Kelly Henderson, Ph.D.

Formed Families Forward

September 16, 2018

FORMED FAMILIES FORWARD

Who we are…

- Formed Families Forward's **mission** is to improve developmental, educational, social, emotional and post-secondary outcomes for **children and youth with disabilities and other special needs** through provision of information, training and support to adoptive and foster parents, and kinship caregivers. We provide:
  - In-person trainings (we sponsor and we come to you!)
  - Webinars
  - Fact sheets and other resources
  - Youth/YA peer support group; parent/caregiver support group
  - Direct support- calls and meetings
  - Connecting families to resources

www.FormedFamiliesForward.org

Who I Am…

- Kelly Henderson- Mom; Executive Director; Adjunct Faculty, Special Education at GMU
  Kelly.Henderson@FormedFamiliesForward.org

FORMED FAMILIES FORWARD

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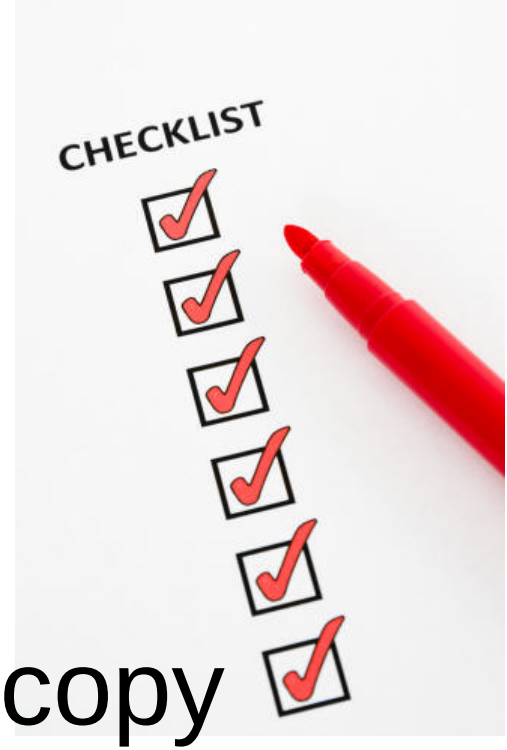
Why is BTS So Hard?

- High likelihood of disabilities among children and youth in formed families
- Schools are large, busy places requiring MANY transitions
- Social and academic demands
- Executive function is rewarded in school
- Even well-trained, trauma-sensitive educators may not have a full set of records from which to work

Be Prepared!



- Get schedules in advance
- Walk it!
- Organize materials – hard copy texts as necessary
- Set up meetings before school starts or in first two weeks
- Introductory practice (more later)

Phases of Action

- **Awareness**- "What?!?"
- **Early Action**- Solve this now!
- **Assessment for disability**- Something more is going on…
- **Intervention**- We have a plan.

Awareness

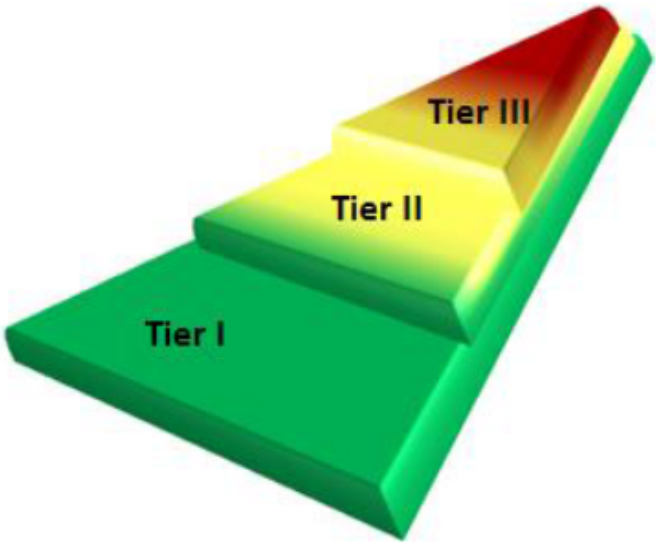
Awareness

- Regular, mandatory grade reports (quarterly, interims)
- Teacher-generated computerized grade updates
- PowerSchool portal/Parent Portal
- Blackboard
- Social media for individual schools, classes, teachers

Early Action

- Tiered Systems of Supports
- The goal of the VTSS model is to create a divisionwide approach to systems change by improving instructional decision making at all levels, from pre-kindergarten through 12th grade and the classroom through the division level.

Tiered Systems of Support



Tier I: All students have addressed the majority of their academic, behavioral, social and emotional needs

Tier II: No more than 20% of students need supplemental instruction and supports

Tier III: A lesser percent (0-5%) of students need intensive individualized instruction and supports

