

# Fulfilling the Promise of Special Education

A webinar presented by  
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School Innovations & Achievement

# Today's Presenter



**Dr. Lee Funk**  
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# Today's Agenda

- ❑ Overview of agenda
- ❑ Introductory comments
- ❑ The local impact of congressional intentions
  - ✓ IDEA
  - ✓ Distinguishing ADA, IDEA, 504
- ❑ Common challenges faced by local education agencies

# Today's Agenda (Continued)

- ❑ What school board members can do
  - ✓ Policy & public relations
  - ✓ Reform pre-referral procedures!
  - ✓ Emphasize Family involvement
  
- ❑ Managing Costs
  - ✓ Use general education as the default program
  - ✓ Be efficient with services
  
- ❑ Questions & answers

# The Local Impact of Congressional Intentions for IDEA

## What was the big IDEA?

- Democratize education regardless of disability
  - No extra costs for families of SWD
  - Education of SWD aligns with assessed abilities – FAPE
  - Maximum peer interaction – LRE
    - Program specially designed, reviewed and modified – IEP
    - SWD are prepared for life after HS – ITP



# Distinguishing ADA, IDEA, Section 504

## Who is it for?

### ADA

Any individual who :

- (1) has an impairment that limits a life activity;
- or
- (2) has a record of such impairment;
- or
- (3) is regarded as having such an impairment.

### IDEA

Children ages 3-21 who are determined by a multidisciplinary team to be eligible.

### 504

Any individual who:

- (1) has a physical or mental impairment that limits a life activity;
- or
- (2) has a record of such impairment;
- or
- (3) is regarded as having such an impairment.

# Distinguishing ADA, IDEA, Section 504

## Procedural Safeguards and Service Delivery

ADA	IDEA	504
Complaint procedures and consequences for non-compliance	Child find Notice & consent Assessment Evaluation IEP Due process Compensatory education	Due diligence Notice Limited Evaluation Accommodation plan OCR complaint Corrective Action plans

# Distinguishing ADA, IDEA, Section 504

Purpose		
ADA	IDEA	504
Civil rights – public & private sectors	Educational equity in all public schools	Civil rights in federally financed institutions
Funding		
ADA	IDEA	504
Tax credits	Limited assistance from Federal government – rest assumed by state and local	You're on your own

## Which law?

Enforces physical accessibility to all buildings for all members of the public?

Accommodates a student with diabetes or peanut butter allergies?

Ensures delivery of services such as speech and occupational therapy?



# Common Challenges

## Who is Responsible?

### Special Ed is a District Responsibility Wherein Decisions Take Place at the Site Level!

- Majority of SPED referrals, eligibility determinations, and placement decisions are made at the **school site** by individualized education program (**IEP**) teams.
- As instructional leaders, **school site** administrators are the people responsible for integrity of the SPED referral and placement processes.

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# Common Challenges

## Multiple moving parts

Assessments

Evaluations

Parent Participation

Parent Advice

IEPs

ITPs

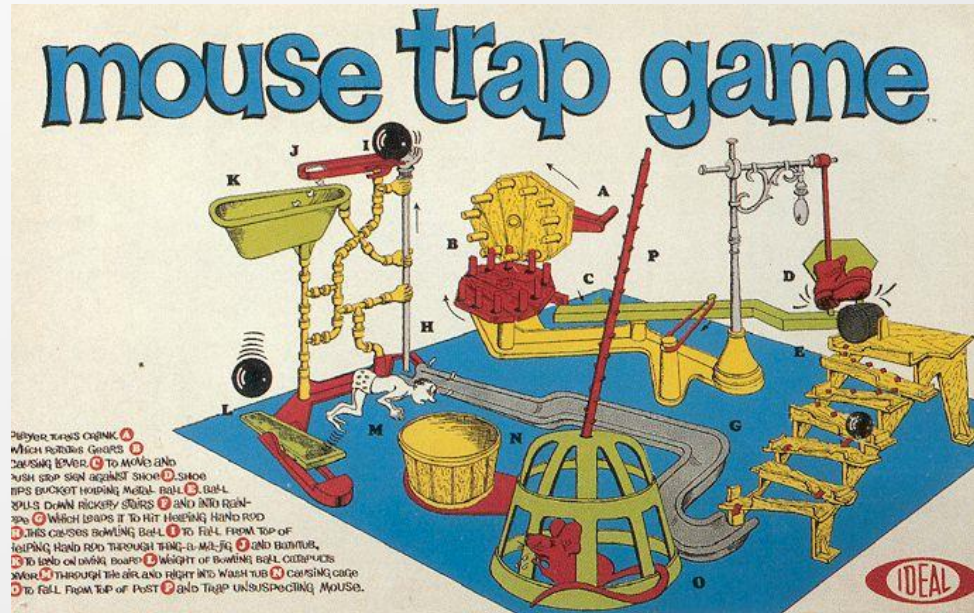
Preschool

Young Adults with Disabilities

Related Services – S/L, OT, PT, Counseling, etc.

