

RealTalk for Parents: Podcast #3

Advocacy Alphabet Soup

Hello and welcome to Real Talk for parents the podcast brought to you by the Parents' Place of Maryland and I'm Yvette DeCosta today we are going to go over some acronyms and terms you'll come across in your special education journey. Even the most seasoned parents can forget what all the acronyms and abbreviations mean, especially because we focus on the needs of our child and addressing these needs and concerns at school. It's always important to ask questions; if at any time school personnel or medical professionals use term you don't know or understand. There are no dumb questions. First we are going to talk about the laws involved in educating our children.

Let's Start with IDEA – the Individuals with Disabilities Education Act. This is the name of the federal law that guarantees all children with disabilities the right to a free appropriate public education. Known as FAPE – which again stands for Free Appropriate Public Education and is the Cornerstone of IDEA. FAPE is a good term to I know and utilize with school personnel if you feel there are situations, circumstances or behavior that are hindering your child's access to instruction. For example: "John has been shouting out in class and being disruptive. The teacher has sent him out of the class to the principal's office or to another teacher's class on numerous occasions" As a parent you can speak to the teacher and say that John isn't receiving FAPE not in class because he is not in class to receive instruction.

COMAR – The Code of Maryland Regulations which interprets State laws governing State agencies. This is the state law that can add regulations dealing with special education but does not supersede federal law. A good example of this is the 5 Day Rule. The 5 day Rule is a law here in Maryland in COMAR. The law requires the school system to provide parents with a draft IEP or any documents such as evaluations or assessments 5 business days before the meeting. Also a final draft of the IEP is to be given the parents 5 business days after the meeting. That is why the five day rule is very important to insure you are an informed member of the IEP team.

Our next term is ADA which is the Americans with Disabilities Act. A Federal law that prohibits discrimination against people with disabilities in the areas of employment, public transportation, services provided by state and local government, services and accommodations offered by private businesses, and telecommunication access for people with communication impairments.

Section 504 of the Rehabilitation Act of 1973 this law concerns identification of students who are protected by Section 504 and the means to obtain an appropriate education for such students. Section 504 is a federal law designed to protect the rights of individuals with disabilities in programs and activities that receive Federal financial assistance from the U.S. Department of Education (ED).

The Section 504 regulations require a school district to provide a "free appropriate public education" (FAPE) to each qualified student with a disability your child may have a 504 plan that details accommodations they need in the classroom.

Our next term is LRE - Least Restrictive Environment. All children with disabilities have a right to be educated in the least restrictive environment, with supports and services, in which their IEPs can be implemented. This means that a child can be in a class with his non-disabled peers. When discussing placement for your child especially when they are young and are about to enter Kindergarten the LRE discussion should always begin with the neighborhood school.

Our next term is IEP, which we here all the time – which is Individualized Education Program. This is the legally binding, annual document that describes what special education and related services your child is to receive. The I in IEP is critical, Individualized. The IEP is designed to meet your child's unique needs. There should be no cookie cutter programs. Each child's needs, even with the same disability, vary therefore the programs should vary as well. Don't be afraid to try a new approach, if the team is hesitant ask to try it for 30 days and re convene the team to discuss. The IEP should be a dynamic and living document.

Of course there is the INDIVIDUALIZED EDUCATION PROGRAM (IEP) TEAM - This multidisciplinary team is made up of regular and special education teachers, other professionals, and the parents. The team is responsible for identifying and evaluating children with disabilities who are in need of special education; developing, reviewing their progress on, or revising an IEP; determining the student's placement; and determining if and when the child is no longer a child eligible for special education services.

Now lets discuss the document and program that applies to younger children
Birth to 3 years old,

IFSP – The Individualized Family Service Plan. This is like the IEP for children birth to 3. This document describes what services an infant or toddler less than three years of age, and his or her family will receive. It is developed in collaboration with the family and professionals.

INFANTS & TODDLERS PROGRAM - This is the early intervention amendments to IDEA. It is the statewide program that requires services for children from birth to three years of age, including the individualized family service plan (IFSP) that I mentioned and case management services. Each county administers this program differently.

Child Find is a component of the Individuals with Disabilities Education Act (IDEA) that requires states to identify, locate, and evaluate all children with disabilities, between the ages of birth to 21, who are in need of early intervention or special education services.

ESY - Extended School Year services. Services provided over the summer for 4 weeks which will address specific IEP goals. Many times in the IEP meeting depending on when the meeting is held they may defer making a decision about ESY eligibility. It's important to understand that you can be revisited anytime but a decision should be made in the April May timeframe for the upcoming summer. There is a criteria in determining whether your child is eligible and please see our ESY fact sheet on our website. Here are some examples of the criteria :

Regression/Recoupment of Skills; Degree of progress your child is making; If your child has Emerging Skills/Breakthrough Opportunities; Interfering behaviors; Nature and severity of the disability and also there may be Special circumstances or considerations to be considered for ESY.

The next acronym MSDE - Maryland State Department of Education. The state agency that is responsible for monitoring local education agencies and for making sure that these agencies follow state and federal laws

Our next term is ASSESSMENT - Tests given to a child by qualified professionals to determine the child's current academic levels in such areas as math, reading, and spelling.

Our next term is EVALUATION - A review of assessments and other information, collected from a variety of sources, used to determine a child's eligibility for, and dismissal from, special education services. Evaluation also determines what kinds of supports and services a child will receive.

IEE - Independent Educational Evaluation. Assessment procedures conducted by a qualified individual who is not employed by the public agency responsible for the education of the student.

These next few terms are very important because they have to do with behavior and discipline. We have detailed fact sheets on our website and we will be addressing FBAs and BIPs in future Realtalk podcasts. Before we define the terms I think it is important to understand when it may be appropriate to request that a Functional Behavioral Assessment be conducted and a Behavior Intervention Plan be developed. All of our children's behavior is purposeful and behavior is communication; however when there is a pattern of a student's behavior interfering with his or her learning and or that of their classmates the situation needs to be addressed in a structured way.

What are functional behavioral assessments and behavior intervention plans?

A functional behavioral assessment (FBA) is a process of gathering information that is used to help understand a child's behavior(s). It should be based on data collected in a variety of settings, observations by an impartial observer and discussion with team members. A behavior intervention plan (BIP) is a written plan based on the Functional Behavioral Assessment that outlines how the behavior will be addressed and acceptable behavior(s) to be taught to replace the undesired ones.

Now we are going to talk about briefly a MANIFESTATION DETERMINATION – this Decision whether inappropriate and/or dangerous behavior is caused by, or had a direct and substantial relationship to the student's disability; or is the direct result of the schools failure to implement the student's IEP. A manifestation determination may be required after a student has been removed from school as a disciplinary action. And is required after 10 or more days of suspension.

The terms and acronyms are not the only one's you'll come in contact with but this Advocacy Alphabet Soup Fact is a good start and we have sheet on our website ppmd.org.

Thanks you for listening to today's podcast this is Yvette DeCosta. We look forward to hearing from you please e-mail us at info@ppmd.org. and put RealTalk in the subject line. Realtalk for Parents is brought to you by the Parents Place of Maryland we educate, support and empowers parents

And remember here at Realtalk we're on that journey right along with you and it's a marathon not a sprint! Take care.