

# EDUCATION ADVOCACY WORKSHOP

Innovative Speech & Language Pathology, Inc.

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&

Terry Tutors

Wraparound Support for Struggling Students

Christine Terry, J.D., Special Education Advocate & Founder

# General Overview

- Terminology you NEED to know
  - FAPE = Free Appropriate Public Education
    - Board of education vs. Rowley 1982
    - Appropriate NOT defined
  - IDEA = Individual Disability Education Act (revised 2004)
  - IFSP = Individual Family Service Plan
    - IFSP 0-3
  - IEP = Individualized Education Program
    - IEP = 3-21
  - IEE = Individualized Education Evaluation
    - Private IEP
  - LRE = Least Restrictive Environment
    - Mainstreamed classroom
  - SELPA = Special Education Local Plan Area
    - Funding sources for public schools special ed programming
    - Tri-city SELPA

# Regional Center to Public School Transition Federal \$\$

- Birth – 3 years (ECI) → IFSP
  - Easy to get
  - ST, OT, PT, Infant Stim, BT (rare RCs pay for MT; LRC), hearing assessments
  - RCs policies on funding
    - Verifying individual or family income in order to determine a consumer's eligibility for financial assistance with funding health insurance copayments and coinsurance [Wel. & Insti. Code §4659.1].
- At 36 months they transfer to public school; qualification/eligibility issues
  - You may have to appeal to continue services at the public school
- 3 – 21 years public school → IEP
  - Harder to get
  - Everything above other than medical and at times you can get a 1:1 aide as well as psychological services.

# IEP Evaluation Process

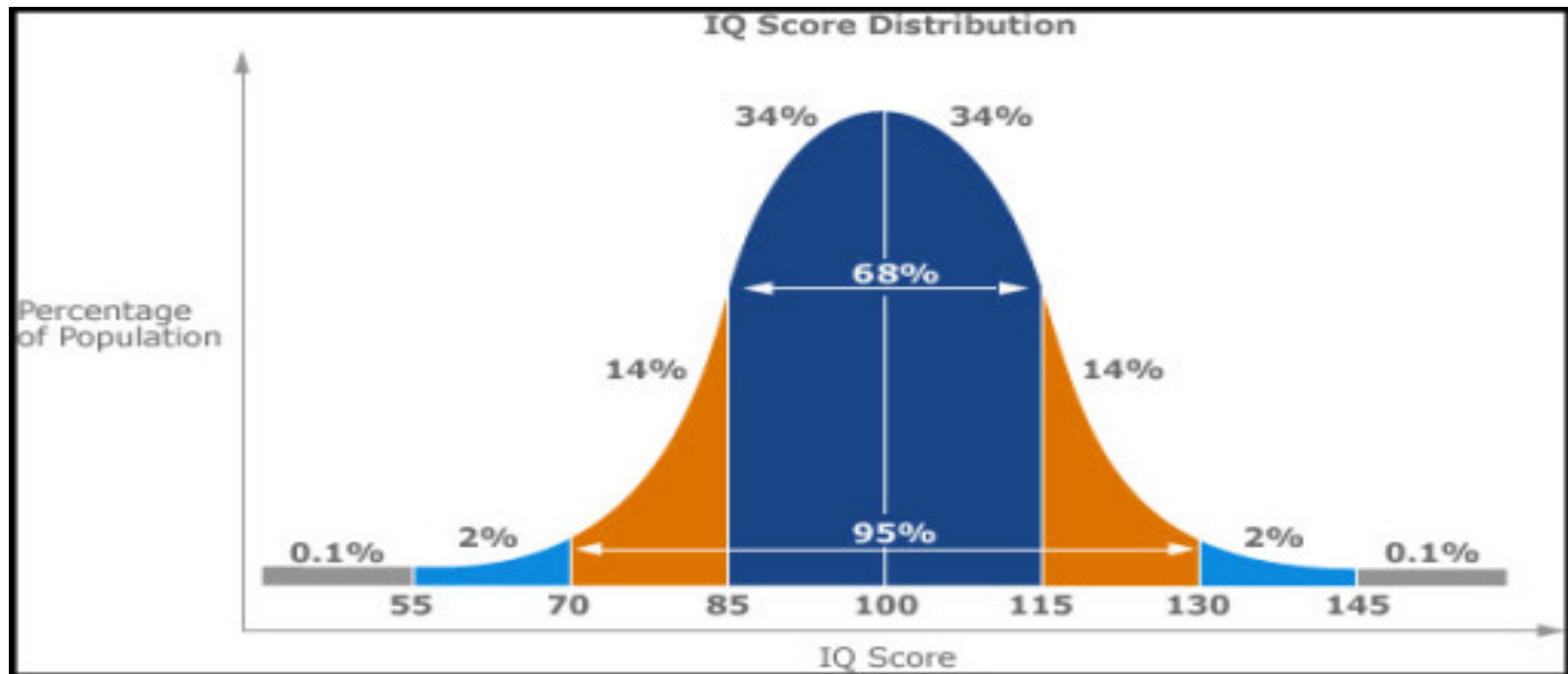
- Request for Referral for an Evaluation:
  - The parent/guardian is asking the district to evaluate their child for a “learning disability under IDEA.”
    - 20 U.S.C. § 1401 (3) (A) **Child with a disability** means a child:
      - With mental retardation (intellectual disability), hearing impairments (including deafness), speech or language impairments, visual impairments (including blindness), serious emotional disturbance (referred to in this title as “emotional disturbance”), orthopedic impairments, autism, traumatic brain injury, other health impairments, or specific learning disabilities; and
      - Who, by reason thereof needs special education and related services.
      - This is Federally Mandated.
- An Approval or Denial of the Request in 15 days:
  - If approved there’s a sign off for an evaluation by the parent/guardian.
  - If not approved, go through the “APPEAL” process.
    - This does not mean court, but internal appeal through the district.
    - Option for IEE = Individualized Education Evaluation (private Psychologist evaluation).
      - Make your appeal case stronger and prompt the district to re-test your child and if there they find a learning disability, then you can petition for IEE reimbursement which can be anywhere between \$2000.00-\$5000.00.