VTSS

PBIS

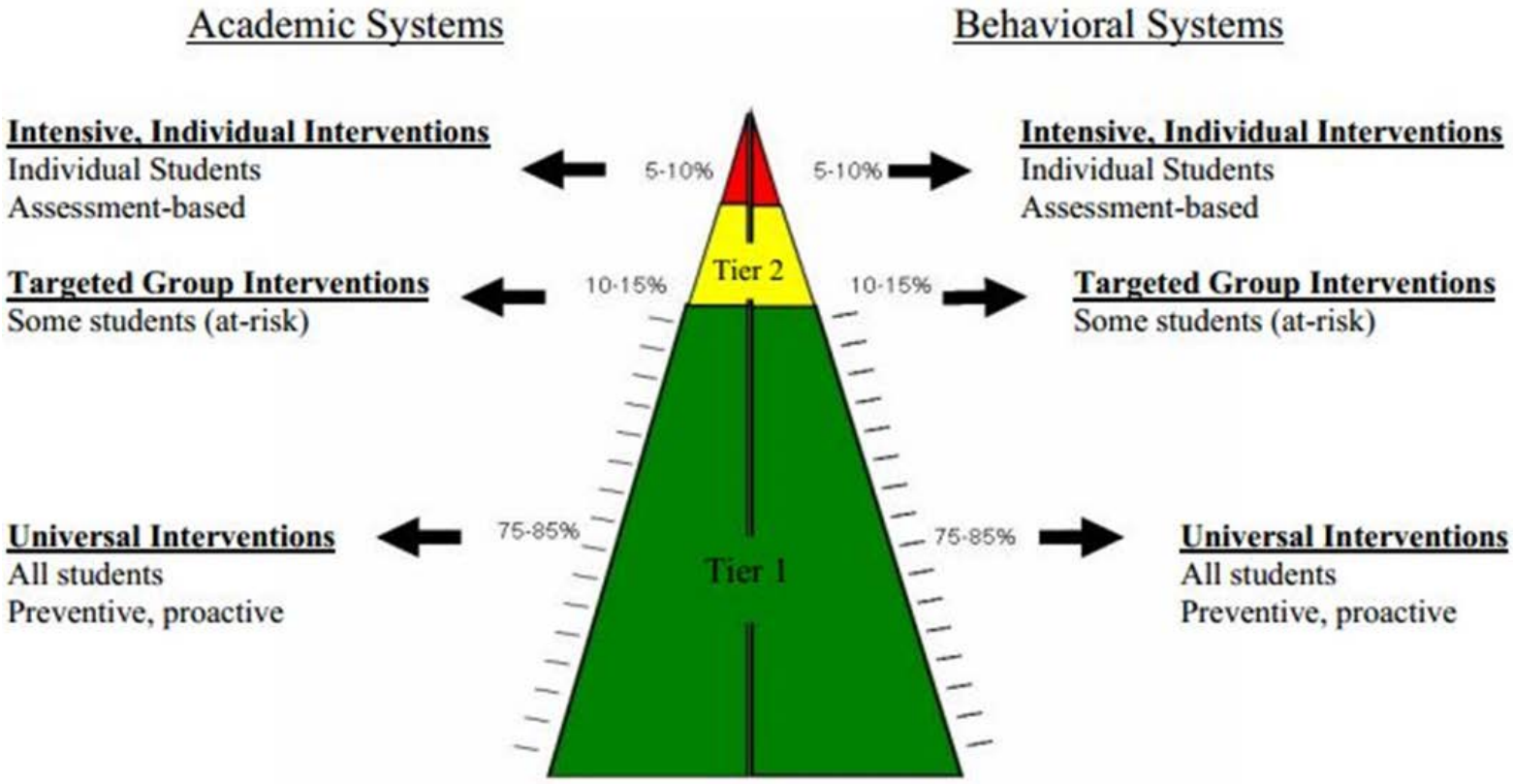
RTI/ Responsive Instruction

https://vtss-ric.org/

Virginia's Response to Intervention

- "Response to Intervention (RtI) is a comprehensive student-centered assessment and intervention framework used to identify and address individual student difficulties before referral to special education. In using the RTI approach, students receive research-based intervention and assessment. Rather than waiting for a student to fail, interventions and assessments are designed to meet the needs of each student with individualized instruction."
- Now often called *Responsive Instruction*.

Figure 1.Three-Tiered RtI Model



Adapted from Problem Solving and RtI-Advanced Training Workshop, December 2006,
W. David Tilley and George M. Batsche

RtI/VTSS features

- **universal screening** (ex. PALS, DIBELS, AIMSweb, DRA2, DRP),
- **progress monitoring** (DRA, MRA),
- **data-driven decisions**, and
- **tiered instruction**

Addresses **academic achievement** AND **behavior** AND **mental wellness**

Who? What?

- There is not one consistent name for school-level team that oversees the RtI or Responsive Instruction: Instructional Consultation Teams, Instruction Support Team, Student Support Team, Child Study Committee, Intervention Assistance Teams, and school-themed names!
- The plans that results (if any) may have different names as well: Student Intervention Plan, Assistance Plan, Support Plan, Tier I Problem Solving Plan, Personalized Ed Plan

