

IL SCHOOL FOR THE DEAF OUTREACH

FREE training and consultation for Illinois children who are Deaf or Hard of Hearing

bit.ly/ISD-Outreach2



Search for "Illinois School for the Deaf Outreach"



State of Illinois

Department of Human Services

WHO AM !?

ANDREA MARWAH

- Naperville Resident
- Mother to Samantha (17), Julia (15) and Andrew (12)
- 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



MY DAUGHTER

- Samantha
- 17 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
- 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!!!

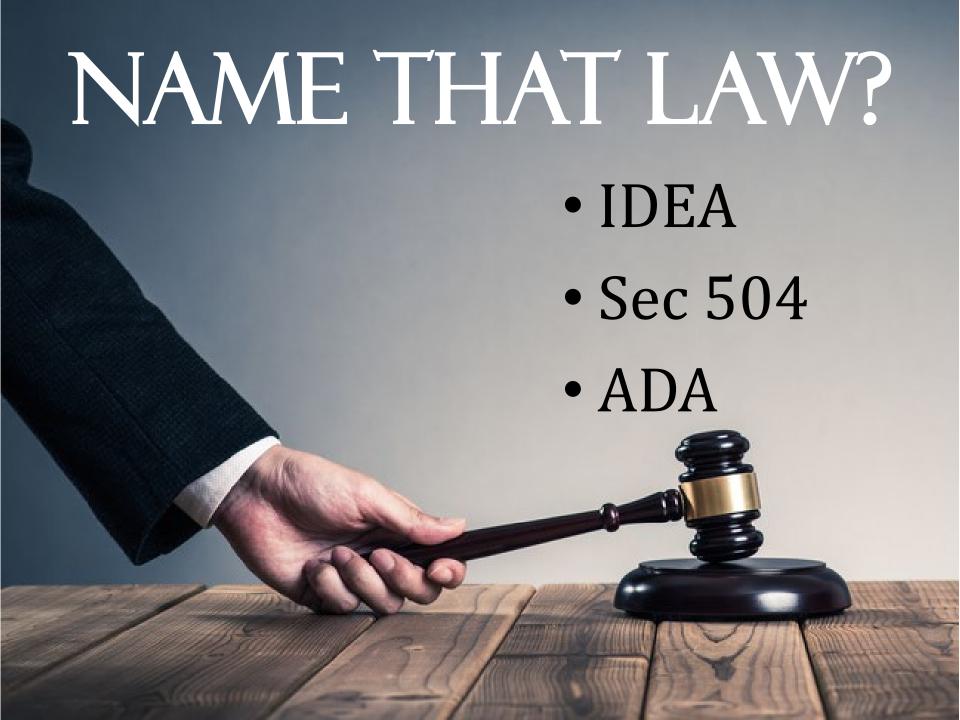
YOU ARE A TEAM MEMBER....



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.

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.





MANY LAWS PROTECT THE CHILD WITH A DISABILITY







IDEA WEBSITE:

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





Law and Policy About Reports **Grants and Funding News and Media** Home Resources

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
- <u>View printable IDEA Part B Statute</u>

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 todolers 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



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

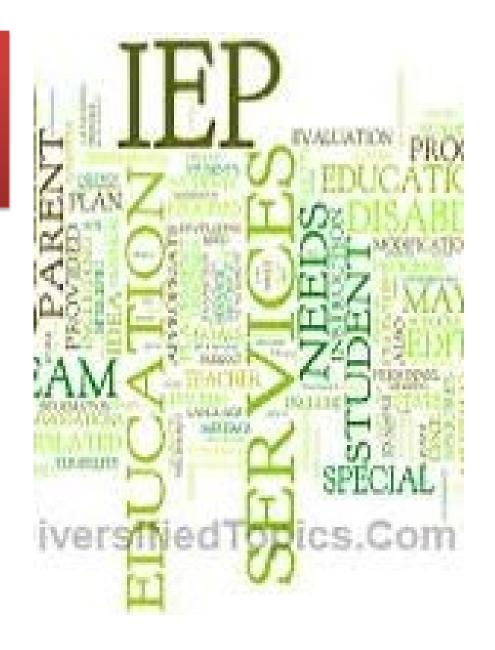
(also know as Part C and birth to 3)

WHAT ARE THE DIFFERENCES?

IEP (3 to 21)

Individual Education Plan
OR
Individualized Education
Program

(also known as Part B)



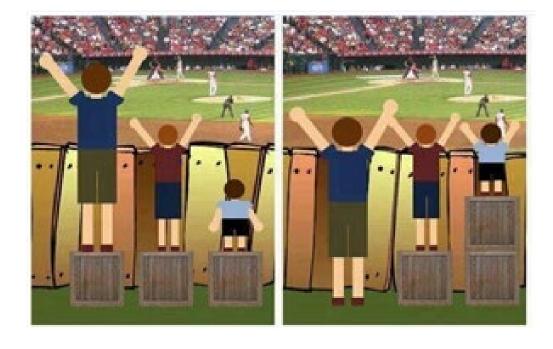




Rehabilitation Act 1973

WHAT ARE THE DIFFERENCES?

