



The Individuals with Disabilities Education Act



Six Principles of IDEA

a brighter future for children with disabilities

www.tnstep.org

STEP: Who We Are & What We Do

Support and Training for Exceptional Parents, Inc. (STEP) is a statewide not-for-profit established in 1989 serving Tennessee families. We are Tennessee's PTI - Parent Training and Information Center.

WHO do we help?

Families or caregivers in Tennessee with children and youth, birth to 26, with a diagnosed or suspected disability or special healthcare/ mental health need. STEP believes parents and caregivers are a child's best advocate.

HOW do we help?

- ★ Navigating special education laws
- ★ IEP or 504 Plan review and assistance
- ★ Workshops and in-person training
- ★ Referrals to other agencies
- ★ Life after high school planning
- ★ Training videos and webinars
- ★ Collaboration and communication
- ★ Special education updates

Services are FREE for Tennessee families

STEP: Who We Are & What We Do

STEP believes in collaborating with schools and agencies to improve results for Tennessee students.

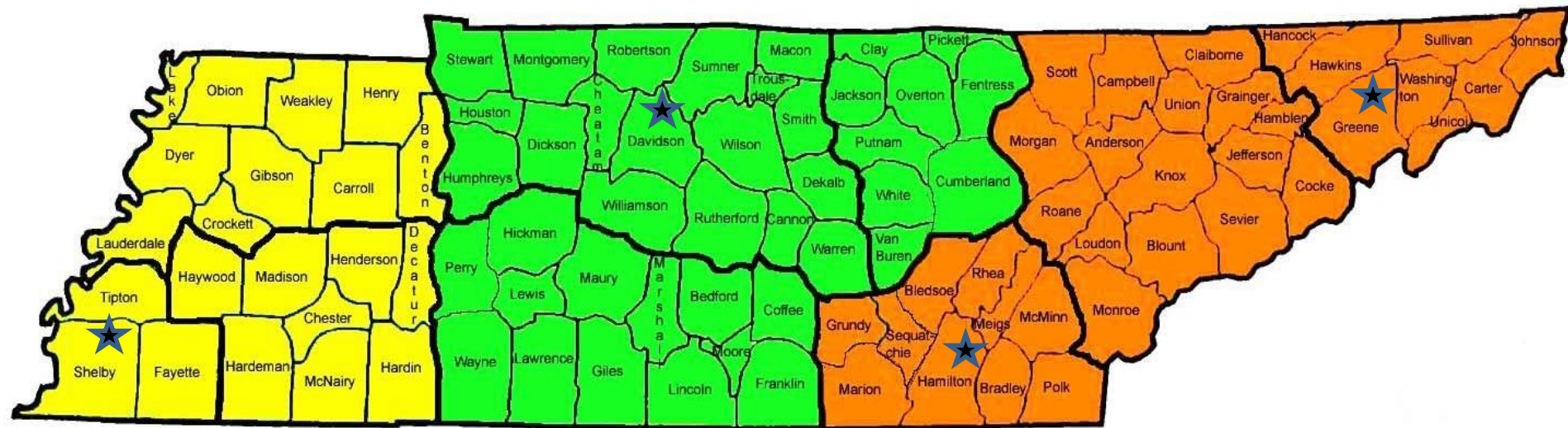
WHAT does STEP offer professionals?

- ★ High quality in-service and professional development
 - IDEA and Section 504
 - Instructionally appropriate IEPs
 - Response to Intervention
 - Family engagement
 - Postsecondary transition
 - Customized needs-based training
- ★ Parent workshops on special education topics
- ★ Youth activities

HOW much does it cost for Professionals?

- ★ FREE if parents and caregivers are invited
- ★ FREE if funded by grants from the Tennessee Department of Education
- ★ Fee-for-service but very cost effective

Services Available Across TN



West

Memphis office
Serving all counties in West TN

Middle

Nashville office
Serving all counties in Middle TN

Bilingual staff available for families

East

Greeneville office and Headquarters
Serving all counties in East TN

Chattanooga satellite office
Serving Bilingual families all across the state

STEP, Inc. is one of over 100 Parent Training and Information Centers (PTIs) nationwide, providing training, tools, and information to parents, caregivers, and professionals in Tennessee.

