

A stylized, colorful illustration of a landscape. The foreground features rolling green hills in various shades of green, with a dark brown path winding through them. On the left, there are several trees and flowers: a tall green tree, a purple flower, and an orange flower. A small red bird is flying in the sky above the trees. The background consists of light blue, wavy bands representing a sky or water.

# *Special Education 101*

*Professional Development Pre-Service Training*

# Session Overview

504 & IEP

Referral/Eligibility

Least Restrictive Environment

Accommodations

Behavior

Additional Resources

## 504 & IEP

*Students with disabilities may have one of the following documents:*

- 504 plan
- Individualized Education Program (IEP)

## 504 & IEP

### What is Section 504?

- Part of the Rehabilitation Act of 1973, a national civil rights law
- Prohibits discrimination on the basis of disability by any program (including public or private schools) that receive federal funds
- Section 504 defines “disability” as a person who (1) has an impairment that (2) substantially limits the student’s ability to perform (3) one or more major life activities.

# The Individuals with Disabilities Education Act (IDEA) of 2004

- A federal law which created and governs special education.
- Entitles eligible children with disabilities to the specially designed instruction and individualized services and supports they need to benefit from a free public education.
- The six principles of IDEA include:
  1. A Free Appropriate Public Education (FAPE)
  2. Appropriate Evaluation
  3. An Individualized Education Program (IEP)
  4. Least Restrictive Environment (LRE)
  5. Parent and Student Participation in Decision Making
  6. Procedural Safeguards

## 504 & IEP

# Eligibility for Special Education Services under the IDEA

1. Student has a disability
2. The disability has an adverse impact on the student's education
3. The student has a need for special education services

\*Note: Upon eligibility determination an Individual Education Program (IEP) can be developed.

# What is an IEP?

- Addresses the students' unique needs and individual strengths
- Student specific goals (Academic, life-skills, speech, etc.)
- Provides students with a disability access to the general education curriculum.
  - Accommodations
  - Supports (Assistive Technology, Personnel)
  - Special Education Services

# Side-by-Side Comparison

	<i>Section 504</i>	<i>IDEA</i>
Eligibility Determination	General disability definition	Disability categories & need for special education and related services
Plan	504 Plan	Individualized Education Program
Enforcement	Office for Civil Rights	Office of Special Education Programs (Federal) Oklahoma State Department of Education



# IEP Forms: Services

## Examples of Types of Services

### Special Education

- Monitoring
- Consultation
- Collaboration
- Co-Teaching
- Lab/Resource classes  
(Direct Instruction)

### Related Services

- Speech/language
- Occupational Therapy
- Physical Therapy
- Orientation and Mobility  
Training
- Transportation

# Referral/Eligibility

## Eligibility for Special Education Services

- Request made for evaluation or identification on 45 Day
- Review of Existing Data (RED)
- Determination:
  - If the student qualifies for special education services under a disability category;
  - The present levels of performance and educational needs of the student; and
  - Whether the student needs special education and/or related services.

# Referral/Eligibility

## Eligibility for Special Education Services

- Multidisciplinary Evaluation
- Student determined eligible
  - + Disability + Need = IEP developed
- Student determined not eligible
  - + Disability – Need = Consider Section 504 Eligibility
  - - Disability + Need = Consider Educational Needs

# Least Restrictive Environment

(i) To the maximum extent appropriate, children with disabilities are educated with children who are not disabled; and

(ii) special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

## *Least Restrictive Environment*

# *Placement Decisions*

- **LRE decisions are made individually for each student.**
- The LRE is the appropriate balance of settings and services to meet the student's individual needs.
- The district should have an array of services and a continuum of educational setting options available to meet the individual LRE needs of each student.

# Least Restrictive Environment

## Educational Setting

- **Regular Classes (full time)**  
special education and related services for less than 21% of the day
- **Special Class (part-time)**  
special education and related services for 21 to 60 % of the day.
- **Special Class (full time)**  
special education for more than 60% of the day.
- **Home bound services**
- **Instruction in other settings**  
Hospital, institutions or residential facilities  
Special Schools

# Accommodations

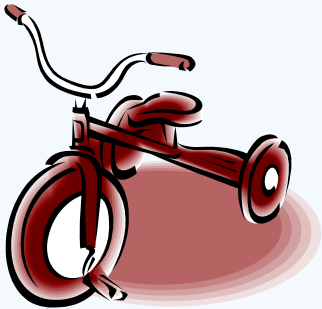
- practices and procedures that provide equitable access during instruction and assessment for students with disabilities
- intended to reduce or even eliminate the effects of a student's disability
- **do not** reduce learning expectations
- must be consistent for classroom instruction, classroom assessments, district-wide assessments, and statewide assessments

# Accommodations

## Accommodations and Modifications



- Accommodations- do NOT reduce learning expectations, but rather provide a student with access to the general curriculum and assessments.
- Modifications- change, lower, or reduce learning expectations. In addition, they increase the gap between achievement of students with disabilities and expectations for proficiency at grade-level.





# Accommodations

Practices and procedures in the areas of:

- Presentation
- Response
- Setting
- Timing/Scheduling

Provide equitable access during instruction and assessments for students with disabilities.

# Accommodations

Select accommodations for instruction and assessment for individual students.

- *Accommodations must be selected on the basis of:*
  - the individual student's needs, and
  - used consistently for instruction and assessment as documented in their IEP or 504 plan.

# Behavior

## *Manifestation Determination (MD)*

A process in which school district personnel, relevant members of a student's Individualized Education Program (IEP) team, and a student's parents meet to determine if a student's misconduct, which led to a disciplinary change of placement, *was caused by, or had a direct and substantial relationship,* to a student disability.

## Manifestation Determination: Legal Basics

- Long-term suspensions, suspensions over 10 consecutive days, and expulsions are changes in placement and, therefore, can not be used for disciplinary purposes unless the procedural safeguards of the IDEA are followed.
- A Manifestation Determination is a required procedural safeguard under the IDEA when a student's placement is changed because of disciplinary actions.

# Questions/Comments