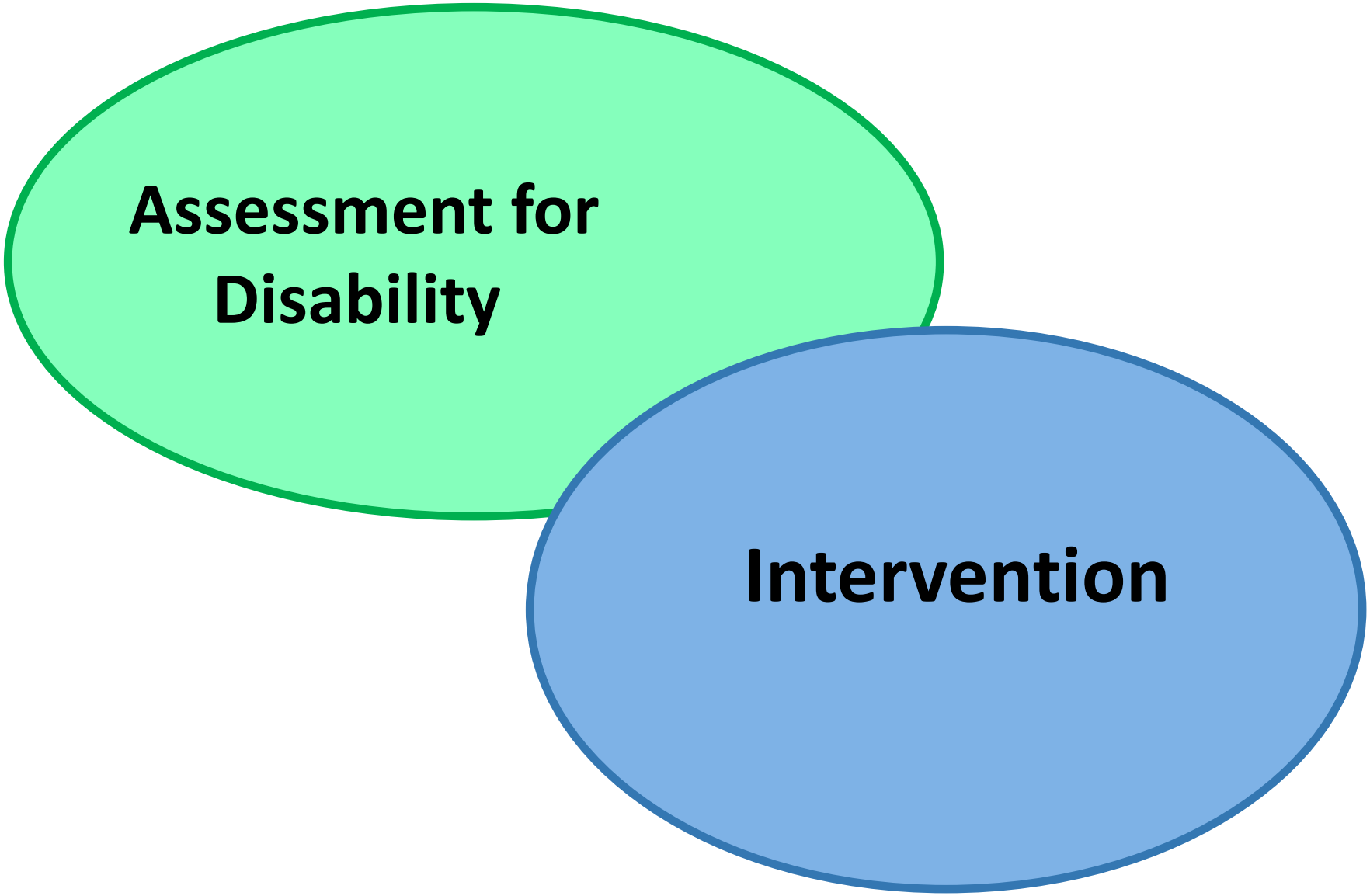
Example from Arlington PS

Intervention Assistance Teams

- All students experiencing academic and/or behavior difficulties may not have a disability or require special education to meet their individual educational needs. In many cases, modifications to the regular education program will address a student's particular needs without resorting to evaluations or special education services. The IAT is an informal collaborative process that is designed to help promote students' success in the regular education classroom.

Stafford elementary school's teacher and student support flow chart of access to RtI/ICT.

Reprinted with permission from Meaghan Sekinger, M.S.; 2012 Stafford Elementary School, Stafford County, VA.


Assessment for Disability
Intervention

What is the big deal?

- Many children who are joined to their families through adoption, kinship and foster care are happy, well-adjusted and achieve well.
- But many (a high proportion) have significant needs that impact their development and school success.
- Hard to get a full picture, but generally foster and adoptive children are identified with disabilities or other special needs at **three to four times** the rate of others.

Some examples:

- 12% of children age 5-17 who were adopted had at least one disability; 5% of biological children (US Census, Kreider, Oct 2003)
- 30-40% of foster children and youth have IEPs, likely an underestimate of all those with disabilities eligible for services (Geenen & Powers, 2006)
- Reasons for entering care are associated with disability- In one state, more than a quarter of children over age 5 with substantiated maltreatment were identified as having disabilities (Lightfoot et al., 2011)
- Rate of disability in older transition aged youth in foster care increases to as much as 60% (Schmidt, 2015)

What guides education of children with special needs in formed families?

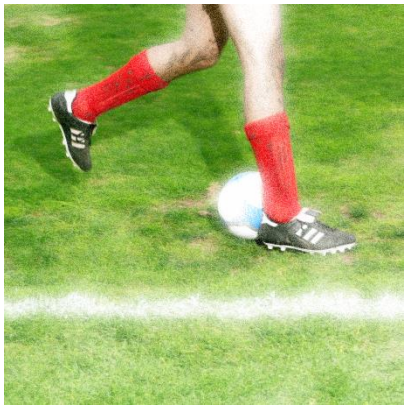
- Special Education law and regulations, namely IDEA and Section 504/ADA
- Child welfare law and regulations (federal, state, local) including the Fostering Connections Act
- Privacy and confidentiality (ex., FERPA)

Section 504

- Section 504 of the Rehabilitation Act of 1973 protects rights if individuals with disabilities in programs and activities that receive Federal financial assistance, including public school districts.
- **Prohibits discrimination** of those with disabilities- physical or mental impairment that substantially limits a major life activity, including learning, communicating, concentrating, reading, etc.

Section 504, continued

- Referral begins with a **referral request** and local screening committee meetings. Once eligible:
- Knowledgeable **committee** creates a plan for accommodations; reviewed annually.
- Procedural safeguards apply.



Amendments to Americans with Disabilities Act, 2008

- Office of Civil Rights, US Department of Education enforces. New guidance re: implications of 2008 amendments to the Americans with Disabilities Act (ADA) **broadens the potential class** of persons with disabilities protected by the statutes.
- Academic success does not necessarily disqualify a student from being identified with a disability.
- http://www2.ed.gov/about/offices/list/ocr/docs/dcl-504faq-201109.pdf

On to the Basics of IDEA-

Individuals with Disabilities Education Act

Thanks to Parent Educational Advocacy Training Center,

the Virginia Parent Training center; some slides from their Special Education Tour,

www.peatc.org

peatc
PARENT EDUCATIONAL ADVOCACY TRAINING CENTER

What is Special Education? Individuals with Disabilities Education Act (IDEA)

- Specifically designed instruction

- At no cost to parents
- To meet the unique needs of a child with disabilities

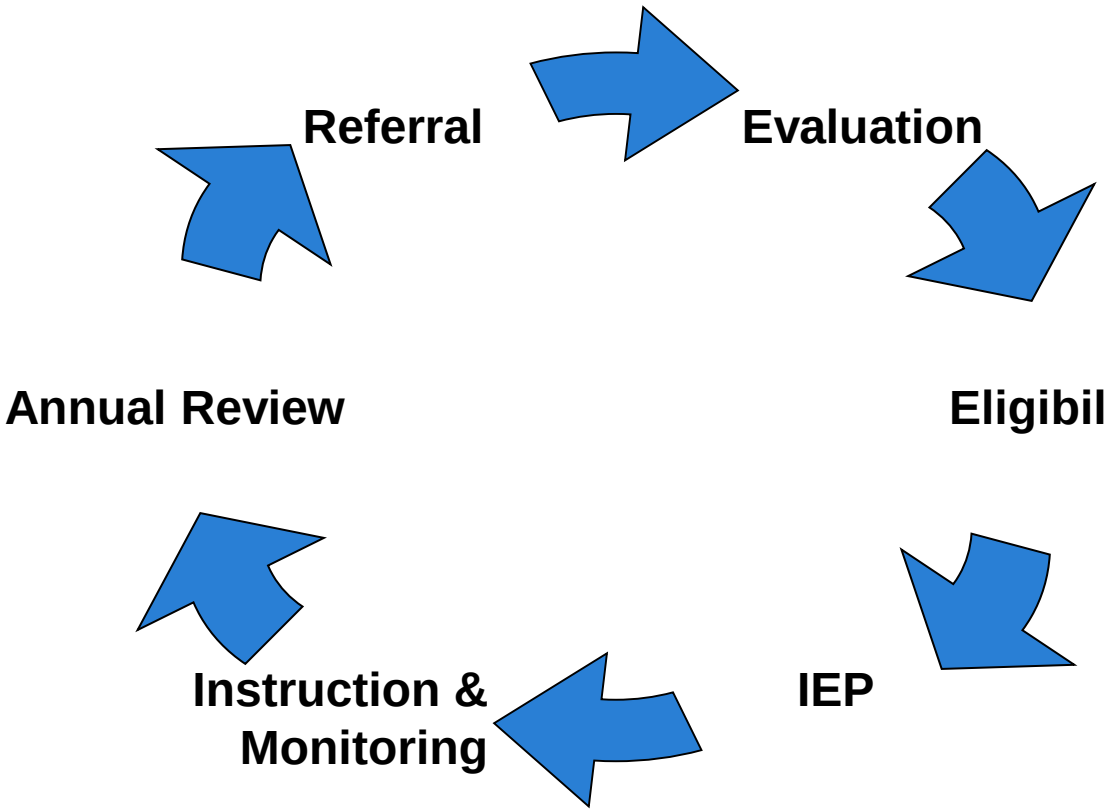
The Legal Foundations for Special Education