Our Funding Sources

PTI

Tennessee
Parent
Training &
Information
Center



SPDG

State
Personnel
Development
Grant



TA Region B

Funded by
OSEP –
Consultant
for 12 state
region
technical



Funds raised through events, donations, contributions, foundations, sale of products, other sources



Our Mission

STEP's Mission is to serve families of children and youth, young adults, and those who are involved in their lives.

We provide accurate, timely, and relevant information and training related to special education rights, equal access to quality education, and connections to community resources.

We believe that parents and caregivers are their children's best advocates, and that youth disabilities should be self-advocates.

We know that families and youth who are informed, empowered, and engaged can effectively collaborate as part of a team for services and supports that will lead to improved outcomes and success in life.



Our Vision

STEP's vision is to ensure a brighter future for children and youth in Tennessee, with an emphasis on those with disabilities, special health care needs, and mental health needs.



Objectives

- Review the Four Parts of IDEA
- IDEA Define a Child with a Disability
- Six Principles of IDEA



Individuals with Disabilities Education Act (IDEA)

- **Purpose:**

To ensure that all children with disabilities have available to them a free appropriate public education that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment and independent living.

In 1997, Congress amended IDEA

These amendments restructured IDEA into four parts:

PART A: Addresses general provisions

PART B: **Covers the assistance for education of all children with disabilities**

PART C: Covers infants and toddlers with disabilities

PART D: Addresses national activities to improve the education of children with disabilities.

A Child with a Disability

- Autism
- Deaf/Blindness
- Deafness
- Developmental Delay **
- Emotional Disturbance
- Functional Delay **
- Hearing Impairment
- Intellectual Disability
- Intellectually Gifted **
- Multiple Disabilities
- Orthopedic Impairment
- Other Health Impairments
- Specific Learning Disabilities
- Speech and language Impairments
- Traumatic Brain Injury
- Visual Impairments

*** TN Specific Categories*

Six Principles

- Free Appropriate Public Education (FAPE)
- Appropriate Evaluation
- Individualized Education Program (IEP)
- Least Restrictive Environment (LRE)
- Parent Participation in the Decision-making Process
- Procedural Safeguards

