


Basic
Understanding
Special
Education 101



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AGENDA

- Introduction
- Special Education Law
- Child Find/Eligibility
- The ARD Process
- Confidentiality
- Resources

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OBJECTIVE

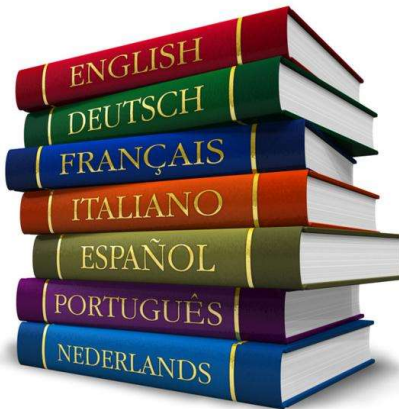
Gain an understanding of how the Special Education Program works.



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I. Acronyms



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Deliberations Activity

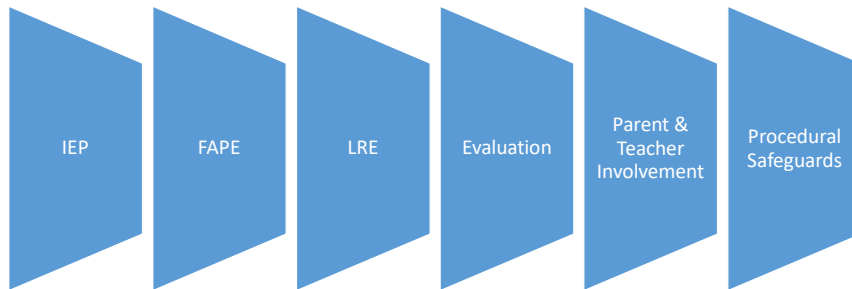


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IDEA

Individuals with **Disabilities Education Act**
Special Education Law



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Let's Begin the Journey...History of Special Education

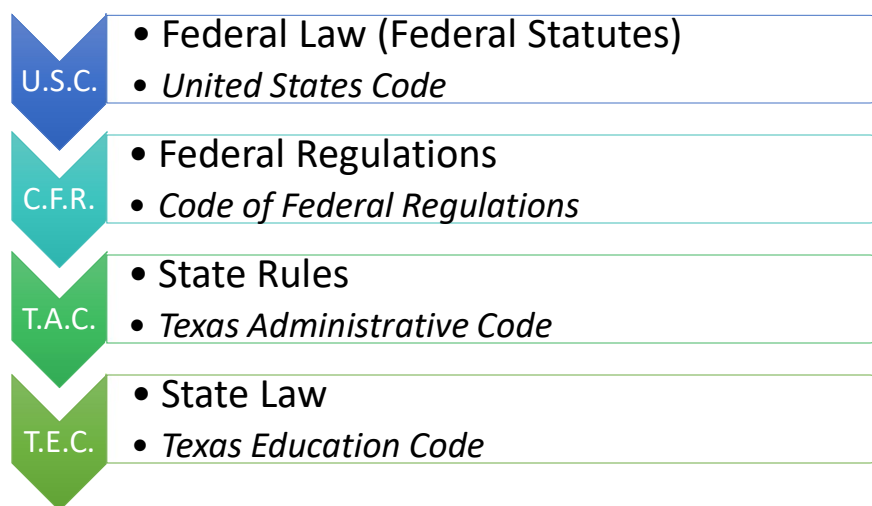
- Pre-1975
- 1975 PL 94-142
 - ***Right to School Access/FAPE***
- 1997 Individuals with Disabilities Education Acts (IDEA)
 - ***Access to General Curriculum /State Assessment***
- 2002 No Child Left Behind (NCLB)
 - ✓ A New Era: Revitalizing Special Education for Children and Their Families
- 2004 Individuals with Disabilities Education Improvement Act (IDEIA) 2004
- 2015 Every Student Succeeds Act (ESSA)



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Special Education Requirements are Based on Federal Law



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IDEIA 2004 Factors toward inclusion



...to access to the general education curriculum in the regular classroom, to the maximum extent possible, so he or she can meet the challenging expectations that have been established for all children

(20 U.S.C. §1400 (c) (5) (A))



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CHILD FIND

IDEA includes a component called child find that requires to:

- identify,
- locate,
- evaluate all children with disabilities,
- ages birth to 21



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What is Child Find?

- FEDERAL & STATE REQUIREMENTS
- **19 T.A.C. §89.1011**

All children with disabilities residing in the state, regardless of the severity of their disabilities, and who are in need of special education and related services, must be identified, located, and evaluated.

34 Code of Federal Regulations § 300.111 Child find.

(a) *General.*

- (1) The State must have in effect policies and procedures to ensure that—
- (i) All children with disabilities residing in the State, including children with disabilities who are homeless children or are wards of the State, and children with disabilities attending private schools, regardless of the severity of their disability, and who are in need of special education and related services, are identified, located, and evaluated

<http://framework.esc18.net/display/Webforms/ESC18-FW-LandingPage.aspx>



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FAPE

Free Appropriate Public Education

What state must make available to all children with disabilities



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LRE

Least Restrictive Environment

Children with disabilities are to be educated with children who do not have disabilities to the maximum extent appropriate

