



# SPECIAL EDUCATION & ADVOCACY

Protecting the Parent/School  
Relationship!



# WHO AM I?

Andrea Marwah

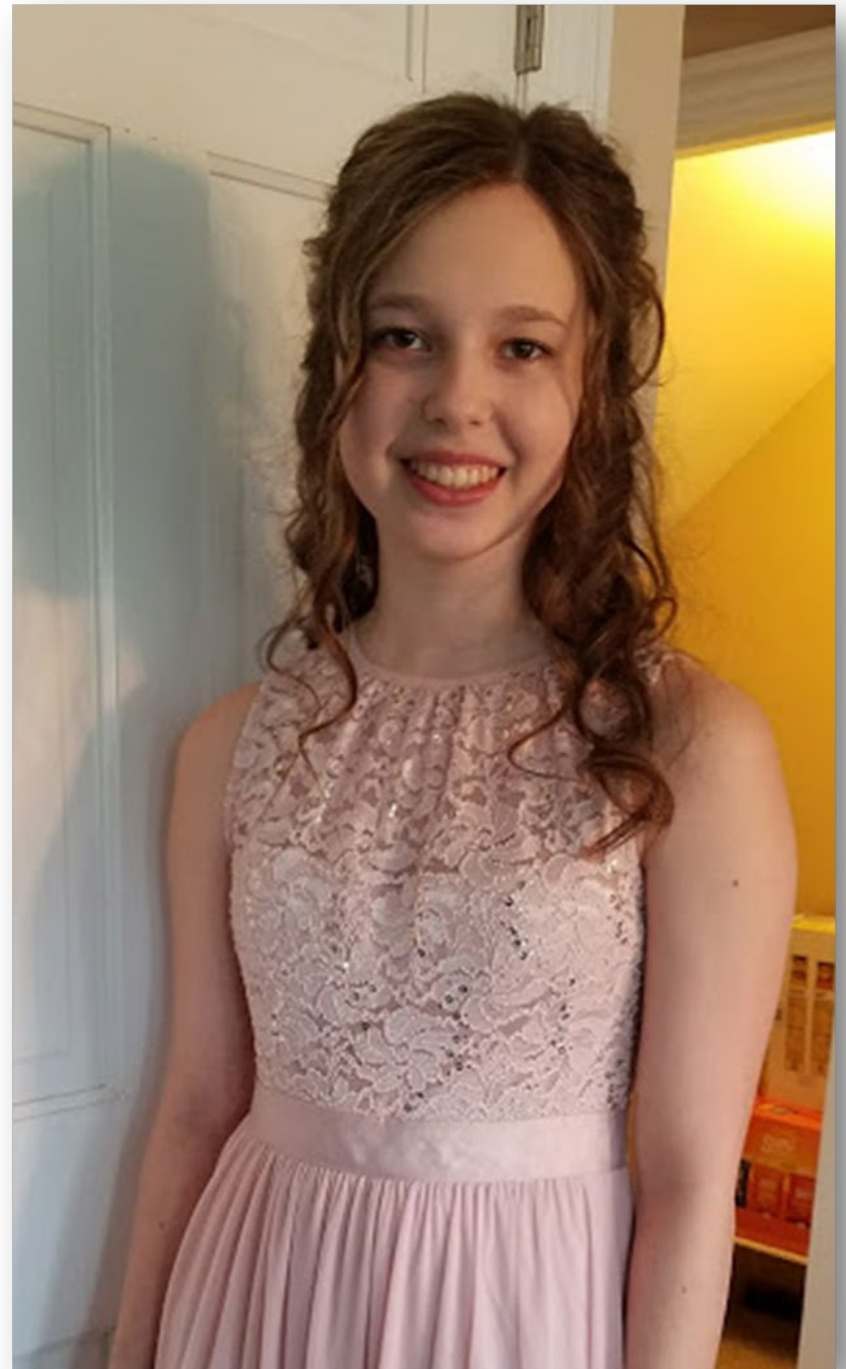


- Naperville Resident
- Mother to Samantha (18), Julia (16) and Andrew (13)
- Wife to Ajay
- Trainer ~ ISD Outreach
- President ~ IL Hands & Voices
- IDEA consultant~ IL Guide By Your Side
- Past Commissioner ~ Naperville Advisory Commission on Disabilities
- Parent Advocacy coach/trainer – ISD/DHS
- National AstRa Trainer for Hands & Voices Headquarters

# MY DAUGHTER

## Samantha

- 18 years old
- Age 2 diagnosed with EVAS, mild/moderate progressive HL –fitted with HA's (goes through 4 sets)
- Age 6 – CI #1
- Age 7 – CI #2
- Fully mainstreamed Naperville North HS
- College bound, graduates 2020 – RIT/NTID
- Communicates using listening and spoken language and some ASL that we've learned recently.





WHAT YOU NEED TO KNOW  
ABOUT THE LAWS THAT  
PROTECT A CHILD!!!



# YOU ARE A TEAM MEMBER....

*It is important to realize that **YOU** are a crucial part of your child's educational team. Your knowledge of the laws that protect you and your child are extremely important. The law was put in place to protect the special needs child, to ensure that that child is provided with an appropriate public education. Knowing and believe this is the first step to success. This includes professionals.*



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# DISCLAIMER

PLEASE NOTE: I AM NOT AN  
ATTORNEY, THE INFORMATION  
PROVIDED IN THIS SESSION IS FOR  
EDUCATION PURPOSES ONLY.

*If you feel you require legal advice, contact an attorney who specializes in IDEA,  
special education law.*

# NAME THAT LAW?

- IDEA
- Sec 504
- ADA





**MANY LAWS PROTECT THE CHILD WITH A DISABILITY**



A photograph of a book titled "Individuals with Disabilities Education Act" lying on a dark wooden desk. The book has a white cover with the title in a black serif font. To the right of the book is a blue book with a brown leather spine. A fountain pen with a gold nib and a black barrel is positioned near the bottom right of the blue book. Another fountain pen with a gold barrel is visible in the top left corner of the desk. The entire scene is set against a background of a light-colored brick wall.

**Individuals with  
Disabilities  
Education  
Act**



# IDEA WEBSITE:

<https://sites.ed.gov/idea/>

*U.S. Department of Education, Office of Special Education Programs' (OSEP's)*





## Part B. Assistance for All Children with Disabilities

Part B includes provisions related to formula grants that assist states in providing a free appropriate public education in the least restrictive environment for children with disabilities ages three through 21.

- [View indexed IDEA Part B Statute](#)
- [View printable IDEA Part B Statute](#)

## Part C. Infants and Toddlers with Disabilities

Part C includes provisions related to formula grants that assist states in providing early intervention services for infants and toddlers birth through age two and their families.

- [View indexed IDEA Part C Statute](#)
- [View printable IDEA Part C Statute](#)

## Part D. National Activities to Improve Education of Children with Disabilities

Part D includes provisions related to discretionary grants to support state personnel development, technical assistance and dissemination, technology, and parent-training and information centers.

- [View indexed IDEA Part D Statute](#)
- [View printable IDEA Part D Statute](#)



**Illinois  
State Board of  
Education**

FAMILIARIZE YOURSELF  
WITH YOUR  
STATES BOARD OF  
EDUCATION..

As written the law ensures that your school or any governing agency provide your child with a “free appropriate public education” that includes “...special education and related services designed to meet [the child’s] unique needs and prepare them for further education, employment and independent living...”

WHAT DOES THE LAW ENSURE?

# WHAT ARE THE DIFFERENCES?

IFSP (birth to 3)

Individual Family Service Plan  
OR  
Individualized Family Service  
Program

(also know as Part C and birth to 3)

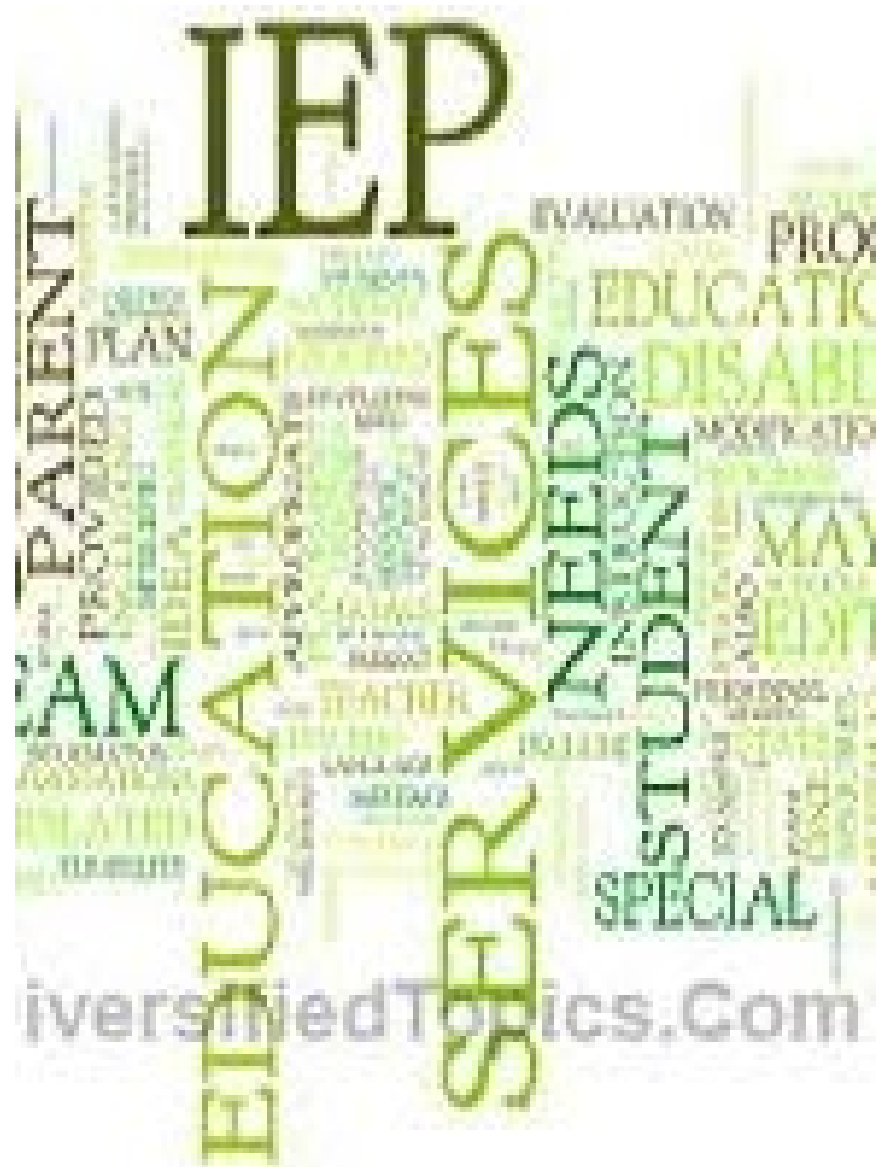


# WHAT ARE THE DIFFERENCES?

IEP (3 to 21)

Individual Education Plan  
OR  
Individualized Education  
Program

(also known as Part B)











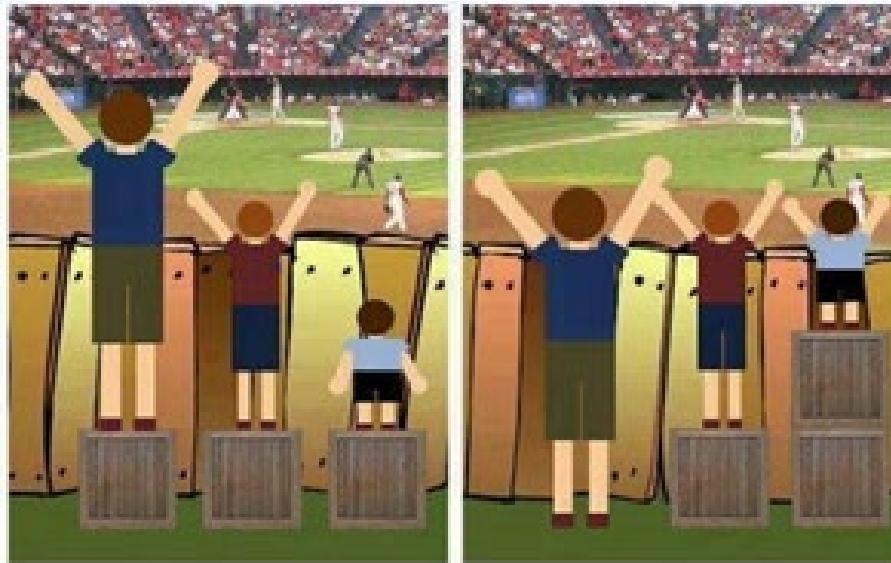
Rehabilitation  
Act  
1973

WHAT ARE THE  
DIFFERENCES?

(birth to 21 in public  
institutions)

# REHABILITATION ACT OF 1973





To be eligible for protection under Section 504, the child must have physical or mental impairment. The impairment must substantially limit at least one.... Major life activity including....hearing, speaking....

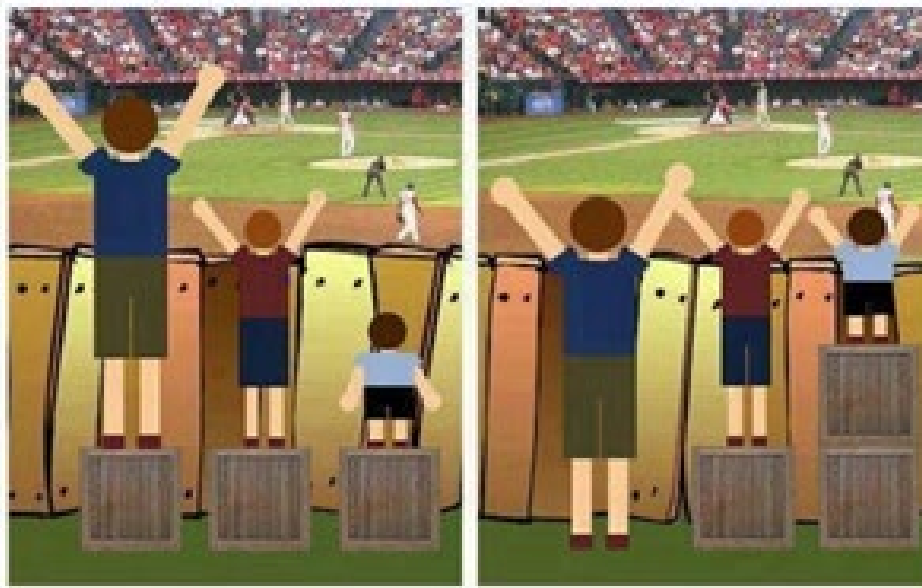
The person with a 504 Plan has fewer rights and protections than a child who receives services under the IDEA.

