

Family NETWORK ON DISABILITIES OF FLORIDA

POPIN
PARENT ORGANIZATION FOR PERSONS IN NEED

PEN
PARENT EDUCATION NETWORK

It's A Better IDEA!

Family NETWORK ON DISABILITIES OF FLORIDA

Respect.
Independence.
Knowledge.

- Family Driven
- Non-Profit 501(c)3

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We do NOT:

Act As Attorneys

We DO:

- ♥ Provide Support
- ♥ Provide Information
- ♥ Help Identify Options

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Events Affecting the Education of Children with Disabilities

- It all started back in 1868 with the 14th Amendment
- Section 504 of the Rehabilitation Act (1973)
- Education of All Handicapped Children Act (1975) renamed the Individuals with Disabilities Education Act (IDEA) in 1990

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Events Affecting the Education of Children with Disabilities

- Americans with Disabilities Act (1990)
- Individuals with Disabilities Education Act reauthorized in 1997 and again in 2004
 - No Child Left Behind (NCLB)

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Three Primary Laws

IDEIA

- Educational Benefit
- Must qualify under at least one of the IDEIA categories

504

- Equal access if federally funded
- All children who meet the 504 definition of a disability, including those who qualify under IDEIA


ADA

- Equal access regardless of funding
- All individuals who meet the ADA definition of a disability, no matter what age

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504/ADA IDEA

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Section 504 of the Rehabilitation Act of 1973
Civil Rights Law:

- Section 504 prohibits discrimination on the basis of disability
- Applies to any agency receiving federal funds
 - No additional source of federal funding
 - Provides procedural safeguards

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504 & ADA Definition of Disability

- Impairment that limits one major life activity
- Record/History of disability
- Perceived as a disability

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Individuals with Disabilities Education Improvement Act (IDEIA)

- IDEIA guides how states and school districts provide specially designed instruction and related services to more than six million eligible children with disabilities.
 - Funded in part with federal dollars
 - Part C – Early Intervention / 0-3
 - Part B – Public school / 3-22

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IDEIA Definition of Disability

- **Must meet criteria of one or more disability categories – “Labels”**
- **Must need specially designed instruction & related services**

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Free Appropriate Public Education

Section 504 defines FAPE as:

“regular or special education and related aids and services that ... are designed to meet individual educational needs of handicapped persons as adequately as the needs of non-handicapped persons are met.”

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Free Appropriate Public Education
IDEIA defines FAPE as:

“special education and related services ... provided at public expense, under public supervision and direction and without charge ... in conformity with the individualized education program ...”

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No Child Left Behind (NCLB)
Gives all children the right to highly qualified teachers.

IEP'S- are to be standard based aligned with the Sunshine State Standards.
Expectation that all children can learn curriculum

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The Principles of IDEIA

- Free Appropriate Public Education (FAPE)
 - Appropriate evaluation
 - IEP
 - Parent & student participation
 - Least Restrictive Environment
 - Procedural safeguards

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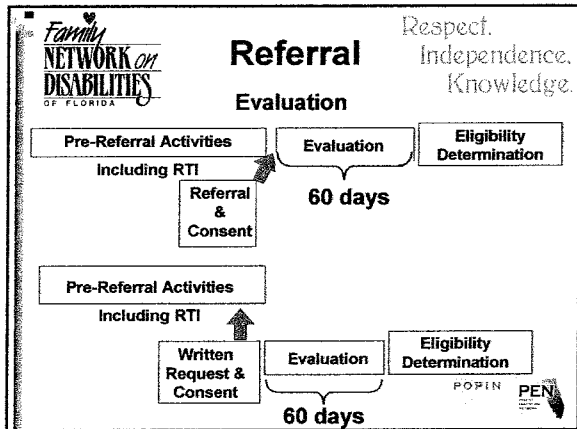
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Special Education Process

**Referral
Evaluation
Eligibility
IEP
Placement**

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Who May Make a Referral for Evaluation?

- Parents
- Teacher
- Doctor
- Social Worker
- Therapist
- Student
- School-Based Problem Solving Team

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Informed Consent for Evaluation

Request for consent
(in the parents' native language)
must include. . .

- √ Reason for evaluation
- √ Type of testing to be used
- √ Who will test

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Evaluation Determines ...

- Category of disability
- Whether the child needs specially designed instruction and/or related services
- The present levels of performance and educational needs of the child
- Whether any accommodations or modifications are needed

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Re-evaluation

- Notification & Request for Consent
- Without Informed (Parental) Consent
- No more than one time a year.

Full schedule of text are not required with parental consent.