(birth to 21 in public institutions)



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.



EQUAL VS. APPROPRIATE

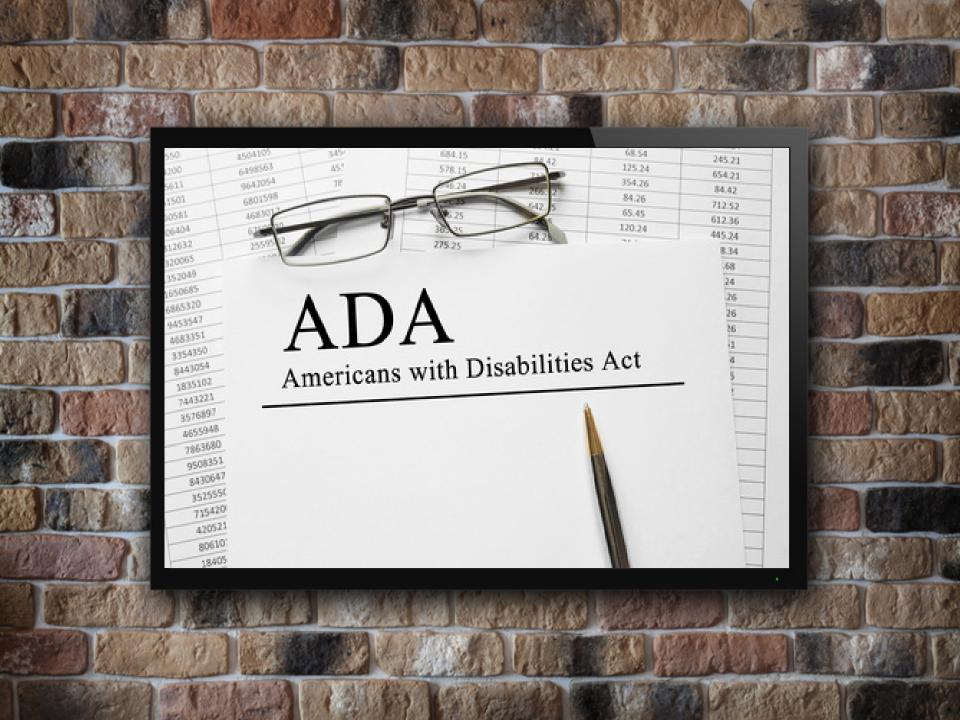
- The IDEA provides a child with an appropriate public education
- The ADA provides individuals with disabilities an equal access



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.





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

U.S. Department of Justice, Civil Rights Division



Information and Technical Assistance on the Americans with Disabilities Act

Sea

Mo

Law / Regulations

Design Standards

Technical Assistance Materials

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





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







THE LAW STATES:

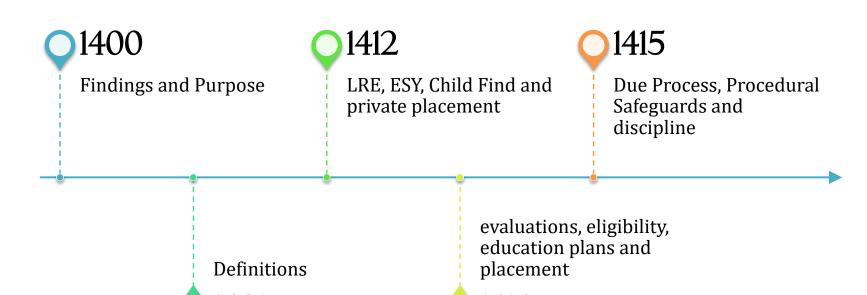
A CHILD WITH A DISABILITIY HAS THE RIGHT TO A "FREE APPROPRIATE PUBLIC EDUCATION" THAT INCLUDES "SPECIALLY **DESIGNED** INSTRUCTION...TO MEET THE (CHILD'S) UNIQUE NEEDS..."







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"

READ AND RE-READ BEFORE YOU QUOTE THE LAW...

- ☐ Section **1401** (30)(A) and (C)
 - ☐ Special Learning Disability.
 - \square (A) In General. The term 'special learning disability' means a disorder in 1 or more of the basic psychological processes involved in understanding or in using language, spoken or written, which disorder may manifest itself in the imperfect ability to listen, think, speak, read, write, spell or do mathematical calculations.



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?

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.