**504 DOES NOT provide individual education plans, only access.**



# 504 PLANS

- School 504
- College/University 504
- Workplace 504

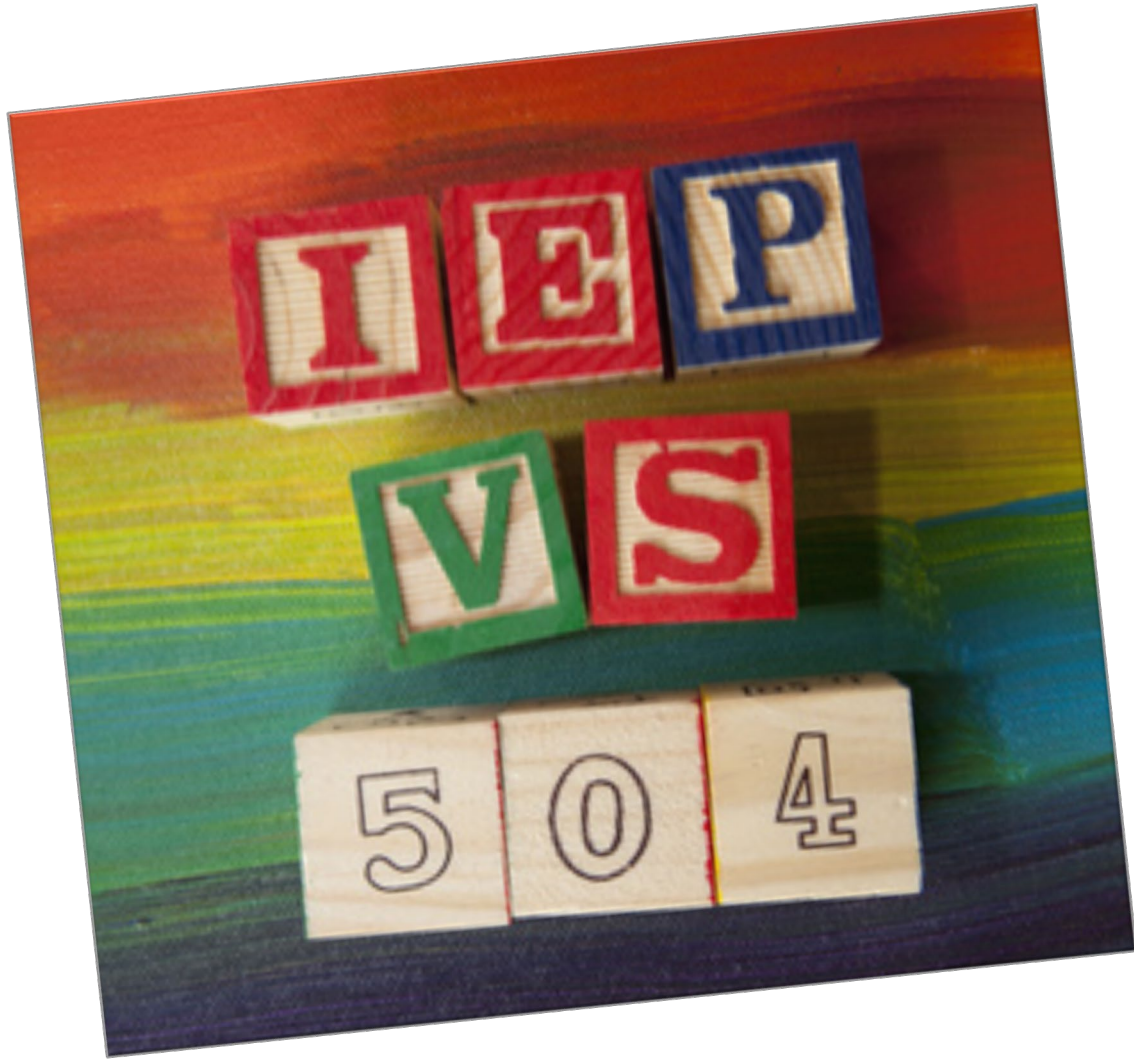


To be eligible for protection under Section 504, the child must have physical or mental impairment. The impairment must substantially limit at least one.... Major life activity including....hearing, speaking....

The person with a 504 Plan has fewer rights and protections than a child who receives services under the IDEA.

**504 DOES NOT provide individual education plans, only access.**







# WHAT ARE THE DIFFERENCES?

## IDEA (PLAN)

- Individual plan
- Meets unique needs
- Qualifies under specific disabilities
  - Must affect the child's educational performance, requiring specialized instruction.
- Developed by team, including: parent, general education teacher, anyone who can interpret results, and district rep.
- PLOP
- Goals and benchmarks
- Social and emotional well being

## REHAB ACT 504 PLAN (ACCESS)

- Change of environment
- Covers kids with LD, attention issues and disabilities
  - Must interfere with child's ability to learn in the general education classroom.
- Developed with parent, general and special educator and principal
- Accommodations

**IEP:** covered by an education law (IDEA); applies only to students who qualify for “special education services” in a core curriculum area; governed by strict procedures and timelines; parent involvement is mandated; schools receive additional federal funding for students receiving special ed services.

Both plans cover accommodations and modifications to the school environment and classroom materials, adaptive technology, and related services.

**504 Plans:** covered by a civil rights law (Rehabilitation Act); applies to all students with qualifying disabilities; follows an informal process; parent involvement not mandated; schools do not receive additional federal funding for services to qualifying students.

# WHEN TO SWITCH

Some schools feel that if a child is academically strong they are no longer in need of an IEP.

Is this true?

What do you think?

Here's my take . . .

# SELF ADVOCATE

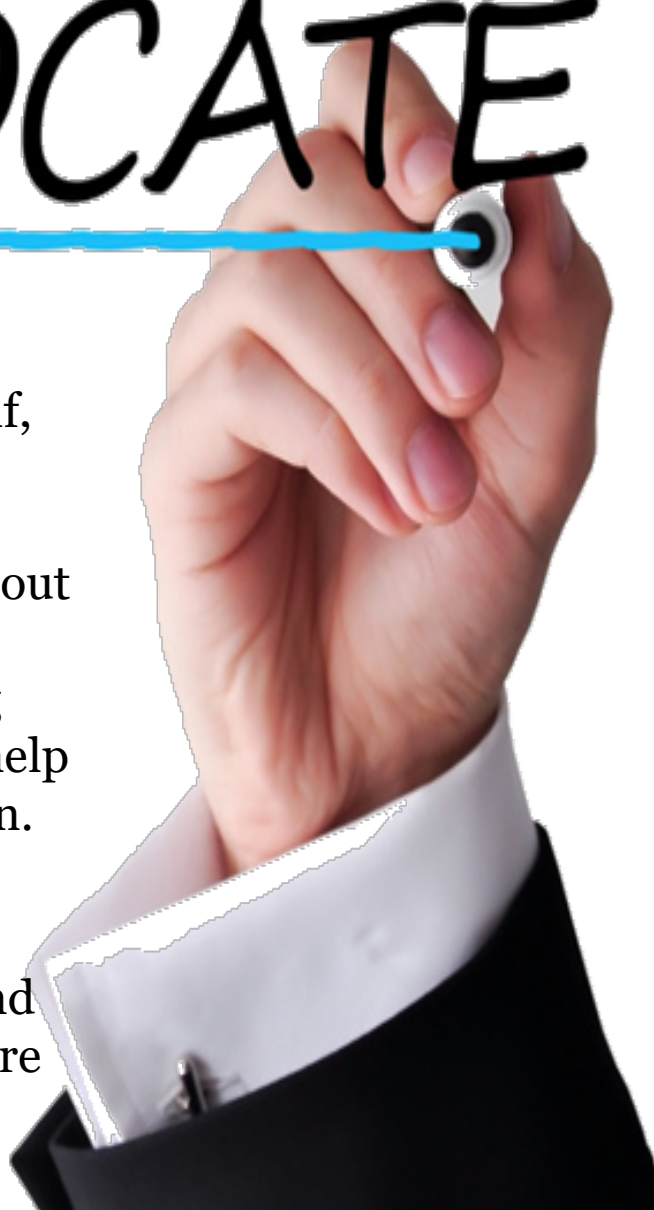


- **What is Self-Advocacy?**

Self-Advocacy is learning how to speak up for yourself, making your own decisions about your own life, learning how to get information so that you can understand things that are of interest to you, finding out who will support you in your journey, knowing your rights and responsibilities, problem solving, listening and learning, reaching out to others when you need help and friendship, and learning about self-determination.

- **Why is Self-Advocacy Important?**

So that you have the knowledge needed to succeed and are given the chance to participate in decisions that are being made about your life.



# SELF DETERMINATION

- ❑ It is about the whole person. It has so much to do with the individual and who he/she will become in life.
- ❑ It is the development of an individual to find energy, expend on that energy and stick with the plan one has for life and work.
- ❑ It can be motivated by reward, grades or evaluations. It can also be motivated by intangible things like curiosity, values or their personal interests.
- ❑ It is beneficial in both short and long term goal planning.
- ❑ Most importantly for our group of students is that being self-determined encourages students to understand that some goals can be reached independently, while also realizing that sometimes one needs to seek out others when they need help.



# WHAT DOES THE LAW SAY:

## **§300.34 Related services.**

(a) **General. Related services** means transportation and such developmental, corrective, and other supportive services as are required to assist a child with a disability to benefit from special education, and includes...

## **Section 1414 (d) (3)**

[Statute/Regs Main](#) » [Statute](#) » [Subchapter II \(Part B\)](#) » [1414](#) » [D](#) » 3

### **(3) Development of IEP**

#### **(A) In general**

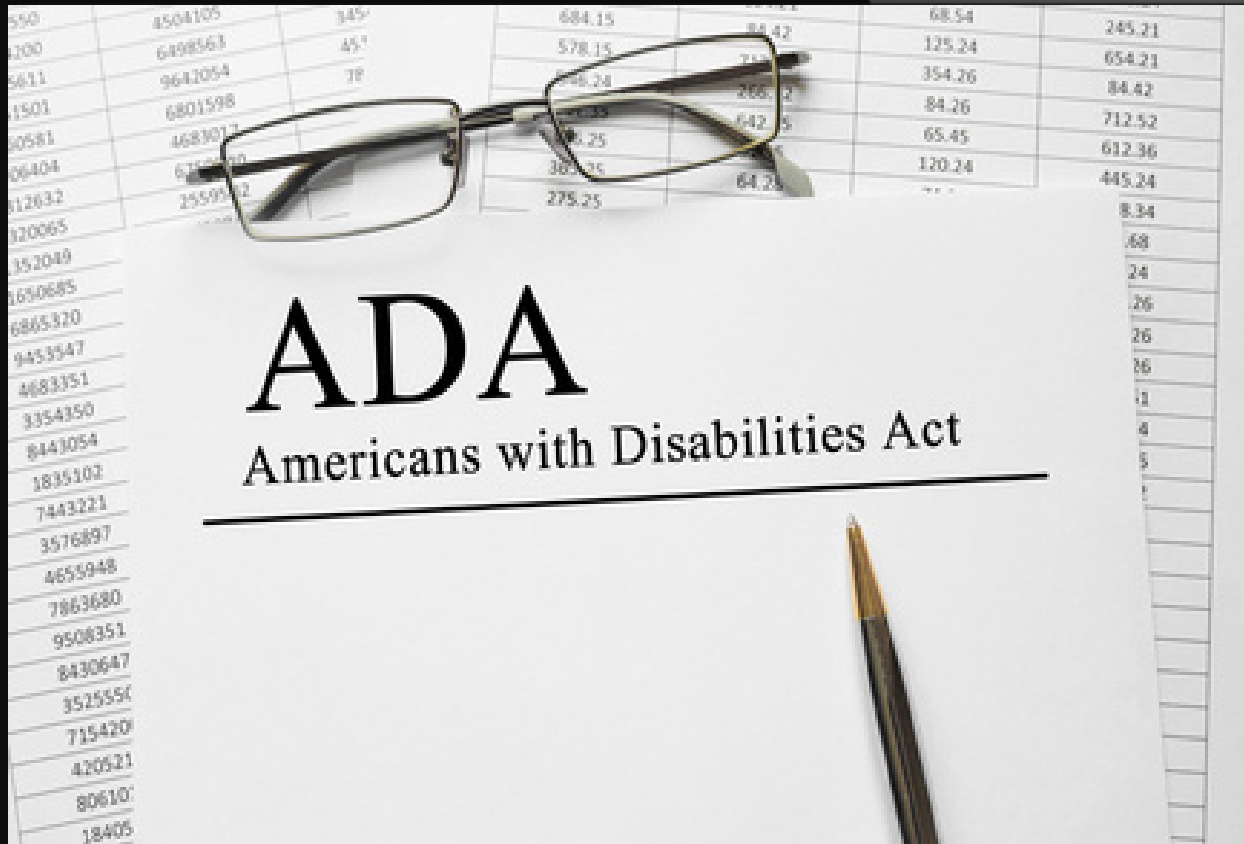
• In developing each child's IEP, the IEP Team, subject to subparagraph (C), shall consider—

- (i) the strengths of the child;
- (ii) the concerns of the parents for enhancing the education of their child;
- (iii) the results of the initial evaluation or most recent evaluation of the child; and
- (iv) the academic, developmental, and functional needs of the child.



# FUNCTIONAL

- Fine motor
- Gross motor
- Mobility
- Behavior
- Interpersonal relationships
- Executive functioning
- Communication (articulation, receptive/expressive, social skills, oral-motor, voice, fluency)
- Self care (could include understanding disability, how can you care for your disability if you don't understand it)



The image shows a document with a title and a table of data. The title is "ADA Americans with Disabilities Act" and is underlined. A pair of glasses and a pencil are resting on the document. The table contains numerical data in several columns.