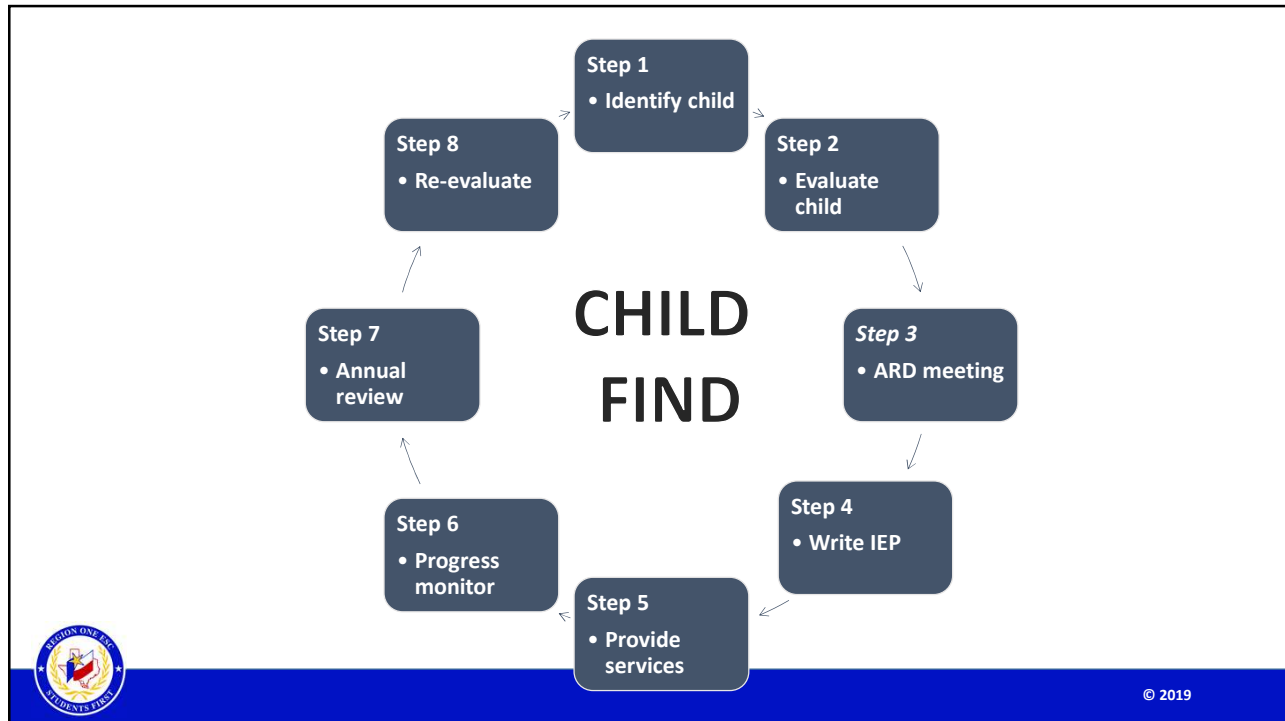


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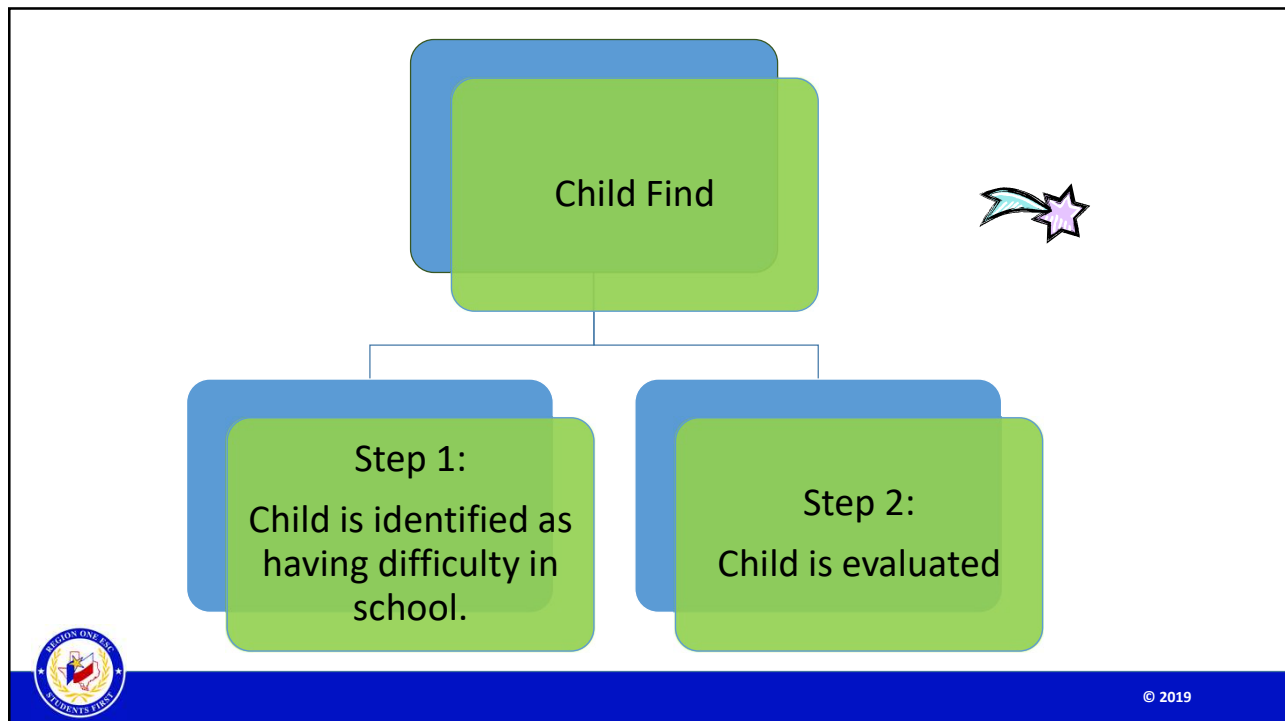
Steps To Take



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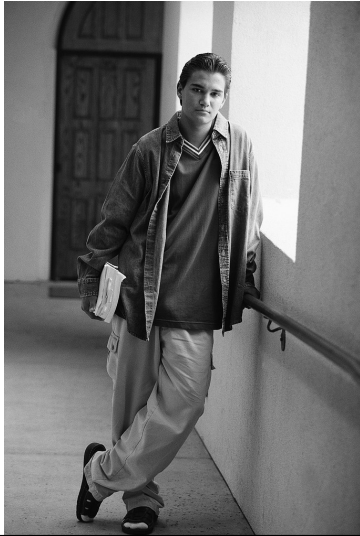


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Step 1:



- Child is identified as having difficulty in school.

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19 TAC § 89.1011

Prior to referral, students experiencing difficulty in the general classroom should be considered for all support services available to all students, such as

**tutorial,
remedial,
compensatory,
and other services.**



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Including ...



Response To Intervention

Using research-based interventions to help determine if a child has a disability and to make sure that the disability is not due to lack of instruction in reading and math.



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What is meant by a Response to Intervention (RTI) model?

- Multi-tiered system of supports model (MTSS)
- High quality, research-based instruction in general education setting
- Screening of academics and behavior of all student to identify individual need
- General education teachers assume active role in students' assessment
- Research-based interventions
- Continuous progress monitoring
- Data collected to determine student needs and interventions' effectiveness
- Problem-solving team process



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RTI in Practice

- There are many RTI models in use
- In RTI, progress monitoring is critical to:
 - ✓ Pinpoint child's areas of difficulty
 - ✓ Keep close track of child's progress
- Staff use formal guidelines to decide which children are not making adequate progress or responding to the intervention



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Before referral:

The school must be able to document that **the child has received:**

- appropriate high-quality, research-based instruction
- delivered by qualified personnel,
- data-based documentation of repeated assessments of achievement
- documentation provided to the child's parents



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Referral

If the student continues to experience difficulty in the general classroom after the provision of interventions, district personnel must refer the student for a full and individual initial evaluation



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Referral



Who can make a referral?

- school personnel,
- student's parents or legal guardian,
- another person involved in the education or care of the student.



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Step 2:

Child is evaluated



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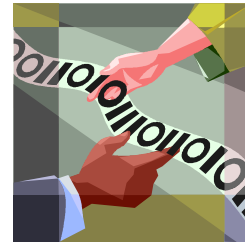
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Full and Individual Evaluation



School districts are required to conduct a full and individualized evaluation of the student.

Decisions must be based on current and appropriate data.



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FIE

Full Individual Evaluation

The Full and Individual Evaluation (FIE) report is arguably the most important element in the Special Education process. It is central to determining eligibility, calculating present levels of academic and functional performance (PLAAFP) and developing the Individualized Education Program (IEP)



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Full and Individual Evaluation

All areas related to the suspected disability, including:



- ✓ health
- ✓ vision
- ✓ hearing
- ✓ social and emotional status
- ✓ general intelligence
- ✓ academic performance
- ✓ communication status
- ✓ motor abilities



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Evaluation data may include:

- Test of intelligence
- Test of achievement level
- Psychological test
- Test of speech/language abilities
- Medical evaluation
- Grades
- Conduct reports
- Data regarding student response to intervention
- Research-based intervention strategies that have been tried
- Other information from teachers

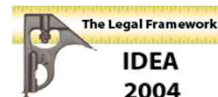


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Disabilities under IDEA (Sec. 300.8)

- Specific Learning Disability
- Speech or Language Impairment
- Other Health Impairment
- Intellectual Disability
- Emotional Disturbance
- Non-Categorical Early Childhood
- Autism
- Orthopedic Impairment
- Visual Impairment
- Deaf/ Hard of Hearing Impairment
- Deaf/Blindness
- Traumatic Brain Injury
- Multiple Disabilities

