

# Index

## Symbols

20 U.S.C. § 1400, 135  
20 U.S.C. § 1401, 139  
20 U.S.C. § 1412, 145  
20 U.S.C. § 1414, 155  
20 U.S.C. § 1415, 173  
5 Day Rule, 180, 191  
10 Business Day Notice Rule, 176

## A

Accommodations, 170, 194, 204  
    individual, appropriate, 170  
    guidelines, 152  
    in state and district assessments, 162  
    under Section 504, 197  
Action Words  
    in SMART IEPs, 116  
Advocacy, 3-7  
    groups, 15  
    planning, 12  
    skills, 5-6, 12  
Advocates, 4-5  
Age of Majority, 188  
Alternate Assessment, 150, 170  
Alternative Educational Setting, 184  
Annual Proficiency Testing, 202  
Appendix A  
    Special education and legal terms, 283  
Appendix B  
    Assessment terms, 295  
Assessment,  
    alternate, 150, 170  
    diagnostic reading, 202

## Assessment (continued)

    functional behavioral, 171  
    glossary of terms, 295  
    participation in, 149, 152, 204  
Assumptions, Rules of Adverse, 209-215  
Attorney  
    at IEP meetings, Resolution sessions, 179  
    fees, 182-3, 192

## B

Basic Skills, 120  
Behavior  
    as manifestation of disability, 184-5  
    issues in IEP, 165  
Behavior Intervention Plan, 165, 171, 185  
Bell Curve, 82-86  
Best  
    as obscene four-letter word, 5  
    not entitled to, 46, 130  
Bibliography, 301  
Bombastic, Bob, 241-2  
Braille, 165  
Bullies, dealing with 36  
Burnout, 19-20

## C

Child Find Requirements, 146-7, 151  
Child with a Disability, 139  
Children Enrolled in Private Schools  
    without consent of school, 132, 147  
Clinical Evaluation of Language Fundamentals,  
    110  
Closing the Gap, 200  
Cognitive Tests, 99-104

Columbo Strategy, 127  
Communication  
  as basic skill, 120  
  mediator's role, 190  
  needs must be considered in IEP, 165  
Complainers, dealing with, 39  
Composite Scores, 87-88, 90-91  
Comprehensive Achievement Tests, 106  
Conflict  
  beliefs, perceptions, interests, 42  
  expense and control, 43  
Conflict Avoiders, dealing with, 37  
Congressional Findings, 135-137  
Contact Log, 218-220  
Continuum of Alternative Placements, 135  
Controlled Substance  
  defined, 187  
Conversion Table  
  standard scores and percentile ranks, 96  
Crisis Management, 54  
Criterion-referenced tests, 92  
Cumulative File, 68  
Current Educational Placement, see Stay Put

## D

Data  
  objective, 110  
  use to compare individual to group, 80  
Deaf or Hard of Hearing,  
  IEP issues, 162  
Definitions  
  child find, 146-47  
  child with a disability, 139, 142  
  controlled substance, 187  
  dangerous weapon, 188, 193  
  free appropriate public education, 140, 142  
  highly qualified teacher, 142, 202-203  
  illegal drug, 187, 193  
  individualized education program, 161-162  
  least restrictive environment, 132  
  parent, 140, 143  
  related services, 140  
  serious bodily harm, 188, 193  
  specific learning disability, 141, 143  
  special education, 141, 143  
  supplementary aids and services, 141  
  transition services, 141, 143  
  weapon, 170  
Difficult People, dealing with, 34-39  
Discipline, 184-188, 198

Discrepancy Formulas, 159, 168  
Discrimination, 196  
Dispute Resolution. *See* Mediation  
Document Management, 67-72  
Drugs, illegal, 187, 193  
Due Process Hearing, 179-181, 190  
  appeal, 181  
  due process complaint notice, 175, 189  
  resolution session, 179  
  rulings, 191  
  safeguards, 181, 191  
  statute of limitations, 175, 180, 191  
  under Section 504, 198  
Dyslexia, 141

