



## AUTISM SPECIAL EDUCATION LEGAL SUPPORT CENTER

# CHILDREN WITH AUTISM SPECTRUM DISORDER (ASD) YOUR RIGHTS TO SPECIAL EDUCATION SERVICES

## WHAT IS THE SCHOOL DISTRICT'S OBLIGATION TO MEET THE UNIQUE NEEDS OF YOUR CHILD WITH ASD?

- School districts must provide special education programs and services which meet *all* of your child's educational needs resulting from ASD, including academic, social, communication, sensory, behavioral, vocational, daily living skills, organizational.
- School districts must consider the full range of special education services necessary to meet your child's unique needs resulting from ASD including, if appropriate, intensive services such as ABA, DIR/Floortime, pragmatics, sensory integration, literacy instruction, etc. An IEP Team can only consider your child's unique needs in deciding which services to provide. The district must provide an individualized program based on your child's IEP, and cannot operate from a "one size fits all" approach or only consider the services that are readily available or currently provided to other students.
- School districts must design IEPs to develop your child's individual educational potential.
- Your child is entitled to the special education services necessary to learn the material covered by MCAS and the general curriculum.
- Your child should participate with nondisabled children as much as possible. If appropriate for your child, the school district must consider services and accommodations to support placement in regular education all or part of the day.
- The new state Autism IEP Act requires IEP Teams of all children with ASD to consider and specifically address **each** of the following areas of need:
  - verbal and nonverbal communication,
  - social interaction skills and proficiencies,
  - unusual responses to sensory experiences, resistance to environmental change or change in daily routines,
  - engagement in repetitive activities and stereotyped movements, any positive behavioral interventions, strategies, and supports needed to address any behavioral difficulties resulting from ASD,
  - social and emotional development,
  - other needs resulting from the child's ASD that impact progress in the general curriculum
- When determining eligibility for special education, the school district must determine whether your child is unable to make effective progress in regular education because of ASD.
- It is illegal for school districts to reduce or deny services for your child solely because of costs
- The school must consider your child's social/ emotional development as well as academic development when determining eligibility, and must consider your child's individual potential as well as chronological age and curriculum expectations.

**Remember:** You are an expert about your child's needs, which is why parents are legally required participants in decision-making! Talk to parents of children with ASD and work with the school to create a program that is appropriate for your child, and reflects his or her potential and competency.

**For help call the MAC AUTISM HELPLINE 617-357-8431 x224**

**IMPORTANT: Turn over for more information➔**

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### WHAT CAN YOU DO TO ENSURE THAT YOUR CHILD WITH ASD RECEIVES NECESSARY SERVICES?

- **Make sure the school district provides a comprehensive evaluation and re-evaluation, with required assessments in all areas related to your child's autism.**  
When you provide consent for the initial or re-evaluation, carefully review the list of different types of assessments and ask whether the evaluators have experience and expertise in ASD. You can request additional assessments in areas other than those proposed by the school district.
- **If you disagree with the school district's evaluation, you can request an independent evaluation.**  
Contact your local autism support center and other parents for referrals to make sure that the independent evaluator you select has experience with children with ASD and the kind of service options you are exploring for your child.
- **Make sure that the IEP (present levels of performance, goals, and objectives sections) reflects your child's strengths and potential as well as your child's needs in all areas.**  
These portions of the IEP are important, as appropriate levels and measurable goals reflect the need for intensive, coordinated services required by many children with ASD. The school district must write the number of goals and objectives necessary to meet all of your child's needs that result from ASD.
- **If your child's behavior impedes learning, make sure the IEP reflects positive behavioral supports and other strategies and services to address his or her behavioral needs.**  
Many children with ASD require positive and pro-active behavioral services, as required by federal law. School districts should not wait until a child's behavior becomes disruptive before providing support.
- **Make sure the IEP determines whether your child needs either specific accommodations or an alternate assessment to participate in MCAS.**  
All children with disabilities must participate in MCAS, but the IEP Team must decide whether accommodations or an alternate exam are necessary.
- **Ensure that your child's IEP includes objectives and services necessary to make effective progress in the general curriculum and meet MCAS standards, and also includes services necessary to meet his or her social, communication, daily living skills, and behavioral needs that result from ASD.**  
Your child is entitled to an education that can meet all of the educational needs that result from ASD. Although the emphasis on participation in the general curriculum serves to raise expectations and increase achievement, schools can not ignore other important learning needs.
- **If your child is not making expected progress in the general curriculum or toward annual IEP goals, insist that the IEP Team revise the IEP and consider additional or different special education services for your child.**  
IEP progress reports, report cards, and MCAS scores are some of the measures of your child's progress. Talk to other parents, contact your local autism support center, and talk with service providers to learn more about possible service options to meet your child's needs. Consider whether an independent evaluation may be helpful for your child.
- **Do not let the Team make decisions based on ideas that children with ASD have limited potential.**  
Research shows that with appropriate services, children with ASD can thrive academically, socially, and increase communication skills.
- **If your child is 14 years old, your child is entitled to transition planning, transition goals, and transition services.**  
Transition services facilitate child's movement from school to post-school activities and must be based on the individual child's needs, taking into account child's strengths, preferences, and interests.
- **In cases where you cannot reach an agreement with the school regarding what is appropriate for your child, exercise your due process rights (mediation, advisory opinion, hearing, complaint) to resolve the issue.**  
For more information call the MAC helpline, 617-357-8431 x224 or your local autism support center.