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# ADA IS FOR SPECIAL EDUCATION CHILDREN TOO!!!

Because it has a legal definition, the ADA's definition of disability is different from how disability is defined under some other laws. The **ADA** defines a person with a disability as *“a person who has a physical or mental impairment that substantially limits one or more major life activity”*.



# ADA

WEBSITE:

[www.ada.gov](http://www.ada.gov)





### New on ADA.gov

#### City and County of Denver

Settlement Agreement (posted 5/15/18)

#### Charlwell Operating, LLC

Settlement Agreement (posted 5/10/18)

#### Hudson Public Schools District

Voluntary Compliance Agreement (posted 5/7/18)

#### Coconino County, Arizona

Settlement Agreement (posted 5/7/18)

#### Addams Tavern

Settlement Agreement (posted 5/3/18)

#### Youth Fitness & Fun, LLC

Settlement Agreement (posted 5/3/18)

#### Hardin County EMS

Settlement Agreement (posted 5/3/18)

#### Idaho Pizza Company

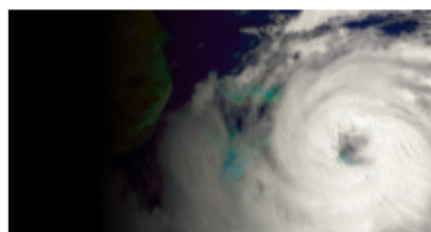
Voluntary Compliance Agreement (posted 4/19/18)

#### Palm Springs Art Museum

Settlement Agreement (posted 4/19/18)

#### South Carolina Department of Corrections

### EMERGENCY PREPAREDNESS & RESPONSE



### INTRODUCTION TO THE ADA

Publications and videos that answer these questions and more: What is the ADA? Who is a person with a disability? Who must comply with the ADA? Where can you call to ask questions about the ADA?

### Featured Topic



### ADA U A Primer For S





# EQUAL VS. APPROPRIATE

- The IDEA provides a child with an appropriate public education
- The ADA provides individuals with disabilities an equal access



# CHILD FIND

- Covers Children birth to 21, including home schooled and privately placed.
- Child Find is a component of the Individuals with Disabilities Education Act (IDEA) that requires states to have a comprehensive system to locate, identify, and refer as early as possible all children with disabilities.
- Child find does not require schools to evaluate every child, parents CAN challenge the decision.
- Referrals can come from both parents and professionals, when EI transitions a child from EI to EC that is done under the child find component /guidelines of IDEA.



OUR FOCUS  
TODAY IS:

IDEA



# THE LAW STATES:

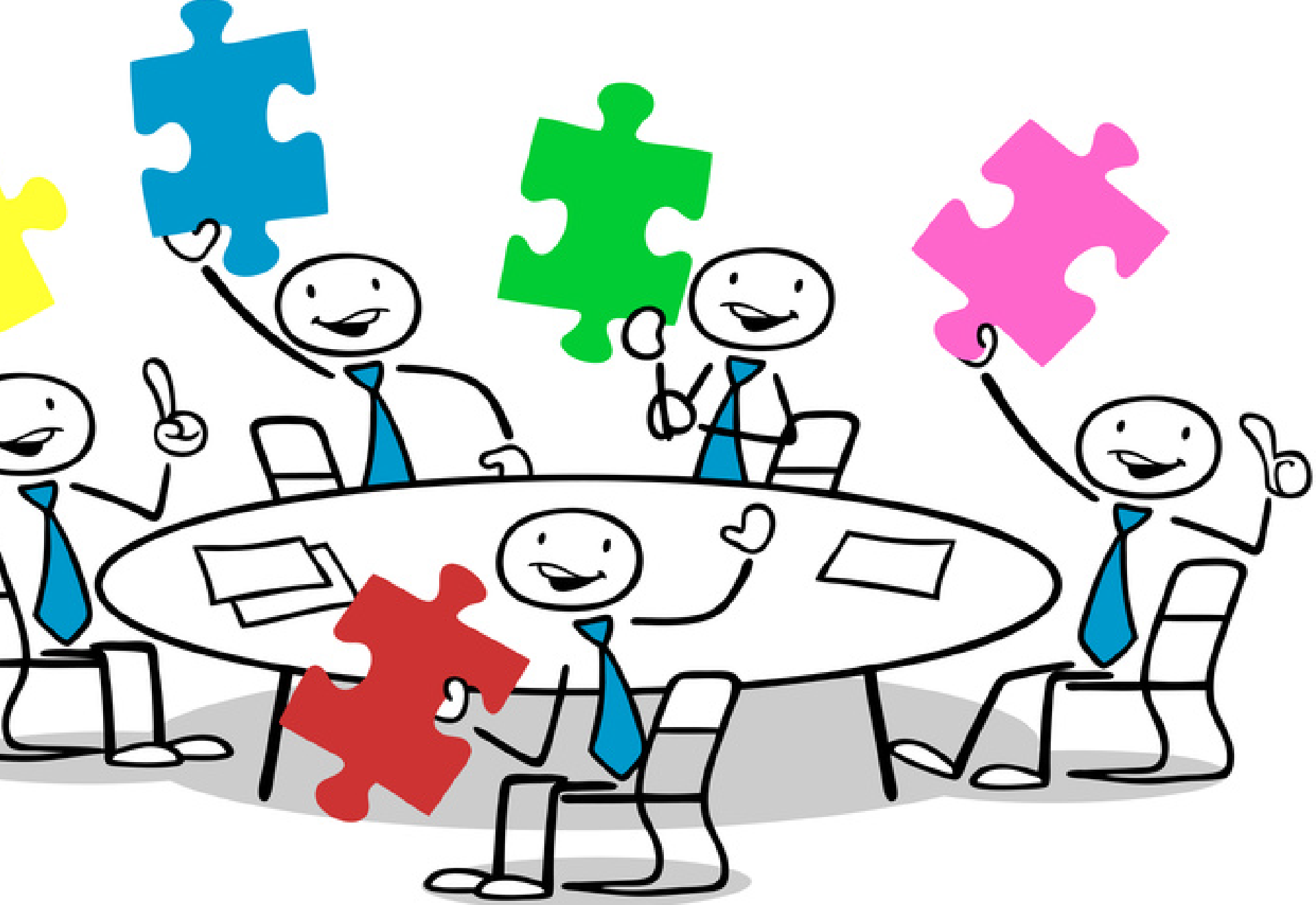
A CHILD WITH A DISABILITY HAS THE RIGHT TO A “FREE APPROPRIATE PUBLIC EDUCATION” THAT INCLUDES “**SPECIALLY DESIGNED** INSTRUCTION..TO MEET THE (CHILD’S) **UNIQUE NEEDS...**”



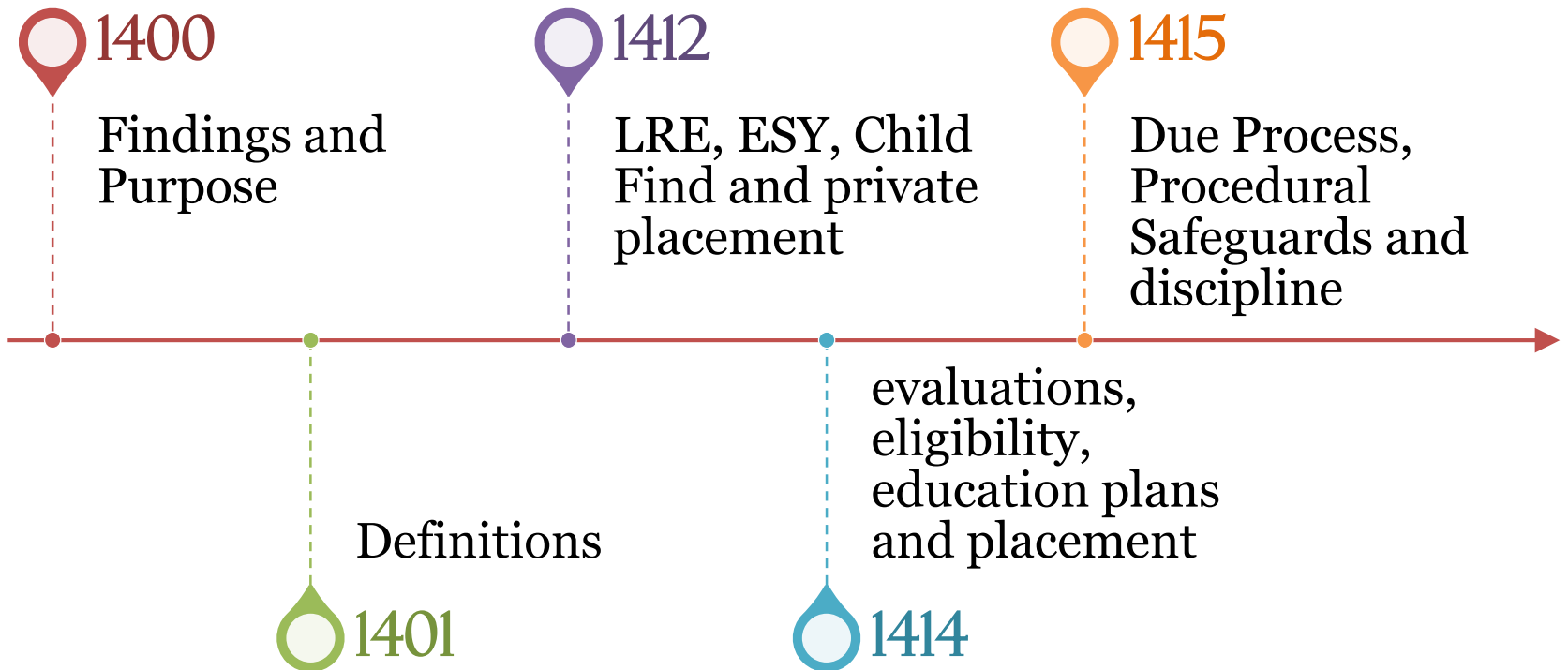
LET'S TALK  
IN TERMS OF  
BASEBALL!!!







# IDEA SECTIONS



# IDEA SECTION 1400



## Findings and Purpose of the Law the *why*...

□ Section **1400** (d)(1)(A)

□ “to ensure that all children with disabilities have available to them a free appropriate public education that emphasized special education and related services designed to meet their unique needs and prepare them for further education, employment and independent living” and “to ensure that the rights of children with disabilities and parents of such children are protected”



BE  
CAREFUL  
WHEN  
READING  
THE LAW!!!

- ❑ (C) Disorders not included. Such term does not include a learning problem that is primarily the result of vision, hearing, or motor disabilities.....

*Be careful with the law, although at first glance this section seemed to apply to students with hearing loss, as you read further it did not. If you or your clients are going to quote the law, read the entire section...*



# IDEA SECTION 1401



## Definitions of the Law

Defines the needs and what this law is about. The what...

- ❑ Section **1401** (3)(A)(i)
  - ❑ (3) Child With A Disability
    - ❑ (A) In General. The term ‘child with a disability’ means a child –
      - ❑ (i) hearing impairments (including deafness), visual impairment (including blindness) plus many more....
      - ❑ (ii) who, by reason thereof, needs special education and related services.

ACRONYMS YOU  
MUST KNOW!!!

“WDTAM”

# IDEA SECTION 1412

covers Least Restrictive Environment  
(LRE)

Extended School Year (ESY)

Child Find

Private Placement (ISP)

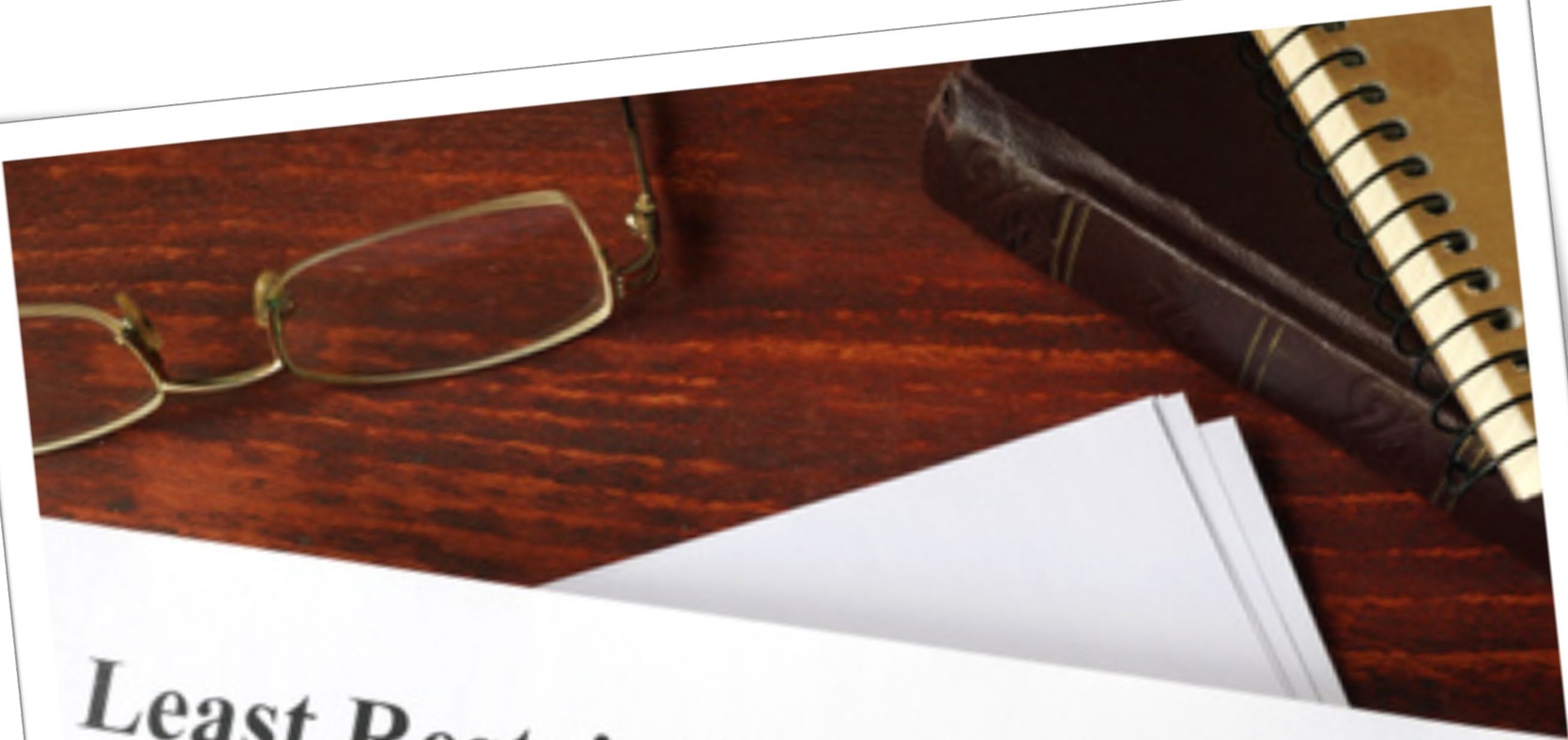
Assessments



# 1412 Covers:

- ❑ Least Restrictive Environment
- ❑ Private School placement (ISP)
- ❑ ISP is Instructional School Plan





