

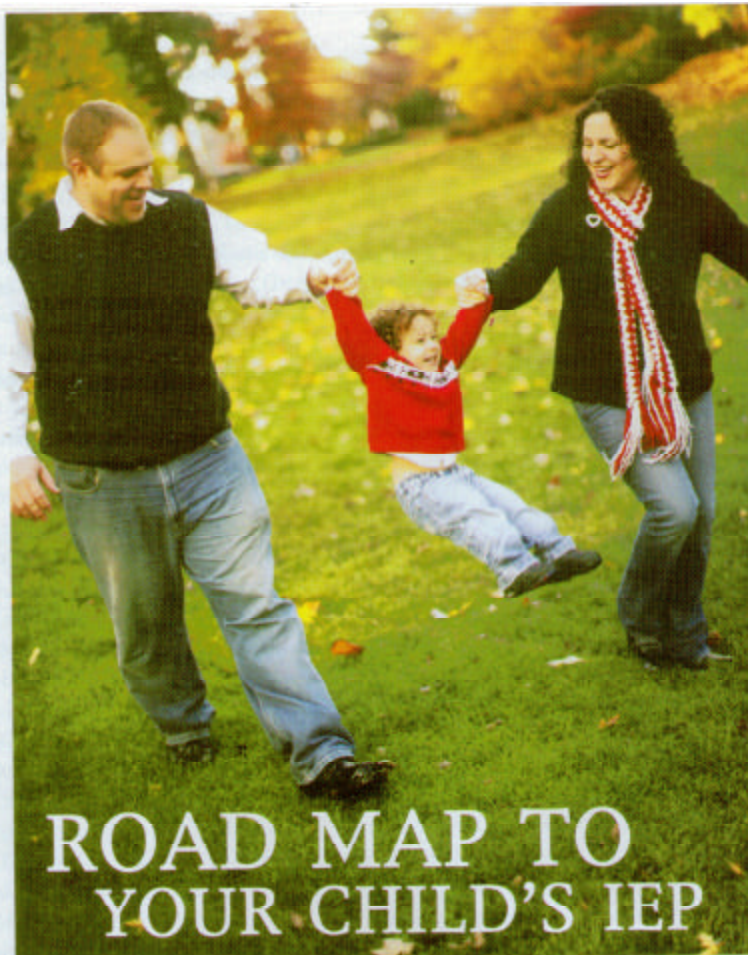
The Wright Way:

by Peter Wright, Esq. and Pamela Darr Wright, MA, MSW

■ If you are like many parents, you feel anxious and insecure at meetings to develop your child's Individualized Education Program (IEP). What is your role? What can you offer?

Some parents believe that if they are not educators, they have no role to play in planning their child's special education program. You need to understand that no one knows your child's strengths, weaknesses, and needs better than you.

In *Road map to Your Child's IEP*, you will learn about the legal requirements for Individualized Education Programs (IEPs). You will learn about present levels of academic and functional performance and how to create measurable IEP goals designed to meet your child's needs. You will also learn about legal requirements to advise parents about the child's progress, reviewing and revising the IEP, and using objective data to make decisions and measure progress.



ROAD MAP TO YOUR CHILD'S IEP

LEGAL REQUIREMENTS FOR IEPs.....

The Individuals with Disabilities Education Act of 2004 (IDEA 2004) requires your child's IEP to include:

"a statement of the child's present levels of academic achievement and functional performance, including how the child's disability affects the child's involvement and progress in the general education curriculum (and) a statement of measurable annual goals, including academic and functional goals, designed to meet the child's needs that result from the child's disability to enable the child to be involved in and make progress in the general education curriculum; and . . . meet each of the child's other educational needs that result from the child's disability."

DEVELOPING THE IEP....