GREATEST # **MOST** OF STUDENTS **INCLUSIVE** 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 General Student placed in special education The education owns class for majority of school day; the child's attends general class in subject areas education consistent with capabilities process, Special Special Education Student placed in full-time provided as a special education class in Education support. general education school Student placed in separate school for Continuum children with special needs Special education owns the child's education Student educated

through

homebound or

hospital

instructional

program

MOST

RESRICTIV

LEAST

OF

NUMBER

process

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 website to learn more.
- IEP's
 - The next step after eligibility and what that means.
- Placement



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

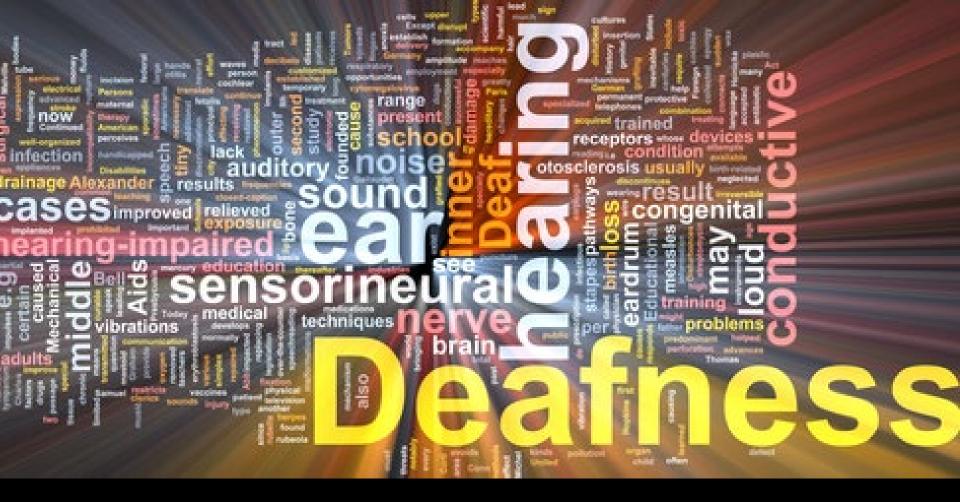
IEP TEAM

- Parents
- □1 or more regular education teacher
- □1 or more special education teacher
- Representative of local educational

agency

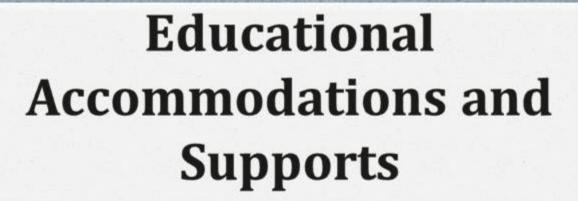
- ☐ Individual who can interpret test results
- Other individuals with expertise regarding the child
- ■When appropriate, the child



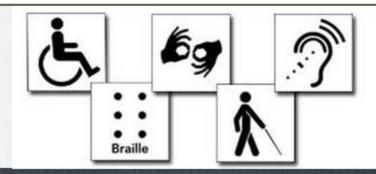


CONSIDERATION OF SPECIAL FACTORS

Make sure the linguistics and cultural accommodation needs are included



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

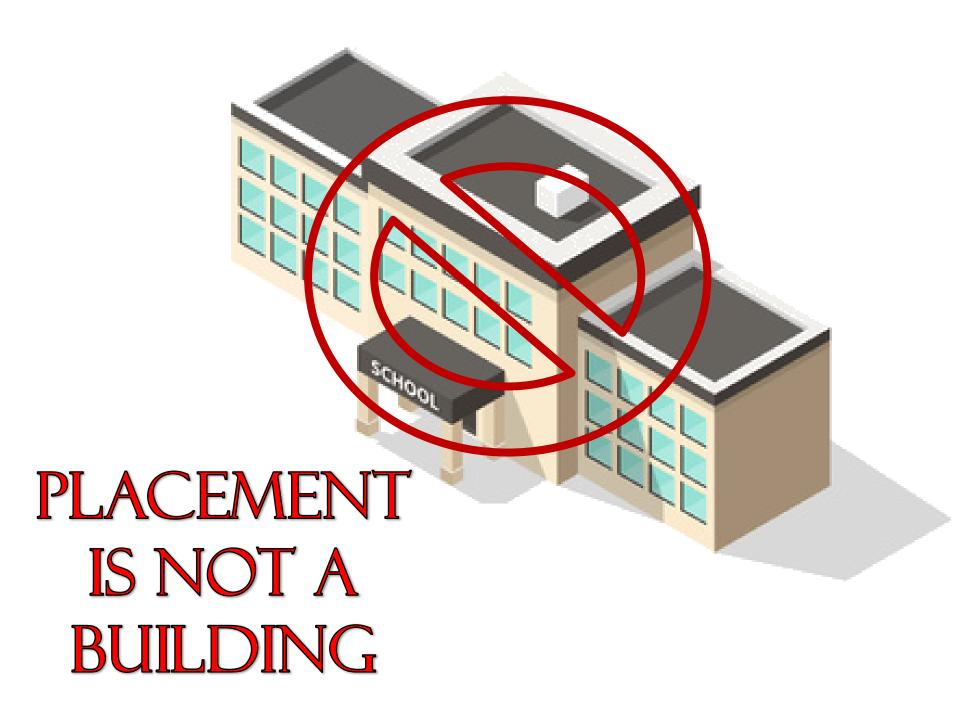


0.1	
he	Yes No The student requires accommodations for the IEP to meet r/his linguistic and cultural needs. This includes students who are deaf/hard of aring. If yes, specify any needed accommodations:
Yes No Special education and related services will be provided in a language or mode of communication 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:	
Fo:	r students who are deaf/hard of hearing and others, as applicable: Identify the language and communication need(s): 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:
٠	List the identified mode of communication accessible in academic instruction, school services, and extracurricular activities that the student will receive:

LET'S TALK IEP

"Educational Placement"





WHAT IS 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.