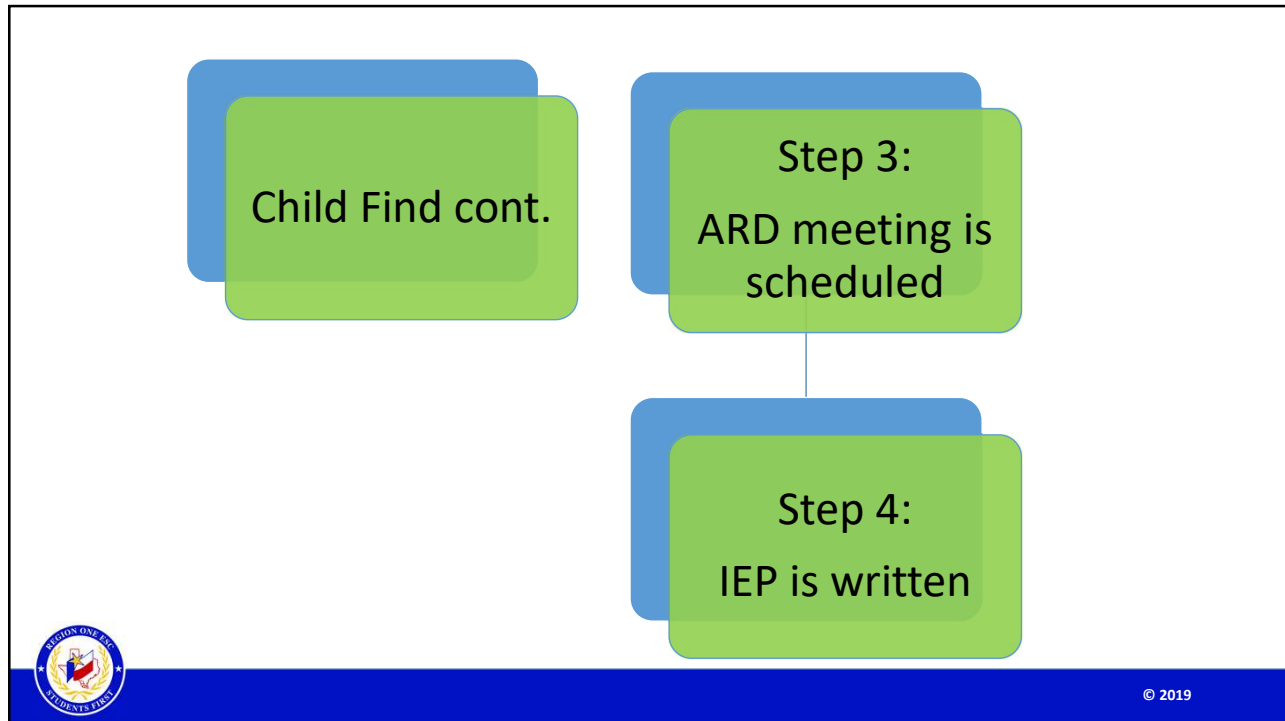


<http://www.spedtex.org/disabilities/>
www.framework.esc18.net




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Step 3



ARD meeting is scheduled

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What Happens In The ARD Meeting?

The Agenda!

- Items are covered in a logical order
- Topics are discussed and they build upon one another



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STATEMENT OF CONFIDENTIALITY AND CONDUCT –

All information concerning a student with disabilities is confidential and may not be discussed with anyone except those who have a legitimate educational interest in the student with disabilities.

Consistent with the school board policy, persons participating in the ARD meeting will refrain from making any personal attacks on school staff, students or parents.

All participants are expected to speak in a courteous manner and in a conversational tone.

The expectation must be followed in order to facilitate a safe, collaborative environment focused on the development of appropriate educational plans for the student.



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1. Review [Evaluation](#) Data and Other Information
2. Determination of [Eligibility](#)
3. [Transition Planning](#) (if appropriate)
4. Review [Present Levels](#) of Academic and Functional Performance
5. ARD IEP Additional Considerations:
 - Some Students:
 - [Auditory Impairment](#)
 - [Autism](#)
 - [Blind/Visual Impairment](#)
 - [Behavior Intervention Plan](#) (BIP)
 - [Communication](#)
 - [Language](#) (Limited English proficiency)
 - All Students
 - [Assistive Technology](#)
 - [Extended School Year](#) (ESY) Services
 - [Graduation](#)
6. [Annual Goals and Objectives](#), as needed
7. [Accommodations](#) or [Supplementary Aids & Services](#)
 - [Related Services](#) (Including Frequency (how often), Duration (amount of time) and Location of where services will be anticipated to be provided (Place))
 - [Transportation Needs](#) (if appropriate)
8. [State and District Assessments](#)
9. Determine other services to be provided
 - [Coordination between Regular and Special Education](#).
 - [Grading](#)
10. Determine [Placement](#)
11. Consider [Least Restrictive Environment](#) (LRE)
12. Assurances or Effects of Removal from the General Ed. Classroom
 - Consider Opportunity to Participate
 - Consider Potential Harmful Effects
13. ARD Committee members agreement or [disagreement](#) (Consensus/NonConsensus)

<https://www.texasprojectfirst.org/node/8>



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Navigating Your Way Through the ARD Committee Process...

Goals....

Identify the required members of the ARD committee

Identify responsibilities of the ARD committee



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ARD/ IEP

Admission, Review, and Dismissal Individual's Educational Plan

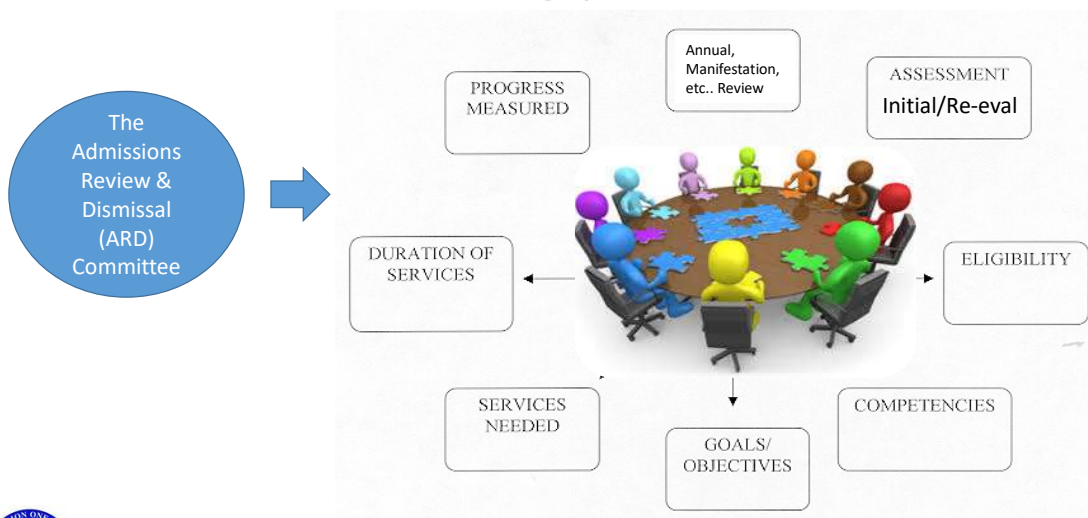
- Group that determines whether the child is a child with a disability and the educational needs of the child;
- Team defined in federal law that develops the IEP; and
- Group that determines the educational placement of the child.



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The decision-making process?



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ARDC Membership

Who are the REQUIRED MEMBERS?



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ARDC Membership

ARD committees must include the following:



- (A) the parents of the student or adult student;
- (B) not less than one regular education teacher of the student (if the student is, or may be, participating in the regular education environment);

Parent or
adult
student

***If an ARD committee is required to include a regular education teacher, the regular education teacher included must, to the extent practicable, be a teacher who is responsible for implementing a portion of the child's IEP

Regular Ed.
Teacher

- (C) not less than one special education teacher of the student, or where appropriate, not less than one special education provider of the student;

Special Ed.
Teacher



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ARDC Membership



Administrator
or designee

(D) a representative of the school district who:

(i) is qualified to **provide, or supervise** the provision of, specially designed instruction to meet the unique needs of students with disabilities;

(ii) is knowledgeable about the **general education curriculum**; and

(iii) is knowledgeable about the **availability of resources** of the school district;



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ARDC Membership



Someone
who can
interpret
evaluation
results

- An individual who can **interpret** the instructional implications of **evaluation results**, who may be the **regular education teacher, special education teacher or provider**, LEA representative, or a discretionary member on the ARD committee



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ARDC Membership-when appropriate



- At the discretion of the parent or the LEA, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate (*discretionary members*);
- The **child with a disability, whenever appropriate**, including:
 - When a purpose of the meeting will be the consideration of the postsecondary goals for the child and the TRANSITION SERVICES needed to assist the child in reaching those goals; and/or
 - When the child is an ADULT STUDENT to whom parental rights have transferred;

As
appropriate-
Related
Service,
other experts

The child
whenever
appropriate



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ARDC Membership - Additional Required Members when Appropriate



- A representative from career and technical education (**CTE**), preferably the teacher, when considering initial or continued placement of the child in CTE
- A professional staff member who is on the **language proficiency assessment committee** who may be the regular education teacher or the special education teacher on the ARD committee, if the child is identified as an English language learner