**Least Restrictive Environment**  
**LRE**



# WHAT IS LEAST RESTRICTIVE ENVIRONMENT?

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In general.--To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are not disabled, and special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

MOST INCLUSIVE

GREATEST # OF STUDENTS

Student placed in general classroom; no additional or specialized assistance

Student placed in general classroom; the special education teacher in a consultative role provided assistance to classroom teacher

Student placed in general classroom for majority of school day, attends special education resource room for specialized instruction in area of need

Student placed in special education class for majority of school day; attends general class in subject areas consistent with capabilities

Student placed in full-time special education class in general education school

Student placed in separate school for children with special needs

Student educated through homebound or hospital instructional program

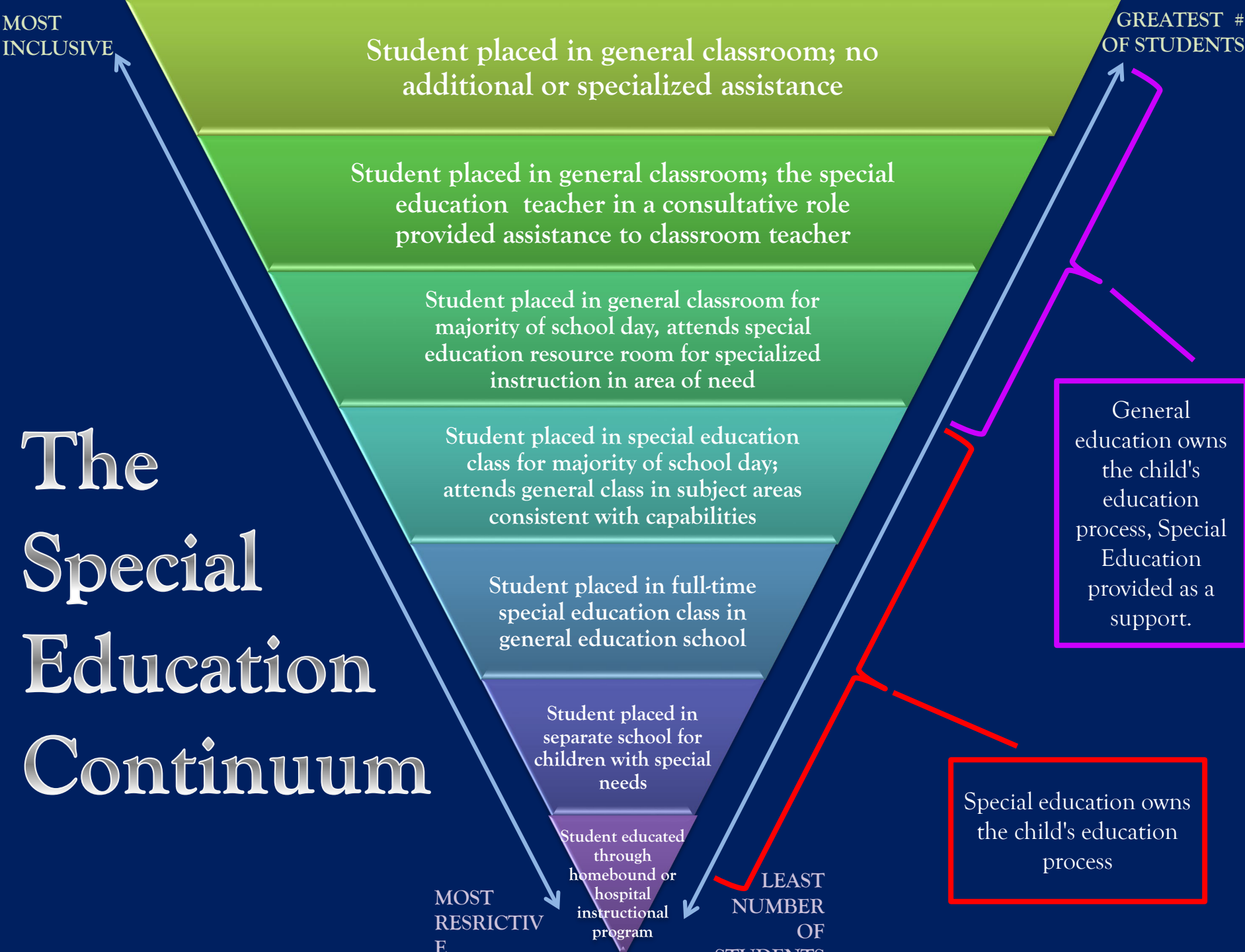
MOST RESTRICTIVE

LEAST NUMBER OF STUDENTS

# The Special Education Continuum

General education owns the child's education process, Special Education provided as a support.

Special education owns the child's education process





**EXTENDED SCHOOL YEAR**



“Each public agency must ensure that extended school year services are available as necessary to provide FAPE, Extended school year services must be provided only if a child’s IEP Team determines, on an individual basis that the services are necessary for the provision of FAPE to the child.”

This should not be mistaken for LEA summer schools offered for general education students.

# WHAT IS ESY?

# PRIVATE PLACEMENT

Private placement has 2  
different meanings:

1. Placed by parent
2. Placed by school



# MORE TO KNOW ABOUT IDEA LAW

- **Evaluations**
  - Ask what types there are and ask for explanation of the ones they are doing with your child, ask about sub tests and sub test scatter.
- **Eligibility**
  - There are legal requirements to eligibility, go to [IDEA.ed.gov](http://IDEA.ed.gov) website to learn more.
- **IEP's**
  - The next step after eligibility and what that means.
- **Placement**

*You can find these in IDEA law under section 1414 ...*





- Procedural Safeguards
- Due Process
- Discipline

# IDEA PLANS

## Early Intervention plan

### IFSP

Individual Family  
Service Plan

Part C

birth to 3

## Education plan

### IEP

Individual Education Plan

Individualized  
Education Program

Part B

Age 3 - 22

# IEP'S (THE PHYSICAL DOCUMENT)

- IEP's
  - Written statement for each child with a disability that is developed, reviewed, and revised in accordance with this sections.....
    - Present Level of Performance
    - Statement of Measurable Goals
    - How progress to goals will be measured
    - Statement of educational related services and supplementary aids
    - Statement of accommodations
    - Date for the start of services

# IEP TEAM

- Parents
- 1 or more regular education teacher
- 1 or more special education teacher
- Representative of local educational agency
- Individual who can interpret test results
- Other individuals with expertise regarding the child
- When appropriate, the child



# LET'S TALK IEP “EDUCATIONAL PLACEMENT”



*Placement is not a place,  
it's a individually designed program.*



PLACEMENT  
IS NOT A  
BUILDING



# REMEMBER LEAST RESTRICTIVE ENVIRONMENT?

In general.--To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are not disabled, and special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.



## CHILDREN WHO ARE DEAF/HARD OF HEARING

*These student pose a unique challenge to the traditional Least Restrictive Environment definition. With students who are deaf or hard of hearing we need to consider their communication needs when determining placement.*



# SPECIAL CONSIDERATIONS

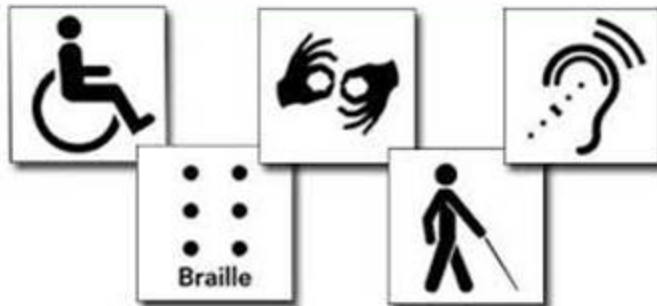
## **Section 1414 (d) (3) (B)**

### **Consideration of Special Factors**

(iv) consider the communication needs of the child, and in the case of a child who is deaf or hard of hearing, consider the child's language and communication needs, opportunities for direct communications with peers and professional personnel in the child's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the child's language and communication mode;

# Educational Accommodations and Supports

- o Consideration of Special Factors
- o **Linguistic and Cultural Accommodations**
- o Supplementary Aids, Accommodations, and Modifications
- o Support for School Personnel





## LINGUISTIC AND CULTURAL ACCOMMODATIONS

Yes  No      The student requires accommodations for the IEP to meet her/his linguistic and cultural needs. This includes students who are deaf/hard of hearing. **If yes, specify any needed accommodations:**

Yes  No      Special education and related services will be provided in a language or mode of communication other than or in addition to English. This includes services provided to students who are deaf/hard of hearing. **If yes, specify any needed accommodations:**

For students who are deaf/hard of hearing and others, as applicable:

- Identify the language and communication need(s):  ASL  Auditory/Oral  
 Cued Speech  Speech Generated Device  Tactile  Signed English  
 Other (please describe) \_\_\_\_\_
- List the opportunities for direct communication/interaction with peers and professional personnel in the child's language and communication mode:
- List the identified mode of communication accessible in academic instruction, school services, and extracurricular activities that the student will receive:



# MORE ~ IDEA LAW

## PROCEDURAL SAFEGUARDS

- You should receive these every year. It is important for you to take the time to read them, this is YOUR protection. The rules of the law.

## DUE PROCESS

- This is something no one likes to talk about (well.. except an attorney) but that everyone should be aware of. The process starts with State Mediation and moves to Due Process, this is when everything isn't coming together.

## DISCIPLINE

- Make sure you are aware that there are specific legalities for how discipline is handled in children who have psychological disorders or diagnosis.

# CHILDREN WHO ARE DEAF/HARD OF HEARING

*These student pose a unique challenge to the traditional Least Restrictive Environment definition. With students who are deaf or hard of hearing we need to consider their communication needs when determining placement.*



# QUESTIONS TO CONSIDER:

## **1. Present level of performance**

- ✓ What are this student's academic needs?
- ✓ What is this student's level of educational achievement?

## **2. Measurable annual goals, benchmarks/short-term objectives.**

- ✓ What are appropriate goals for this student?
- ✓ What are appropriate short-term objectives for this student?

## **3. Statement of special education and related services and supplementary aids and services**

- ✓ What special education services does this student need?
- ✓ What related services does this student need?
- ✓ What supplementary aids and services does this student need?

# QUESTIONS TO CONSIDER:

## What Is Appropriate for Students who are Deaf and Hard of Hearing



### **1. Communication needs**

- ✓ What does this student need in order to communicate?
- ✓ Does this student use residual hearing efficiently with or without amplification?
- ✓ Does this student need training in specific communication mode?

### **2. Language and communication mode**

- ✓ What is this student's proficiency in spoken English? (other spoken language?)
- ✓ What is this student's proficiency in written English? (other written language?)
- ✓ What is this student's proficiency in manual communication? (signed English?, ASL?)

### **3. Academic level**

- ✓ What academic skills does this student have?

### **4. Full range of needs**

- ✓ What other needs does this student have that will affect academics, socialization, and emotional development?
- ✓ What are the social and emotional implications of an educational placement for this student?
- ✓ What are the specific needs of this student based on age?

### **5. Opportunities for direct instruction and communication with peers in the child's language and communication mode**

- ✓ Can the student communicate directly with the teacher?
- ✓ Can the student communicate directly with other staff in the school?
- ✓ Can the student communicate directly to peers?



# EDUCATIONAL and COMMUNICATION NEEDS

## 1. Communication-driven program

✓ Is communication a central concern in the development of this student's individualized education program (IEP)?

## 2. Appropriate communication development opportunities

✓ What opportunities are available for communication development for this student?

✓ What opportunities are available for communication development for others in the educational environment (peers, teachers, staff)?





#### **4. Communication access for academics**

- ✓ How will the student communicate with the teacher?
- ✓ How will the student communicate with peers?
- ✓ How will the student communicate with teachers and staff to participate as a “citizen” of the school?

#### **5. Deaf and hard of hearing role models**

- ✓ Are deaf and hard of hearing role models available for the student who is deaf or hard of hearing? Peers? Teachers and staff?