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 ISBE 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 handles in children who have psychological disorders or diagnosis.



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.

Children who are Deaf/Hard of Hearing

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 to Determine: 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 OF CHILDREN WHO ARE DEAF AND HARD OF HEARING

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 freely in activities of interest? How?



PLACEMENT

GENERAL EDUCATION SETTING

ITINERANT SERVICES

•SIGN LANGUAGE INTERPRETING SERVICES

•COTEACHING

*SPEECH-TO-PRINT TRANSCRIPTION SERVICES

•EDUCATIONAL AUDIOLOGY SERVICES

•SPEECH AND LANGUAGE SERVICES

PSYCHOLOGY SERVICES

SOCIAL WORK SERVICES

TOTAL COMMUNICATION CLASSES

> PROVIDED AT CLUSTER SITES

SPOKEN COMMUNICATION CLASSES

 PROVIDED AT CLUSTER SITES

GENERAL EDUCATION SETTING

SIGN LANGU.
INTERPRETI

·ITINERANT SERVICES

TOTAL COMMUNICATION CLASSES

•PROVIDED AT CLUSTER SITES

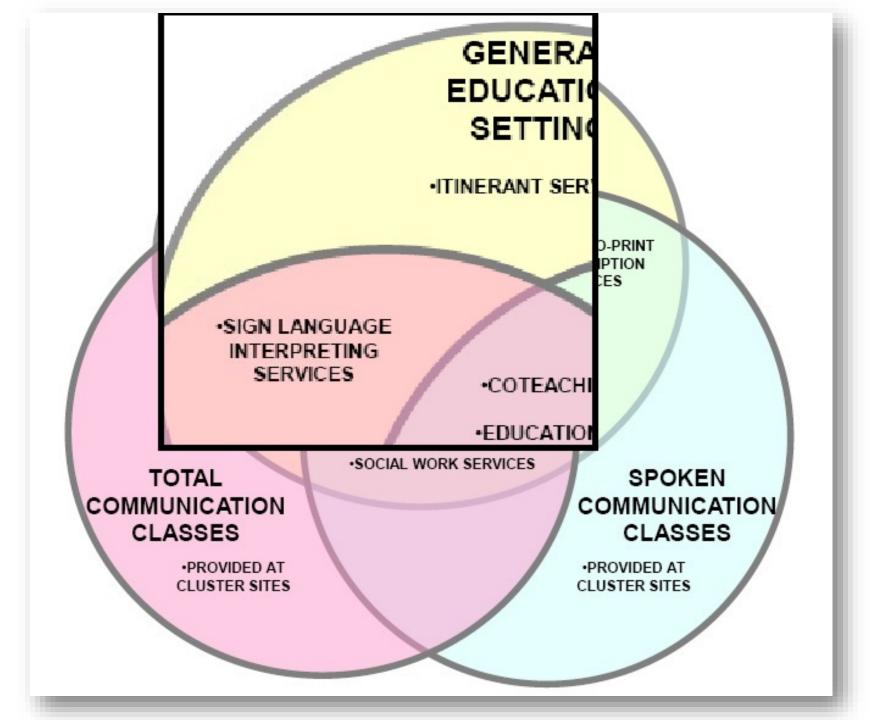
SERVICES

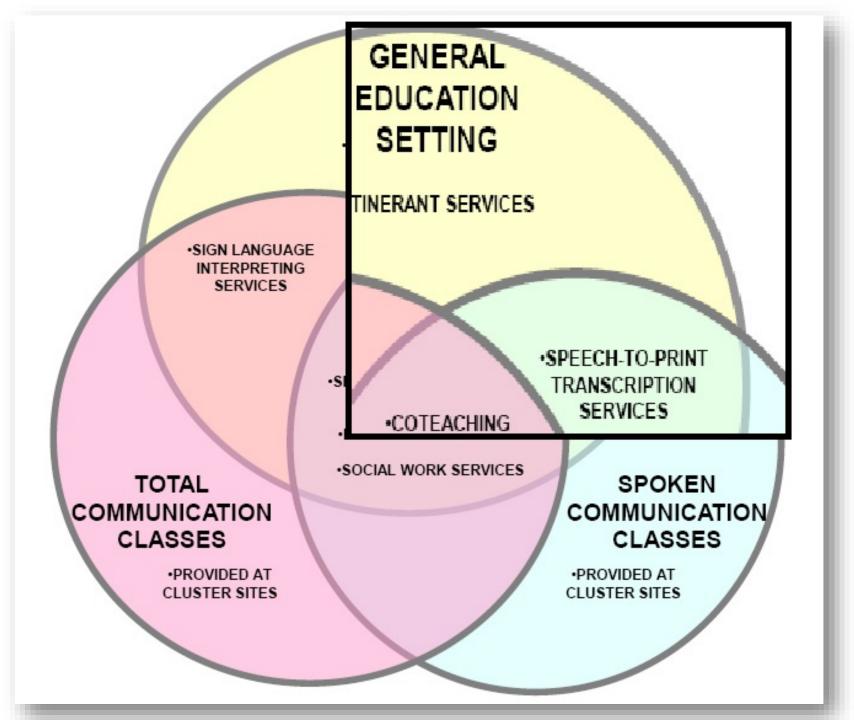
PSYCHOLOGY SERVICES

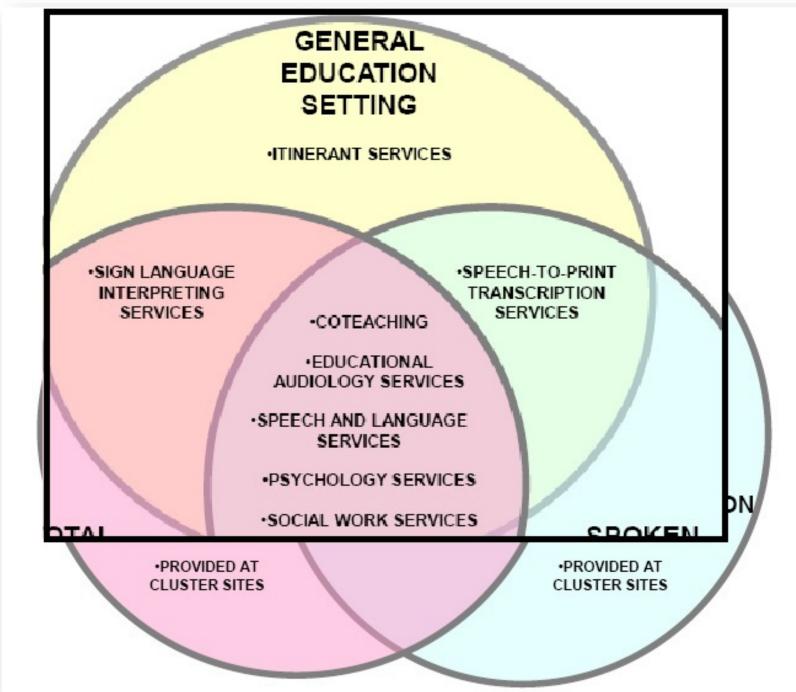
SOCIAL WORK SERVICES

SPOKEN COMMUNICATION CLASSES

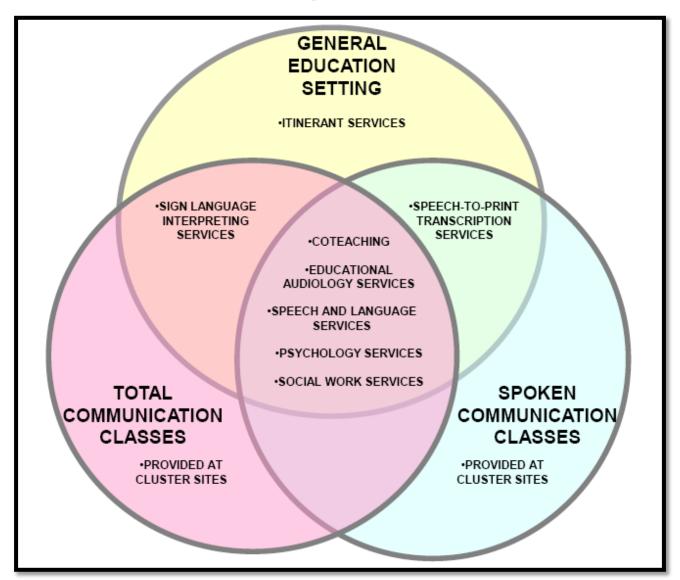
 PROVIDED AT CLUSTER SITES

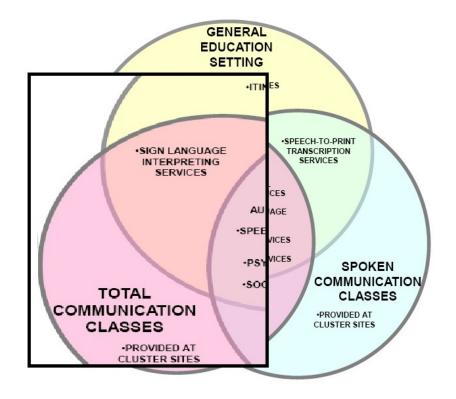






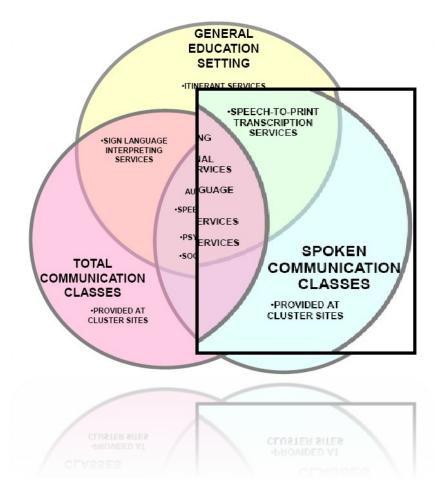
NOW IT COMES DOWN TO APPROPRIATE





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

.