IDEA 2004 describes how IEPs shall be developed. The IEP team shall consider:

- ▶ the child's strengths
- ▶ the parents' concerns for enhanc-

ing their child's education

- ▶ the results of the initial evaluation or most recent evaluation of the child
- ▶ the academic, developmental, and functional needs of the child. (20 U.S.C. §1414(d)(3)(A))

PRESENT LEVELS OF ACADEMIC ACHIEVEMENT & FUNCTIONAL PERFORMANCE....

What are present levels of academic achievement and functional performance? The term "performance" describes what the child can do. Present levels of academic achievement and functional performance tell you what your child knows and is able to do.

Here are some questions that will help you identify your child's present levels of academic achievement:

- ▶ What is your child's level of academic achievement in reading, writing, spelling, and arithmetic?
- ▶ Can your child read the textbooks assigned to general education students in her grade?
- ▶ Can your child read the grade level textbooks in core academic subjects?

▶ Are your child's reading or math skills two or three years below grade level on an individual educational achievement test?

Assume your child is in the tenth grade. Let's look at her functional performance in different areas.

- ▶ Can she read a job application? Can she complete the job application without assistance?
- ▶ Can she read the driver training manual? Can she pass the driving test without assistance?
- ▶ Can she read a map? A bus schedule? Can she balance a checkbook?
- ▶ Can she use the Internet to do research?

USING TEST DATA TO DESCRIBE PRESENT LEVELS OF PERFORMANCE AND EDUCATIONAL NEEDS.....

Standardized tests and evaluations provide information about what your child knows and is able to do. Present levels of academic achievement and functional performance should include data from objective tests, including

criterion-referenced tests, standard achievement tests, and diagnostic tests. As your child's advocate, you must understand your child's test scores – standard scores, percentile ranks, grade equivalent and age equivalent scores.

Assessments should also identify the educational needs that arise from your child's disability. After the educational needs are identified, the IEP team must develop strategies to enable the child to be involved in and make progress in the general curriculum.

▶ DEVELOPING IEP GOALS THAT MEET ALL THE CHILD'S NEEDS.....

The child's IEP must:

- ▶ Meet the child's academic, development, and functional needs that result from the disability;
- ▶ Enable the child to be involved in and progress in the general curriculum;
- ▶ Meet each of the child's other educational needs that result from the child's disability. (Source: 20 USC §1414(d))

IEP goals cannot be broad statements about what a child will accomplish in a year. The IEP must meet the child's academic, developmental and functional needs that result from the disability. The IEP must also specify how the school will meet these needs and how the school will measure the child's progress.

IEP goals should enable the child to learn the basic skills that are necessary for independence and self-sufficiency. Basic skills include:

- ▶ Communication skills
- ▶ Social skills and the ability to interact with others

DOES YOUR CHILD HAVE AUTISM OR OTHER SPECIAL LEARNING NEEDS?

Joseph M. Fein represents children and adolescents with learning and physical disabilities in educational matters and related litigation

JOSEPH M. FEIN ATTORNEY AT LAW

Child advocacy by a licensed attorney:

- CPSE and CSE Meetings
- IEP Review/Consultation
- Disciplinary Matters
- Superintendent Hearings
- Carter Funding/Tuition Reimbursement

1175 West Broadway
Hewlett, New York 11557
(516) 792-9119

271 Madison Avenue
New York, New York 10016
(212) 679-9119

www.educationalesq.com



Helping Individuals Reach Life's Aspirations

Over 50 years of glorious history, 81 sites throughout five boroughs of New York City, Serving over 5000 individuals with developmental disabilities, 250 individuals with Autism, Services include but are not limited to: Residential, Day Habilitation, Supported Employment, Community Bridges, After School Program, Mental Health Services and Family Support.



Lifespire New Jersey, Inc.