- The Individuals with Disabilities Education Improvement Act (IDEA) 2004
- State Special Education regulations- http://www.pen.k12.va.us/special_ed/regulations/state/regs_speced_disability_va.pdf
- Parent resources: http://www.doe.virginia.gov/special_ed/parents/index.shtml

IDEA Guarantee:

- A free, appropriate education for all children (FAPE)
- Placement in the least restrictive environment
- Protection for the rights of children and their parents
- Parent participation in educational planning

The Special Education Cycle



From the beginning, there are steps to getting a program for a child with disabilities.

Referral

- The **Referral** is a formal (oral or written) notification to the local school system that a child is experiencing learning or developmental difficulties and may require a full evaluation for early intervention or special education and related services.
- A referral may be made by a family, teacher or other individual.
- A written request documents referral and starts a timeline.

Referring…

Statement of Concern:

* Describe as specifically as possible the nature of your concern(s).
* Describe all Classroom and School Interventions. Include Frequency, Duration, and Other Pertinent Information.
* Effect of Interventions on Student Performance

Evaluation

- An **Evaluation** is the process of collecting information about a referred student's learning needs through a series of individual tests, observations, and talks with the student, the family and others.
- This information is used to determine whether the child has a disability as well as the nature and extent of the special education and related services that the child needs.
- Conducted at no cost to parents.
- Parents are members of the team reviewing the evaluation data and deciding whether more information is needed.

Independent Educational Evaluation

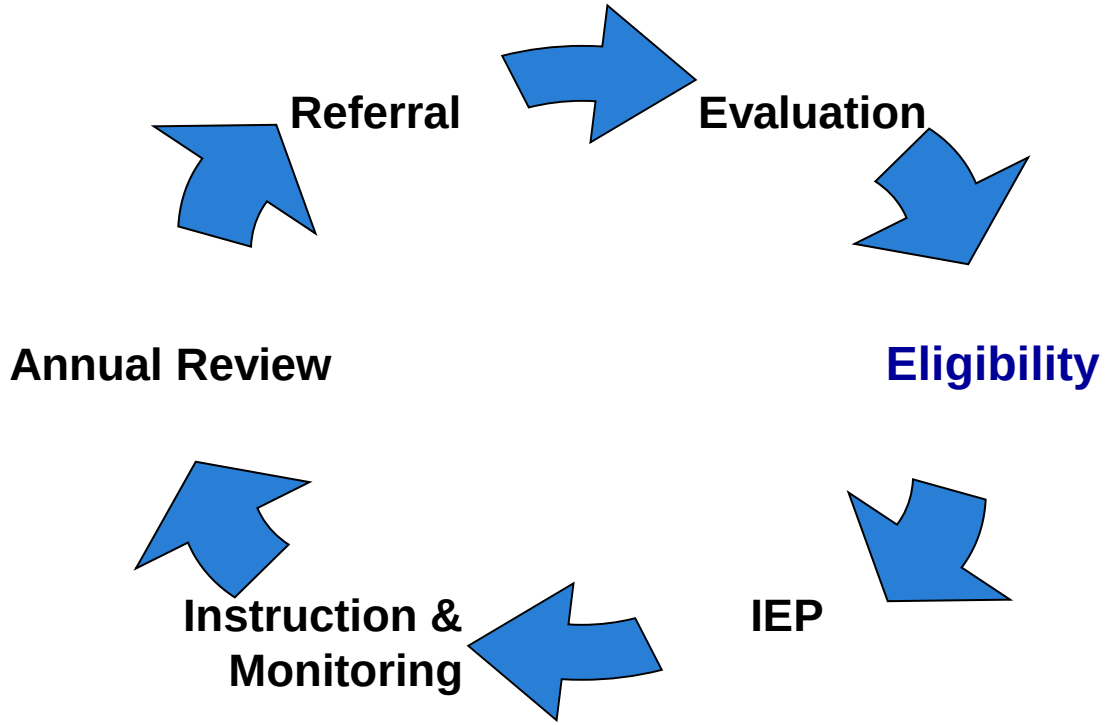
- If parents disagree with a test given during their child's evaluation process, they have the right to request an **independent evaluation (IEE)** conducted by a qualified person who does not work for the school.

- Parents may request that the school pay for the IEE. However, the school may ask for a due process hearing to show that its initial evaluation is appropriate.

- Even if it is decided that the school does not have to pay for it, parents have the right to an IEE.

- If parents pay for the IEE, they determine whether or not to share the information in the IEE with the school.

Eligibility



- Based on the results of the evaluation, a team decides if a child is **Eligible** to receive early intervention or special education and related services.
- Parents are members of the eligibility team and receive documentation of the determination of eligibility at no cost.

