

The Intervention Process



Individual Education Plan

An IEP is the cornerstone of a quality education for each child with a disability. Once a child is determined to be eligible for a special education program, they can receive specially designed instruction that meets their unique needs.

A team of qualified professionals, along with the parent or guardian, determines the services and specialized instruction necessary to meet the student's needs. The team then creates a document outlining how instruction is to be delivered and the duration of the services. After the parent or guardian gives consent for their child to receive help, these services begin immediately. Progress is monitored and is reviewed at least once a year, or more often if conditions warrant or if the child's parent or teacher requests a meeting. Many parents employ a professional advocate to help determine needs and present their child's IEP to the county's approval committee.

Section 504 Plan

Section 504 is part of a federal civil rights law known as the Rehabilitation Act of 1973. This law specifically prohibits discrimination against students with disabilities and guarantees them a Free and Appropriate Public Education.

Most students experiencing difficulties in school will be engaged in the process of problem solving or Response to Intervention. RTI is the practice of matching student needs to high-quality instruction and interventions and then monitoring the student's progress frequently to make decisions about changes in instruction or goals. Data about the child's response are used to make important education decisions.

Depending on the intensity and duration of instruction or specialized curriculum and services identified through the RTI process, a student may be referred to an Exceptional Student Education program. Formal and informal evaluation information, medical evaluations, and vision and hearing screening are reviewed by a team consisting of school professionals, therapists, parents, and the student. The team first determines eligibility and then develops an individual education plan, known as an IEP, which includes the student's present level of performance, learning goals, related services, and supports the student will need to comprehend the curriculum.

If you believe your child may have a learning disability, you probably have already consulted the teacher and tried many suggestions. However, if your child hasn't made the progress you expected and you still believe there is a learning disability, get professional help. Talking with your pediatrician may be your first step.

Schools cannot exclude students with disabilities from facilities, programs, benefits, activities, or services that are provided to students without disabilities. Students with disabilities receiving ESE services, as defined by IDEA,

are protected under Section 504, but not all Section 504 students are eligible for ESE.

A Section 504 plan describes the accommodations the school will provide to support the student's education. The team

that determined the student's eligibility for Section 504 and identified the needed accommodations will write the accommodation plan. While Section 504 does not require a written plan, it does require documentation of evaluations and accommodations. Parents, teachers, and other staff members meet to discuss all relevant information about the student. If the team determines that the student does have a disability, they will then identify what types of support or accommodations are appropriate to meet the student's needs. The accommodations are then described in a document referred to as the 504 plan. The plan provides clarity and direction to the individuals delivering services or making accommodations. Section 504 accommodation plans may be updated at any time to reflect changes and recommendations by the team. A yearly review is recommended.

Least Restrictive Environment

The IDEA's mandate that students with disabilities should be educated to the maximum extent appropriate with peers without disabilities is referred to as Least Restrictive Environment. The LRE mandate ensures that schools educate students with disabilities in integrated

settings, alongside students with and without disabilities, to the maximum extent appropriate. The terms least restrictive environment, inclusion, and mainstreaming are often used interchangeably. They are not, however, synonymous concepts.

Mainstreaming

Generally, mainstreaming refers to the selective placement of special education students in one or more regular education classes. Proponents of mainstreaming generally assume that a student must earn his or her opportunity to be placed in regular classes by demonstrating an ability to keep up with the work assigned by the regular classroom teacher. This concept is closely linked to traditional forms of special education service delivery.

Inclusion

Inclusion expresses a commitment to educate each child, to the maximum extent appropriate, in the school and classroom he or she would otherwise attend. It involves bringing support services to the child, rather than moving the child to the services, and requires only that the child will benefit from being in the class, rather than having to keep up with the other students. Proponents of inclusion generally favor newer forms of education service delivery.

Full Inclusion

Full inclusion means that all students, regardless of handicapping condition or severity, will be in a regular classroom or program full-time. All services must be taken to the child in that setting.

Free and Appropriate Public Education

One of the most misunderstood concepts involved with IDEA is Free and Appropriate Public Education. It often causes the greatest conflict between parents and schools. FAPE is a required component of IDEA and mandates that school districts provide

access to general education and specialized educational services. It also requires that children with disabilities receive support free of charge as is provided to non-disabled students. It also provides access to general education services for children with disabilities by encouraging that support and related services are provided to children in their general education settings as much as possible.

If Parents Disagree with Eligibility Findings

When a parent disagrees with the testing results or the eligibility decision, there are actions that can be taken. The first step is to voice one's concerns at the eligibility meeting. If a positive outcome is not reached, the director of special education at the child's school should be contacted and a request for an Independent Ed-

ucational Evaluation should be made. An IEE is an evaluation by a private professional at the cost of the school system. It is essentially a second opinion by a neutral person not affiliated with the school system. After the evaluation is completed, the school will use the new data to determine whether the student meets criteria for special education services. The eligibility guidelines will not change, but the testing methods will be different. It may be helpful for parents to contact an advocate to make sure they understand their rights. After the IEE, if the parent does not agree that the school is following federal guidelines in determining eligibility, the parent can file a complaint with the state. Usually, if an evaluation reaches the point of filing a complaint with the state, attempts are made to solve the conflict through mediation.

What is a Special Education Advocate?

An advocate is a person who speaks or writes in support of, on behalf of, or in defense of, another person or cause. A Special Education Advocate does all of this for parents with children with exceptional needs. An SEA has knowledge and expertise concerning special education and its applicable federal and state laws and works within the bounds of these laws. The SEA informs parents of their educational rights and helps families negotiate and resolve disputes with the school district. This helps secure the best possible educational program and appropriate educational services for children with special needs. Local SEAs can be found using the Internet or phone book. An SEA is not an attorney and cannot practice law or provide legal advice. If a case goes to mediation or due process, it is recommended that the services of a non-lawyer qualified representative or an attorney be used.

ABLE Act: Tax Free Savings for Disabled Children

A new law enacted in 2016, the Achieving Better Life Experience Act, or ABLE Act, allows parents of disabled children set aside funds in a tax-free savings account for their children's education, housing and transportation. Former Florida Senator, Andy Gardiner, R-Orlando – whose son Andrew has down syndrome led the charge to open the door for parents of disabled children to enjoy the same financial benefits as other parents. Gardiner fast tracked several initiatives during his two years leading the Senate aimed at helping disabled individuals and their parents. Besides the ABLE Act, he increased funds for scholarships for disabled students, secured funding for a learning center at UCF and set up resources of information for new parents of disabled students. 

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