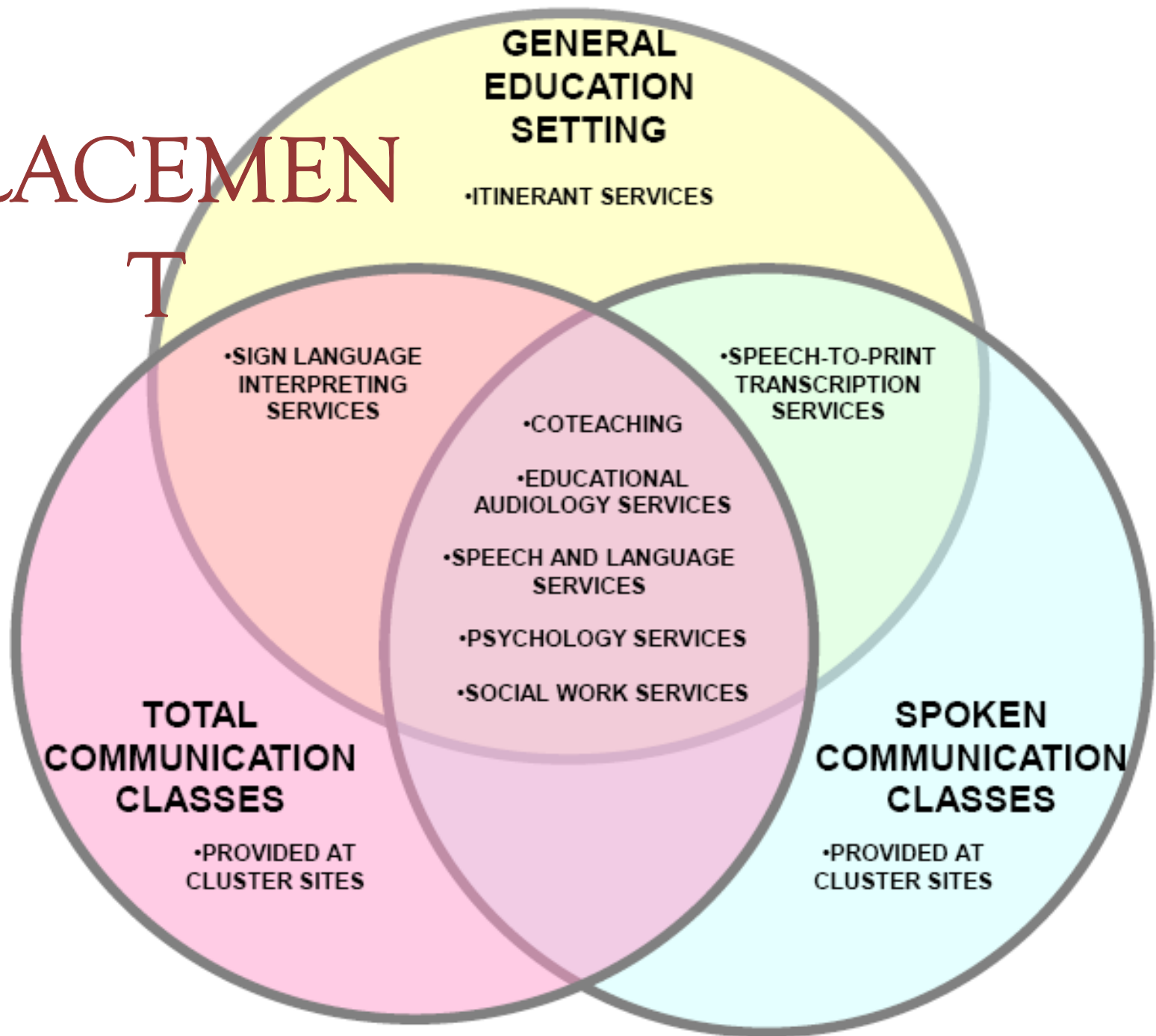
#### **6. Access to extracurricular and other important school activities**