# Psycho-Educational Testing

- Testing to determine if the child has a disability that will “impede his ability to learn.”
- The school has 60 days to test your child.
- Diagnosis:
  - Autism
  - SLD (specific learning disability); auditory processing disorder, visual processing disorder, dyslexia
  - Speech delays/impairments
  - Occupational delays/impairments
  - Physical delays/impairments
  - ED (emotional disturbance)
  - Cognitive impairments/mental retardation (intellectual disability)
  - Hearing impairments (including deafness)
  - Visual impairments (including blindness)
  - Orthopedic impairments
  - Traumatic brain injury
  - Other health impairments

# Standard Deviation

- Bell Curve: Standard Deviations and their Relationship to Percentile Ranks and Standard Scores
- If your child falls outside of the bell-curve, it does not mean he/she will not qualify for services.
- If your child is on the border they will likely NOT get qualified for services BUT don't be afraid to appeal.



# ADD/ADHD

- Is NOT considered a special-ed need and you will not get an IEP for a solo diagnosis.
- You will get a 504 plan which governs classroom accommodations.
  - What do you need to get this diagnosis? A doctor's note.
- What do you want to do?
  - You want to couple the ADHD diagnosis with a qualifying disability which will make you eligible for the IEP; ie. language delays with ADHD.

# Autism

- One of the most significant changes is that the separate diagnostic labels of Autistic Disorder, Asperger's Disorder, and PDD-NOS will be replaced by one umbrella term "Autism Spectrum Disorder." Further distinctions will be made according to severity levels. The severity levels are based on the amount of support needed, due to challenges with social communication and restricted interests and repetitive behaviors. For example, a person might be diagnosed with Autism Spectrum Disorder, Level 1, Level 2, or Level 3.
- The removal of the formal diagnoses of Asperger's Disorder and PDD-NOS is a major change. People who currently hold these diagnoses will likely receive a different diagnosis when re-evaluated.
  - [http://www.autism.com/news\\_dsmV](http://www.autism.com/news_dsmV)
- The tri-annual IEP will reflect 2013 DSM diagnosis
  - No more Asperger's, no more PDD/NOS



# IEP

- IEP = Individualized Education Program.
- Annual IEP but can ask for more.
- Tri-annual evaluations.
- Goals:
  - PLOP = Present Levels Of Performance that are measurable goals with end dates; therapy and education goals.
  - ST goal example:
    - Long term: By June 2015 John W. will categorize 5 items correctly given 2/3 prompts at 75% accuracy.

# Parent Rights

- You do not have to test your child.
- You do not have to sign anything.
- You can ask for more than 1-IEP meeting per year.
- You can ask to observe your child and the therapy.
- You have the right to ask for the copy of the report and testing.
- You have the right to ask for additional hours/services if you feel your child needs it.
  - How do you do that? **FAPE** = Free Appropriate Public Education.

# Special Education Services

- They are usually through public school therapists and resource teachers.
- Groups of 3-5 for 30 minutes 1-2 X week.
- Inclusion
  - Mixed learning abilities in a general ed classroom with a general ed teacher (standard).
- Push in vs. Pull Out Services
  - Push in = having a resource/teacher/aide come into the classroom.
  - Pull out = taking the child out of the classroom for a individual/group sessions.
- Mainstreaming (started in the 80s)
  - Special day classes are a few far in between.

# Alternatives to Public Education

## Paid by the State

- Home Schooling
- K-12 online
- Charter Schools

## Paid by the District

- Non-public School
- Specialized schools contracted through the district

## Private Pay (option for reimbursement)

- Private School
- Tuition reimbursement option: Burlington School Comm. Vs. Department of Ed (1985)
  - \*Rarity

# Summary

- If it's not written down, it didn't happen!
- You don't have to sign anything.
- You have more rights than you know!
- Your job is to know the law and fight for your child's rights in a collaborative manner.
- You can be your child's own advocate, you just need to know the law!

# THE END!

- Innovative Speech & Language Pathology, Inc.
  - Owner/director: Odelia Mirzadeh, M.S., CCC-SLP
    - Services offered: ST, OT, MT, Toddler music classes, Social Skills, Advocacy, Special Ed (reading/writing comprehension).
- Terry Tutors
  - Special Education Advocate & Founder: Christine Terry, J.D.
    - Services offered: Academic Support, Behavior Support and Education Advocacy.

# Contact Info

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