

How to Navigate Special Education Reform

Presented by
Resources for Children with
Special Needs

Agenda

- Introduction
 - Please Sign in
 - Materials
 - Who we are and how we can help
- Special Education Reform
- IDEA basics
- How to advocate for your child
- Q & A
- Surveys

How RCSN can help

Who we are

- Serving NYC families since 1983
- Youth (0-26) with all special needs
- 1 of 100 federally-funded Parent Training and Information Centers in the US
- New York State Education Department Special Education Parent Centers: Bronx and Manhattan
- Specialized trainings
- Events!
- Online information and resources
www.resourcesnyc.org

What we do

- Connect you to community resources
- Offer educational guidance
- Provide knowledge, skills, and confidence to advocate for children
- Promote inclusion of youth with disabilities in community based organizations

Why things are changing

- In the past, the achievement bar for students with disabilities was not set high enough
- Special education classroom placement was usually full time and schools had little/no capacity to mainstream students during certain periods
- There was little flexibility to program on a per subject basis according to students individual strengths and needs
- Schools could refer difficult to educate students to a different school that “has the program” instead of finding ways to teach them

The Goals of Special Education Reform

- To close the achievement gap between students with disabilities and their peers without disabilities
- To increase access to the general education curriculum for students with disabilities
- To build schools' capacity to support the diverse needs of students with disabilities through greater curricular, instructional and scheduling flexibility

What to know going forward

- Reform will focus on transition points (kindergarten, middle and high school) for the 2012/13 school year
- IEP's will be broken down by period. A student may be recommended for small SE classes in math and ELA with a general ed or inclusion class in other content areas as deemed appropriate.
- There will be less reliance on self contained classes
- Related services and SETSS may be provided differently. Emphasis will be on providing support in the classroom as well as to the GE teacher
- Schools will be expected to educate their students with disabilities. Transfers will be rare

IEPs will look different

- Created with a digital information system (SESIS)
- Flexible programming, meaning...
 - SE classes may be available on period by period basis
 - Less automatic reliance on full time SE classes
 - Related services that are aligned to instruction and provided on a “push in” basis
 - SETSS as “push in, indirect or small group model
 - Scheduling broken down by period, even for the youngest students
- Different is OK provided your child’s plan is *appropriate (individually calculated, fitting, and responsive to their needs to allow participation, progress and educational benefit)*

Placement will be different

- Most students with disabilities will participate in the application process and attend the same school they would attend if they did not have a disability
- Schools must implement the IEPs of all accepted students. Being moved to another school that “has the program” will be rare
- The IEP must be implemented but - schools may wish to change IEPs that they cannot implement.

Insight!

IEPs must be followed... but the IEP may be changed

- Parents must be notified of any proposed steps or changes regarding their child's special education services or process
- Make a commitment to attend all meetings where your child's IEP is being discussed or amended!
- IEP teams (including the parent) interpret the information about the student to calculate a plan that will provide FAPE in the LRE
- IEP recommendations are student-centered. Inclusion does not trump appropriateness

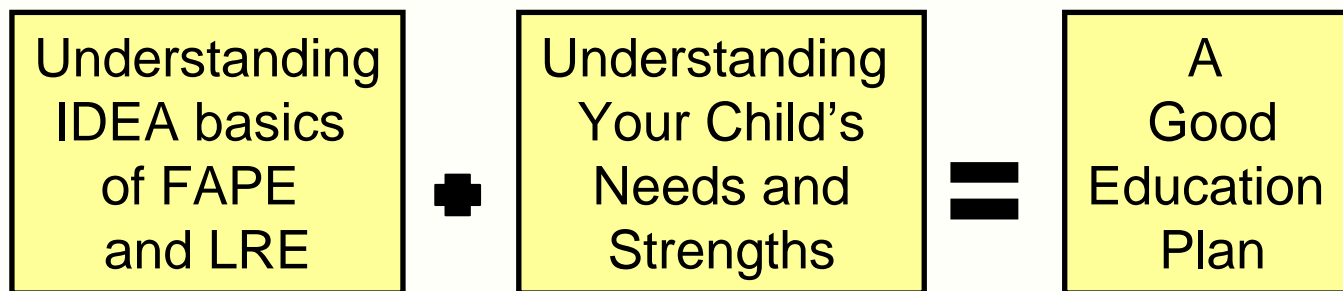
The Law has not changed!

- Individual Education Programs (IEPs) must continue to be developed in accordance with the law (IDEA)
- Recommendations must provide FAPE in the LRE
- Teams must consider the full continuum of SE services and identify the supports, services, programs and accommodations the student will need to reach goals
- The timeline for completion of all steps in the special education process has not changed!
- Recommendations are based on individual needs
- IEPs are legal documents that must be followed

What can parents do to make sure their child has a good education plan?

- Parents will play a critical role by ensuring that their child's needs and strengths are represented accurately and by educating themselves about components of IDEA
- *Insight!* IEP teams are composed of individuals, whose understanding of the law and interpretation of evaluation reports will vary. Parents' participation makes a difference.