Expanded services to NJ in 2007

Services include:

- ▶ Saturday Respite Program for Children with Autism
- ▶ After School Program for Children with Autism
- ▶ Real Life Choices



For more information,

Please call Kamelia at (732)794-4777
or 212-741-0100, ext 4568

or visit us at www.lifespire.org or www.lifespirenj.org

► Reading skills

The child must learn to communicate. Most children communicate by expressive and receptive speech. Some children use assistive technology to communicate. The child must learn social skills to interact with other people. Because reading is the gateway to other knowledge, the child must learn to read.

"Teaching students to read by the end of third grade is the single most important task assigned to elementary schools." - American Federation of Teachers.

If the IEP is based on the child's present levels of academic achievement, functional, and developmental needs, addresses the child's academic and functional needs, and includes research validated instructional methods, the IEP should pass muster under IDEA 2004.

If the IEP does not include measurable academic and functional goals, the IEP is defective and open to a challenge that it denies the child a FAPE.

► OTHER IEP REQUIREMENTS.....

Advising Parents About Child's Progress

Did you know that the school must inform parents about your child's educational progress at regular intervals? In fact, your child's IEP must include:

"a description of how the child's progress toward meeting the annual goals ... will be measured and when periodic reports on the progress the child is making toward meeting the annual goals (such as through the use of quarterly or other periodic reports, concurrent with the issuance of report cards) will be provided." (Source: 20 U.S.C. § 1414(d)(A)(III))

► REVIEWING AND REVISING THE IEP.....

As your child grows and changes, the child's educational needs will also change. The IEP team must meet at least once a year to review the child's IEP and determine whether the annual goals for the child are being achieved. The IEP team must revise the IEP to address:

- any lack of expected progress toward the annual goals and in the general education curriculum, where appropriate
- the results of any reevaluation

- information about the child provided to, or by, the parents
- the child's anticipated needs
- other matters.

► USING OBJECTIVE DATA.....

When a doctor develops a treatment plan for a sick child, the doctor uses objective data from diagnostic tests. Medical specialists use objective data to measure the effectiveness of treatment plans. You want your doctor to use objective data, not subjective feelings and beliefs.

Your child's IEP is similar to a medical treatment plan. The IEP includes:

- Present levels of performance from objective tests and assessments
- Measurable goals and objectives
- A plan to address the child's educational problems
- A statement of how the child's progress will be measured.

► TO MAKE DECISIONS.....

You are a full member of your child's IEP team. The IEP team must identify and describe your child's problems before the team can develop an appropriate educational plan.

The IEP team will gather information from different sources. This information may include observations of your child in different environments, including the home and classroom. The information will include objective test data that describes your child's problems, the severity of the problems, and measure your child's progress or lack of progress.

Let's look at a medical problem to see how progress should be assessed.

Your son John complains that his throat is sore. His throat is red. His skin is hot to the touch. He is sleepy and lethargic. When you take John to the doctor, his temperature is 104 degrees. Lab tests show that John has an elevated white count. A strep test is positive. Lab tests show that John has a strep infection.

Your doctor uses this objective data to develop a treatment plan. When you return for a follow-up visit, the doctor is likely to order more tests. You need objective test data to know if John's infection is under control. Similarly, you need objective test data to know if your child is acquiring reading, writing and arithmetic skills.

Is your child receiving passing grades? Can you rely on grades to measure progress? **No.**

► TO MEASURE PROGRESS

Jay is an 8-year-old boy who received special education services for two years, beginning in kindergarten. Jay's parents felt that he was not learning how to read and write like other children his age. The school personnel assured the parents that Jay was making progress.

After two years, a child psychologist in the private sector tested Jay. While Jay's abilities were in the average to above average range, his reading and language skills were at the kindergarten level. Despite two years of special education, Jay had not learned to read or write.

When a teacher says a child is making progress, the teacher is offering an opinion based on subjective observations. In many cases, teacher opinions and subjective observations are not accurate. If you have concerns about your child's progress, get independent testing of your child's reading, writing, and mathematics skills by an expert in the private sector. These test results will tell you if your child is making acceptable progress.