Compliance

Transportation



# What school board members can do – Advocate and support staff development

- ❑ General education teachers and principals need more awareness of issues related to SWD, specifically: ADD/ADHD, autism, 504, and comorbidity.
- ❑ Principals and general education teachers need more training particularly in the nature of disabilities and with regard to their legal obligations
- ❑ Regular education teachers need further training and coaching in curriculum adaptations and instructional accommodations.
- ❑ A perception of a division between general and special education continues with respect to commitment to the success and inclusion of SWD

# What school board members can do – Manage policy & public relations

- ❑ Strive for coordination from preschool to kindergarten, elementary to middle school, middle school to high school, and secondary to adulthood.
- ❑ See that IEPs are structured to encourage collaboration between parents and professionals.
- ❑ Parents need ongoing training on their rights, laws, and regulations as well as support in understanding district procedures and practices.

# What can policy makers do?

## Reform pre-referral procedures!



### Intra-district consistency in policy development and implementation

*Implications for patterns of practice:*

Set a district wide standard for regular education taking responsibility

- Develop Board Policies and Administrative Regulations on the use of intervention teams.
- Include a robust evaluation component.
- Encourage training of administration and staff.

*The effectiveness of student success teams (SSTs) is linked to the ability of general education instructors to differentiate instruction, adapt curriculum, and reinforce appropriate behavior with support by the site administrator in doing so.*

# What can policy makers do?

## Family involvement

*Implications for patterns of practice:*

- Work with bargaining units so teachers are given the necessary support to conference and plan with parents
- Reach out to ethnic community groups
- Translate relevant policies and regulations into primary languages
- Support a pool of trained interpreters that sites may use for meetings and conferences.
- See that staff is knowledgeable on various cultural practices

*“Any stakeholder may initiate a deeper partnership between families and schools but all involved must work to sustain it.” – CADRE, July 2011*



# What can policy makers do?

## **Emphasize family involvement**

- Require a district-wide parent-professional association
- Promote collaboration through procedural regulations
  - ✓ Distribution of psych/ed evaluations to all team members (including parents) **3 days prior** to IEPs
  - ✓ **Adequate time** at IEPs to address all issues



# What drives special education costs?

- Caseload Inefficiency
- Use of 1:1 instructional aides
- Increase in DIS staffing
- Litigation
- Increases in Nonpublic Agency and School costs
- Mental Health Services
- High identification rates that exceed the national average**

