

OWNING YOUR EDUCATION

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504 VS IEP

504

To qualify for a 504 plan, there are two requirements:

1. The child has a disability, which can include many learning or attention issues.
2. The disability must interfere with the child's ability to learn in a general education classroom (disability must substantially limit one or more basic life activities, such as learning).

IEP

1. Must meet the state criteria for having an educational disability (Autism, Deaf/Blind, Emotional Disturbance, Hearing Impairment, Intellectual Disability, Multiple Disabilities, Other Health Impairment, Specific Learning Disability, Language Impairment, Sound System Disorder (Voice or Fluency), Traumatic Brain Injury, Vision Impairment, Young Child with a Developmental Delay)
2. Needs specialized instruction to access FAPE (Free Access to Public Education)

PROCEDURAL SAFEGUARDS

Access to Educational Records:

You have the right to see, make copies of and get an explanation of your child's educational records. The Family Educational Rights and Privacy Act, or FERPA, is one law that protects these rights.

Independent Educational Evaluation:

You have the right to get an IEE – an evaluation of your child's skills and needs by someone who's not a school employee. The school must consider the results of the IEE. However the school isn't required to accept the findings

Parent Participation:

You have a legal right to participate in meetings about your child's education—including IEP meetings.

Prior Written Notice:

The school must give you written notice whenever it wants to add, change or deny services to your child

Procedural Safeguards Notice:

The school must provide you with a written explanation of all the procedures to safeguard your rights, you have under federal and state law.

PROCEDURAL SAFEGUARDS

Understandable Language:

Language for notice and consent must be understandable to the general public and in your native language.

Confidentiality of Information:

The school must protect your child's confidentiality. This includes personal information, such as your child's name, address, social security number and other personal details. There are some exceptions, though. FERPA outlines these.

Informed Consent (Or Parental Consent):

Before conducting an evaluation or providing special education services, the school must inform you of what's involved. You have to give your permission in writing before the school can move forward.

"Stay Put" Rights:

Do you disagree with a proposed change to your child's placement? (This can refer to a location or to services outlined in his IEP.) The "stay put" provision allows your child to stay where he is while you and the school go through the dispute resolution process.

Due Process:

If you have a dispute with the school about your child's special education, you can use what's called due process. This is a formal way of resolving disagreements between parents and school

BILL OF RIGHTS

[UPDATED-PARENT-BILL-OF-RIGHTS-January-2022 pdf | Missouri Department of Elementary and Secondary Education](#)

**Understanding your rights is important! If you have questions,
ask!**

BUILD YOUR TEAM

You don't have to do this alone!

- Your team can include a close friend, family member, etc. This should be a person that you feel you can trust, knows your child, and can maintain confidentiality.
- Students may want to invite their support system (friends, teacher they trust, etc.), especially when moving towards transition.

Communication is Key!

- It is okay to communicate with reach out to the case manager and IEP team!

BUILD YOUR TEAM-OUTSIDE AGENCIES

- SB40
- Counselors (examples: Mark Twain Behavioral Health or Preferred Family)
- Easter Seals
- Vocational Rehabilitation (usually refer Junior or Senior year)
- Pre Employment Transition Services (high school or when transition plan deemed appropriate)
- IMPACT

You may not need all of these team members throughout your child's education. The expertise needed may change as your child's needs change!

BECOME INVOLVED WITH THE IEP

Have a pre-IEP “meeting” and share with the team

- What is going well
- What your goals are (prioritize)
- Areas to problems solve

*This can be done in an email, phone call, form, or even in person.

Remember to not bring any surprises to the IEP meeting. It is not in the best interest of the child!

INCLUDE YOUR CHILD

- Involve your child early on. Encourage them to participate in meetings or even part of their meeting(when you feel comfortable!)
 - If you are not comfortable with them attending, interview them at home and share what they have to say.
 - In high school, you will want your child to be heavily involved in their education and be their own advocate.