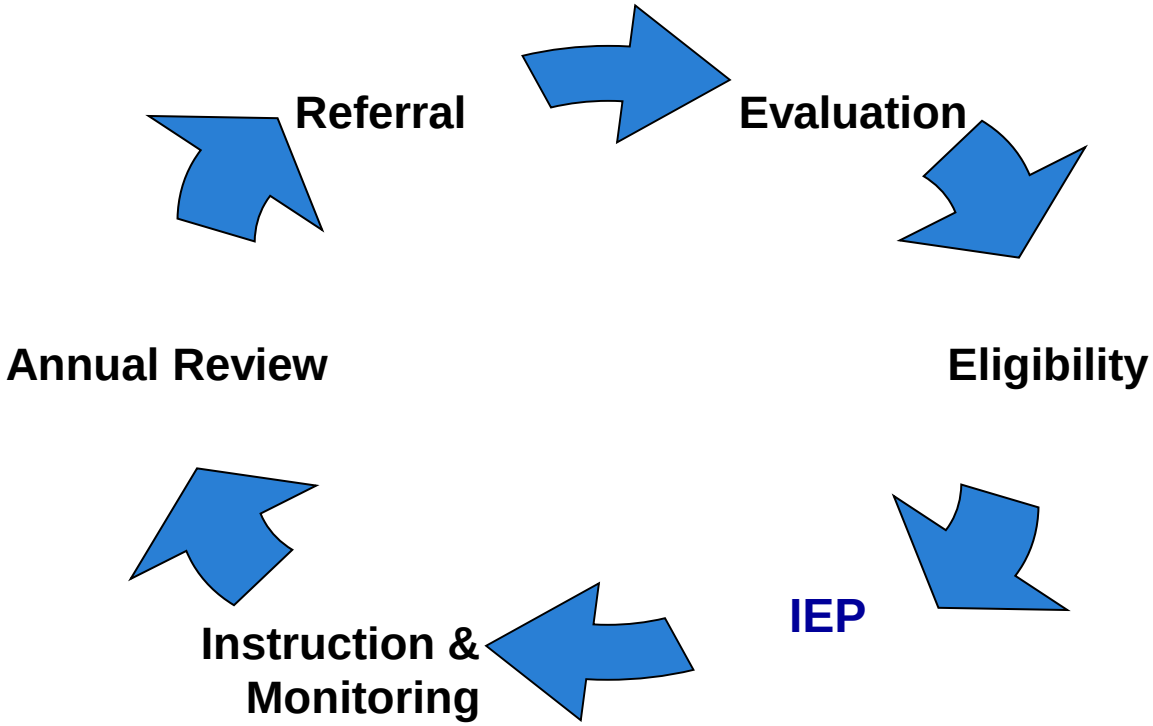
Who is Eligible?

Children with:

- Autism
- Deafness
- Deaf-blindness
- Developmental delay *
- Emotional disability
- Hearing impairment, including deafness
- Intellectual disability
- Multiple disability
- Orthopedic impairment
- Other health impairment, including ADHD
- Specific learning disability
- Speech or language impairment
- Traumatic brain injury
- Visual impairment, including blindness

* Use of DD for children age 3 through 9 is at discretion of state and local school systems.

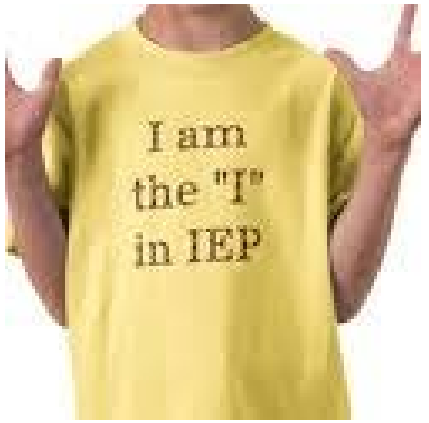
Individualized Education Program (IEP)



Every child in special education must have an **Individualized Education Program** (IEP).

Individualized Educational Program (IEP)

- The **IEP** is a written statement describing the specially designed program developed to meet the needs of the individual child.
- Parents are to be members of the IEP team and participate with school personnel in the development of the IEP.



- The child should also participate in the IEP decision making process as early as possible.

What is on the IEP?

- Present levels of academic achievement and functional performance
- Measurable annual goals
- Plans for measuring progress
- Participation in state and division-wide assessments

- Special education, modifications and related services to be provided including dates and locations
- Participation with children without disabilities
- Secondary transition services including rights at age of majority

Related Services

partial list of developmental, corrective, or supportive services required for the child to benefit from special education, including:

- Occupational therapy
- Physical therapy
- Transportation
- Counseling
- Speech and language therapy
- Audiology services
- Interpreting services
- Early identification
- Diagnostic services

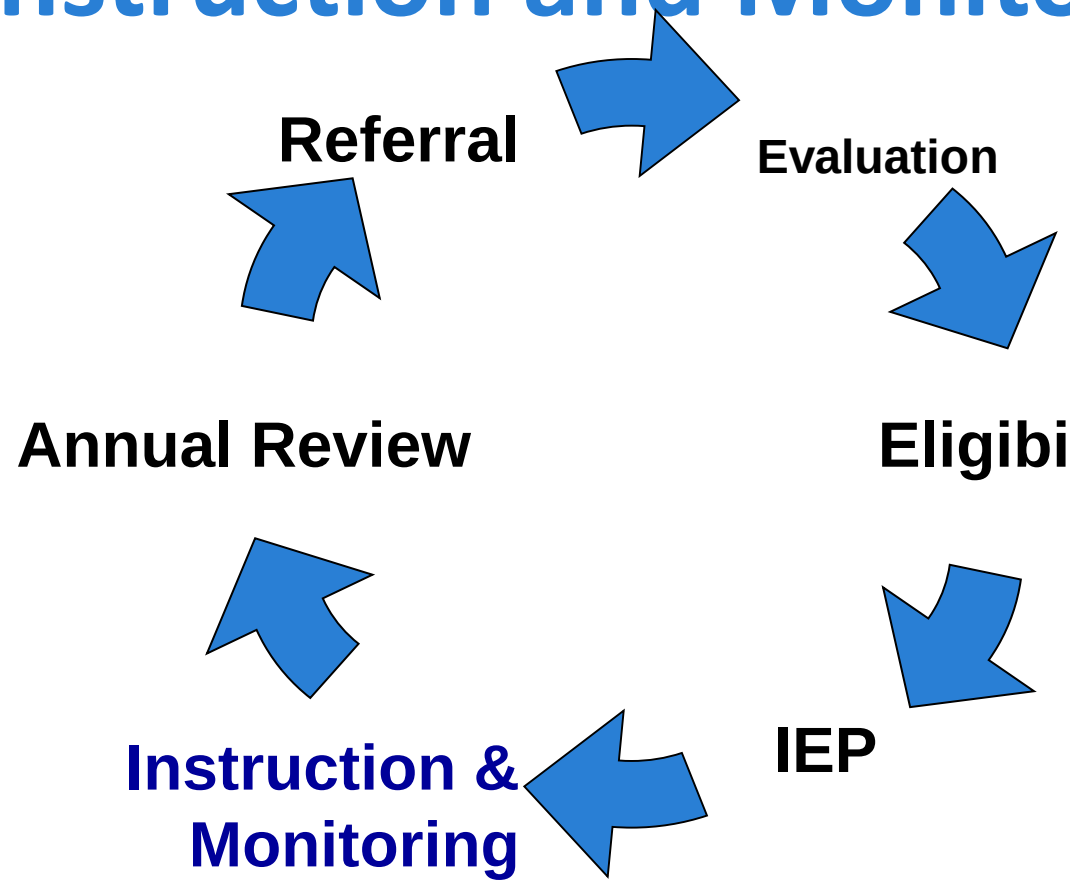
- School health/nurse services
- Social work services
- Crisis Intervention
- Assistive technology
- Non-academic services
- Extra curricular activities
- Orientation/mobility training
- Rehabilitation counseling
- Psychological services
- Parent counseling and training