CTE Teacher

LPAC
Member
(cannot be the
administrator)



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ARDC Membership - Additional Required Members when Appropriate

- In the case of the child with a suspected or documented visual impairment, a teacher who is certified in the education of children with visual impairments
- In the case of the child with suspected or documented deaf-blindness, a teacher who is certified in the education of children with visual impairments and a teacher who is certified in the education of children with auditory impairments
- In the case of the child with suspected or documented deaf-blindness, a teacher who is certified in the education of children with visual impairments and a teacher who is certified in the education of children with auditory impairments

VI
Teacher

AI
Teacher



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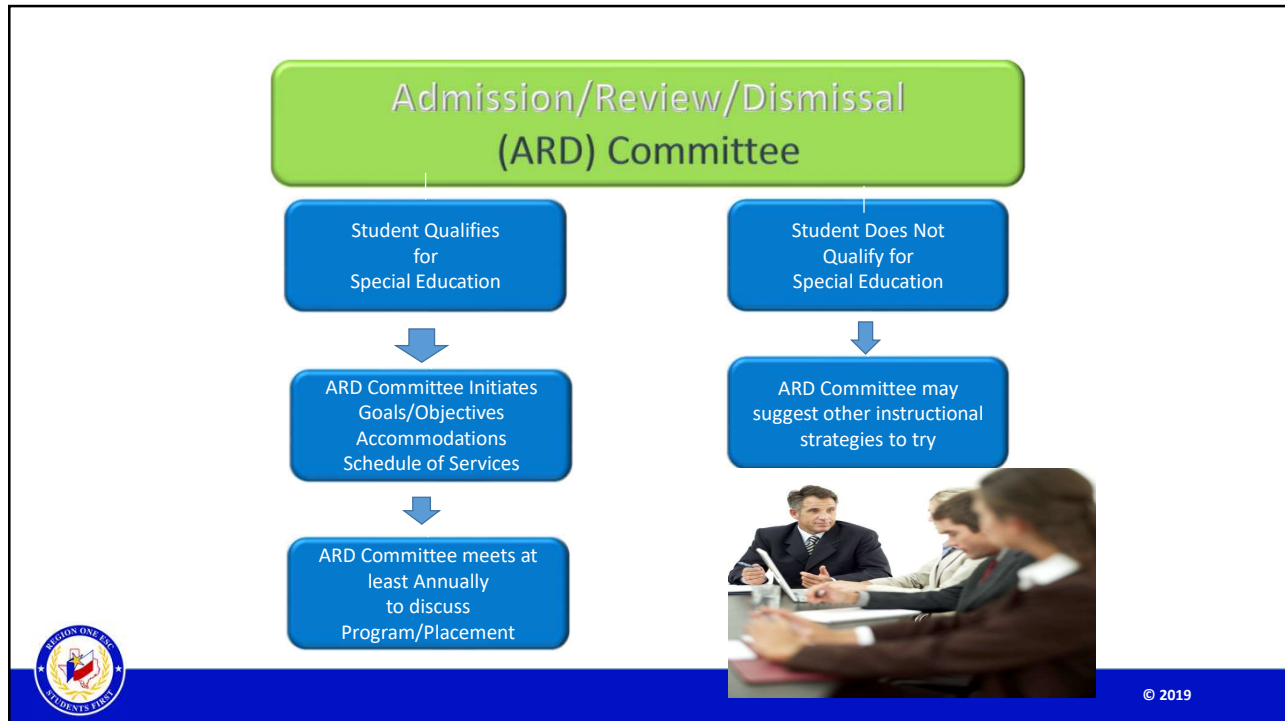
Related Service Personnel to invite to ARD meeting

- Licensed Specialist in School Psychology
- Special/General Education counselor
- LPAC representative
- Visual Impairment Teacher
- Auditory Impairment Teacher
- School Nurse
- CTE representative
- JJAEP representative



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What is Special Education?

The term special education means:

- specially designed instruction,
- at no cost to the parents,
- to meet the unique needs of
 a student with a disability.

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So, what is Specifically Designed Instruction?

“Specially designed instruction is the instruction provided to a student with a disability who has an IEP in order to help him/her master IEP goals/objectives.”

-Specially Designed Instruction: A Resource for Teachers



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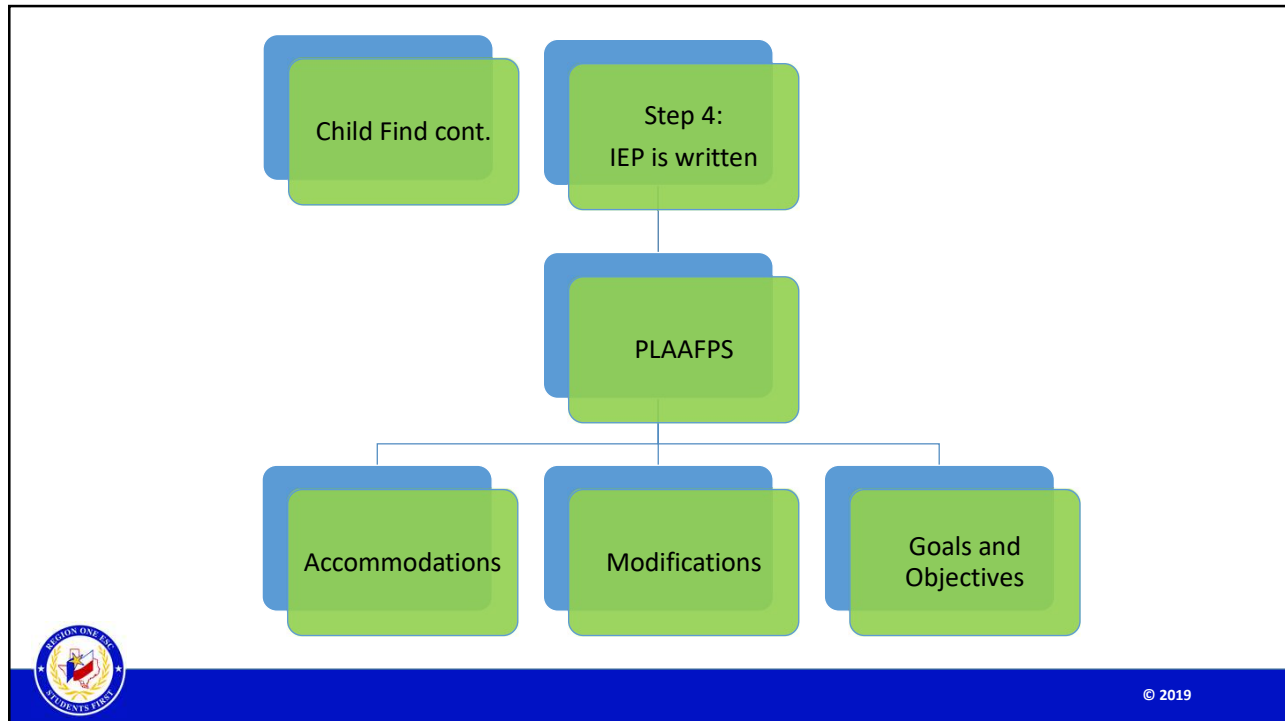
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The Trail Ahead...