A good education plan is based on =



Start by knowing a little about IDEA (the law!)

IDEA states that-

Students are entitled to A Free
Appropriate Public Education (FAPE) in
the Least Restrictive Environment (LRE)

Free Appropriate Public Education (FAPE) means:

- Special education and related services that are designed to meet the student's unique, individual needs in order to participate, progress, and obtain educational benefit
- The law establishes the expectation that students will be taught, not simply included!
- Appropriate means: fitting, suitable and responsive to the needs of the student. Appropriateness is child focused and is not determined by what services a school can or cannot provide

Least Restrictive Environment (LRE) means :

To the maximum extent appropriate...

- Children with disabilities are educated with children without disabilities and...
- Have access to the general education curriculum and attend the same schools they would if they did not have a disability
 - or as close as possible to the student's home
- Students should only be removed from the general education environment when the nature and severity is such that even with the use of supports and services, education cannot be satisfactorily achieved



A Free Appropriate Public Education in the Least Restrictive Environment - *It's the Law!*

- Each child's recommendation for special education is individually determined and must be appropriate
- One child's FAPE in the LRE may look quite different from another's
- For some children, their individual "Least Restrictive Environment" could be a full time special education class
- The Department of Education must comply with Federal and State Law



**FAPE and LRE go together like
peanut butter and jelly!**

Start with your child in mind

all education plans focus on an individual child, No other issues or agenda should interfere. (Taken from NYSED website)



The following steps will increase your effectiveness

- 1 Gather all of your child's evaluations, reports and statements from professionals. All steps in the special education process depends on documentation

Organize them in a binder



Make a list!

2 Ask yourself -

“What are my immediate goals for my child in the coming school year?”



Do Your Homework

3 Read all evaluations, reports and statements from professionals carefully.



4 Do the reports and evaluations include the issues on my list? Use post-its to mark the spot!



Do the match game-

Is there written documentation about each need on your list? Anytime you ask for services, need must be documented in writing by a qualified professional

If Yes

- Prepare for the IEP meeting by familiarizing yourself with the information
- Rehearse what you want to share at the IEP meeting and mark it with a post it!

If No

- You may need to arrange for independent evaluations
- Ask doctors or other specialists to provide written statements or diagnoses

At the IEP Meeting

Make sure information reflects your child's needs

- Bring your binder!
- If possible, invite professionals (eg. private therapists, tutors, independent evaluator) that are knowledgeable about your child's needs to explain why certain services are needed
- The IEP team may have a draft IEP prepared prior to the parents arrival, but each section should be discussed with parental participation, and changes may be made
- Prevent hasty decisions by drawing the teams' attention to the information that you marked with post it notes. Ask how those needs will be met

Let the Intent of IDEA Guide You

- Education must prepare a student for further education, employment and independent living!
- Parent participation is your right. Be prepared to participate and ask questions
- The IEP contains sections to record parent's concerns and insights!
- Remember that each determination is an individual one

Collaboration is key *and benefits families and schools*

- Keep an open mind when discussing the IEP- but keep the focus on how it will meet your child's needs and allow him/her to obtain educational benefit, participate and progress.
- Ask questions about how recommendations will address each concern on your list
- Sometimes there is disagreement about what is FAPE in the LRE for a child. Be prepared to discuss until concerns are addressed

What happens when we disagree?

- Don't let disagreements linger. Address problems as they arise
- Your child's education is a long term investment in the future and you may be working with the same team for many years. Foster a partnership between school and home
- Be open to options that may resolve problems quickly and without escalation such as additional meetings with your child's school or IEP team
- Contact knowledgeable organizations that can help you determine your next step

What you don't know *can* hurt you....

- There are many steps in the SE process. If you can't tell if the steps are proceeding in a timely way, reach out!
- If you hear sweeping statements such as, “there are no more SE classes” reach out!
- Parent Training and Information Centers (like RCSN) help parents understand the steps, advocate for their children and participate meaningfully in education planning

