



Does My Child Need Special Education?

Parents may refer their child at any time to the Pupil Evaluation Team (PET) if they have reason to believe that their child may require special education services and supportive services.

Special education services are educational services that are specially designed to meet the unique needs of a student with a disability. These services are provided at no cost to the parent by qualified individuals. Special education services can vary a great deal based on the student and his or her needs.

Supportive services are designed to assist a student with a disability to benefit from special education services. If your child is succeeding in the regular education program and only needs supportive services, they may not be eligible for special education services.

Supportive services means special education transportation and such developmental, corrective, and other supportive services as are required to assist a student with a disability to benefit from their special education program. The term includes, but is not limited to, speech pathology, audiology, counseling services, psychological services, physical therapy and occupational therapy, recreation, early identification of students with disabilities, and medical services for diagnostic or evaluation purposes. The term also includes school health services, social work services in schools, and parent counseling and training. All supportive services shall be provided by appropriately certified or licensed professionals or appropriately supervised support staff.

In the Maine Special Education Regulations, the Department of Education defines "students with disabilities." The state has a duty to provide a free appropriate public education to those students. According to this definition, a student with a disability is an individual who:

- ✓ has reached the age of 5 years on or before October 15;
- ✓ has neither graduated from a secondary school program with a regular high school diploma nor reached 20 years of age at the start of the school year;
- ✓ has a disability which adversely affects the student's educational performance and requires the provision of special education services in order that the student may benefit from an elementary or secondary educational program.

According to the State's definition, a student with a disability will have one or more of the following disabilities:

Autism

A student with autism has a developmental delay, generally evident before age three and significantly affecting verbal and non-verbal communication and social interaction, that adversely affects educational performance.

Characteristics of autism include irregularities and impairments in communication, engagement in repetitive activities and stereotyped movements, resistance to environmental change or change in daily routines, and unusual responses to sensory experiences. The term does not include students with characteristics of a behavioral impairment.

Deaf/Blindness

A student who is deaf/blind exhibits concomitant hearing and visual impairments which cause severe social, communication, educational, and/or developmental deficits which adversely affect the student's educational performance.

Deafness

A student who is deaf has a hearing impairment that is so severe that the student is impaired in processing linguistic information through hearing, with or without amplification, that adversely affects the student's educational performance.

Emotional Disability

A student with an emotional disability has a condition which exhibits one or more of the following characteristics over a long period of time and to a degree that adversely affects the student's educational performance.

- A. An inability to learn that cannot be explained by intellectual, sensory, or health factors.
- B. An inability to build or maintain satisfactory interpersonal relationships with peers and teachers.
- C. Inappropriate types of behaviors or feelings under normal circumstances.
- D. A general pervasive mood of unhappiness or depression.
- E. A tendency to develop physical symptoms or fears associated with personal or school problems.

The term includes schizophrenia. The term does not apply to students who are "socially maladjusted," unless it is determined that they have an emotional disability.

Hearing Impairment

A student who has a hearing impairment has an impairment in hearing whether permanent or fluctuating, and that adversely affects the student's educational performance but who is not included under the definition of deafness.

Mental Retardation

A student with mental retardation exhibits significantly subaverage intellectual functioning concurrent with deficits in adaptive behaviors which adversely affect the student's educational performance.

Multiple Disabilities

A student with multiple disabilities exhibits concomitant impairments (such as mental retardation and behavioral impairments, orthopedic impairment, etc.) resulting in severe social, communication, educational, and/or developmental deficits which adversely affect the student's educational performance. The term does not include students who are deaf/blind.

Orthopedic Impairment

A student with an orthopedic impairment exhibits a severe orthopedic impairment that adversely affects the student's educational performance.

Other Health Impairment

A student with a health impairment exhibits limited strength, vitality or alertness due to chronic or acute health problems which adversely affect the student's educational performance.

Specific Learning Disability

A student with a learning disability exhibits a disorder in one or more of the basic psychological processes (such as auditory, visual, kinesthetic or other psychological process) involved in understanding or using language, spoken or written, which manifests itself in an imperfect ability to listen, think, speak, read, write, spell or do mathematical calculations and the disorder adversely affects the student's educational performance.

The Pupil Evaluation Team may determine that a student has a specific learning disability if:

1. the student does not achieve commensurate with his or her age and ability levels, if provided with learning experiences appropriate for the student's age and ability levels, and
2. the team finds that the student has a severe discrepancy between achievement and intellectual ability as determined by individualized assessment of intelligence and academic achievement in one or more of the following areas:
 - oral expression,
 - listening comprehension,
 - written expression,
 - basic reading skills,
 - reading comprehension,
 - mathematical calculation, or
 - mathematical reasoning.

The discrepancy cannot be primarily the result of visual, hearing, or motor handicaps; mental retardation; emotional disturbance; or environmental, cultural, or economic disadvantage.

Speech and Language Impairment

A student with a speech and language impairment exhibits impairment in speech and/or language such as impaired articulation, fluency, voice impairment, or a receptive or expressive verbal language handicap that adversely affects the student's educational performance.

Traumatic Brain Injury

A student with a traumatic brain injury has received an injury to the brain caused by an external physical force or by an internal occurrence such as stroke or aneurism, resulting in total or partial functional disability or psychosocial maladjustment that adversely affects education performance.

The term includes open or closed head injuries resulting in mild, moderate, or severe impairments in one or more areas, including cognition; language; memory; attention; reasoning; abstract thinking; judgment; problem-solving; sensory, perceptual, and motor abilities; psychosocial behaviors; physical functions; information processing; and speech. The term does not include brain injuries that are congenital or degenerative, or brain injuries induced by birth trauma.

Visual Impairment Including Blindness

A student with a visual impairment has, after the best possible correction, a limitation of vision which adversely affects the student's educational performance. The term includes both partially sighted and blind students.

Notes:

This information was adapted from Maine Special Education Regulations Chapter 101, published November 1, 1999 by the Maine Department of Education: Special Services Team.

To obtain a copy of these regulations, or for more information on this or other topics related to the needs of children with disabilities, call or write Maine Parent Federation, P.O. Box 2067, Augusta, Maine 04338, 1-800-870-7746 (In-State Only) 207-623-2144 or e-mail MPF at parentconnect@mpf.org

This fact sheet is paid for through grants from the Federal Department of Education and the State of Maine Department of Education, utilizing funds under the Individuals with Disabilities Education Act.