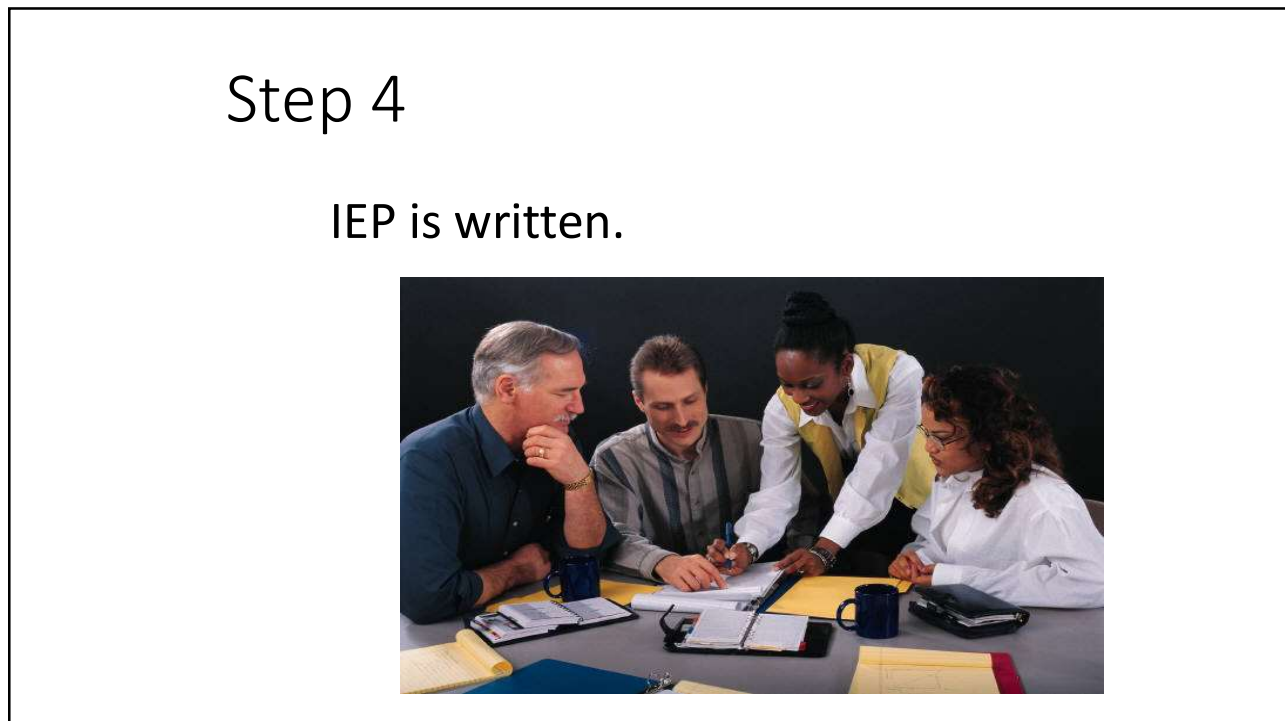


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Responsibilities of the ARD



Documenting the present levels of academic achievement and functional performance-PLAAFP

Development of the student's individualized education program (IEP);



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Individual Differences Are Important

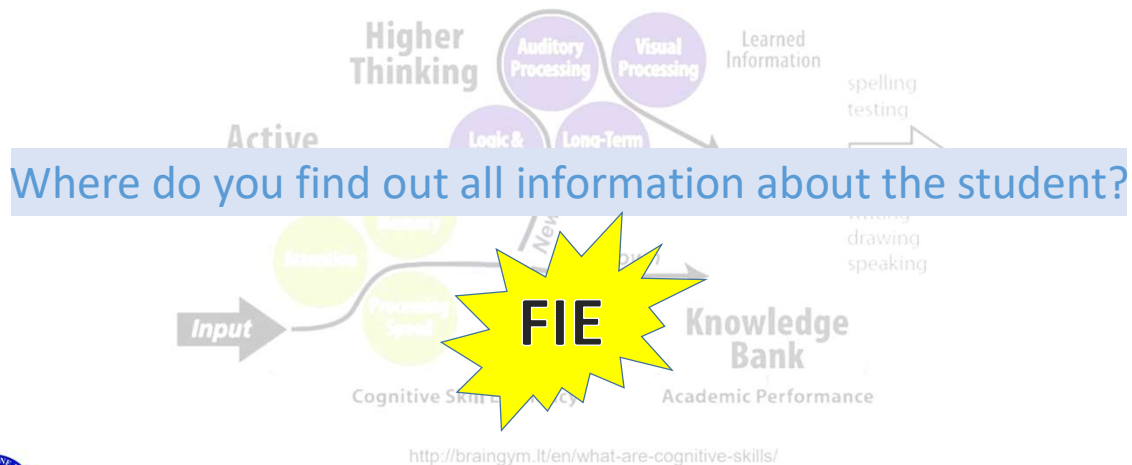
One Size Does Not Fit All



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How do we determine what each student needs?



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Why are the cognitive skills key to learning?

Cognitive skills are measures of how one learns most efficiently. Cognitive skills provide educators with data to know how best to personalize instruction. Every student learns a bit differently. By understanding strengths and needs in cognitive skills, you can help every student learn more easily or effectively.

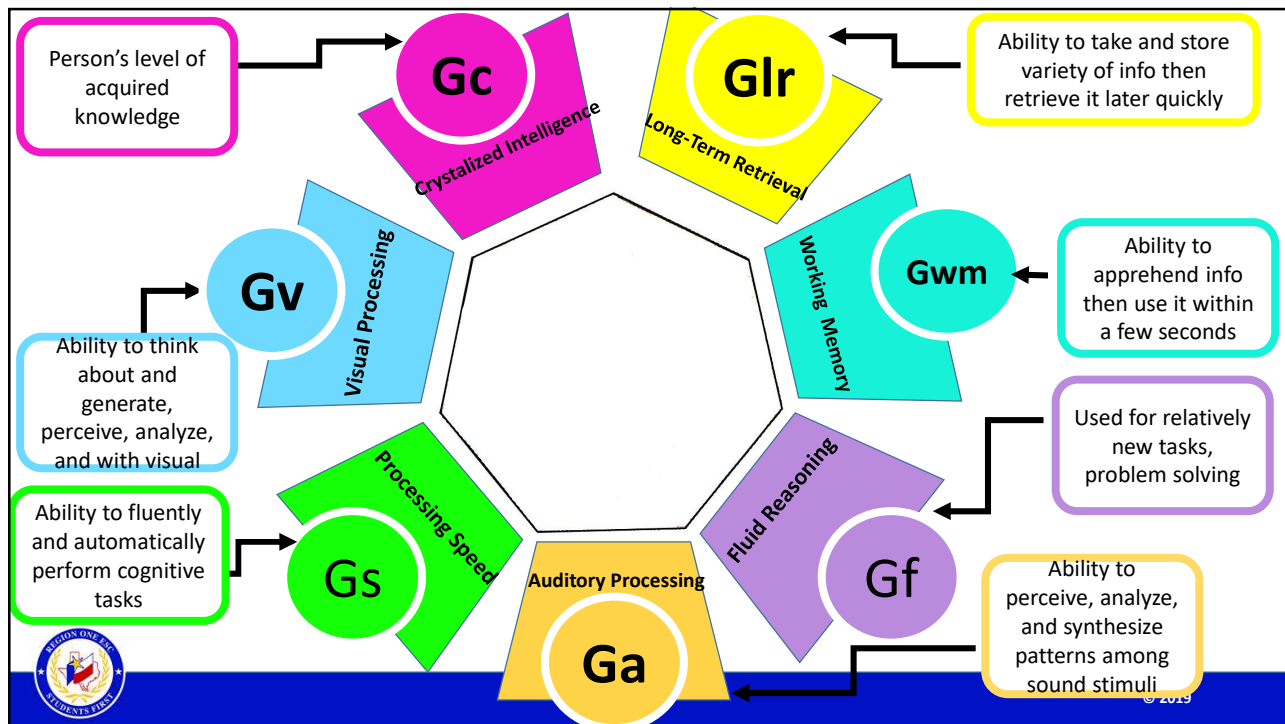
Cognitive abilities are brain-based skills we need to carry out any task from the simplest to the most complex. They have more to do with the mechanisms of how we learn, remember, problem-solve, and pay attention, rather than with any actual knowledge.

Understanding these dynamic relationships assists practitioners/ educators in formulating a hypotheses about how and why a student's cognitive strengths and weaknesses impact academic achievement.