- ✓ Will this student have an opportunity to participate



# PLACEMENT

# T



# GENERAL EDUCATION SETTING

•ITINERANT SERVICES

•SIGN LANGUAGE  
INTERPRETING  
SERVICES

SERVICES

•PSYCHOLOGY SERVICES

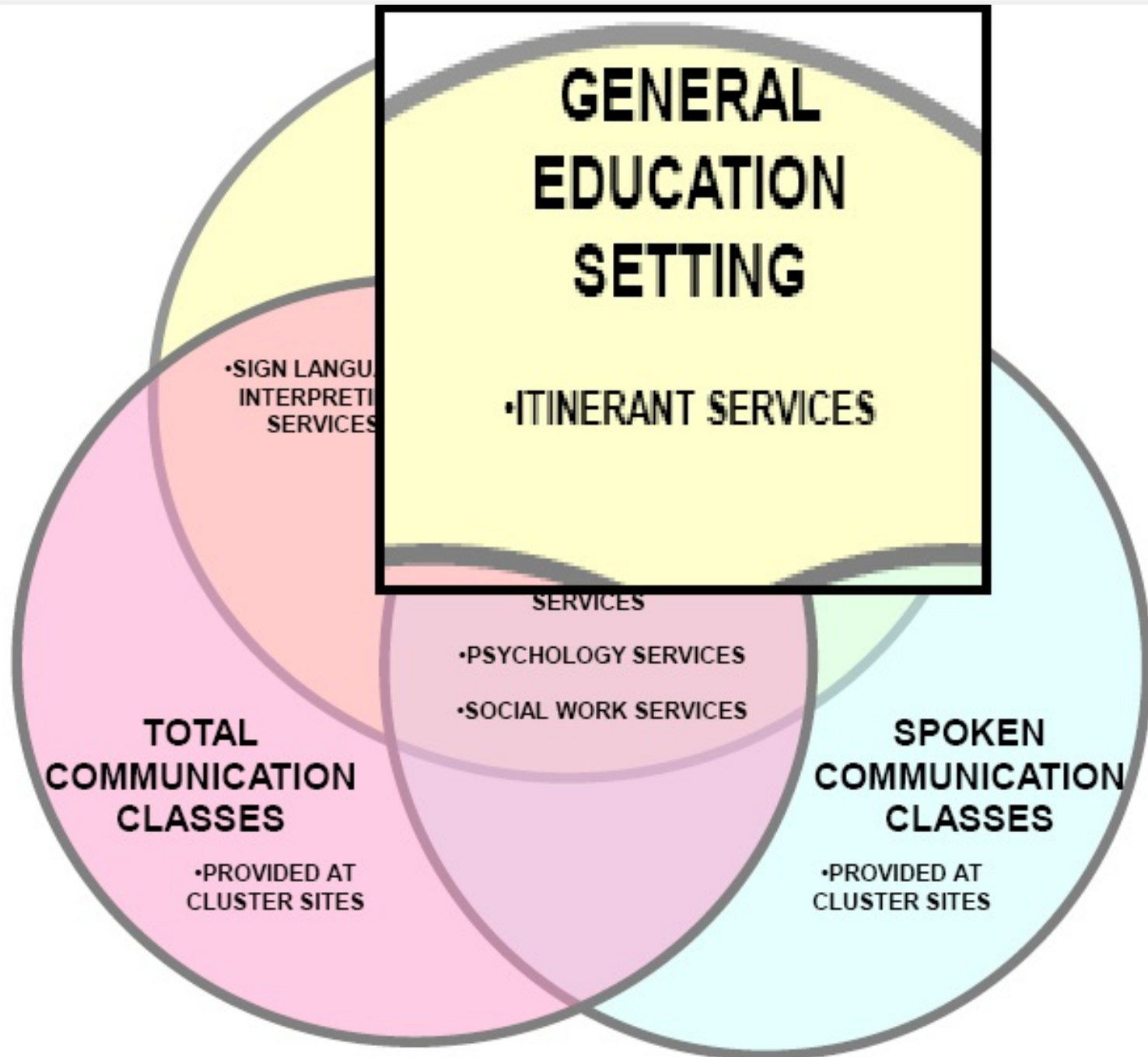
•SOCIAL WORK SERVICES

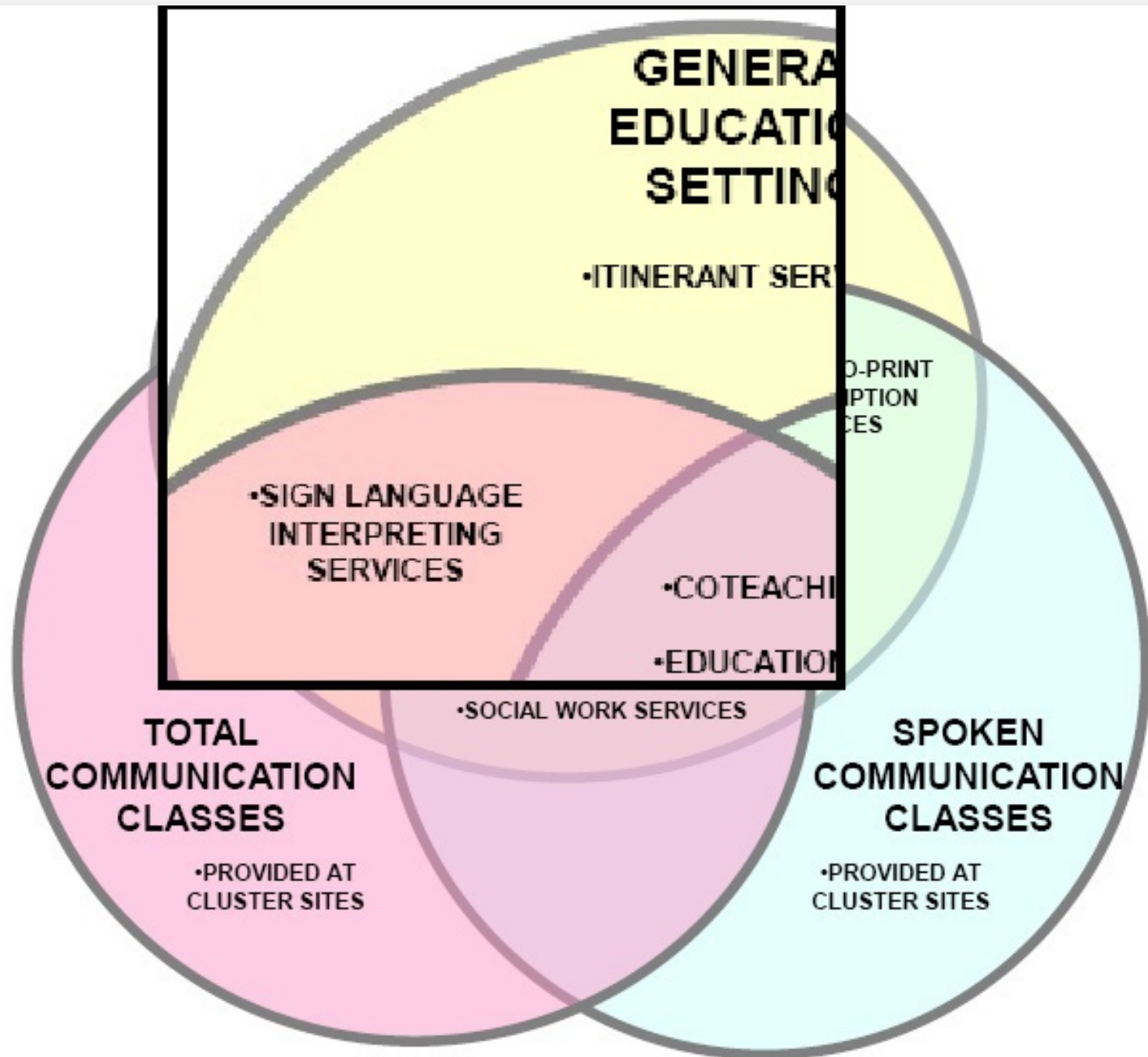
**TOTAL  
COMMUNICATION  
CLASSES**

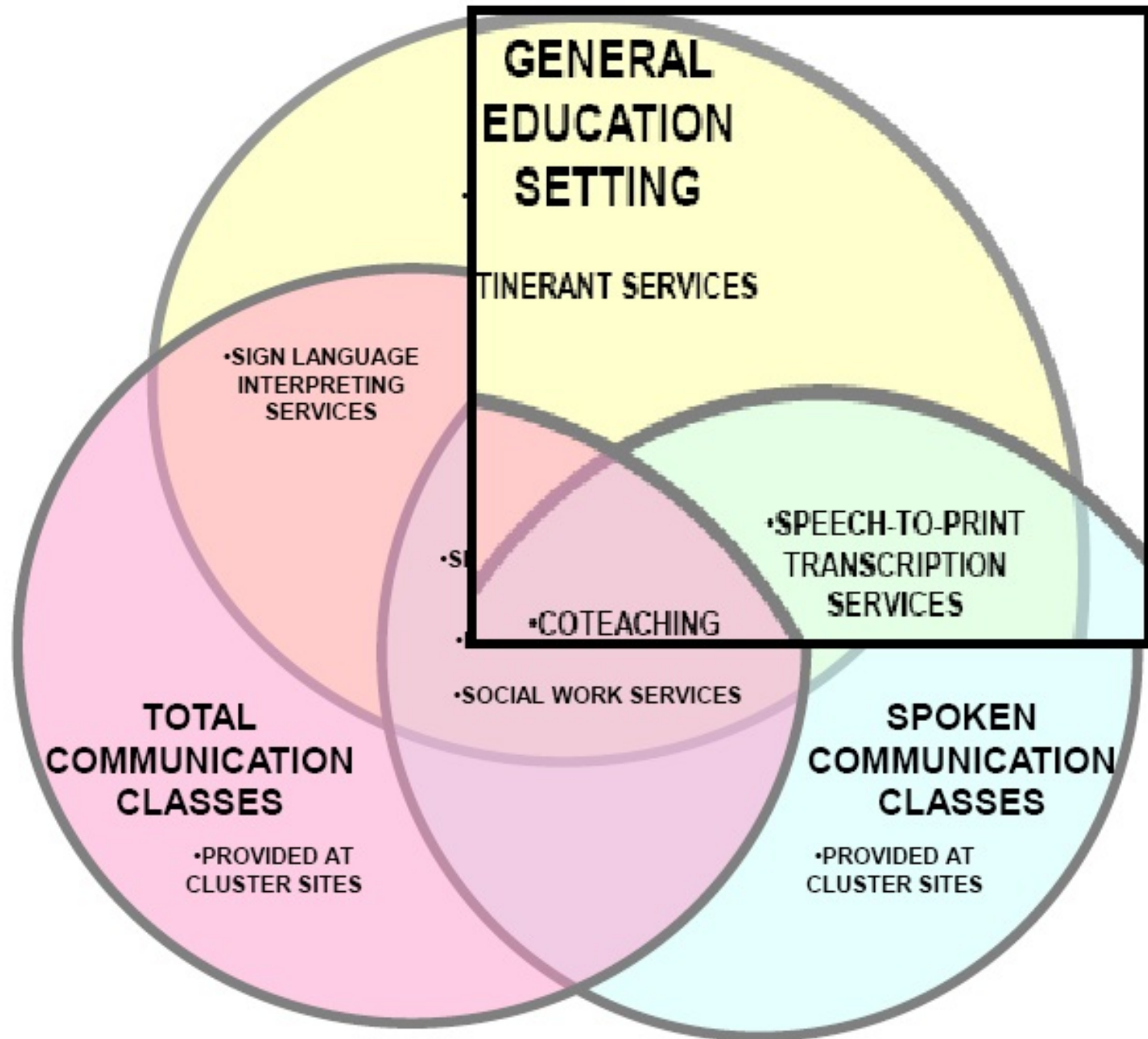
•PROVIDED AT  
CLUSTER SITES

**SPOKEN  
COMMUNICATION  
CLASSES**

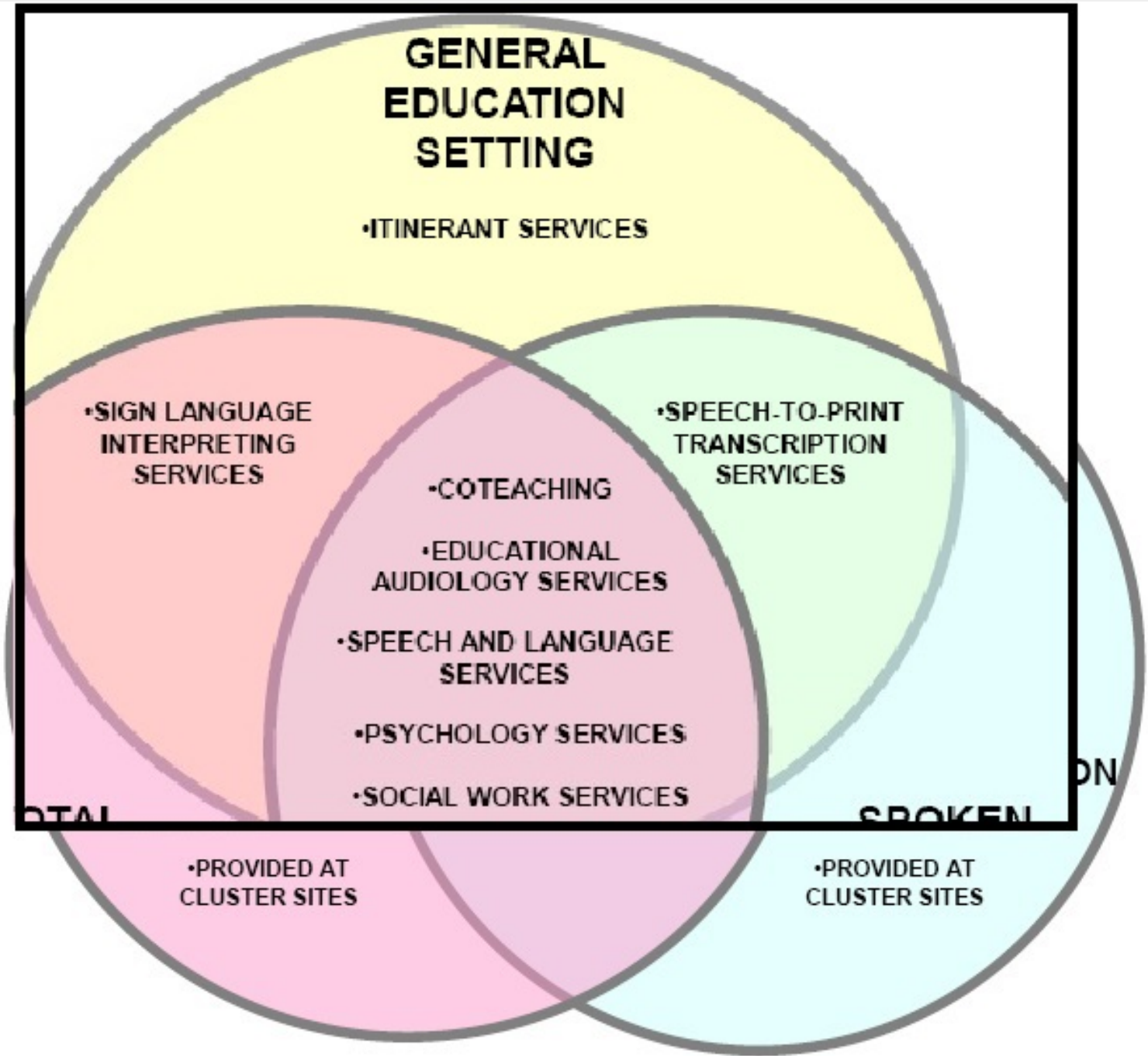
•PROVIDED AT  
CLUSTER SITES











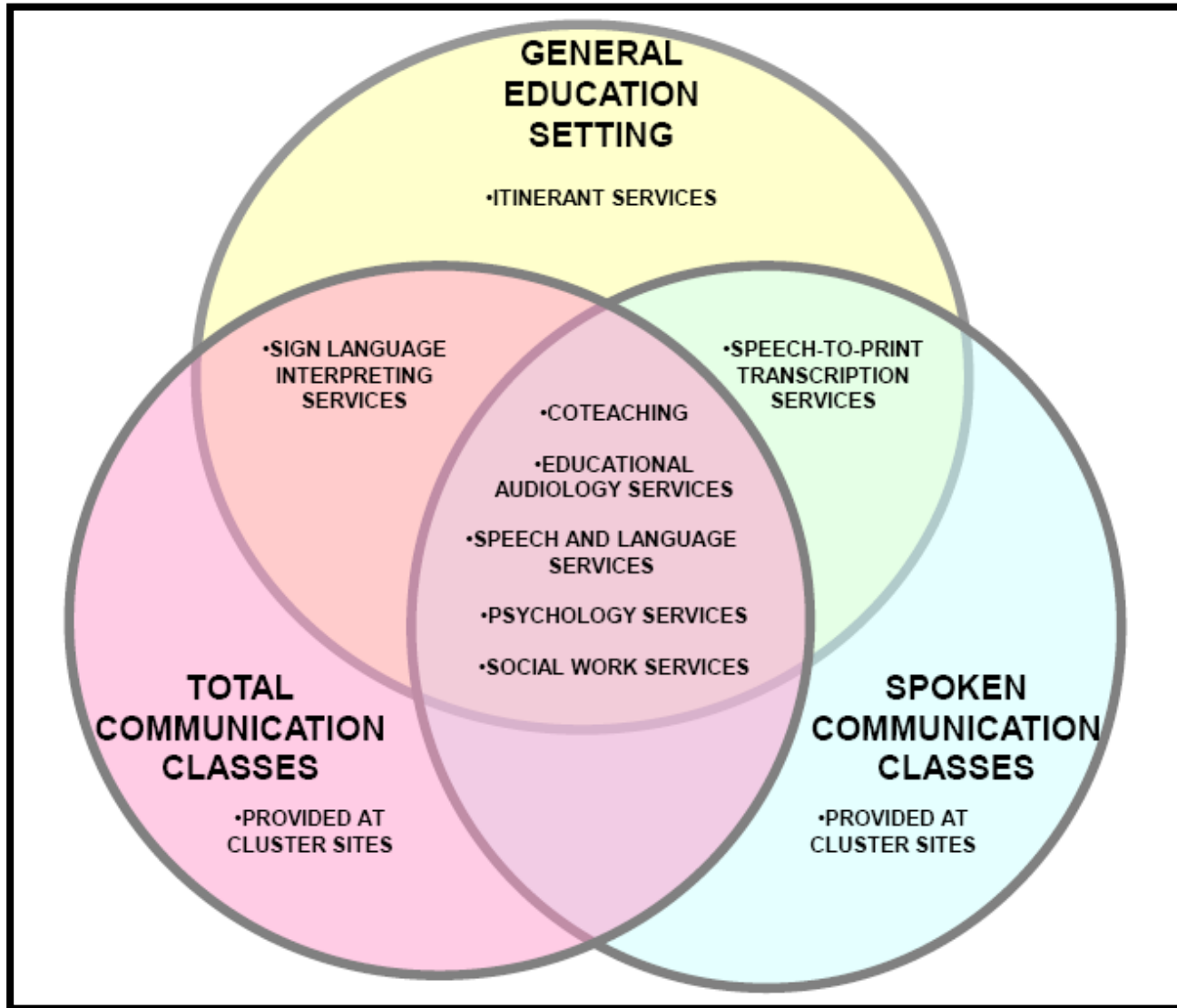
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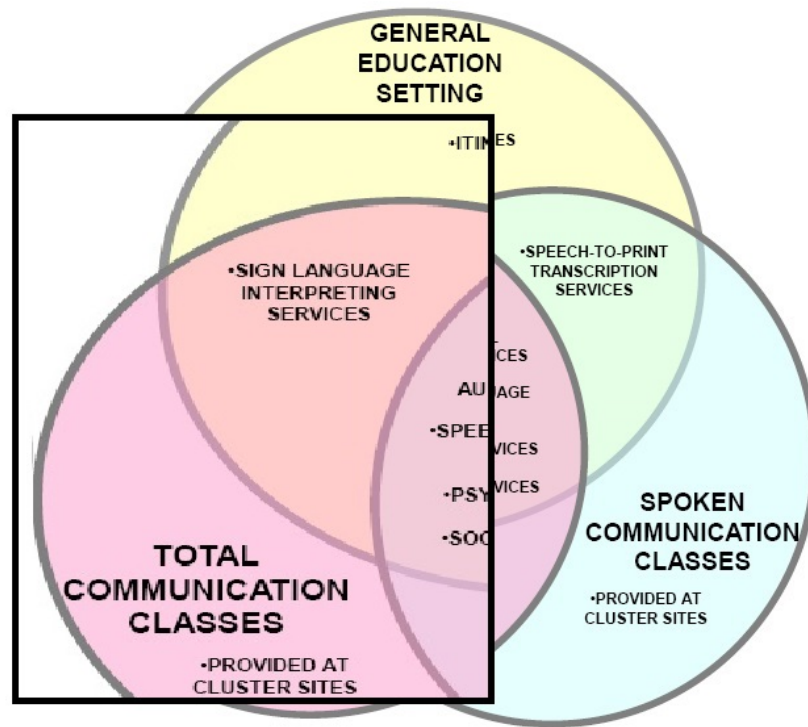
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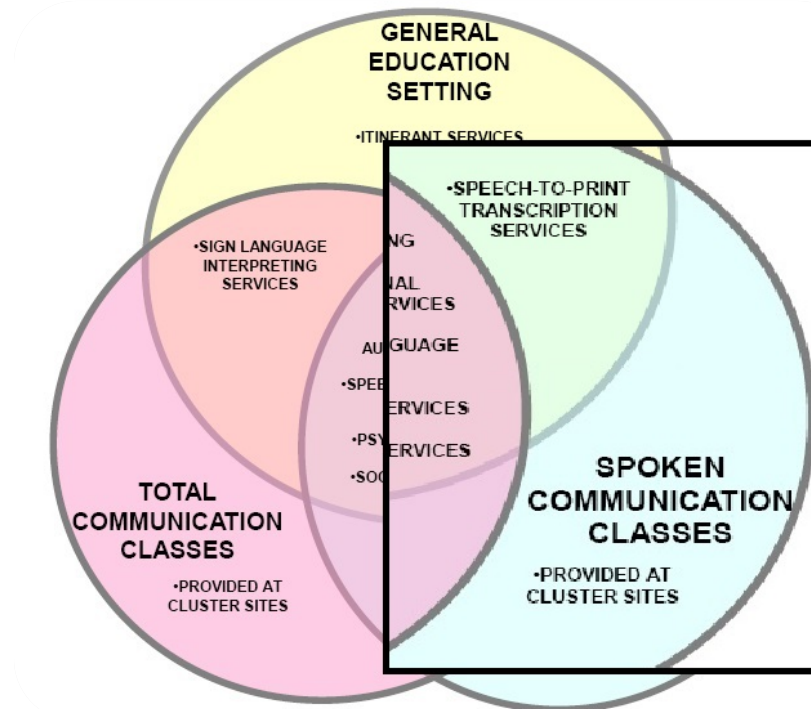


# NOW IT COMES DOWN TO APPROPRIATE





**Total Communication Classes:** These are not generally at your “home school”, some districts have their own program and other utilize co-op’s to meet the unique needs of the student using **total communication**.



**Spoken Communication Classes:** These are language rich programs in **spoken language**. Sign Language is not provided in these placements.

# STATE FUNDED SCHOOL FOR THE DEAF

Residential Placement. Most states have a state run school for the deaf. Illinois State School is located in Jacksonville. Every student with a disability category of Deaf or Hard of Haring should be offered attendance at the IL State School for the Deaf. This school is a bilingual English and ASL language school. Check your state guidelines regarding this. Check the laws in your state.

# THIS MUST BE FOLLOWED!

!!

If they are not being followed the following steps should occur.

This is an sample from IL, check your State Board of Education website for the procedures in your state.

PERFECT IEP  
NOT  
PERFECTLY  
IMPLEMENTED  
NOW WHAT?

## STEP 1

- **Try to resolved with your LEA 1<sup>st</sup>**
  - Communicating directly with the school staff, principal, superintendent, or director of the special education cooperative.
  - Requesting an Individualized Education Program (IEP) meeting to discuss the issues with the IEP team.



# PERFECT IEP NOT PERFECTLY IMPLEMENTED NOW WHAT?

## STEP 2

### **State Sponsored IEP Facilitation**

- Both parties must agree to state sponsored IEP facilitation
  - Request Form  
<https://sec.isbe.net/sems/iepfacilitationrequestpublic.aspx>
  - Email: [scolegro@isbe.net](mailto:scolegro@isbe.net)
  - Telephone: (217) 782-5589 or (866) 262-6663
  - TTY/TDD: (217) 782-1900

PERFECT IEP  
NOT  
PERFECTLY  
IMPLEMENTED  
NOW WHAT?

## STEP 3

### **State Sponsored Mediation**

- participants for both parties must include persons who have legal authority to act on behalf of the student and local district respectively.
- The number of participants shall generally be limited to three persons per party. Participants may include attorneys, advocates, interpreters, and other relevant parties who have knowledge of the student
- <https://www.isbe.net/Documents/34-15-mediation-request.pdf>

# PERFECT IEP NOT PERFECTLY IMPLEMENTED NOW WHAT?

## STEP 4 (OR STEP 2)

### Complaint Investigation Process

- State complaint for completed and sent to ISBE AND LEA [https://www.isbe.net/Documents/complaint\\_form.pdf](https://www.isbe.net/Documents/complaint_form.pdf)
- Or a letter sent to both ISBE and LEA with the following: a) signature and contact information for the person filing the complaint; (b) name and address of residence of the child; (c) name of school the child attends; (d) a statement detailing the alleged violation(s) and the facts on which the statement is based; and (e) a proposed resolution to the problem
- Send IEP document and ALL pertinent information with the complaint.