Placement in the "Least Restrictive Environment"

- A **placement** decision is made at the IEP meeting – identifying the location of the appropriate school program and services needed to meet the child's educational goals on the IEP statement.

- Students with disabilities are to be educated, to the maximum extent possible, with children who are not disabled. This is called the **"least restrictive environment" or LRE.**

Instruction and Monitoring



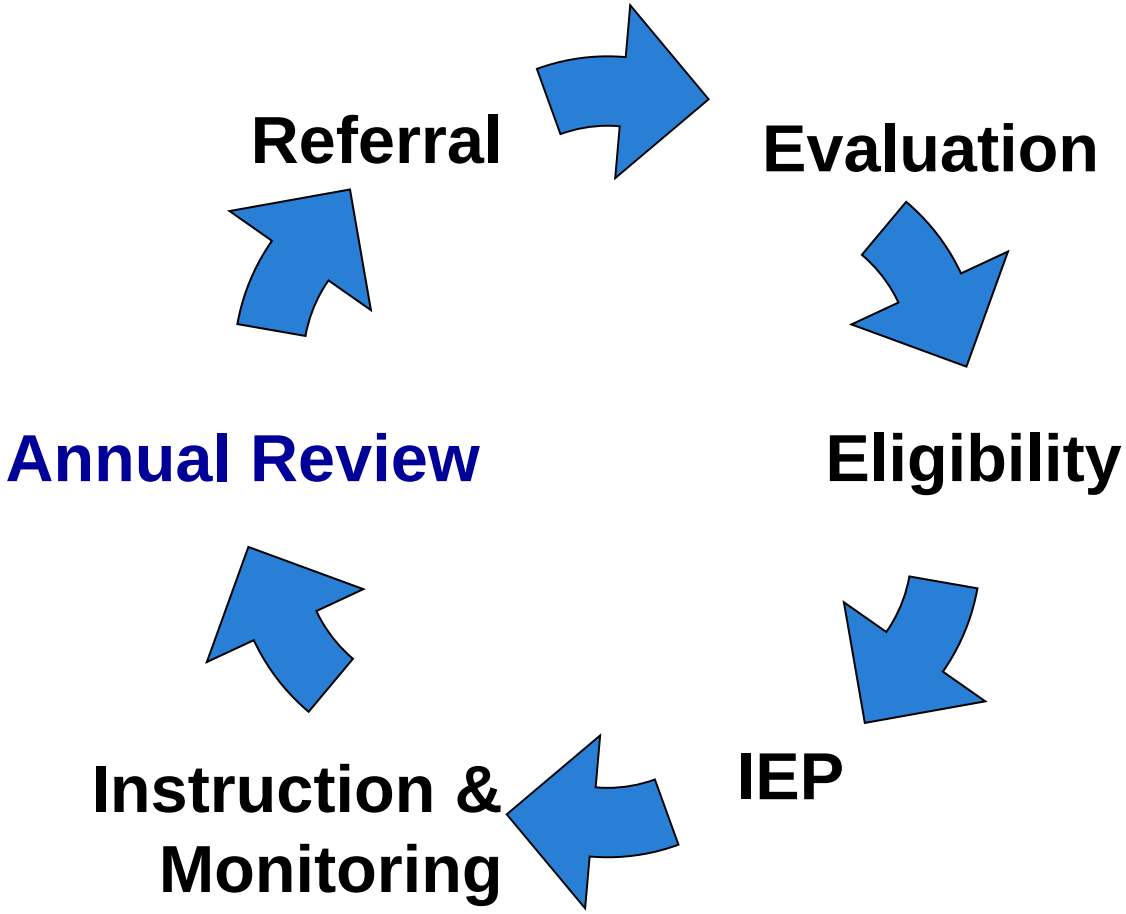
After the IEP is written and a child is placed in an educational setting, learning activities begin in the classroom.

Instruction and Monitoring

- Parents and school personnel must work together to make the IEP and placement work for the child.
- Parents are to be kept regularly informed of their child's progress as defined in the IEP.

- IEP is to be accessible to **each** regular education, special education teacher, related services providers, etc.

Annual Review



- The **Annual Review** is a meeting held at least once a year to look at, talk about, and study a student's IEP.

Annual Review

The purpose of the Annual Review is to make decisions about changes in the IEP, review the placement, and develop a new IEP for the year ahead.

Transition Planning

- Transition planning is careful preparation by the student, parents, educators, and other service providers, for the time when the student leaves high school.
- Transition services (appropriate measurable postsecondary goals and transition services) to be on IEP no later than the first IEP to be in effect when child turns 16.
- The plan is written in the Individualized Transition Plan.