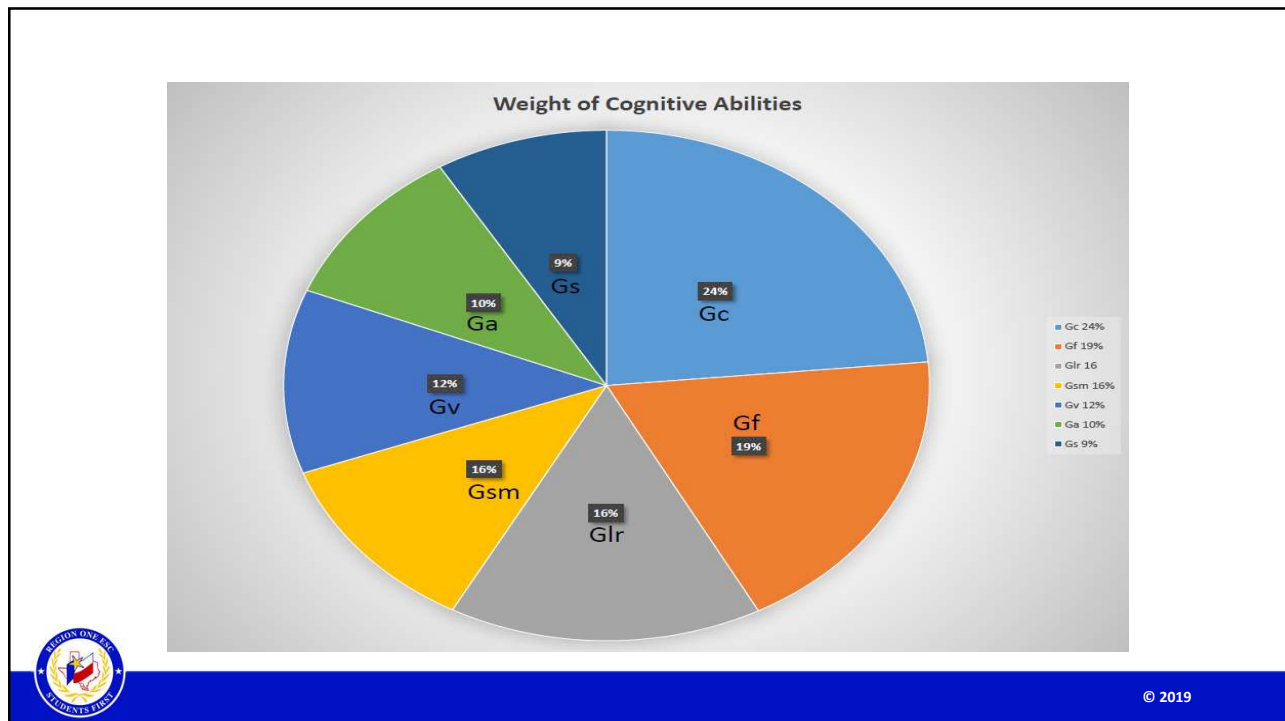


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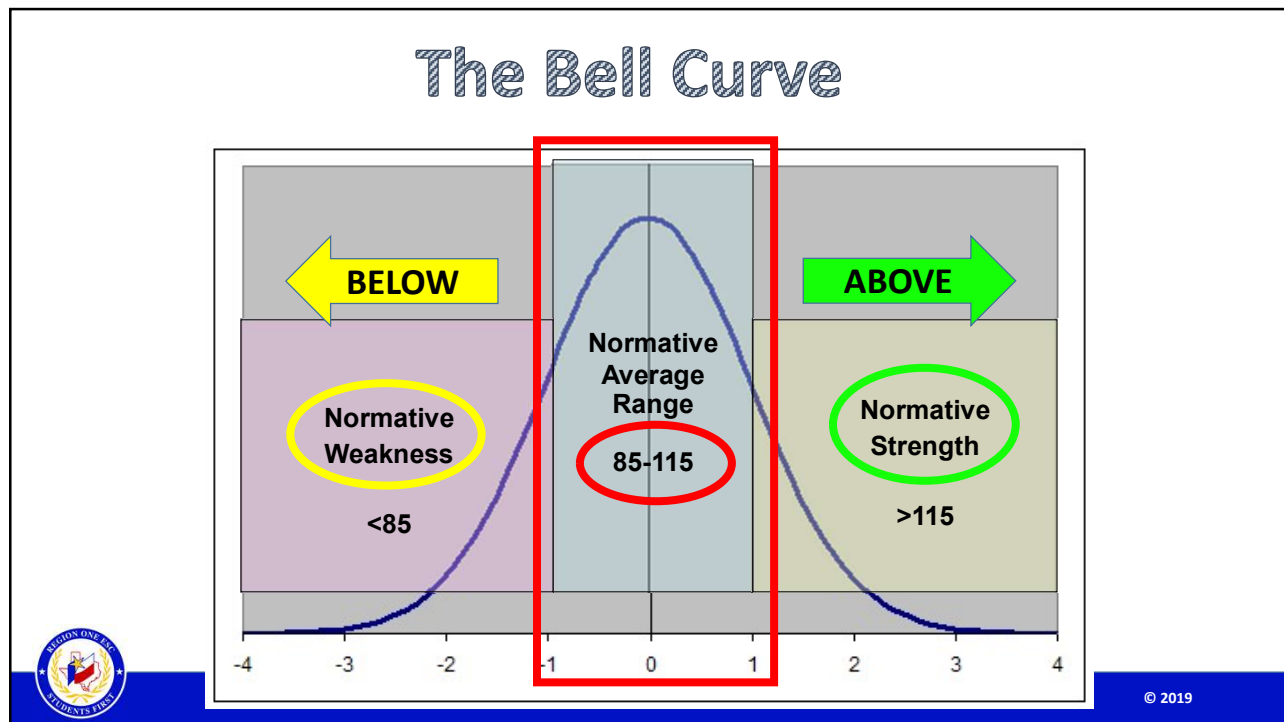
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What does the data tell us:

- This student demonstrates a weakness in...
- Therefore, this affects...
- What are the student's strengths?

Hint: Areas of Weakness Determines the core subject areas where support is needed

Areas of Strengths Determines frequency and duration of said supports



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Important Abilities for Learning and Academic Success in Reading

- **1. Fluid Reasoning (Gf)**
- **2. Crystallized Knowledge (Gc)**
 - Weaknesses in these abilities *constrain* learning and achievement
- **(Executive Functions – weaknesses lead to inconsistencies in Learning and Achievement)**
- **3. Working Memory Capacity (Gwm)**
- **4. Learning Efficiency (GI)**
 - Working Memory, and Learning Efficiency
 - Weaknesses in these abilities *obstruct* learning and achievement, but can be improved upon, bypassed, or compensated for at least to some degree
- **Important Processes (related to reading)**
- **5. Ga – Phonological Processing (encompasses many skills)**
- **6. Visual Processing/Processing Speed – Orthographic Processing**
- **7. Retrieval Fluency (Gr)**
 - Train processing deficits to point where they become skill

Important for overall learning and academic success

Important for acquiring basic reading skills

See Flanagan, Ortiz, and Alfonso (2013). *Essentials of Cross-Battery Assessment, 3e*

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Specially Designed Instruction