Independent Educational Evaluation (IEE)

- If parent disagrees with evaluation
- IEE at public expense – or initiate hearing

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ELIGIBILITY CATEGORIES

FEDERAL IDEA CATEGORIES	FLORIDA ESE CATEGORIES
Mental Retardation	Mentally Handicapped
Hearing Impairment	Deaf or Hard of Hearing
Deafness	Vision Impaired
Visual Impairment Including	Dual Sensory Impaired
Blindness	Speech and Language Impaired
Deaf- Blindness	Emotional Handicap
Speech or Language Impairment	Autistic
Serious Emotional Disturbance	Physically Impaired
Autism	Specific Learning Disability
Traumatic Brain Injury	Other Health Impairment
Orthopedic Impairment	Hospital or Homebound
Multiple Disabilities	Developmental Delay (until age 5)
Developmental Delay (no later than age 9)	Gifted

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Individualized Education Program / Plan
Contents of the IEP

- Present Level of Performance
- Annual goals
- Special education and related services
- Participation with non-disabled children
- Participation in state and district-wide tests

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**Individualized Education Program / Plan
Contents of the IEP**

- Dates and places
- Transition service needs
- Needed transition services
- Age of majority
- Measuring progress
- Extended School Year (ESY)

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Special Factors

- Behavior
- Limited proficiency in English
- Blind or visually impaired
- Communication Needs
- Deaf or hard of hearing
- Assistive Technology

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**Individualized Educational Program /
Plan (IEP)**

An IEP
MEETING
is scheduled for
your child....
 yes, I can
attend

Una REUNIÓN
DE IEP
esta
programado
para su
niño/a....

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Critical IEP Team Members

- **Parents** – must be invited
- **Student** – if transition services are to be discussed, they must be invited
- **ESE teacher and/or consultant**
- **Provider** - such as therapist or specialist

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Critical IEP Team Members

- **Representatives from other agencies** – who may be providing transition services
- **Interpreter** – if needed
- **Other individuals** - who have knowledge or special expertise about the child

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Parental Participation

- **Is critical** – parents have information about their child that is important to share
- **Is not required** – an IEP meeting can take place without the parents present

A parent's signature only verifies attendance.

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Parental Participation

- Participate in decision-making and development of the IEP
- Identify strengths and needs
- Monitor progress

Seeking solutions & working collaboratively as an equal member of the team produces the best results for the child.

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TIPS: Preparing for the IEP

- Meet as a family to discuss priorities
- Write a list of concerns & questions
- Organize past copies of documents
- Review current goals & objectives
- Request draft IEP in advance
- Talk to teacher(s) and/or therapist(s)

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TIPS: Preparing for the IEP

- Fill out positive student profile
- If appropriate, review Sunshine State Standards for your child's grade level to identify areas of need
- Consider inviting another family member or a friend to attend the meeting with you.

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The IEP plan must have!

Present Level of Performance

This includes how the disability affects the child's involvement and progress in the general curriculum.

Communication
Independent Functioning
Parent Information
Social / Emotional
Health Care
Curriculum & Learning

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Tells the team:

- What the child is doing *now*
- The strengths of the child
- The unique needs of the child
- How the child's disability affects their involvement and progress in the general curriculum, including behavioral issues

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Writing IEP Goals & Objectives

- A goal should identify what skill the child will learn
- Objectives and/or benchmarks should identify the steps to achieving goals, & must be:
 - positive
 - achievable
 - unique to the child
 - observable & measurable

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Related Services

Definition under IDEIA

“Developmental, corrective, and other supportive services as may be required to assist a child with a disability to benefit from special education.”

A related service is never a stand-alone goal, related services support goals.

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Related Services

■ **Examples:**

- communication device
- curb-to-curb bus pickup
- suctioning
- assisting in developing positive
- behavioral strategies

■ **“Including but not limited to...”**

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Placement Steps

IEP – IDEIA – 504 – ADA

Fully included with supplementary aids & services

Pull-out Part Time


ESE Class Full Time

ESE or Alternative School

Hospital / Homebound

Residential School

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Least Restrictive Environment

“To the maximum extent appropriate children with disabilities ... are educated with children who are not disabled.”

Removal from an inclusive setting with non-disabled peers ONLY when education with the use of supplementary aids and services cannot be achieved satisfactorily.


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Florida Diploma Options

- Standard Diploma
- Special Diploma Option 1
- Special Diploma Option 2 (graduation training plan)
- Certificate of Completion
- Certificate of Completion – College Placement Test Eligible
- State of Florida Diploma (GED)

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Transition

School to Community

A statement of transition service needs must be on every child's IEP beginning no later than age 14

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TIPS: During the IEP

- Share your hopes and dreams
- Take notes and/or tape record
- Do not agree to what you do not understand
- Ask questions

If disagreement occurs, suggest moving to a different area and returning later

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Steps to Conflict Resolution

504: Procedural Manual:

- Federal Appeal
- Regional Complaint
- 504 Hearing
- District 504 Compliance Rep
- 504 Team
- Teacher / Principal

IDEIA: SP&P & State Rules:

- Due Process
- State Complaint
- Mediation/Resolution Meeting
- District ESE Personnel
- IEP Team
- Teacher / Principal

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Changes to IDEA now IDEIA

- Individual with Disabilities Education Improvement Act
- Short Term Objectives & Benchmarks
 - Transition – age 16
 - Pilot Program – Multi-year IEP
- IEP Team Members – excused with mutual consent
- Alternate Means of Meeting Participation
 - Evaluation
 - Conflict Resolution
 - Discipline

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Please complete our evaluation!

If you still have questions...

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