

WHAT IS SPECIAL EDUCATION?

Special Education is the practice of educating students who have special needs in a way that specifically addresses their individual requirements. These exceptional children are typically underprepared for the general classroom setting and require a variety of special assistance to aid them in becoming better prepared to enter a general classroom environment.

Special Education does not refer to disabilities nor does it reflect negatively on the child. Special Education is not a place but a process where a child will receive the assistance they need to navigate their educational careers. A child may require special education services for a variety of reasons; learning disabilities, communication disabilities, emotional and behavioral disorders, physical disabilities, developmental disabilities and intellectual giftedness.

Special Education services can be offered to a student through the use of an Individualized Educational Plan (IEP). This plan will provide the student with a direct path and plan that is fully tailored to them in order to give them the best chance at success and possibly preparing them for introduction into a general classroom environment.

In some cases, Special Education services are being given to children who continue to thrive in a general classroom environment and only require a slight adjustment for them from the rest of the students. The more a student is able to thrive in a general classroom environment, the sooner they typically adjust and eventually overcome the need for their IEP.

Special Education services are designed to offer several components working together to assist the student. Often this can be the team of teachers and administrators ensuring the student have a modified curriculum, environmental accommodations and physical assistance. For some students the educational need includes collaboration between parents, the school and DIS services, friendship/facilitation, consultation with specialists, behavior support plans, and/or staff development.

Special Education should be:

- Based on assessment results
- Individual
- Considered using various factors
- Outcome oriented
- Lined to the standards
- Monitored and modified
- Not just a place to send students

Special Education should not be:

- Synonymous with under-achievement
- Only remediation
- Separate
- Just small group instruction
- For students with behavior problems
- For substance exposed students
- For students whose special needs can be met in a general education environment

Special Education is designed to aid children in their education and work toward them becoming capable and prepared to participate in the general education environment as quickly as possible. By working with professionals in the field of Special Education and creating an IEP for your student, your child can gain the assistance they need to learn how to overcome any difficulties they might be experiencing.

What is an IEP?

An Individualized Education Program (IEP) is a legal document which is designed to completely spell out the learning plan, needs, progress expected and accommodations a child will receive in order to improve their learning capabilities throughout the school year. An IEP is a legally binding document and requires the school to provide everything it promises in the document.

By law an IEP must include:

- A Statement of the child's present level of performance (PLOP) – how the child is currently performing in school
- The child's annual educational goals
- Special education support and services that the school will provide to help the child reach their goals
- Modifications and accommodations the school will provide to help the child make progress
- Accommodations the child will be allowed when taking standardized tests
- How and when the school will measure the child's progress toward the annual goals
- Transition planning to help prepare teens for life after high school

An IEP is part of the special education process and is necessary for students to receive needed special education services through the school. Not all students who struggle with school will necessarily be approved or require an IEP. There are two actions that must be taken in order to qualify a child for an IEP; an evaluation and a decision. The evaluation is conducted by an IEP team after consulting with parents, teachers, a counselor or a doctor who may see the child is struggling to keep up in school. The decision to implement an IEP is done with an IEP team made up of parents and school officials who decide the child needs and will benefit from the use of special education services through the use of an IEP. The evaluation and decision-making process can be lengthy in nature and take time to implement, but once an IEP is in place, the child is to be afforded all accommodations spelled out in the IEP by law.

WHAT IS A 504 PLAN?

504 PLAN - A 504 plan is an alternative method of offering accommodations to students who do not qualify for an IEP. This type of plan falls under Section 504 of the Rehabilitation Act of 1973 and prohibits discrimination against students with disabilities who are able to learn from and participate in the general education curriculum. A 504 plan outlines measures taken to accommodate children and remove barriers to learning for children who need accommodations but can still perform in a general education setting.

Because Section 504 defines "disability" in very broad terms those who don't qualify for an IEP may qualify for a 504 plan. Section 504 defines a person with a disability to be a person who:

- Has a physical or mental impairment that "substantially" limits one or more major life activity
 - Has a record of the impairment.
 - Is regarded as having impairment or a significant difficulty that isn't temporary.
- Qualification for a 504 plan requires an evaluation which can be initiated by the parent or the school. Before the school can initiate the evaluation, they must receive permission from the parent to conduct a 504 evaluation.

With no standard 504 plan required by law each school district handles these plans a little differently from each other. The following should be included in a 504 plan in order to ensure the child will be able to succeed and have their needs met:

- Specific accommodations, support or services
 - Names of the school professional that will provide each service
 - The name of the person responsible for ensuring the 504 plan is implemented
- In general, a 504 plan can provide a wide range of accommodations and services including specialized instruction, physical accommodations, speech therapy, occupational therapy or counseling. As a much less detailed plan than an IEP, a 504 is much simpler to implement and works to give parents a peace of mind their child will be accommodated as needed.