Is your child receiving passing grades? Can you rely on grades to measure progress? No. Grades are not objective assessments of progress. Many factors influence grades, including grade inflation and the teacher's beliefs and perceptions about the child's effort, attendance, behavior and attitude.

► TO MAKE BEHAVIOR MEASURABLE.....

Many children have behavior problems as a part of their disability. You can make behavior measurable by

defining the factors surrounding the behavior. These factors include:

- ▶ precipitating events ("when asked to work independently")
- ▶ environmental factors ("when dealing with female authority figures")
- ▶ other observable patterns ("after lunch," "always on the playground," "in math class")

You can also make behavior measurable by identifying the results of the behavior. For example, you can say, "removal from the classroom increases this negative behavior."

▶ PITFALLS.....

As a parent, you must be vigilant. The danger is that the IEP team will propose annual goals that are not specific and measurable, do not meet the child's academic and functional needs, and do not describe how the child's progress will be measured.

With the changes in IDEA 2004, teachers will have to work harder and think more creatively to ensure that the annual goals address all the child's educational needs and that the goals are written in clear, measurable language. ❏



Pete and Pam Wright have authored several books on advocating for special needs. For more info log onto wrightslaw.com.

unlocking the world



What does the future hold for children with autism? We think great things. Just as children with autism vary from one to another, so do their needs. Monarch addresses these needs through MONARCH SCHOOL and MONARCH BOARDING ACADEMY.

MONARCH SCHOOL and MONARCH BOARDING ACADEMY provide students with an individualized program to help them reach their social, communication and academic potential. In addition to academic work, the children enjoy enrichment activities such as therapeutic horseback riding, frequent visits to local museums and community events.

MONARCH BOARDING ACADEMY offers a residential year-round option for children who require more extensive programming. Students live together in a comfortable, safe, home-like setting. Students living at MONARCH BOARDING ACADEMY attend MONARCH SCHOOL.

Through comprehensive individualized programming, the world is unlocked for our students.



22001 Fairmount Boulevard • Shaker Heights, Ohio 44118

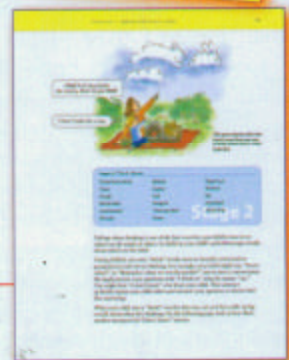
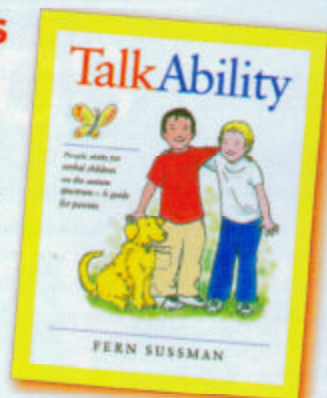
For more information or for an application for MONARCH SCHOOL or MONARCH BOARDING ACADEMY please call (800) 879-2522.

Promoting Communication and Social Skills in Children with Autism Spectrum Disorder

The Hanen Centre is a not for profit charitable organization and is known for its outstanding resources. Taking the most current research and turning it into user-friendly resources, we give parents and professionals the tools to support young children's social, and language development.

TalkAbility™ is a guidebook for parents of children on the autism spectrum who speak in complete sentences and who need help learning people skills. This book explains concepts through beautifully illustrated drawings that make it easy to follow and understand. Such topics include:

- Understanding how other people think and feel and responding appropriately
- Learning how to play with other children and make friends
- Tuning into what people say *without* words in a conversation
- Taking appropriate turns in a conversation and then waiting for others to take theirs



For more info, visit www.hanen.org and in the *Parents* section, click on *Children with Autism Spectrum Disorder*

Tel: 416-921-1073 Fax: 416-921-1225 info@hanen.org