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. Your state has 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. For IL families and professionals:

http://illinoisdeaf.org/

CONGRATULATIONS, YOU NOW KNOW ENOUGH OF THE LAW TO SPEAK ABOUT IT WITH MORE CONFIDENCE



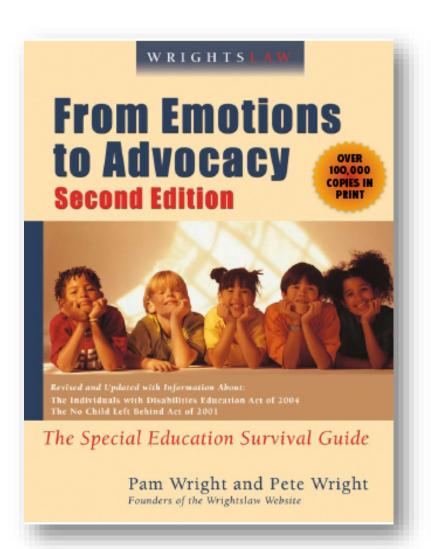
LET'S TALK ADVOCACY

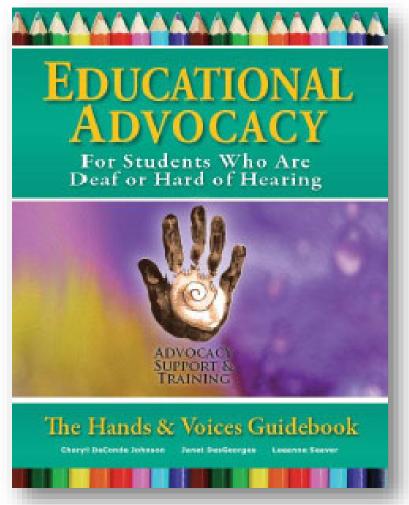


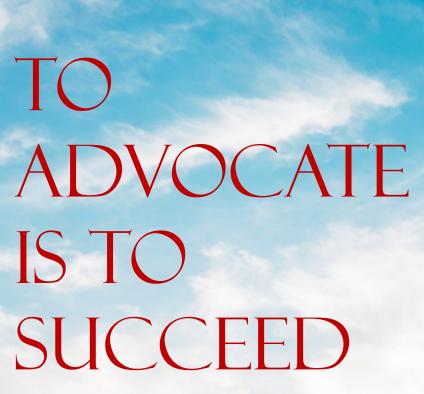
Learning Enough To Make a Difference In the family/professional relationship



GOOD READS









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

UNDERSTANDING IDEA

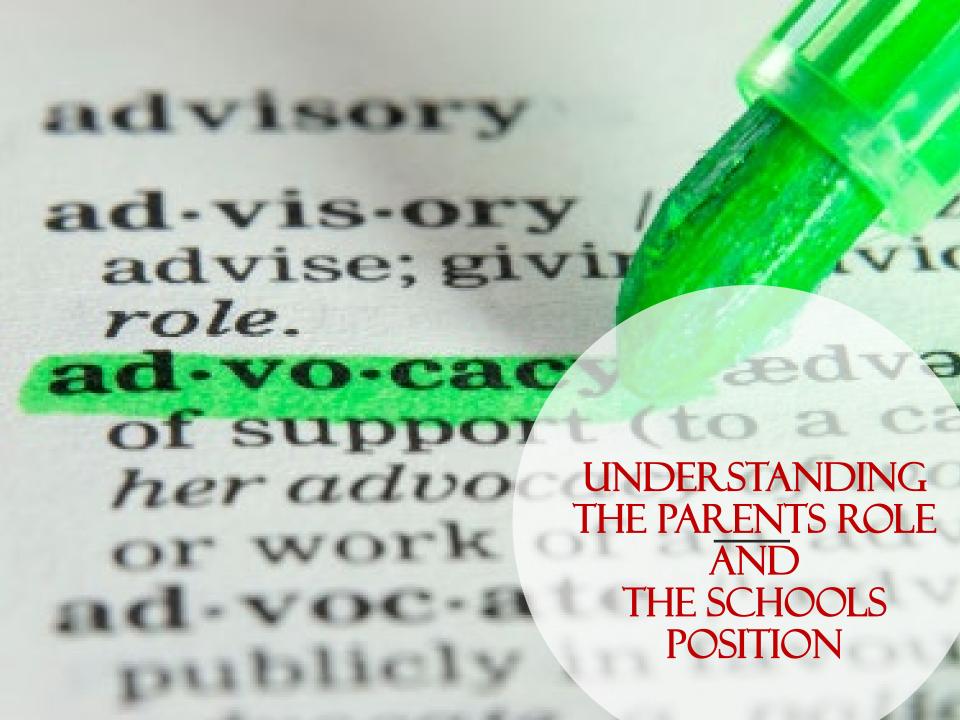
Know enough of the law to speak on it. As a family member you are included in the IEP team and should be ready to advocate for your child, correctly.



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..."





THE PARENTS ROLE:







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.