FIE Know your student's background

PLAAFP Describe the student

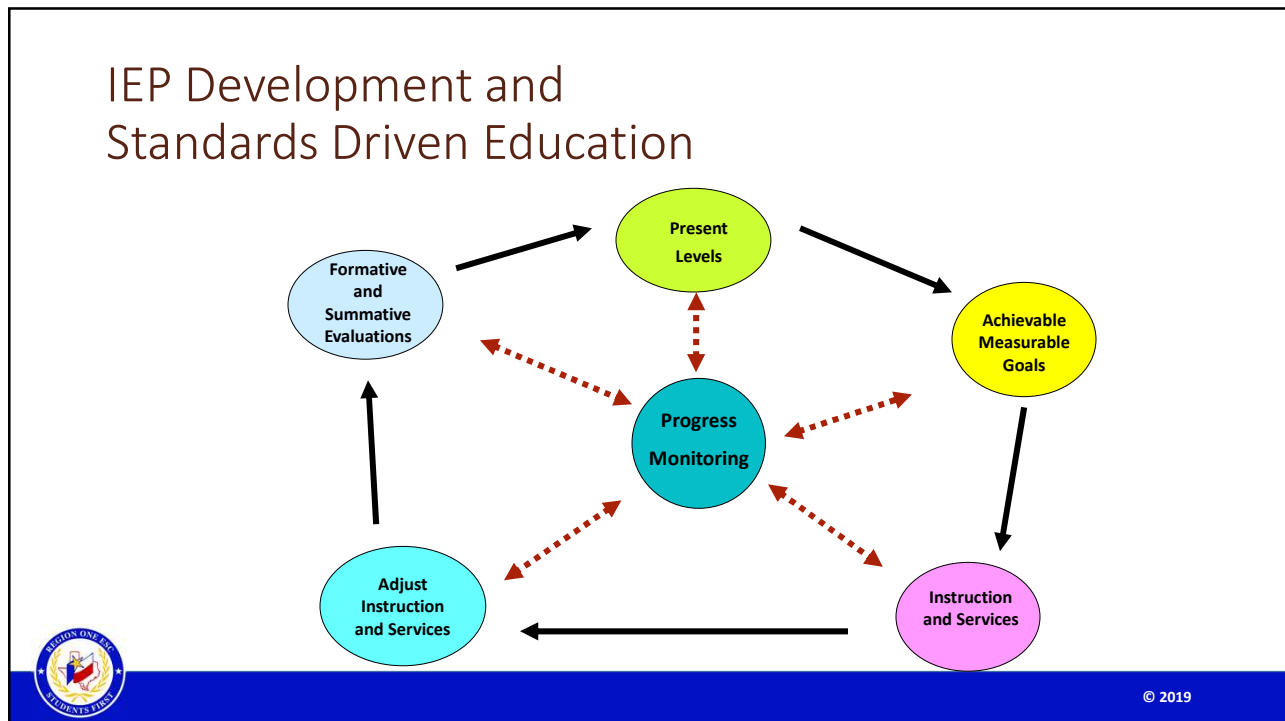
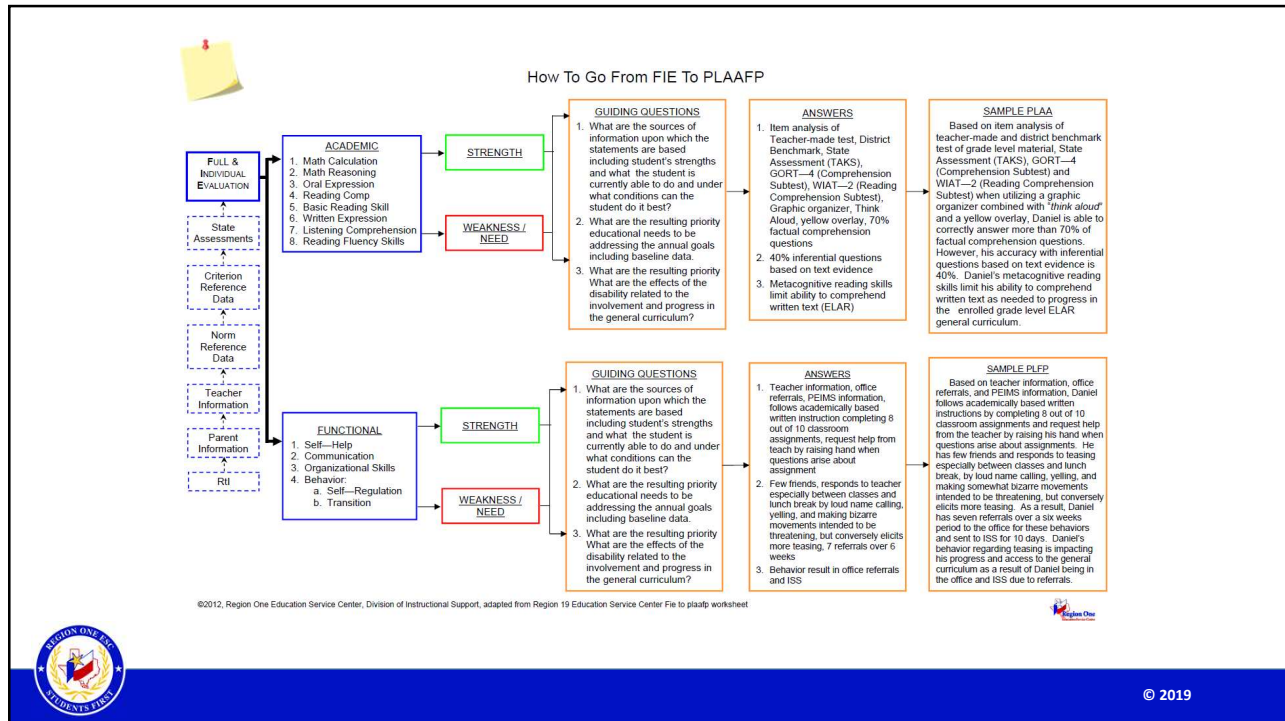
Goals Challenging and realistic

What does this mean?

SDI

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Implementing Specifically Designed Instruction in the Classroom



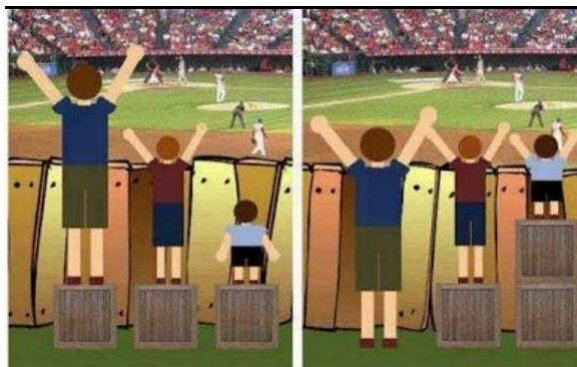
<https://www.youtube.com/watch?v=L2xTYCne20Y>



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Equity and Equality:



<https://www.youtube.com/watch?v=lrKRm6KAzfU&feature=youtu.be>



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What are curriculum adaptations?

Accommodations	Modifications
<p>You accommodate the "how" of learning. Accommodations are practices and procedures that provide equitable access to grade-level curriculum during instruction and assessment for all students. Accommodations are intended to reduce or even eliminate the effects of a student's disability or limitation. Accommodations do not reduce learning expectations.</p>	<p>You modify the "what" of learning. Modification are changing, lowering or reducing learning or assessment expectations. Modifications may result in implications that could adversely affect a students throughout that individual's educational career.</p>
<p>You can accommodate only two things:</p> <ol style="list-style-type: none"> 1. Learning Environments 2. Input Strategies (how you present information to a student) and Output Strategies (how you get information from a student). 	<p>You can modify only two things:</p> <ol style="list-style-type: none"> 1. Curriculum Content and Learning Expectations. 2. Student Behavior.



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<https://www.youtube.com/watch?v=O0xdaCEqrU0>



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Responsibilities of the ARD

Determine accommodations

Determine participation in state/district assessment



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Note: This summary DOES NOT replace examination of the resources provided in the TIA Website for STARR Resources (<http://tea.texas.gov/student-assessments/starr/>), Accommodations Resources (<http://tea.texas.gov/student-assessments/accommodations/>), or District and Campus Coordinator Manual.

Updated 10/14/2018

Accommodations



at a Glance

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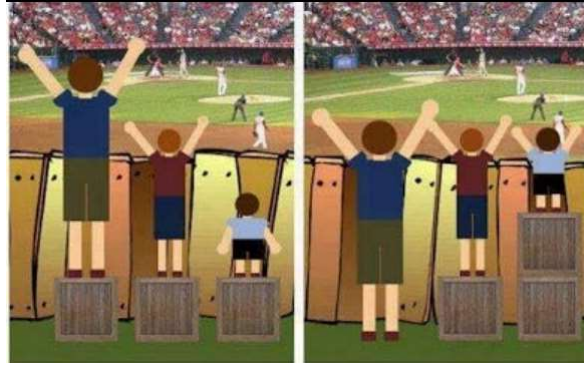
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Designated Supports: These are locally-approved supports for students who meet eligibility.