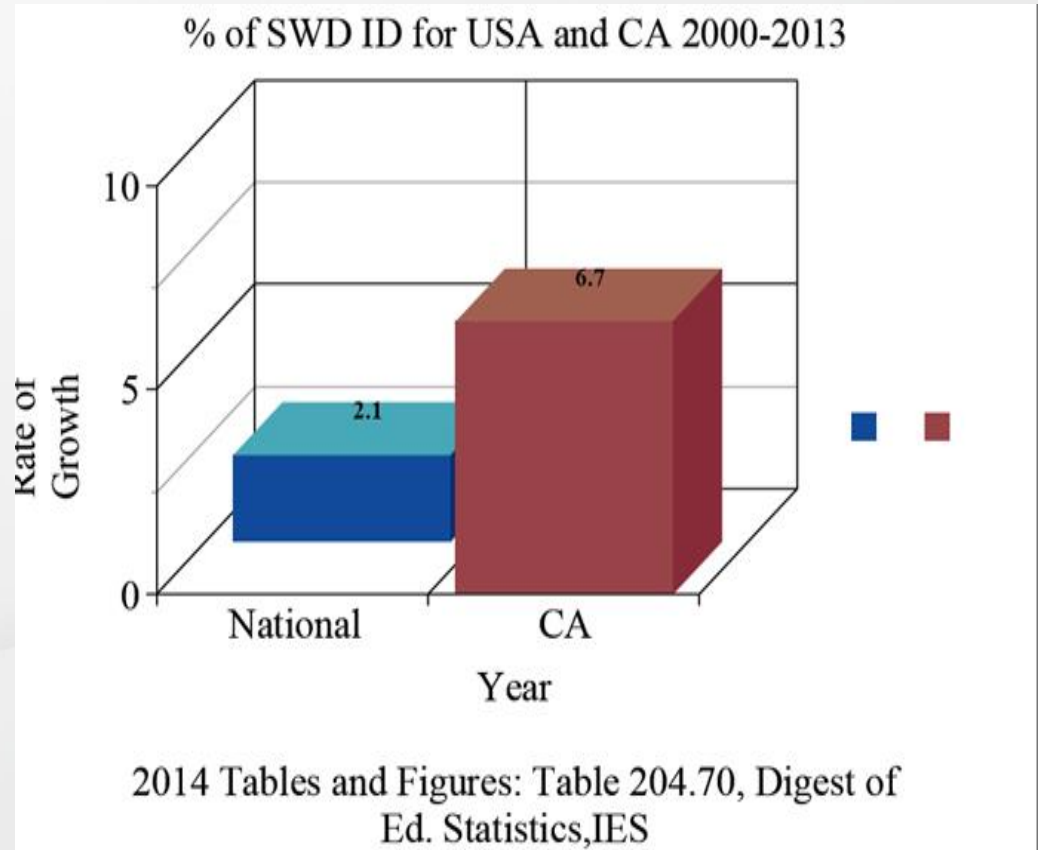




# What drives special education costs?

Increase in special education growth since start of century:

- ❑ 2000-01 –  $645,287/6,050,895 = 10.6\%$
- ❑ 2012-13 –  $688,346/6,226,989 = 10.9\%$



# What can policy makers do?

## Establish general education as the default program

- Establish resource programs for all populations
- Expand collaboration between special and regular education by providing **mechanisms** for ongoing consultation
- Move toward full implementation of RtI at elementary sites
- Invest in staff development – consultation, curriculum integration, ELs

# What can policy makers do? Re-entry



The average nationwide for all categories is between 7.5%-17% per year!

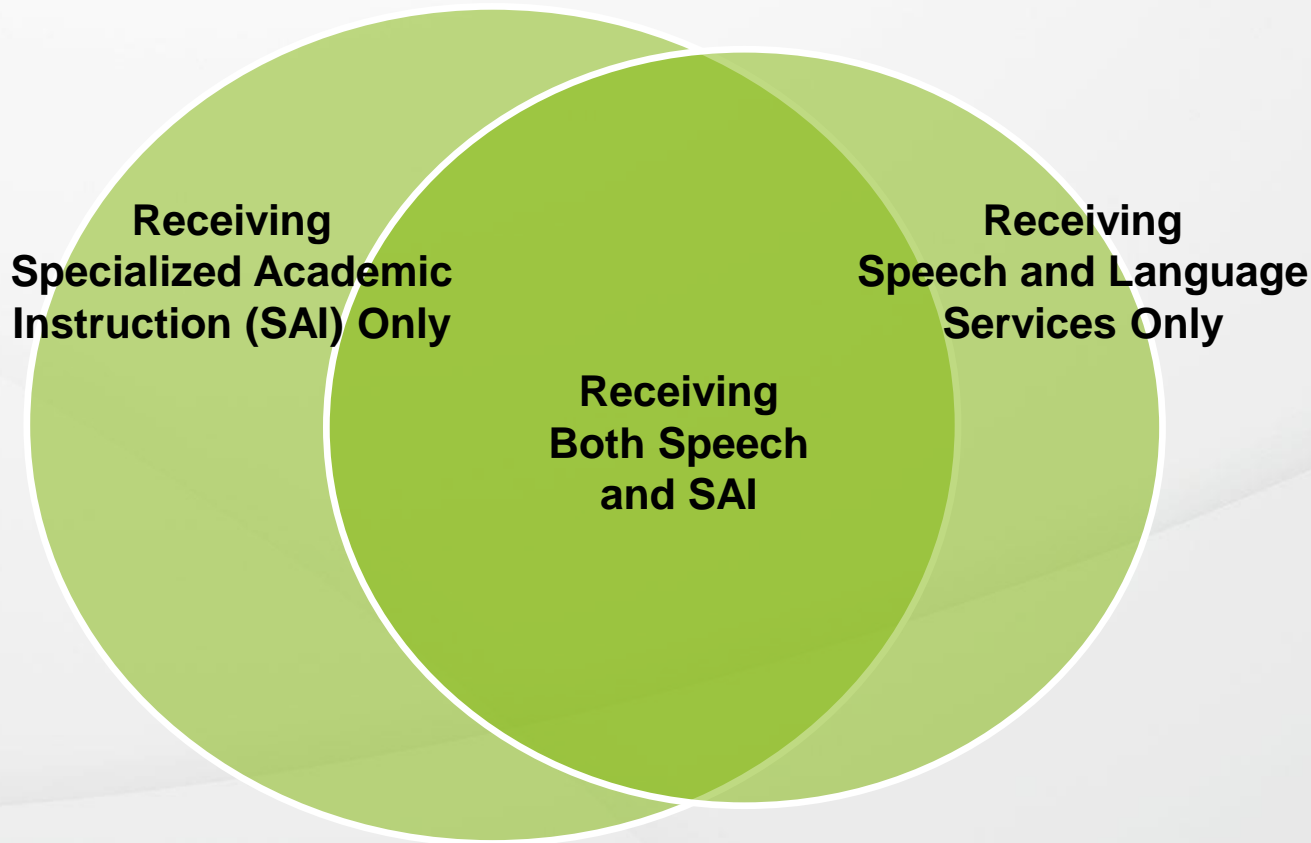
- Establish clear cut regulatory guidelines for entry and exit from special education as well as least restrictive environment placements.