## E

*Education for All Handicapped Children Act of 1975*, 133-34  
Educational Achievement Tests, 76-78, 102-109  
Electronic Mail, 188  
Eligibility, 159  
  and educational need, 159  
  lack of appropriate instruction, 159  
  for specific learning disability, 159  
  present levels of academic achievement and developmental needs, 169  
  under Section 504, 196  
ESY. *See* Extended School Year  
Evaluations  
  comprehensive, 61, 78  
  eligibility and educational need, 159, 168-169  
  functional, developmental, academic information for IEP, 158  
  independent educational evaluation (IEE), 177, 189  
  initial, 156, 167  
  non-discriminatory, 159  
  parental consent for, 156, 167  
  parental request for, 169  
  procedures, 158, 167  
  reevaluations, 157-158, 167  
  requirements for, 160  
Exhibits, 191  
Experts, dealing with, 36  
Extended School Year (ESY), 145

## F

Fair Hearing. *See* Due Process Hearing

Fears  
 of parents, 75  
 of school staff, 42  
 File, confidential and cumulative, 68  
 Findings and Purposes, 135-138  
 Five Golden Rules for Negotiators, 50  
 Five Rules for Successful Problem Solving, 262  
 Five W's + H + E Questions. *See* 5Ws + H + E Questions  
 Food, significance of 269  
 Free Appropriate Public Education, 140, 142, 150-151  
 From Emotions to Advocacy, The Parent's Journey, 6, 276  
 Functional Behavioral Assessment, 185

## G

Gatekeepers, 24- 25  
 Glossary of Assessment Terms  
 see Appendix B, 295  
 Glossary of Special Education and Legal Terms  
 see Appendix A, 283  
 Goals. *See* IEPs  
 Gray Oral Reading Test, 77, 108  
 Grieving, 13

## H

Handouts and Charts, 268  
 Hearing Impaired,  
 issues in IEP, 165  
 Hearing Officers, 180-181, 191  
 Hidden Issues, 46  
 Hierarchy of Skills, 120, 130

## I

IDEA 2004  
 overview and legislative intent, 133  
 Congressional findings and purposes, 135-138  
 Definitions, 139-144  
 State eligibility, 145-153  
 Evaluations, Eligibility, IEPs, Placement, 155-172  
 Procedural Safeguards, 173-194  
 Compared to Section 504, 195-198  
 IEPs  
 academic achievement, functional performance levels, 161  
 baseline data in, 119

behavior issues in, 165  
 children who transfer, 164, 170  
 definition of, 161-163  
 development of, 164  
 drafts, dealing with, 275  
 in effect at beginning of year, 163  
 measurable academic and functional goals, 120, 161, 169  
 meetings, consolidation of, 165  
 multi-year, 166  
 non-goals, attitude statements, 127-128  
 parental concerns, 152, 170  
 pitfalls, 121  
 placement decisions, 166, 171  
 progress reports to parents, 161, 171  
 reviewing and revising, 165-166, 171  
 right to copy of, 276  
 short-term objectives, 121  
 SMART IEPs, 115-130  
 special factors in, 165  
 statement of individual accommodations, 162  
 IEP team members, 162-163, 170  
 timelines, 163  
 transition goals, 162  
 Illegal Drug, 187, 193  
 Impartial Due Process Hearing. *See* Due Process Hearing  
 Independent Educational Evaluation (IEE) 177, 189  
 Individualized Education Program. *See* IEP  
 Individuals with Disabilities Education Act. *See* IDEA  
 Interim alternative placement, 185-186, 193  
 Intimidation, 34

## J

Journals, 220

## K

Kaufman Test of Educational Achievement (K-TEA), 77, 106  
 Keller, Helen, 276  
 Know-it-Alls, dealing with, 36

## L

Law Enforcement  
 referral to, 187

Learning Disability. *See* Specific Learning Disability  
 Least Restrictive Environment (LRE), 146, 151  
 Letters, 223-260  
   angry, 241-242  
   frequently asked questions about, 217  
   nuts and bolts of, 232  
   pitfalls, 227-228  
   post-IEP thank you note, 279  
   sympathy factor, 244  
   Sample letters  
     to decline a request, 240  
     to document a problem, 237, 239, 258  
     to express appreciation, 238, 256  
     to request evaluation, 255  
     to request information, 235  
     to request a meeting, 236, 246  
     to request records, 249-251  
     to request records review, 253  
     to request teacher's qualifications, 206  
     to request test scores, 257  
     10 day notice to withdraw child from school, 259  
 Letters to The Stranger, 241-260  
 Limited English Proficiency, language needs in IEP, 165