Right to Procedural Safeguards – Due Process

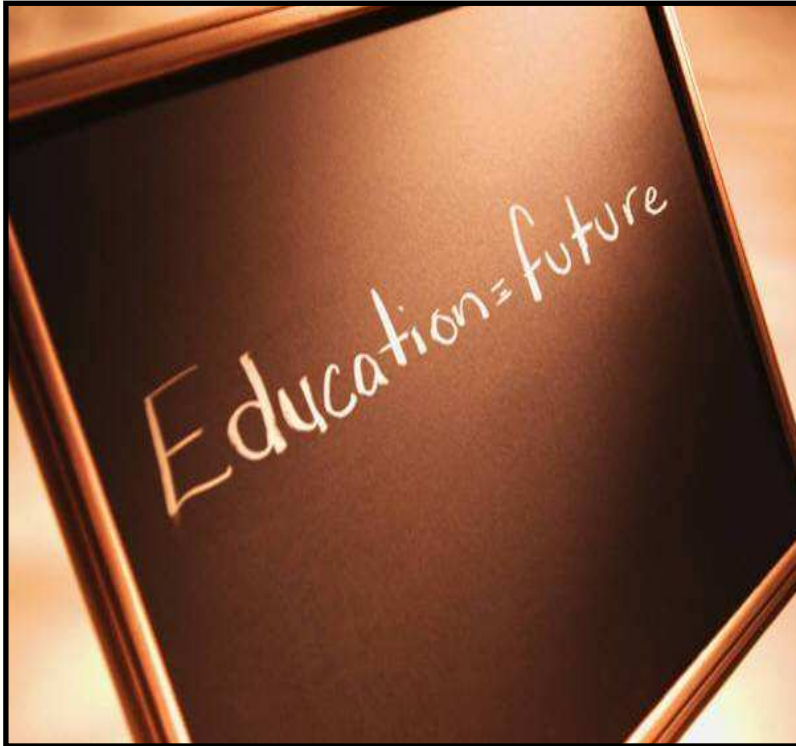
You Can Work It Out

Mediation

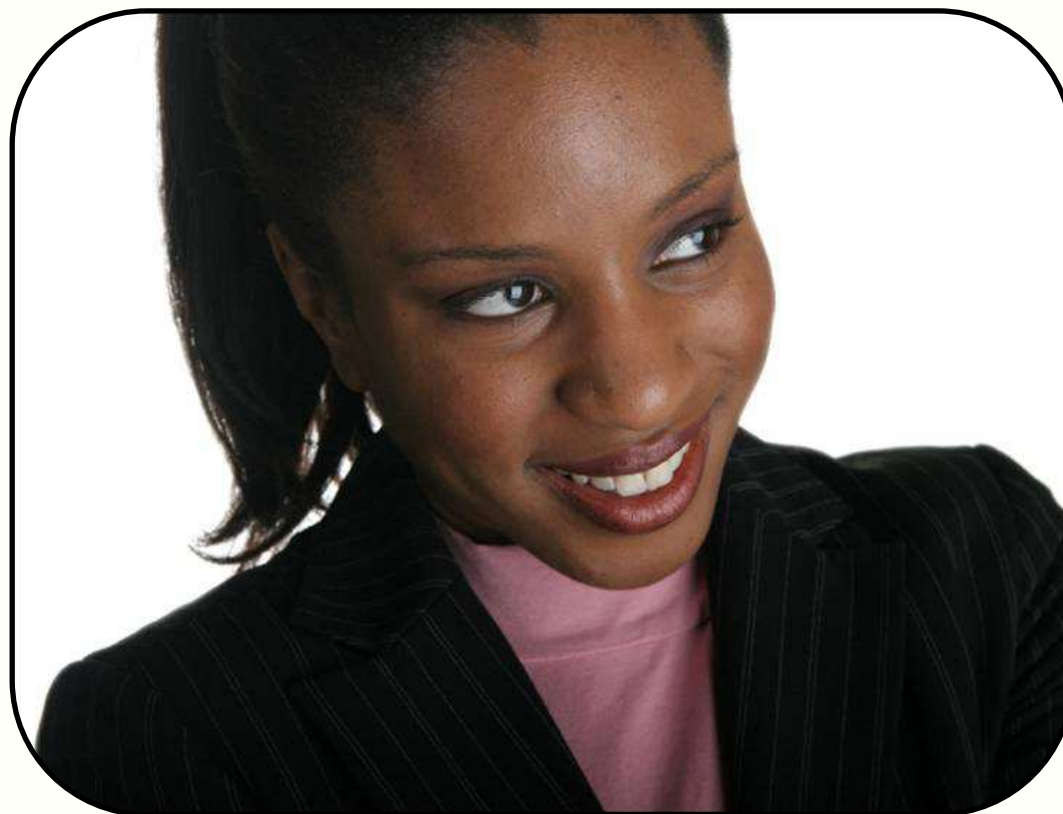
- Mediation allows the parties to discuss issues and work together to develop a mutually agreeable solution.
- A neutral third party (the trained mediator) helps to facilitate the discussion.
- Parties control the outcome
- Parties may still use the Impartial Hearing option

Impartial Hearing

- Is a legal proceeding.
- An Impartial Hearing Officer (IHO) presides, and provides parties the opportunity to present testimony and witnesses.
- The IHO provides written findings of fact and decision based on evidence
- Can appeal decision



- ✓ This is a quickly changing situation where the parent is the only constant. No one can take your place. Stay fully involved and act as a counterbalance to ensure that Reform is carried out with integrity. RCSN can help you with that!
- ✓ You are now empowered with information regarding your rights and responsibilities under the law! (IDEA) Use them wisely



Thank you for coming!

rdsn resources for
children with
special needs

Reach out to RCSN

- For individual assistance (212) 677-4650
- For information, workshops and events:
www.resourcesnyc.org
- Or on Facebook : facebook.com/ResourcesNYC