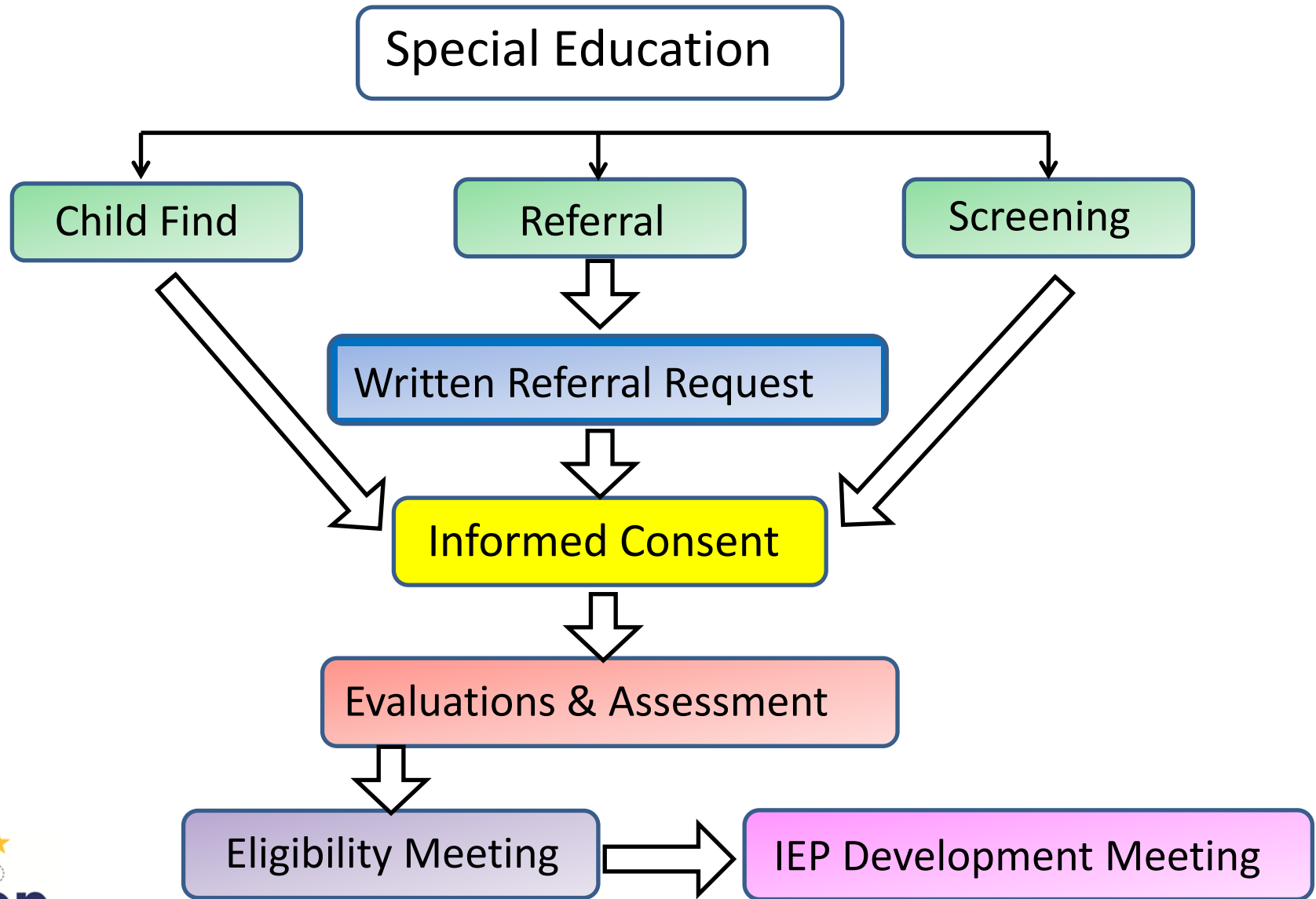


FAPE

Free Appropriate Public Education (FAPE) means special education and related services are provided at:

- Public expense
- Under public supervision
- No cost to the parents

Special Education Flow Chart



Eligibility – 2 Prong Test

Is there a disability?

Yes

Does the child need special education and related services?

Yes

IEP team meeting scheduled

No

Not eligible under IDEA; may be eligible under Section 504

Autism
Deaf-Blindness
Deafness
Developmental Delay**+
Emotional Disturbance
Functional Delay**
Hearing Impairment
Intellectual Disability
Intellectually Gifted**
Multiple Disabilities
Orthopedic Impairment
Other Health Impairment
Specific Learning Disabilities
Speech or Language Impairment
Traumatic Brain Disorder
Visual Impairment

** Tennessee specific category

**+ LEA specific category

If you disagree with an evaluation and/or the team cannot agree:

1. Share your concerns
2. Ask for reassessment
3. Request further evaluation
4. Independent Educational Evaluation (IEE)
5. Mediation
6. Due Process hearing
7. Resolution Session

Appropriate Evaluation

- Assessment to determine the present level of the child's performance and educational needs
- Must be conducted in the child's native language
- Culturally non-discriminatory
- Initial Evaluation Timeline: 60 calendar days from signed parental consent. 30 calendar days to develop an Individualized Education Program (IEP) after eligibility is established
- All evaluations require parental consent
- Evaluation results will be used to develop an IEP for an eligible child

Re-evaluation

- Re-evaluations are conducted at least once every three years
- Parents can deny a re-evaluation request from the public agency
- Parents can request an evaluation at any time
- Results can be used to change child's placement and/or services if necessary

Individualized Education Program (IEP)

A written statement for a child with a disability developed, reviewed, revised in a meeting in accordance with the law and regulations of IDEA.