Accommodations are intended to provide students with disabilities effective and equitable access to grade-level or course curriculum and assessments.

<https://tea.texas.gov/student-assessment/accommodations/>



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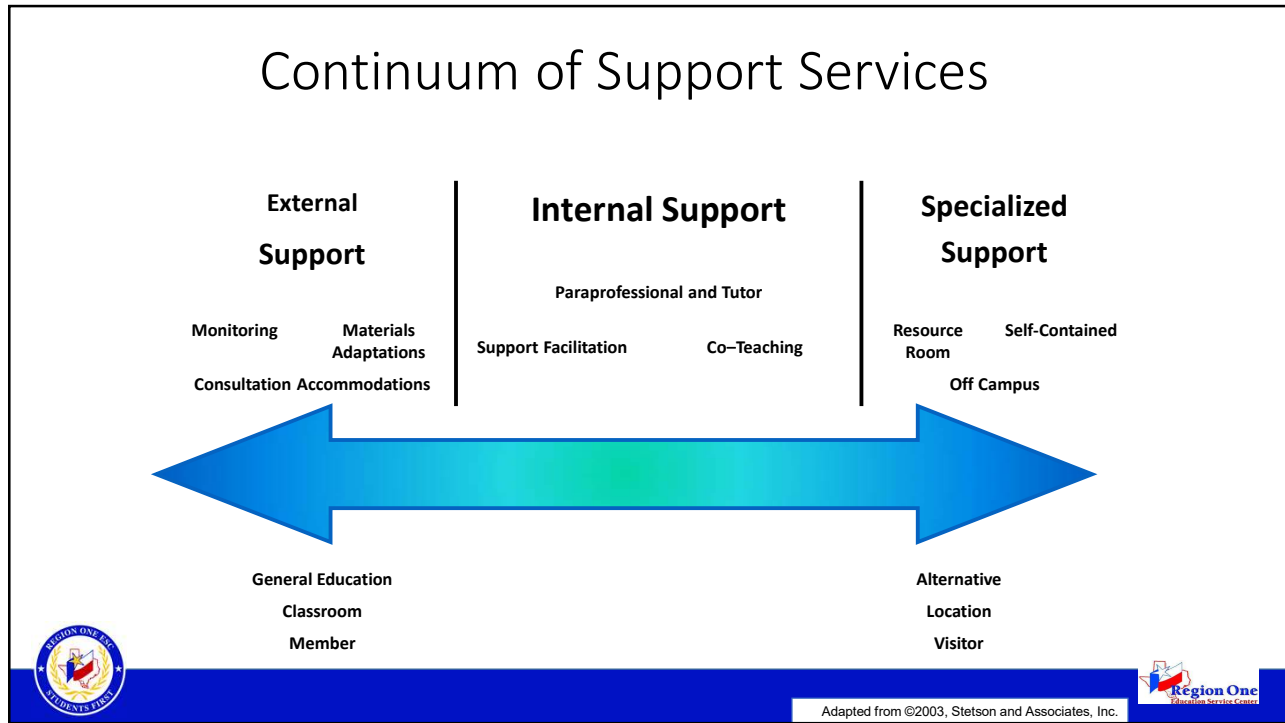
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Step 5:

Services are provided in the Least Restrictive Environment (LRE)



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Responsibilities of the ARD

Discuss transition and graduation

Reach closure and consensus!

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Step 6

Progress is measured and reported to the parent(s).



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Student Progress Monitoring:

- Conducted frequently and provides an easy and quick method for gathering student performance data on important, grade-level skills/content.
- Analysis of student progress (performance across time) in order to modify instructional programs when needed and/or adjust student goals upward
- Comparison of data to individual student or to students in the teacher's classroom, in the child's school, or in the school district

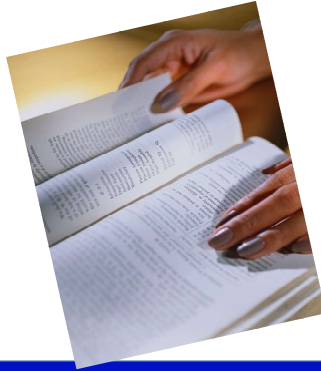


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Step 7:

IEP is reviewed at least annually.



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Teacher Role is to denote Student progress data:

- The student's individualized education program (IEP) must describe the method used to measure a student's progress toward goal mastery.
- Some examples of how progress toward meeting annual goal(s) may be measured include, but are not limited to, the following:
 - Anecdotal records
 - School grades
 - Curriculum-based assessments
 - Inventories
 - Observations
 - Performance assessments

Not an exhaustive list



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Related services include, but are not limited to the following:

- Assistive technology
- Audiology services
- Counseling services
- Interpreting services
- Medical services
- Occupational therapy
- Orientation and mobility (O&M) services (only for students with visual impairments)
- Parent counseling and training
- Physical therapy
- Psychological services
- School health services
- Speech-language therapy*
- Transportation

*In Texas, speech-language therapy is an instructional service that can be a stand-alone service as well as a supportive service



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Step 8

Child is re-evaluated



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REED

Review of Existing Evaluation Data

Before any evaluation, a Review of Existing Evaluation Data (REED) must be completed to determine which specific evaluations, if any, are needed.

A REED helps schools decide whether current information in your child's school file can be used to determine your child's eligibility for special education. A REED does not have to take place in a meeting. However, it must involve an [ARD committee](#) (this includes you, a district representative and other qualified professionals).



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Continue....

You should note that **a REED is NOT an evaluation**. A REED is the starting point of any evaluation. The REED is a process which creates a product (FIE).

Based on the review of the existing evaluation data, along with input from you, the ARD Committee must identify any additional information needed to determine:

- Whether your child is or continues to be “a [child with a disability](#)” and the educational needs of your child;
- Whether your child needs or continues to need special education and related services;
- The present levels of academic achievement and functional performance of your child (PLAAFP); and
- Whether any additions or modifications to the special education and related services are needed to enable your child to meet the measurable annual goals set out in his or her IEP and to participate, as appropriate, in the general education curriculum



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Prime Graduates

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Transition Services:

34) TRANSITION SERVICES: The term "transition services" means a coordinated set of activities for a **child** with a disability that—

(A) is designed to be **within a results-oriented process, that is focused on improving the academic and functional achievement of the child with a disability to facilitate the child's** movement from school to post-school activities, including post-secondary education, vocational **education**, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation;

(B) is based on the individual child's needs, taking into account the **child's strengths**, preferences, and interests; and

(C) includes instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and when appropriate, acquisition of daily living skills and functional vocational evaluation.



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Transition: Summary of Performance (SOP)

IDEA 2004

(ii) **Summary of performance** – For a child who eligibility under this part terminates under circumstance described in clause(i), a local educational agency shall provide the child with summary of the child’s academic achievement and functional performance, which shall include recommendations on how to assist the child in meeting the child’s postsecondary goals. 1414(c)(5)(B)(ii)

The requirements for the SOP are found in the Federal Regulations at 34 CFR §300.305(e)(3).



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CONFIDENTIALITY



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Federal Statute

FERPA: Family Educational Rights and Privacy Act

- Ensure that parents have access to their child's educational records
- Protect the rights of parents and children by limiting access without parental consent.



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FERPA

Applies to all agencies that receive federal funds:

- Elementary schools
- Secondary schools
- Charter schools
- Colleges and universities



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FERPA

- Access to educational records
- Parental right to inspect and review records
- Amendment of records
- Destruction of records



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Resources

Legal frameworks ESC 18 <http://framework.esc18.net/display/Webforms/ESC18-FW-LandingPage.aspx>

SpedTex

<https://www.spedtex.org/index.cfm/educators-corner/secondary-transition-in-texas/>

TSLAT

<https://www.txautism.net/>

Progress in the General Curriculum (PGC)

<https://projects.esc20.net/page/pgc.home>



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Contact Information

Division of Instructional, School Improvement, & College Readiness Support
Office of School Improvement, Accountability and Compliance

Maria del Rosario Nava, M.ED.
Diagnostic/Assessment Specialist
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