 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"

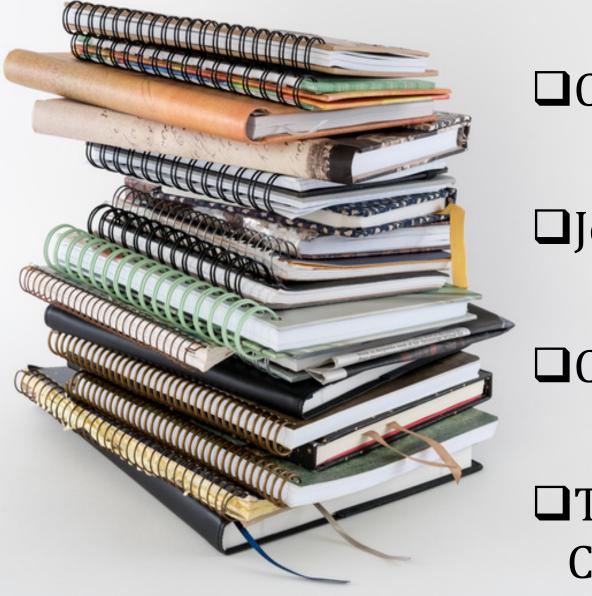
DOCUMENTS SUPPORT TESTIMONY:

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

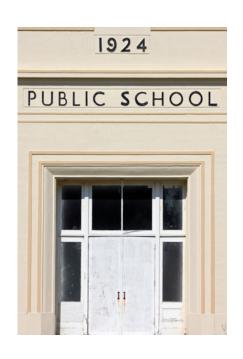
□Calendar

☐ Telephone Calls

THE SCHOOLS POSITION



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..



o"We can't make exceptions"

o"One size fits all"

Individualized programs

10 REASONS WHY SCHOOLS SAY NO.

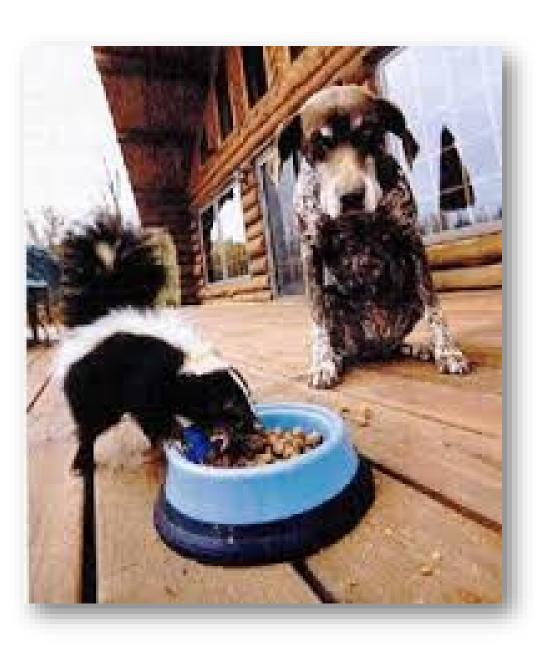


- 1. Do not want to change
- 2. Do not want to make exceptions
- 3. Afraid of setting a precedent
- 4. Do not have a program
- 5. Committed to their one-size-fits all service
- 6. Believes the services are too expensive
- 7. Overwhelmed by the child's needs
- 8. Do not understand the legal requirements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







KNOW ABOUT **PERSONALITY** TYPES:







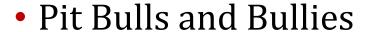












- Know-it-alls and Experts
- Conflict Avoiders
- Wet Blankets
- Snipers
- Complainers































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

× (@ P

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



TIPS REGARDING CONTROLLING YOUR EMOTIONS:



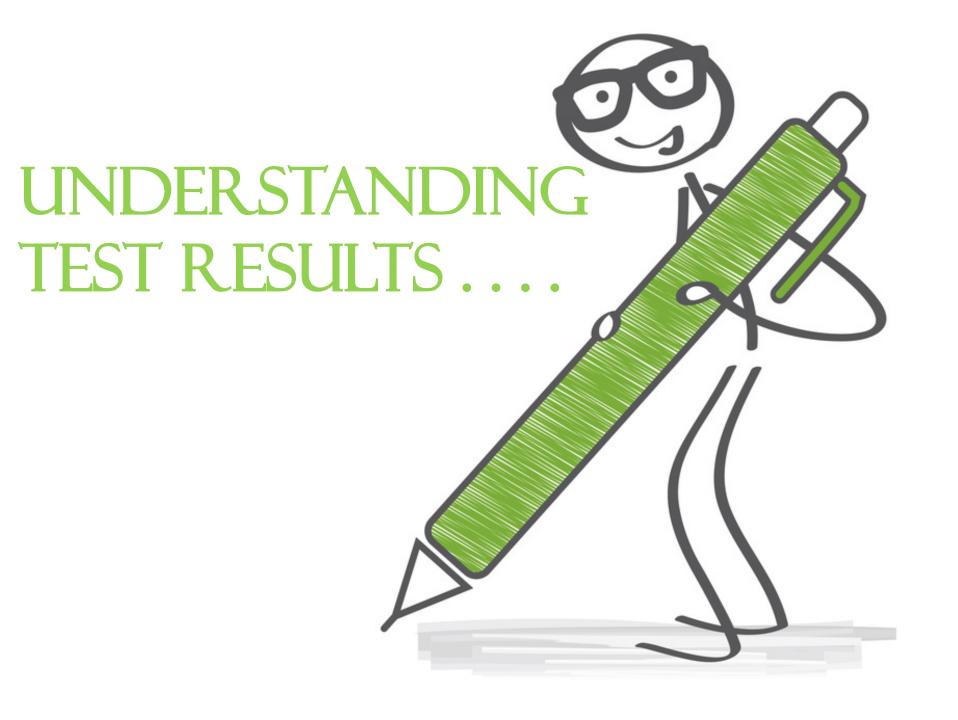
- Keep them under control
- Be careful about revealing emotions to school personnel
- Plan your time thinking, planning and preparing! NOT throwing adult TANTRUMS.