## M

Manifestation Determination, 184, 192  
 Manners, Mike, 243  
 Master Document List, 71  
 Master File, 67-70  
 Master Plan, 9-16  
 Mean, 90  
 Measuring Change, 75-76  
 Mediation, 178-179  
 Medication  
   as drugs, 172  
   over-the-counter, 172  
 Meetings  
   anxiety, 271  
   common problems, 274  
   dynamics, 240  
   food as secret weapon in, 269  
   preparing for, 264-269  
   recording, 272  
   strategies, 272  
   worksheets, 265, 276-278  
 Mission of Public Schools, 24, 33  
 Modifications. *See* Accommodations

## N

Negotiating  
   Five Rules of, 228  
   in general, 49  
   discover school's position, 264  
   parent's role as negotiator, 261  
 No Child Left Behind Act, 199-206  
   annual proficiency testing, 200  
   diagnostic reading assessment, 202  
   essential components of reading program, 201-202  
   legal definition of reading, 201  
   parent's right to know teacher's qualifications  
   purpose of, 199  
   scientifically based reading research, 202  
   requirements for highly qualified teachers, 202-203  
 Norm-referenced tests, 90  
 Normal Distribution Curve *See* Bell Curve  
 Notice  
   Due Process Complaint Notice, 175  
   Prior Written Notice, 175  
   Procedural Safeguards Notice, 177  
   10 Business Day Rule, 176

## O

Obstacles, 29, 31, 33  
 One-Size-Fits-All Programs, 24  
 Over-Protectiveness, 34

## P

Paper Trails, 217-222  
 Parent Agenda, 266-267  
 Parent  
   agenda, 266-267  
   as decision-maker, 18  
   consent required for initial evaluation and services, 156-157, 167  
   definition of, 140  
   fathers at meetings, 272  
   input at IEP, 164, 166  
   members of the IEP team, 162  
   mothers at meetings, 272  
   procedural safeguards, 174-175  
   request to inspect and review records, 186  
 Peabody Individual Achievement Test, 98  
 Percentile Ranks, 78  
 Perceptions, 31-33, 42

Pit Bulls, dealing with 35  
 Placement Decisions, 166, 171  
 Plans  
   contingency, 13  
   long-range, 17  
 Positive Behavioral Interventions, 165, 185  
 Pre-Meeting Worksheet, 264-265  
 Preparing for Meetings, 251-263  
 Present Levels of Academic Achievement and Functional Performance, 161  
   in IEPs, 161  
   in evaluations, 144  
 Prior Written Notice, 175, 189  
 Private School Placement 147-148  
 Problem Report, 221  
 Problem Solving Strategies, 262-264  
 Procedural Safeguards  
   under IDEA, 146, 174, 189  
   under Section 504, 198  
 Procedural Safeguards Notice, 177, 190  
 Proficiency Testing, 200  
 Progress  
   advising parent about, 107, 121  
   baseline data, 118-119  
   comparing, 82  
   lack of, 108  
   measuring, 107, 111  
   pre- and post-testing, 91-92  
   reviewing and revising the IEP, 122  
   toward measurable goals, 147  
 Public School Choice, 203  
 Public Law 94-142, 133

## R

Reading  
   definition of, 201  
   diagnostic reading assessments, 202  
   essential components of reading instruction, 201  
   research-based reading programs, 201  
   tests of, 76-78  
 Realistic and Relevant  
   in SMART IEPs, 116  
 Recording Meetings, 273-274  
 Records, 68  
   right to inspect and review, 177  
 Reevaluations, 157  
 Regular Education Teacher  
   member of IEP team, 163  
 Rehabilitation Act. *See* Section 504  
 Reimbursement, 147-148

Relationships  
   building, 19  
   protecting, 48-49  
 Resolution Session, 179, 190  
 Response to Intervention (RTI), 168  
 Rules of Adverse Assumptions, 209-215  
 Rules of the Game, 23, 26