# PERFECT IEP NOT PERFECTLY IMPLEMENTED NOW WHAT?

## STEP 5

### Due Process


- Highly recommended to get an attorney specializing in special education
- All procedures can be found here:  
<https://www.isbe.net/Pages/Special-Education-Due-Process.aspx>
- Request for impartial due process hearing can be found here:  
[https://www.isbe.net/Documents/dp\\_parental\\_19-86a.pdf](https://www.isbe.net/Documents/dp_parental_19-86a.pdf)

# CONGRATULATIONS!!

you now know enough of the law to speak about it with more confidence



# LET'S TALK ADVOCACY

Dear IEP Team Members:  
The other word for  
Pain-in-the-s Parent  
is  
Advocate.



somcards  
user card

*Learning Enough To Make a Difference In the family/professional relationship*

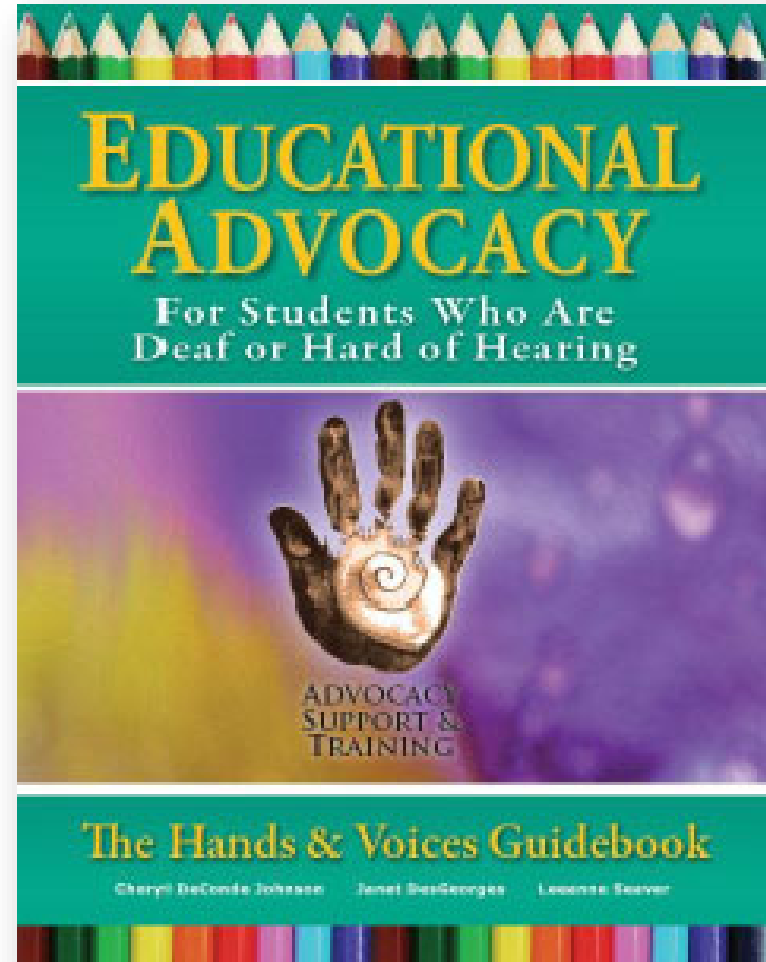
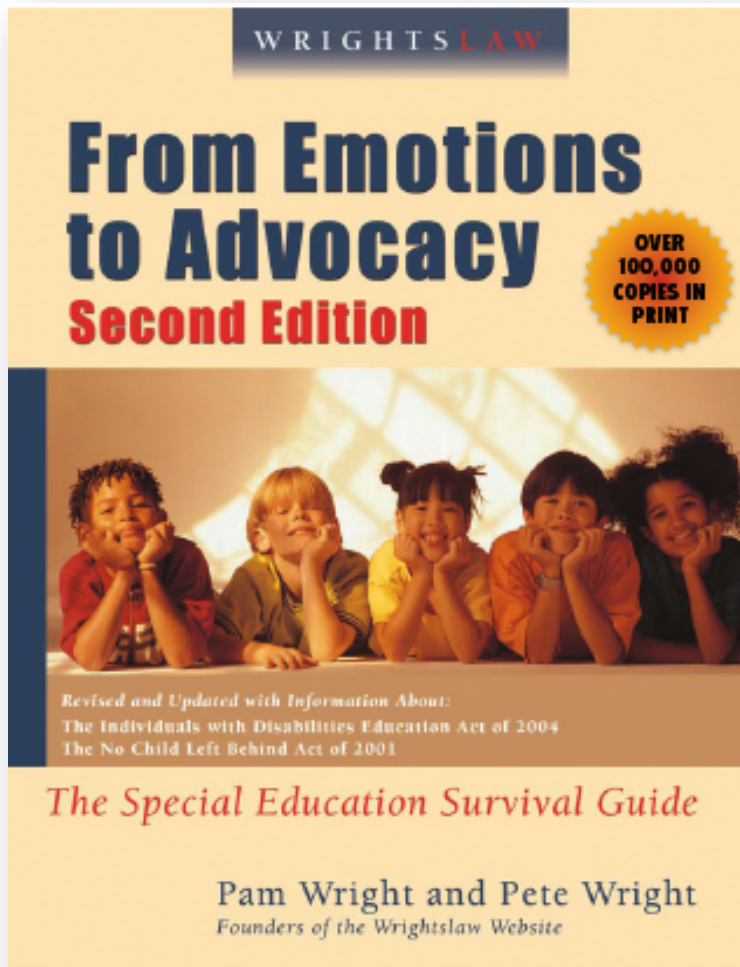


# HOW TO ADVOCATE FOR A CHILD WHO IS DEAF/HARD OF HEARING

“Unless someone like you cares  
a whole awful lot, Nothing is  
going to get better. It's not.”

- Dr. Seuss, The Lorax

# GOOD READS



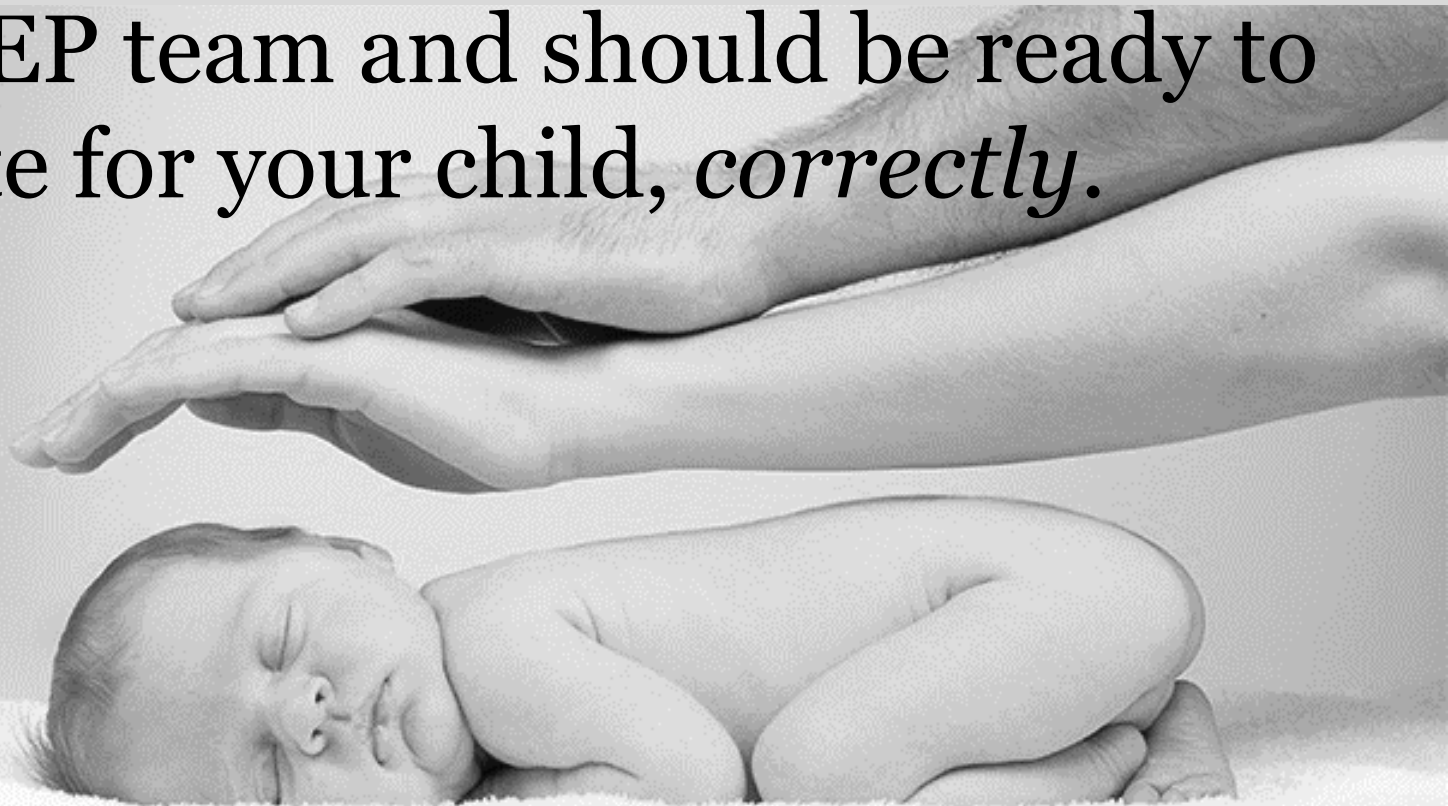


TO  
ADVOCATE  
IS TO  
SUCCEED

*Our child need our strength to ensure they are getting the proper education. Do you have the tools to provide this?*

# UNDERSTANDING IDEA

Know enough of the law to speak on it.  
As a family member you are included  
in the IEP team and should be ready to  
advocate for your child, *correctly*.





REMEMBER THIS ALWAYS . . . .

YOU HAVE THE RIGHT TO A “FREE  
APPROPRIATE PUBLIC EDUCATION”  
THAT INCLUDES “SPECIALLY  
DESIGNED INSTRUCTION..TO MEET  
THE (CHILD’S) UNIQUE NEEDS..”



advisory

ad·vis·ory

advise; giving advice

*role.*

ad·vo·cacy

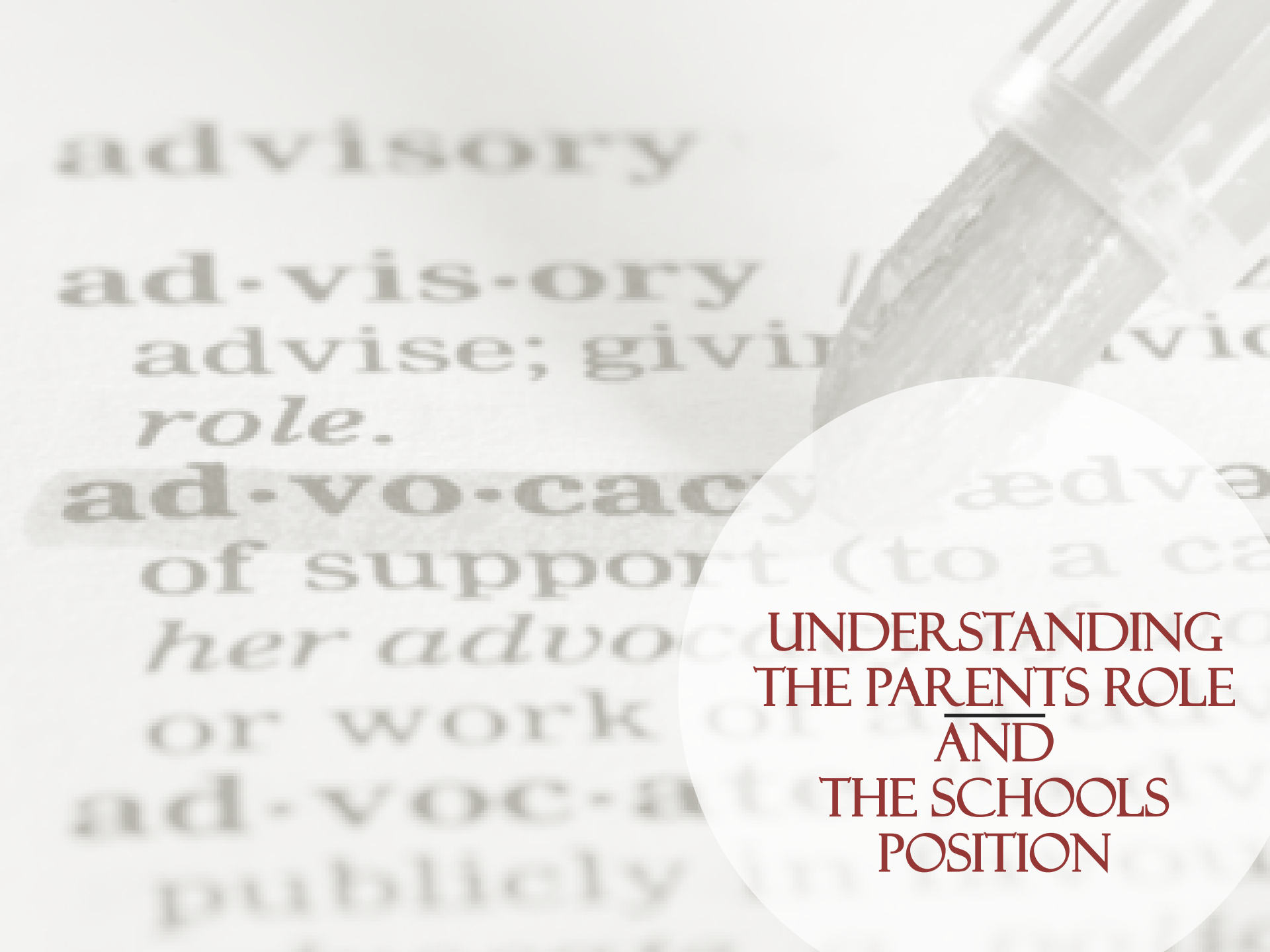
of support (to a cause)

*her advocacy*

or work of a *advocate*

ad·voc·ate

publicly



UNDERSTANDING  
THE PARENTS ROLE  
AND  
THE SCHOOLS  
POSITION



# THE PARENTS ROLE:





LET'S TALK ABOUT THOSE PARENTS :

HOW DOES  
ADVOCATING  
MAKE A  
PARENT FEEL?