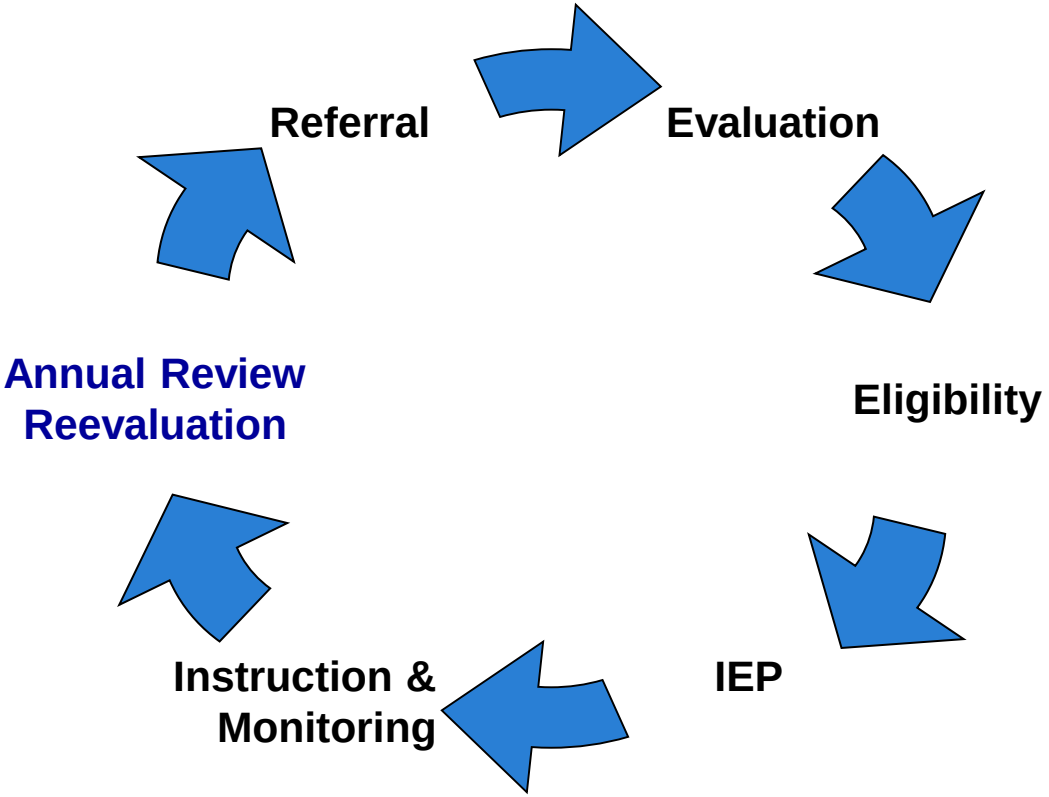
Transition Services

- The IEP Transition goals should relate to: - Education
  - Training
  - Employment
  - Independent living skills (if appropriate)
- The transition services must take into account a student's strengths, preferences and interests.
- By age 16, the IEP must include a statement of interagency responsibilities and linkages.

Post secondary transitions

- IDEA defines "**transition services**" broadly: a coordinated set of activities focus on improving academic and functional achievement of child to facilitate movement to post-secondary activities, including postsecondary education, vocational education, integrated employment, adult services, independent living, or community participation.

Triennial and Reevaluation



Re-evaluation occurs

•at least **every three years**, (unless the parent and school personnel agree that it is not necessary). Or

•If a child is not making expected progress and a parent or teacher requests one (unless the specific evaluation requested is less than a year old).

Protections under the law:

- IDEA provides procedural safeguards (legal rights and protections to parent and child). Among these are prior written notice, opportunity to participate, parental consent for many school actions, confidentiality of school records, discipline, use of insurance, and resolving disputes.
- A copy of Procedural Safeguards notice must be provided to all families at initial referral or parent request for evaluation, if complaint is filed, discipline procedures, at least annually (usually at the IEP review) and upon request by parent.

Dispute Resolution

Options in IDEA:

Mediation- voluntary, State-directed and funded, involves impartial mediator, results in legally binding agreement signed by parent and agency, confidential.

Due Process Complaint- filed by parent or agency, related to ID, evaluation, placement or provision of FAPE, involves timelines for notifying other party, opportunity for response by other party.

Dispute Resolution, continued

Options in IDEA:

Resolution meeting- within 15 days of receiving notice of the parent's due process complaint, school district must convene meeting to discuss complaint and provide district opportunity to resolve dispute; can be waived.

Impartial due process hearing- heard by impartial, knowledgeable hearing officer, hearing rights specified, final decisions but can bring civil action. (34 CFR 300.500-517)

Dispute Resolution, continued

- **State Complaint-** can be filed by anyone in disagreement with a procedure or a process regarding special education programs, procedures or services; is considered a request that school investigate an alleged violation of a right of a parent and/or child with disabilities per state and federal law/regulations. The complaint process usually involves a review of the alleged procedural violations.

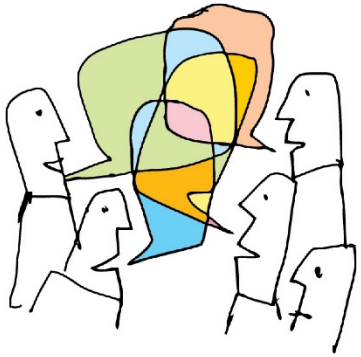
Ways to Proactively Avoid Conflict with School Staff

Communication between caregivers at home and at school

Consider how to inform school:

- Letter, meetings, documentation
  - How much to share; what is the need to know?
  - Who shares?
- Practice your 1-minute elevator speech- what is essential for staff to know about YOUR child.

  Does your child have a speech too?



Language about Families and Needs

- Heather has dyslexia and joined our family through adoption. While these characteristics don't define her, she is open to disclosing information about both her adoption and her disability.
- Jevon is placed with our family as a foster child through Loudoun County DFS, a fact he wishes that school staff NOT share with other students. We have learned he does best in classrooms with high structure. We look forward to working with you to support his behavioral needs this year.

Strategies for being heard

- Beforehand, think and write out your main points- what do you want for your child as a result of the meeting/conversation?
- Bring another adult with you.
- If you don’t understand something, ask.
- Clarify your understanding.
- End conversation/leave meeting only after a plan for future steps is developed and responsible parties identified.
- Keep records of all communications.

