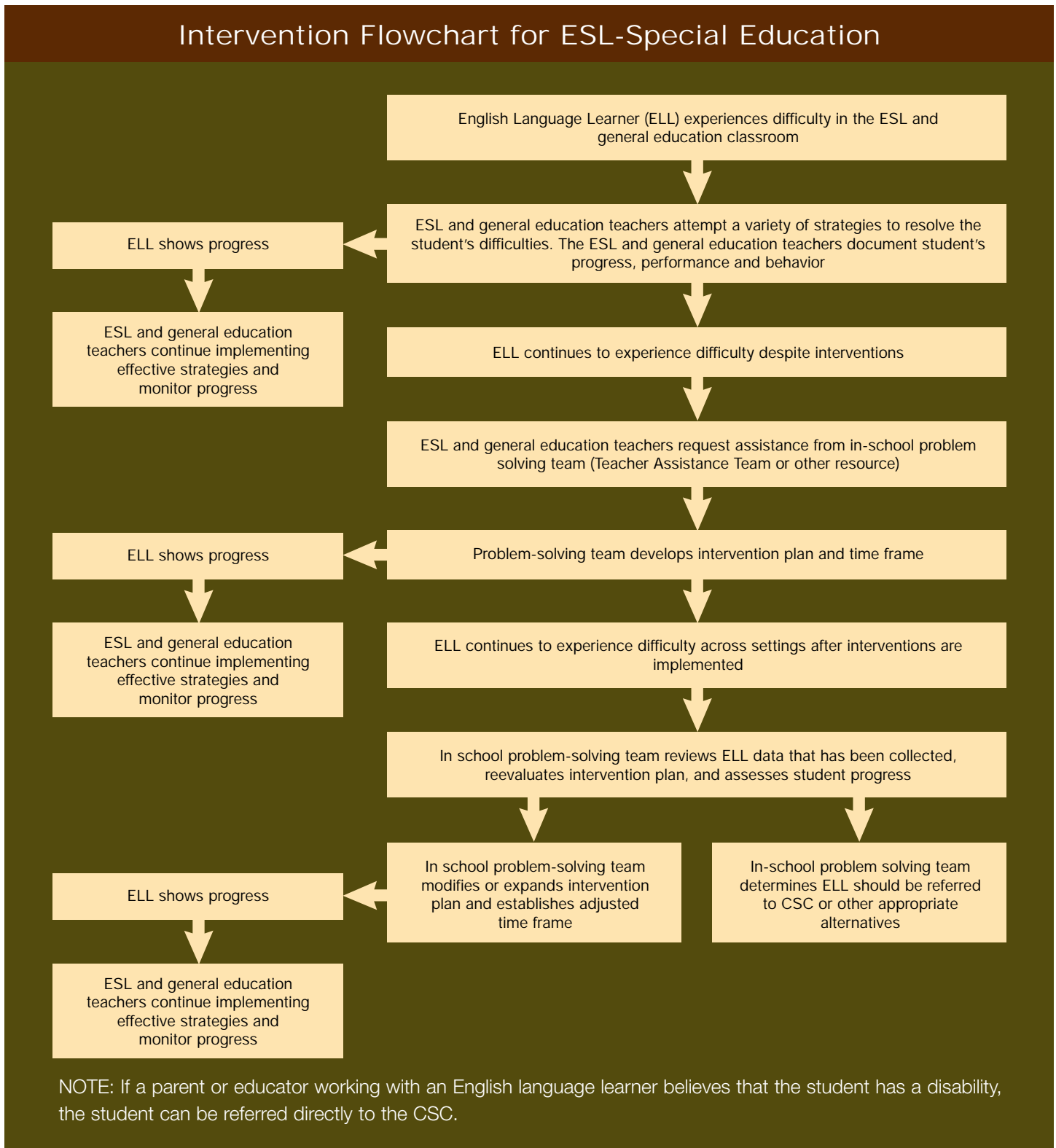
DoDEA provides services designed to meet the needs of English language learners with disabilities. It is often difficult to differentiate the characteristics of students learning another language from behaviors stemming from a disability. Therefore, the CSC, including the ESL teacher, should gather comprehensive pre-referral information for English language learners when considering special education services.

DoDEA ESL Program Guide (2006) provides detailed information about the identification process for students are English language learners.

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Administrator's Guide to Special Education

The following chart outlines the processes for English language learners who may have a disability:



A Final Word to Administrators

As a school administrator, you hold primary responsibility for promoting inclusive education to ensure that every child has access to the instruction and resources they need to reach their highest potential in school and beyond. By familiarizing yourself with the fundamental components of the Special Education Procedural Guide, as outlined here, you will have full knowledge of the criteria and expectations set forth by DoDEA to provide a quality educational program for students with disabilities, ages 3-21 inclusive. This understanding will equip you in your day-to-day responsibilities, as they relate to students requiring special education services, their teachers and parents.

Remember that you are not alone in supporting the special education services in your school. You have access to your District and Area Office special education coordinators as well as to your Area Office autism and assistive technology consultants. By working as a team, you can set the expectation that all students, regardless of disability, will meet with success in your school!

Your continuing efforts to ensure the success of all students contribute to making DoDEA the first class school system we enjoy today and is greatly appreciated!