## S

Safeguards. *See* Procedural Safeguards  
 Scale Scores, 86-87  
 School  
   climate, 25  
   culture, 31  
   principals, 32  
 School Personnel  
   authority of, 165  
   fears of, 49  
   information from, 65  
   program modifications and supports for, 146  
 Screening Tests, 106  
 Section 504, 195-198  
 Settlement Agreements. *See* Written Settlement Agreements.  
 Settlement Discussions, 158, 162  
 Single-Subject Tests, 107  
 SMART IEPs, 115-130  
 Snipers, dealing with 39  
 Special Education  
   definition of, 141, 143  
   eligibility for, 128  
   low expectations in, 42  
 Speech-Language Tests, 110  
 Specific Learning Disabilities (SLD), 141, 143, 159  
 Standard Deviation, 92-93  
 Standard Scores, 95-97  
 Stanford-Binet, 105  
 Statistics, 78-86  
 Statute of Limitations, 175, 180, 191  
 Stay Put, 184, 192  
 Strategies  
   attitude goals, 127  
   Columbo, 127  
   evaluators, finding, 14  
   dealing with resistance, 121  
   different views of child, 44  
   discipline issues, 194  
   “draft IEP,” 275  
   feeling devalued, 47  
   hidden issues, 47

- intimidation, 48
- lack of information, 45
- lack of options, 46
- letter writing, 223-231
- loss of trust, 49
- making behavior measurable, 128
- master plans, 13
- meetings, 274-279
- parent groups, 15
- persuasive letters, 244-247
- stress and burnout, 19-20
- telephone calls, 222
- with Complainers, 39
- with Know-it-Alls, 36
- with Pit Bulls, 36
- with Snipers, 39
- with Wet Blankets, 38
- Stress, 19-20
- Subtest and Index Scores, 97
- Supplementary Aids and Services, 141, 143
- Supplemental Educational Services, 203
- Supplies, 7
- Support groups, 15

## T

- Tape Recording. *See* Recording Meetings
- Teams
  - invisible members of, 26
  - decisions by, 31
- Ten Reasons Why Schools Say No!, 26

## Tests

- charting scores of, 111-112
- criterion-referenced, 92
- index scores, 97
- mean, 90
- norm-referenced, 92
- neuropsychological, 111
- projective personality tests, 109
- screening tests, 106
- single-subject, 107
- speech and language, 110
- standard deviation, 92-93
- standard scores, 95-97
- subtest scores, 96
- Categories and descriptions, 99
- Childrens Apperception Test, 109
- Clinical Evaluation of Language Fundamentals, 110
- Comprehensive Test of Phonological Processing, 108

- Comprehensive Mathematics Abilities Test, 109
- Differential Abilities Scales, 104
- Draw-a-Person, 109
- Expressive Vocabulary Test, 110
- Gray Oral Reading Test, 77, 108
- Intellectual or cognitive, 99-105
- Kaufman Test of Educational Achievement, 77, 106
- KeyMath-Revised, 108-109
- Leiter Performance Scales, 105
- Peabody Individual Achievement Test, 107
- Peabody Picture Vocabulary Test, 110
- Stanford-Binet, 105
- Test of Written Language, 108
- Thematic Apperception Test, 109
- Vineland Adaptive Behavior Scales, 102
- Wechsler Individual Achievement Test, 106
- Wechsler Intelligence Scale for Children, 100-104
- Woodcock-Johnson Diagnostic Reading Test, 108
- Woodcock-Johnson III Tests
  - of Achievement, 107
  - of Cognitive Abilities, 105
  - Thematic Apperception Test, 99
- Time-limited
  - in SMART IEPs, 117
- Transfer of Rights at Age of Majority
- Transition
  - assessment requirements, 170
  - measurable goals in the IEP, 162
  - services in the IEP, 141, 143

## U

- Unilateral Private Placement, 137, 177

## V

- Vineland Adaptive Behavior Scales, 102
- Visual Impairments,
  - issues in IEP, 165

## W

- Weapon, dangerous
  - defined, 188, 193
- Wechsler Individual Achievement Test, 106
- Wechsler Intelligence Scale for Children, 100-104
  - structure of, 100
- Verbal Comprehension Index, 101
- Perceptual Reasoning Index, 102

Working Memory Index, 103  
Processing Speed Index, 103  
Key Differences Between WISC-III and WISC-  
IV, 104  
Wet Blankets, dealing with 38  
Win-lose bargaining, 50  
Win-win solutions to problems, 257  
Woodcock-Johnson Diagnostic Reading Test, 108  
Woodcock-Johnson III Tests  
  of Achievement, 107  
  of Cognitive Abilities, 105  
Wrightslaw Quick Rules of Tests, 91  
Written Settlement Agreements, 178, 191

## **Z**

Zero Tolerance Policies, 193