Both plans are designed to provide accommodations and support to children who need it while in school. Even though in many ways these two plans are very similar, there are some very distinct differences to make note of as well.

Similarities:

- Both provide a blueprint for the educational experience of a child
- Both are at no cost to the parents
- Both provide a list of accommodations and services that will be needed for the child
- Both address the needs of the child brought on by a form of a disability
- Both create a list of needed accommodations for the child
- Parental consent is required for both plans
- Both plans address ways for parents to resolve discrepancies found with the school and the accommodations being provided

Differences:

- An IEP is part of Special Education Services, a 504 plan is not
- An IEP applies under IDEA, a 504 plan is part of the Rehabilitation Act of 1973
- To qualify for an IEP a student has one or more of the 13 specific disabilities listed in IDEA and the disabilities affect the child's educational performance, a 504 plan has a broader definition of a disability and can be applied to students who are able to continue in a general education classroom and don't qualify for an IEP
- An IEP has very strict rules and requirements for who can create the plan, the 504 plan is much less specific and can make the evaluation
- An IEP is very specific, sets goals, ensures progress, and spells out the accommodations needed, the 504 plan spells out the accommodations but is not standardized
- An IEP must be reviewed at least once a year, a 504 plan is to be reviewed as needed or more often depending on the rules of the state

Understanding the differences between the two plans can help parents know what plan is going to best work for their child. Some students will benefit more from an IEP than a 504 plan while others will perform with only minimal accommodations to ensure they can enjoy the learning environment of the general education setting.

IDEA is the Individuals with Disabilities Education Act that is a federal law requiring schools to serve all educational needs of eligible students with disabilities. For parents who feel their child needs the benefit of Special Education services, IDEA provides the legal rights and protections needed to ensure children receive the assistance and accommodations they need in order to participate in the educational process and experience.

IDEA was passed originally in 1975 and has been amended several times since, but still has two main purposes:

- To protect the rights of children with disabilities
 - To give parents a voice in their child's education
- The children who are protected under IDEA are aged from infants through high school graduation or 21 years old, whichever comes first.

IDEA is very specific as to who is actually eligible to receive protection. A child must first have one of 13 kinds of disabilities:

- Autism
- Deaf-blindness
- Deafness
- Emotional disturbance
- Hearing impairment
- Intellectual disability
- Multiple disabilities
- Orthopedic impairment
- Other health impairment (for example ADHD)
- Specific learning disability
- Speech or language impairment
- Traumatic brain injury
- Visual impairment, including blindness

IDEA covers these thirteen disabilities in the process and implementation of an IEP in order for students to be offered the best possible opportunity to make progress and be successful in school. Without IDEA, parents of children with disabilities had very little voice in the education process of their children and were left to find specialized services that would allow their child to participate. With IDEA in place, the parents and children are protected with the school owning the implementation and execution of the IEP and Special Education services needed by the child.

As a parent of a child with a disability you have a long list of rights and privileges that are guaranteed to you. It's a good idea to familiarize yourself with these rights prior to beginning an IEP or 504 processes in order to ensure you are fully aware of what should be taking place and when with regards to your child's educational needs.

State and federal law under the Individuals with Disabilities Act (IDEA) guarantees parental rights

- **Notice:** Before a child is tested or placed in a special education program, you have the right to be notified of what the school plans to do.
- **Consent:** You must give your consent before special tests are given and before your child is placed in a special education program.
- **Evaluation:** You have the right to a full evaluation of your child to determine individual educational needs.
- **Records:** You have the right to know what records are kept on your child.
- **Confidentiality:** With the exception of school personnel with legitimate educational interests, no one may see your child's records without your permission.
- **Least Restrictive Environment:** You have the right to have your child educated with children without disabilities to the maximum extent appropriate.
- **Due process:** If at any point along the way you do not agree with how the school is dealing with your child, you have the right to request a hearing. At this hearing, you and the school will reach an agreement concerning the identification, evaluation, placement or educational program of your child.

Each school district across the country is required to present to parents, in more detailed format, the Parents Rights and Procedural Safeguards document.

Once you have been notified and agree to an IEP meeting it's important for you to understand what this meeting is going to consist of when you arrive. Showing up at school with a room full of administrators, some of whom you may have never met can be an unnerving experience by itself. One of the most fundamentally important aspects to keep in mind is the goal of an IEP meeting is to develop a plan for your child to grow and improve in their education. Because an IEP is formal and governed by IDEA your child will have a set of goals the school administrators are working to help them reach during the school year. These resources will give you more insight and help you to be ready to enter the IEP meeting and help develop the correct plan for your child.