The general purpose of the IEP is:

- To establish Present Levels of Educational Performance (PLEP) and Measurable Annual Goals (MAG)
- To state special education and related services and supplementary aids to be provided by the public agency to the child

New Rule related to providing a draft copy of the IEP
Effective Date March 12, 2019

Special Education

Specially designed instruction provided at no cost to parents to meet the unique needs of a child with a disability

Instruction

- General education class
- Resource room
- Separate class
- Separate day school
- Hospital/homebound

***Special
Education is
not a place***



Related Services

- **The term means:** Transportation and such developmental, corrective, or other supportive services designed to enable a child with a disability to receive FAPE as described in the Individualized Education Program of the child.



Related Services

- Transportation
- Speech-Language Pathology
- Audiology Services
- Interpreting Services
- Psychological Services
- Physical Therapy
- Occupational Therapy
- Recreation and Therapeutic Recreation
- School Nurse Services
- Social Work Services
- Counseling Services and Rehabilitative Counseling
- Orientation and Mobility
- Medical Services (Diagnosis & Evaluation)
- School Health Services
- Early Identification and Assessment
- Parent Counseling and Training

This is not an exhaustive list

Least Restrictive Environment (LRE)

....Special classes, separate schooling or other removal of the child from the regular education environment occurs only if the nature and the severity of the disability is such that education in regular classes with the use of supplemental aids and services cannot be achieved.

A Public Agency Must Ensure That:

- A child will attend the school he or she would attend if non-disabled, unless the IEP requires otherwise
- A child with a disability is not removed from education in age appropriate regular classrooms solely because of needed modifications in the curriculum



Parent Participation

- Parents are part of the group that makes the decision regarding their child's eligibility
- Parents are part of the group that makes decisions regarding their child's educational placement



a brighter future for children with disabilities

Procedural Safeguards

Are designed to protect the rights of parents and their child with a disability, as well as to give families and public agencies a mechanism for resolving disputes.

The content of the procedural safeguards notice:

- Provides a full explanation of the safeguards available to parents
- And, state complaint procedures

Resolving Disputes

- **Administrative Complaint:** To help resolve disagreements before due process begins. Must allege a violation that occurred not more than one year prior to the date that the complaint is received.
- **Mediation:** Voluntary, involves impartial third party called a mediator. May be used to resolve disputes between the school district and the parents.

For more information or forms go to: <https://bit.ly/2CQxpd6>
Tennessee Dispute Resolution Processes

Resolving Disputes

- **Due Process Hearing:** Conducted by an Administrative Law Judge, who hears the evidence and issues a decision based upon that evidence and the requirements of IDEA. Must request within two years of the date of complaint.
- **Resolution Session:** School district must convene a meeting with parent and the relevant members of the IEP team within 15 days to discuss the due process complaint, and the facts that form the basis of the complaint, so that the school district has the opportunity to resolve the dispute.

Tips for Parents

- Learn the Law
- All Communication with Schools in Writing
- Keep School Records
- Gather Information
- **PREPARE, PREPARE, PREPARE!!**

Go to www.tnstep.org for our YouTube channel to view STEP's complete Basic Rights workshop and more!

COVID 19 Resources

The screenshot shows the website tnstep.org/resource-links/. The page features a navigation bar with links for HOME, ABOUT US, SUPPORT & TRAINING, CONTACT, ESPAÑOL, a language selection dropdown, and a DONATE NOW button. The main heading is "Resource Links".

