Special Education Matters

Jen Newton, PhD

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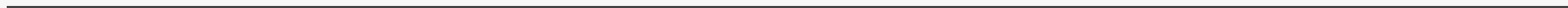
I'm Jen Newton

Teacher education

Family educator

Inclusive educator

Early interventionist

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Our Time Together

- Let's talk about IDEA

- Then we can get into IEP details

- We'll distinguish between the letter of the law vs the spirit of the law

- Finally, let's get into your questions, concerns, challenges with implementing IDEA and supporting students and educators

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IDEA
Individuals with Disabilities Act

EVERY STUDENT SUCCEEDS ACT (ESSA)

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IDEA Has Four Parts

Part A - Definitions and Rationale

Bart B - Education of School Age Children

Part C - Infants and Toddlers

Part D - Research and Personnel Preparation

A. Definitions & Rationale

Disability is a natural part of the human condition

Disability does not restrict participation in society

Improving academic and social results for ALL citizens is a national priority

B. Education of School Age Children

- Age 3-21
- 13 eligibility categories
  - Autism
  - Deaf-Blindness
  - Deafness
  - Emotional Disturbance
  - Hearing Impairment
  - Intellectual disability (developmental delay for ages 3-9)
  - Multiple disabilities
  - Orthopedic impairment
  - Other health impairment
  - Specific learning disability
  - Speech language impairment
  - Traumatic brain injury
  - Visual impairment, including blindness

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Eligibility categories determine **access** to services and supports - not placement.

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Two Critical Points

Disability only requires an Individualized Education Program when the disability impacts access to the general education curriculum.

The lack of high quality instruction or learning languages other than English cannot be criteria for eligibility for special education services and supports.

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The 6 Principles of IDEA

1. Zero Reject; Free Appropriate Public Education
2. Appropriate, Non-Discriminatory Evaluation
3. Individualized Education Plan
4. Least Restrictive Environment
5. Parent Participation
6. Procedural Safeguards
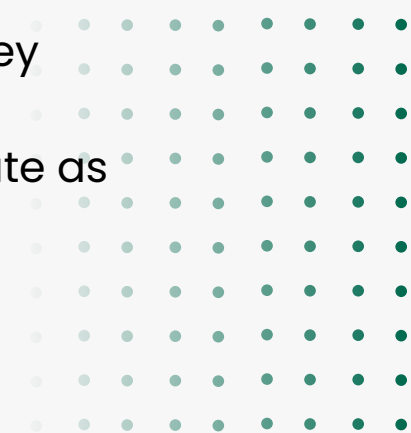
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FAPE/Zero Reject

FAPE

IDEA emphasizes special education services and supports, should be designed to meet a child's "unique needs and prepare them for further education, employment, and independent living at no cost to the family.

Zero Reject

All children are entitled to receive a free and appropriate public education. Districts may not exclude students they feel are too disabled to learn or are deemed too disruptive or inappropriate as a result of their disability.

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Appropriate, non discriminatory evaluation

Multiple means of assessment must be implemented by a team of knowledgeable and trained evaluators, must utilize appropriate evaluation materials and procedures, and must be administered without discrimination.

Children should not be subjected to unnecessary assessments or testing and all evaluations must have the intention of planning for the student's education and instruction.

IEPs

Present Levels

Annual Goals

Measuring & Reporting Progress

Specially Designed Instruction

Related Services

Supplementary Aids and Services

Extent of Nonparticipation

Accommodations in Assessment

Assistive Technology

Transition Planning

Least Restrictive Environment

IDEA prioritizes the general education setting and proximity to non-disabled peers

It's not a place; it is a principle that guides the child's educational planning

Separate classes, schools, or removal from the general education class should only happen when a child's "disability" under IDEA is so severe that "supplementary aids and services can't provide the child with an appropriate education."

LRE should not be determined by a student's eligibility category

A continuum including supplementary aids, services, and supports

Parent Participation

Parents have a right to participate and engage in decision making.

Parents have the right to refuse evaluation.

Parents must be notified about any evaluations, meetings, and student progress.

Parents have the right to access any and all records.

Procedural Safeguards

- Protect parental access to information pertaining to placement and transition planning

- Provide procedures to resolve disagreements between parents and schools regarding placement, services, and supports

C. Infants and Toddlers

Congress established this program in 1986 in recognition of "an urgent and substantial need" to:

- enhance the development of infants and toddlers with disabilities;
- reduce educational costs by minimizing the need for special education through early intervention;
- minimize the likelihood of institutionalization, and maximize independent living; *and*,
- enhance the capacity of families to meet their child's needs.

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D. Research and Personnel Preparation

This final section of IDEA describes national activities to improve the education of children with disabilities. These activities include grants to improve professional preparation and the education and transitional services provided to students with disabilities. In addition this section provides resources to support programs, projects and activities which contribute positive results for children with disabilities (IDEA, 1997).

Letter of the Law vs Spirit of the Law
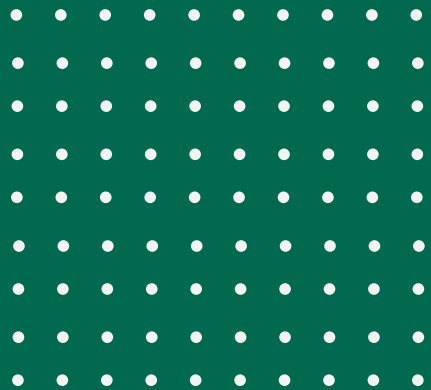
Examples

Students receiving services and supports are general education students first. Collaboration and co-planning are essential.

Best practices for supporting kids with disabilities are best practices for **ALL** learners.

Take Home Points

1. Special education is services and supports - not a separate curriculum, classroom, or graduation track

THERE ARE NO "SPED KIDS"

Take Home Points

2. Students only receive services and supports under IDEA when their disability affects their access to the general education curriculum

Not all kids with disabilities are served by special education

Take Home Points

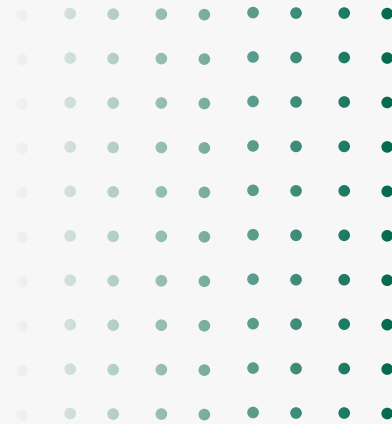3. Placement decisions should be made individually - not based on the eligibility criteria
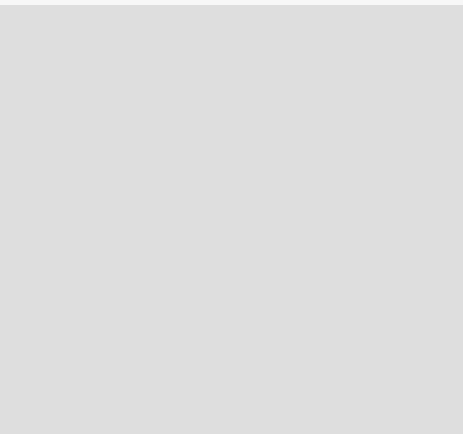
Least Restrictive Environment is not a place, it's a guiding principle

Your turn

What questions do you have about IDEA, IEPs, service delivery, inclusion, discipline or anything else?

Thank you!

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