# LEARNING THE RULES OF THE GAME:

When you begin to advocate, expect to feel anxious and insecure. As an outsider, you do not know how problems are solved and how decisions are made. As with new job jitters, your anxieties are caused by the fear of the unknown. During your first school meetings, expect to feel insecure and anxious. These jitters are normal reactions to your new role and unfamiliar environment. As you gain experience, you will know what to expect and you will feel less anxious.



# DEALING WITH STRESS AND RESPONSIBILITY:



*“Raising a special needs child can be overwhelming. If you are not careful, special education can consume your life. Many parents drive themselves until they are exhausted and burned out.”*



WE WANT WHAT IS BEST!  
RIGHT?

*This is what every parent truly wants for their child. Let's face it, appropriate to a parents is best.*

Always ask 5W's + H + E

WHAT  
WHO  
WHY  
WHEN  
WHERE  
HOW



WHEN  
DEALING  
WITH IEP  
TEAMS:



To get the answer you need, ask questions that get answers.



# THIS STATEMENT SHOULD GIVE YOU AN IDEA OF THE STRESS A PARENT FACES



*If your child does not receive an appropriate education and master the skills necessary to be an independent, self-sufficient member of the community, you will deal with the outcome.”*

# WHAT IS THE ROLE OF THE PARENT?

- To plan for your child's educational future
- To advocate for your child's educational future
- To manage your child's current education
- To maintain constant contact with your child's teachers and support educators



# KNOWING THE RULES OF THE GAME:

- You are on time for meetings
- You are prepared for meetings
- You present your concerns and your problems in writing.
- Keep an open mind, you will learn from your experiences.





# KEEP WRITTEN RECORDS:

- If it is **NOT** written, it did **NOT** happen
- If a statement was **NOT** written down, it did **NOT** happen.
- Make all your requests in writing.

PARENTS  
ARE  
EVERYTHING  
TO THEIR  
CHILD!



*“You are your  
child’s role  
model! You  
must work  
hard and  
persevere. In  
return your  
child will  
learn to work  
hard and  
persevere as  
well”*

*Pete Wright FETA '06*



DOCUMENTS  
SUPPORT  
TESTIMONY:

- WRITE IT DOWN
- WRITE IT DOWN  
WHEN IT OCCURS
- GET COPIES OF ALL  
FORMS THAT YOUR  
SCHOOL ASKS YOU  
TO SIGN



# METHODS FOR KEEPING RECORDS:



Contact log

Journal

Calendar

Telephone  
Calls

# THE SCHOOLS POSITION

A photograph of an empty classroom. In the foreground, several rows of wooden desks and chairs are visible, arranged in a typical classroom layout. The desks are light-colored wood with white writing surfaces, and the chairs are also made of wood with black metal frames. In the center of the room, there is a wooden teacher's desk. In the background, a large whiteboard is mounted on the wall. The floor is a light-colored, polished surface. The overall atmosphere is quiet and orderly.

# THE PUBLIC SCHOOL:

---



- “Public schools offer a standardized curriculum that children are expected to learn.”

Pete Wright, FETA 2006

- School districts have a chain of command, more frequently than not the person with the authority to make a decision, which is a special request, is not at your IEP meeting.



# POWER FLOWS FROM THE TOP:

---

- Teachers and parents do not have the authority to make decisions that involve a commitment of resources
- Teachers and parents have the legal right to make recommendations that are validated in some way.
- “Invisible” members that have the power to make decisions..



- “We can’t make exceptions”
- “One size fits all”
- Individualized programs



# 10 REASONS WHY SCHOOLS SAY **No!**

1. Do not want to change
2. Do not want to make exceptions
3. Afraid of setting a precedent
4. Do not have a program
5. Committed to their one-size-fits all service
6. Believes the services are too expensive
7. Overwhelmed by the child's needs
8. Do not understand the legal requirements
9. Staff not trained to meet your child's needs
10. Does not have the staff to meet your child's needs



SO...

EVERYTHING  
ISN'T  
PERFECT?



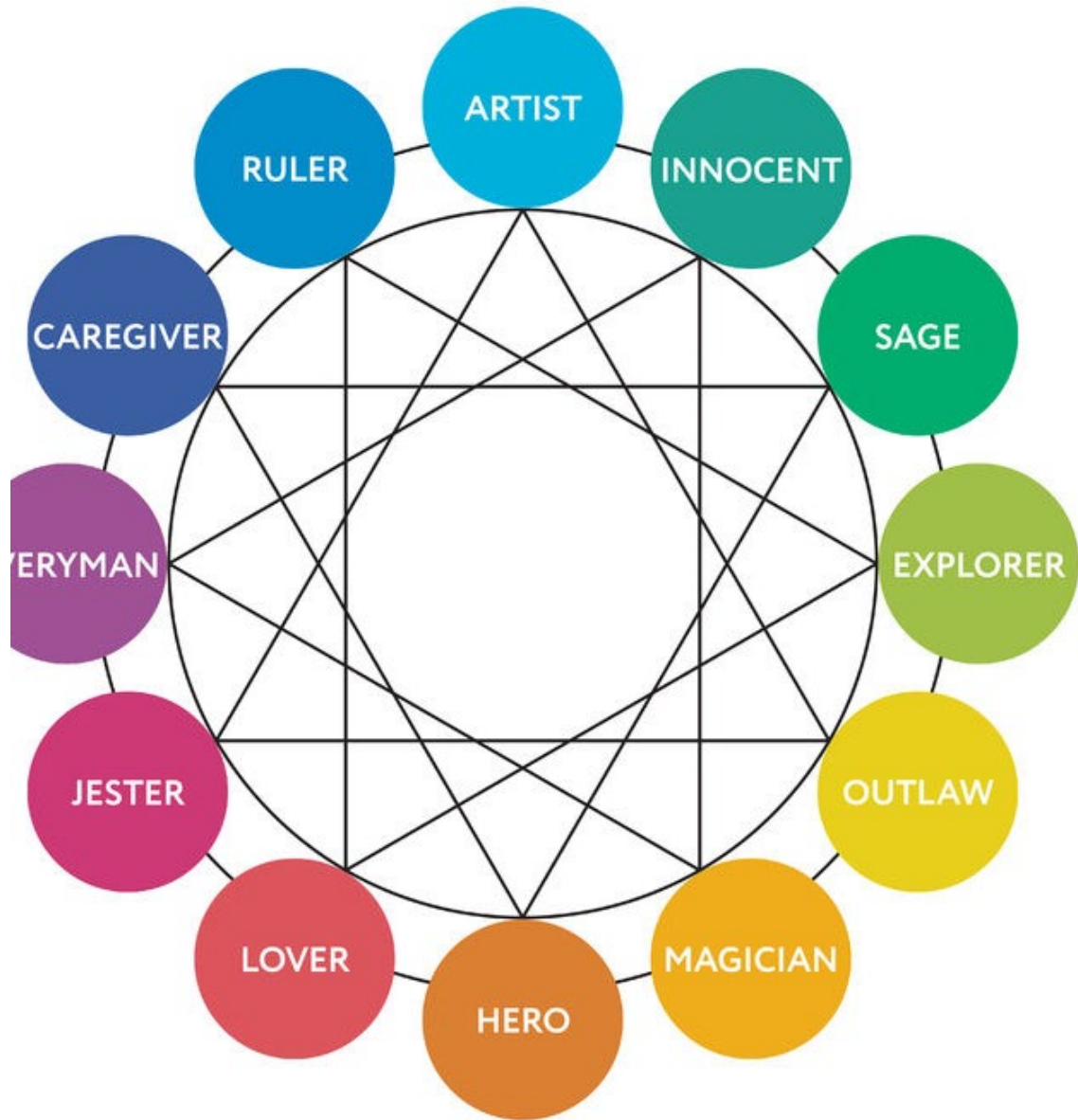


PICK  
YOUR  
BATTLES

# LEARNING TO BE EFFECTIVE:



- Control your emotions!
- Ask questions
- Be willing to work together with your district and be willing to state just that.



WHAT IS  
YOUR  
PERSONALITY  
TYPE?



# COMMUNICATING!









WHY  
DO  
PARENTS  
COMMUNICATE  
WITH  
THE  
SCHOOL?

- Request Information
- Request action
- Provide information
- Decline a request
- Express appreciation
- Build relationships
- Identify & solve problems
- Clarify decisions
- Motivate people

# COMMON PARENT / SCHOOL PROBLEMS:

- Different Views of the Child
- Lack of Information
- Lack of Options
- Hidden Issues
- Feeling Devalued
- Poor Communication & Intimidation
- Loss of Trust



# FEELING DEVALUED

*Devalue: reduce or underestimate the worth or importance of.*

- When you are lied to
- When important information is withheld from you
- When you are patronized
- When you sense hidden issues or agendas

A FEW  
FACTORS  
THAT  
MAY  
LEAD TO  
CRISIS:

The school  
makes a  
unilateral (one  
sided) decision



The school  
ignores  
information  
from others



The decision or  
action may harm  
the child

# CONTROL YOUR EMOTIONS!!

disgust  
sadness  
joy!  
surprise  
anticipation  
depression  
TRUST  
ANGER  
FEEL  
**EMOTION**





# TIPS REGARDING CONTROLLING YOUR EMOTIONS:



- Keep them under control
- Be careful about revealing emotions to school personnel
- Plan your time thinking, planning and preparing! NOT throwing adult TANTRUMS.

TAKE TIME OUT FOR  
YOURSELF



REMEMBER A CHILD IS A CHILD FIRST!!





PARENTS:  
DON'T DO  
EVERYTHING  
FOR YOUR  
CHILD!

# UNDERSTANDING TEST RESULTS . . . .



# Assessment



- Classroom-Based Assessments
- District-Wide Assessments
- State Academic Assessments
- State Assessment of Language Proficiency
- Assessment Accommodations***





## HOW TESTS ARE REPORTED:

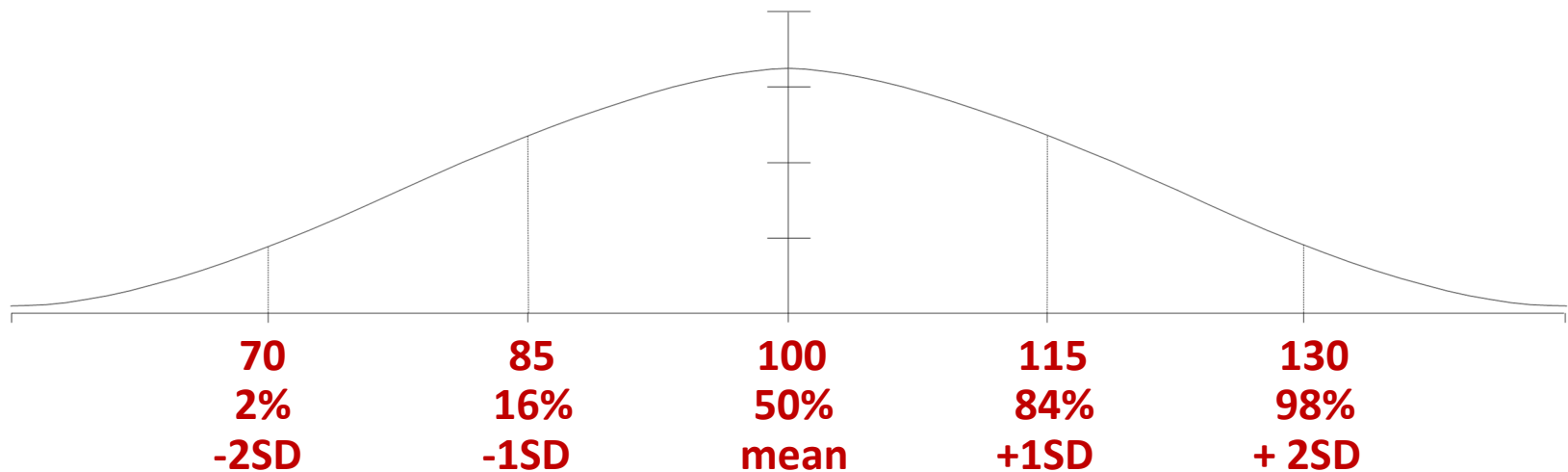
- Age equivalent scores
- Grade equivalent scores
- Standards scores
- Percentile ranks
- Raw score
- Composite scores

FAMILIARIZE YOURSELF WITH  
THE  
**BELL CURVE**





# BELL CURVE STANDARD DEVIATIONS AND PERCENTILE RANKS:



# ASSESSMENTS

- Classroom-Based Assessments
- District-Wide Assessments
- State Academic Assessments
- State Assessment of Language Proficiency
- Assessment Accommodations***





# STAY ORGANIZED

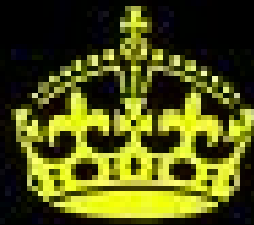




# KEEP A BINDER:

- Do not write on original documents
- Do not use a marker or highlighter on your original documents.
- Do not release your original documents to anyone.
- Keep your notebook current.





**KEEP  
CALM  
THE BEST  
IS YET  
TO COME**

# Questions?



# GREAT SITE TO RESOURCE



Center for  
Parent Information  
& Resources

<https://www.parentcenterhub.org/>

National Dissemination Center for Children with Disabilities  
(NICHCY).s New Website Home

GREAT SITE TO RESOURCE



<http://www.wrightslaw.com/>

# SOURCES:



- ❑ <https://www.understandingspecialeducation.com/>
- ❑ <https://sites.ed.gov/idea/>
- ❑ <http://versuslaw.com>
- ❑ <https://education.findlaw.com/>
- ❑ <http://wrightslaw.com>
- ❑ <http://www.projectidealonline.org/>
- ❑ <http://www.nea.org/special>



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