**Example #1:** For SDC placement, the specially designed instruction or behavior support that is required for a large portion of the school day (three hours or 50 percent of the school day or more), demands a skill set or level of expertise attained by a trained specialist. The amount of time assigned to the SDC is in accordance with the time necessary to deliver the specially designed instruction or behavior support.

**Example #2:** Any student with a disability who has been placed in special education and only receives services for 10% of the school day or less shall be considered annually by the IEP team for dismissal from special education with appropriate monitoring if necessary by a 504 or student study team.

# What can policy makers do?

## Integrate services for accessibility and Effectiveness!



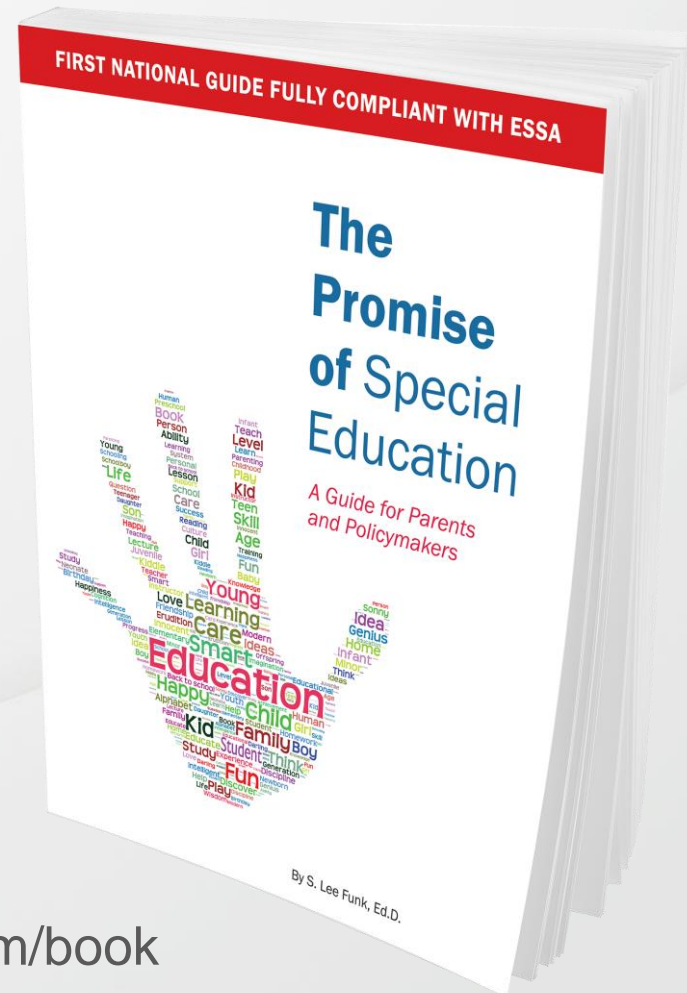
- Conduct periodic audits of service levels
- Require a **severity rating** scale for eligibility and dismissal for SLI
- Make consultation the default delivery model for related services

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# Questions & Answers



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# Contact Information

# Thank you!

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