REMEMBER A CHILD IS A CHILD FIRST!!

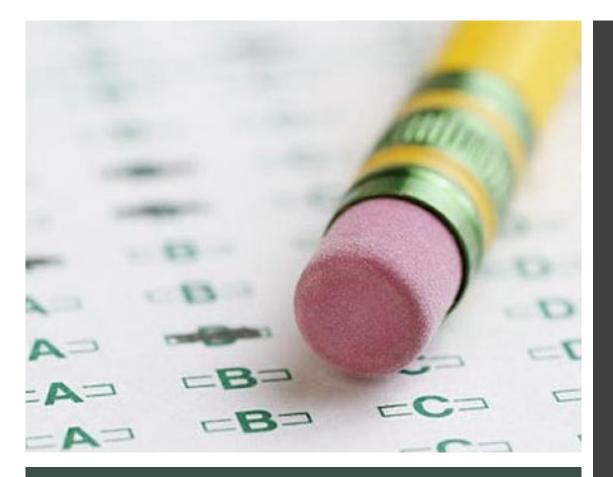








- Classroom-Based Assessments
- ☐ District-Wide Assessments
- ☐ State Academic Assessments
- ☐ State Assessment of Language Proficiency
- **■** Assessment Accommodations



HOW TESTS ARE REPORTED:

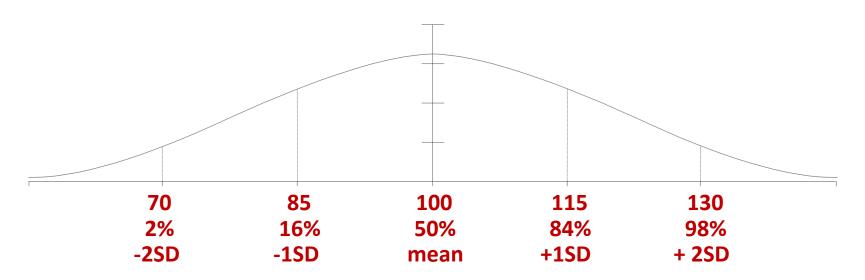
- Age equivalent scores
- Grade equivalent scores
- Standards scores
- Percentile ranks
- Raw score
- Composite scores

FAMILIARIZE YOURSELF WITH THE BFLL CURVE





BELL CURVE STANDARD DEVIATIONS AND PERCENTILE RANKS:



ASSESSMENTS

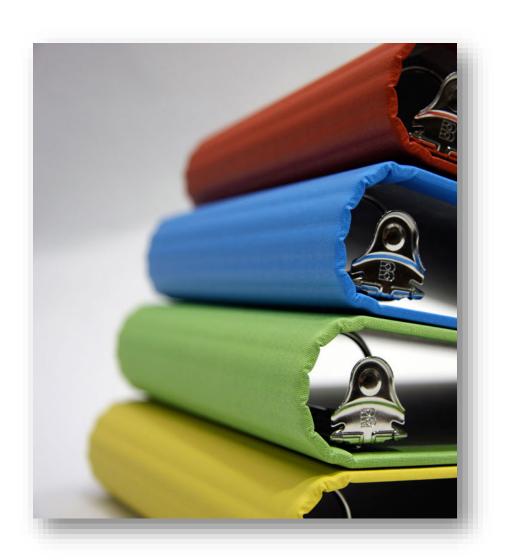
- Classroom-Based Assessments
- ☐ District-Wide Assessments
- ☐ State Academic Assessments
- ☐ State Assessment of Language Proficiency
- ☐ Assessment
 Accommodations



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



NEED GUIDANCE OR HELP?



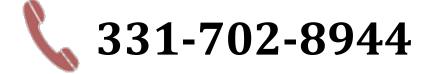
Contact me at:

Andrea Marwah,

ISD Outreach Consultant/Trainer







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/specialed

GREAT SITE TO RESOURCE



https://www.parentcenterhub.org/

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

GREAT SITE TO RESOURCE



http://www.wrightslaw.com/

LEGAL RIGHTS & RESPONSIBILITY:

- □http://findlaw.com
- □http://versuslaw.com
- □http://wrightslaw.com
- □http://www.ed.gov
- http://www.nea.org/specialed