Under the heading, there are two columns of resources:

- Coronavirus (COVID-19) Guidance**
 - At Home Learning
 - Autism
 - Bullying and Discrimination
 - Disability Specific Information
 - Dyslexia
 - Early Childhood
 - Educators and Professionals
 - Every Student Succeeds Act (ESSA)
- Tennessee Department of Education guidance on services to students with disabilities.**
 - Updated Guidance (March 27, 2020)
 - Special Education Related FAQ Sheet
 - School Closures and Special Education: Guidance on Services to Students with Disabilities UPDATED: March 25, 2020
 - School Closure Toolkit: Special Populations
 - Services to Students with Disabilities COVID-19 Guidance
 - Suggestions for ESL Classes and Activities: COVID-19 Guidance

Below these, there are two sections of U.S. Department of Education guidance:

- The U.S. Department of Education guidance related to the provision of special education and related services during school closings or virtual settings.**
 - Questions and Answers on Providing Services to Children with Disabilities During the Coronavirus Disease 2019 Outbreak
- The U.S. Department of Education website page to address COVID-19** (ed.gov/coronavirus)
 - Addressing the Risk of COVID-19 in Schools While Protecting the Civil Rights of Students, Office for Civil

COVID 19 Resources

TN Department of
Education

**Timelines
Requirement and
Flexibility**

	Requirement	Flexibility
Initial evaluations	Must be conducted within 60 calendar days of receiving parental consent or within a state established time frame	Evaluation timeline extended to 90 calendar days for evaluations initiated or in process after March 3, 2020.
Re-evaluations	Must be conducted at least once every three years	Reevaluations must be completed as soon as possible upon return after closure. If providing services virtually, every attempt should be made to complete the re-evaluation to the extent possible
IEPs	Must be developed within 30 days of eligibility determination	Services are to be made available "as soon as possible" as determined by the IEP team.
Annual IEP meetings	Must review the IEP at least annually	IDEA allows for parent and district to agree to make changes without convening an IEP team meeting and to use alternative means of participation such as video conferences and conference calls.

COVID 19 Resources

TN Department of
Education

Compensatory
Education Guidance

In the case that districts or schools are closed, but virtual or home-based work is assigned (to count towards any attendance requirements or to provide instructional time), students with IEPs who do not receive services may be eligible for compensatory services. **Compensatory services are services that should be provided to a student that are needed to elevate him or her to the position he or she would have otherwise occupied had the services not been delayed or postponed.** This can include making up missed hours of occupational therapy, hours of individual academic intervention, etc. It should also be noted that each child should be evaluated and supported based on the unique needs of that child. In some cases, a delay in services can be more challenging to “make-up” and may require more hours than what was originally scheduled in order to bring the child back to the position he or she would have otherwise been in had the services not stopped. The reverse could also be true, though it is not recommended that fewer hours be provided to any children.

Decisions related to compensatory education and services should be clearly documented in terms of the hours or services that were missed, and the decision on what services are necessary to bring the child to the same position he or she would have otherwise been in, had services not stopped. Districts and schools are strongly encouraged to document decisions related to these re-evaluation timelines and maintain that decision-making rationale in the student’s file.

More Information



www.youtube.com/user/TNStep



Events Calendar

www.tnstep.org/events/



Workshops

English & Spanish



STEP's Parent Manual

View on front page of

www.tnstep.org,

or order disc or hardcopy



www.facebook.com/steptn

Empowering Families to Ensure a Brighter Future for Children with Disabilities

This is a journey, and the STEP staff is available to provide support,
information, and training to families and students!

Call 800-280-7837 or your local office

<p>EAST TENNESSEE 423.639.0125, ext. 17 beth.smith@tnstep.org</p>	<p>MIDDLE TENNESSEE 615.463.2310 patricia.valladares@tnstep.org</p>	<p>WEST TENNESSEE 901.726.4334 shuntea.price@tnstep.org</p>
<p>ESPAÑOL 800.975.2919 423.290.3391 dorca.rose@tnstep.org</p>	<p>POST SECONDARY TRANSITION SPECIALIST/ YOUTH EDUCATOR & MENTOR 615.693.2547 joey.ellis@tnstep.org</p>	<p>GENERAL INFORMATION 800.280.7837 information@tnstep.org</p>

Share Your Thoughts

Please take a moment to take our survey

www.surveymonkey.com/r/Six-Principles-of-IDEA