- Your child will have insight on their:
 - Preferences
 - Strengths
 - Areas they may need extra support
 - Goals
 - Accommodations

INCLUDE YOUR CHILD

Talk to them about their disability.

- You may not want to share everything at once (again, do what you are comfortable with!).
- In the beginning, you may want to just talk about they have an IEP to help them with X.

In order for them to advocate for themselves, they will need to understand their disability and their needs!

- Encourage them advocate for their needs! Accommodations are a perfect place to start with!
 - Review your child's accommodations with them after their meeting (you can even have them keep a copy in their backpack). If there is something they need and are not getting, encourage them to ask for it (example: test read aloud, extended time, etc.)

PREPARE FOR TRANSITION

Transition planning should not wait until they are 16. It is important to start having these conversations now.

Many young high school (or even middle school) students do not know what they want to do after high school.

- Talk you your child about their interests and work with their case manager and counselor to allow them to explore (example: art vs. music; computers vs. history)
- Review the IEP together. Are the IEP goals supporting the overall transition goals? Are enough supports in place (example: accommodations?) or are they ready for more independence?
- Re-evaluate the team? Are there additional members whose expertise are needed?

Your child will need to take a more active role in their education. Start handing over the reins!

PREPARE FOR TRANSITION

Have **honest** conversations as a family and as an IEP team. These conversations and the overall planning should not wait until their Junior or Senior year!

Things to discuss and plan for are:

- Will the student be going to school or work?
 - What classes and services do they need? Work experience? Life skills?
- Will the student need Supported Living or Independent Living?
 - What supports will they need to live as independent as possible (Do they have transportation? Are they able to prepare meals?)
- What will the student do for fun?
 - Will they need help identifying or locating recreational activities?

TRANSITION: COLLEGE OR POST SECONDARY TRAINING

There are no IEPs in college.

- There are no case managers and colleges do not have the same legal obligations as high schools.
- Different schools offer different levels of support.
- There are a few programs which focus on transition (job skills, independent living) at a college setting that may help you achieve your goals.

You, the student, must be your own advocate to get what you need!

- You must register as a student with a disability to get accommodations (contact the school's Disability Office).
- Make sure you have a copy of your IEP and most recent Evaluation.

TRANSITION: EMPLOYMENT AND INDEPENDENT LIVING

Employment:

- There are supported employment programs out there outside of the Sheltered Workshop.
 - Vocational Rehabilitation and Pre Employment Transition Services can help you explore your options.
 - They can help you find opportunities where you can have a job coach.

Independent Living:

- Utilize your outside agencies to help you reach your living goals!

IF YOU STILL NEED HELP..

Facilitated IEP:

- Parents and/or school districts may agree to conduct a Facilitated IEPs when there is a sense from either of the parties that the issues at the IEP meeting may lead to significant disagreement or create an uncomfortable climate.
 - A neutral person will assist the IEP Team to efficiently and effectively address team concerns and will help to create an environment in which the IEP Team members can listen to one another's points of view.
 - Goal is to help the IEP Team to work together to build consensus in developing an IEP that meets the student's needs.
 - There is not cost for IDEA-related cases.

<https://dese.mo.gov/media/pdf/mo5003154pdf>

IF YOU STILL NEED HELP..

Mediation:

- DESE funded mediation is available to resolve disputes regarding the identification, evaluation, educational placement, or related services for students with disabilities. There is no cost to either party.
 - DESE makes mediation available to allow parents or adult students and responsible public agencies to resolve disagreements involving any matter under Part B of IDEA. This also includes matters arising prior to the filing of a child complaint or a due process complaint.
- The Mediation form can be used to request mediation **prior** to filing a child complaint or a due process complaint.

<https://dese.mo.gov/media/pdf/mo5003161pdf>

QUESTIONS????

RESOURCES:

<https://www.understood.org/articles/en/7-things-to-know-about-college-disability-services>

<https://prezi.com/4po3sm3iocz-/parental-rights-students-with-disabilities/>

www.dese.mo.gov