Special Education Resources

- Federally-funded centers that have expertise on special education topics: http://www.tadnet.org/
- Center for Parent Information and Resources: https://www.parentcenterhub.org/resourcelibrary/
  Fact sheets on many disabilities and links to organizations
- Virginia Department of Education- http://www.doe.virginia.gov/special_ed/
- Virginia Family Special Education Connection
- http://vafamilysped.org/
- Council of Parent Attorneys and Advocates (COPAA): http://www.copaa.org/

Other disability resources

Some federal programs-

- SSI - http://www.ssa.gov/pgm/ssi.htm
- Rehabilitation - http://rsa.ed.gov/ (link to Va Dept Rehab Services)

❑ Va Disability Services agencies http://www.vadsa.org/

❑ Va long term care/waivers
http://www.dmas.virginia.gov/Content_pgs/ltc-home.aspx

❑ Va Behavioral Health and Developmental Services
http://www.dbhds.virginia.gov/

Adoption/foster care/kinship care resources

- NewFound Families of Virginia
  www.newfoundva.org

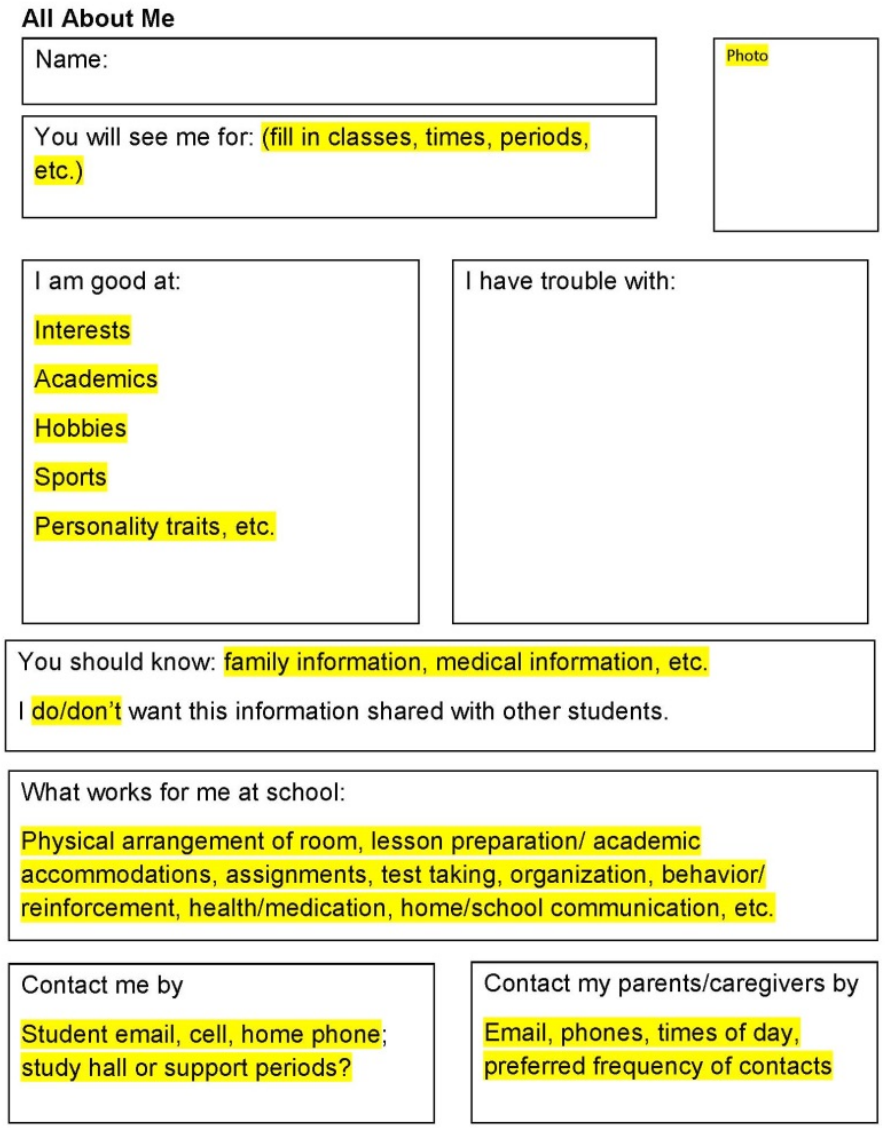
- Formed Families Forward (Northern Va.)
  www.formedfamiliesforward.org
  - Directory online includes national, regional resources on adoption, foster care and kinship

Back to School: Why "All About Me"?

- A positive student profile helps quickly and visually orient teachers and other staff with whom your child will be working
- Clarifies important family and other background information
- Clearly states what information is/is not to be shared
- Succinctly states strengths/challenges
- Leaves no room for lack of contact!

Let’s do this!

Form in Word & format guide at https://www.formedfamiliesforward.org/resource_category/special-education-advocacy/



All About Me

Name:

Photo

You will see me for: (fill in classes, times, periods, etc.)

I am good at:

Interests

Academics

Hobbies

Sports

Personality traits, etc.

I have trouble with:

You should know: family information, medical information, etc.

I do/don’t want this information shared with other students.

What works for me at school:

Physical arrangement of room, lesson preparation/ academic accommodations, assignments, test taking, organization, behavior/ reinforcement, health/medication, home/school communication, etc.

Contact me by

Student email, cell, home phone; study hall or support periods?

Contact my parents/caregivers by

Email, phones, times of day, preferred frequency of contacts

Other Student Profile Formats

- https://www.iidc.indiana.edu/styles/iidc/defiles/INSTRC/Student_Personal_Profile_Template.pdf
- http://www.spanadvocacy.org/sites/default/files/files/START_Positive_Student_Profile_.pdf
- https://www.understood.org/en/school-learning/choosing-starting-school/back-to-school/download-back-to-school-introduction-letters
- http://www.aimpa.org/uploaded/Institute/AI_ChildProfile.pdf
- http://www.cidd.unc.edu/docs/CommunityTalk/PositiveStudentProfile.pdf

Other items to consider for a New Year Packet

- Lead off with the positive student profile (with photo!)
- Important IEP pages/sections
- Fact sheet(s) about the disability itself
- Behavior Intervention Plan, if child has one
- Communication/ assistive technology tools

Thank you!

- **Follow and Like us** on Facebook- facebook.com/FormedFamiliesForward
- Sign up for **E-news-** www.FormedFamiliesForward.org
- Complete **evaluation!**