

# The Ins and Outs of IDEA

## 2024 Paraprofessional Training: Session #1

### October 3, 2024

Deana Smith

**WELCOME**

It's great to see you!

# PARAPROFESSIONAL:

The heartfelt hero. Using their talents to help students discover their own. Dedicating their time and energy each day to the students in their care, and doing it all while meeting the individual needs of many.



#schoolheroes

teresa kwant

# 2024 Paraprofessional Training Schedule

- Session #1: The Ins and Outs of IDEA
  - October 3 from 4:00 – 5:30 p.m.
- Session #2: 3 R's: Roles, Responsibilities, & Relationships
  - October 17 from 4:00 – 5:30 p.m.
- Session #3: Supporting Students In and Out of the General Education Classroom
  - November 7 from 4:00 – 5:30 p.m.
- Session #4: Data & Instructional Strategies
  - November 14 from 4:00 – 5:30 p.m.
- Session #5: Maintaining a Healthy Balance for Success
  - December 5 from 4:00 – 5:30 p.m.

# Training Session Information & Expectations

- Questions- please put in Chat or Q&A
- 5 virtual training sessions – will be recorded
- You may attend any live sessions and/or watch recordings
- PTSB/STARs credit – attendance is mandatory for **ALL 5 live** sessions (watching the recordings do not count towards credits)
  - Must complete form at the end of each session





# Today's session will cover:

- What is IDEA?
- Disability Categories
- 6 Principles of IDEA
- FAPE Continuum
- FERPA/HIPPA Privacy
- Procedural Safeguards for Students/Families

Special education is filled with acronyms, which can be extremely difficult to decipher meaning from, especially when you are new to the IEP process. I

# Sped. acronyms:

parents and teachers in not only identifying what all these acronyms stand for, but to also give you a brief description of what they mean.



# What do the following acronyms mean?

ASD or AT

APE

AT

BIP

DVR

FAPE

FBA

FERPA

IDEA

LEA

# What do the following acronyms mean?

ASD or AT	Autism
APE	Adaptive Physical Education
AT	Assistive Technology
BIP	Behavior Intervention Plan
DVR	Division of Vocational Rehabilitation
FAPE	Free Appropriate Public Education
FBA	Functional Behavior Assessment
FERPA	Family Ed. Rights & Privacy Act
IDEA	Individuals w/Disabilities Ed. Act
LEA	Local Education Agency

# What do the following acronyms mean?

LRE

OHI

OSEP

OT

PT

SDI

SEA

SLD

TBI

WAPSD

## What do the following acronyms mean?

LRE	Least Restrictive Environment
OHI	Other Health Impairment
OSEP	Office of Special Ed Programs
OT	Occupational Therapist
PT	Physical Therapist
SDI	Specially Designed Instruction
SEA	State Education Agency
SLD	Specific Learning Disability
TBI	Traumatic Brain Injury
WAPSD	WY Advisory Panel for SWD

**What is IDEA?**





Education for  
All Handicapped  
Children Act (EAHCA)\*

\*Later reauthorized  
as IDEA

**1975**

Individuals with Disabilities  
Act (IDEA)

**1990**

Reauthorization  
of IDEA

**2004**

**1973**

Rehabilitation Act  
of 1973 (Section 504)

**1990**

Title II of the Americans  
with Disabilities Act (ADA)

**1997**

Amendments to IDEA

# Special Education is...



- NOT a classroom or place



A set of services:

- Individualized to support students in accessing grade level curriculum

## Part C

- serves 0-2
- Each state must have a policy that ensures that appropriate early intervention services based on scientifically based research—to the extent practicable—are provided to infants and toddlers with disabilities and their families, including those residing on a reservation, and those who are homeless within the state.
- Supports the **FAMILY** to meet the developmental needs of their child with a delay of disability

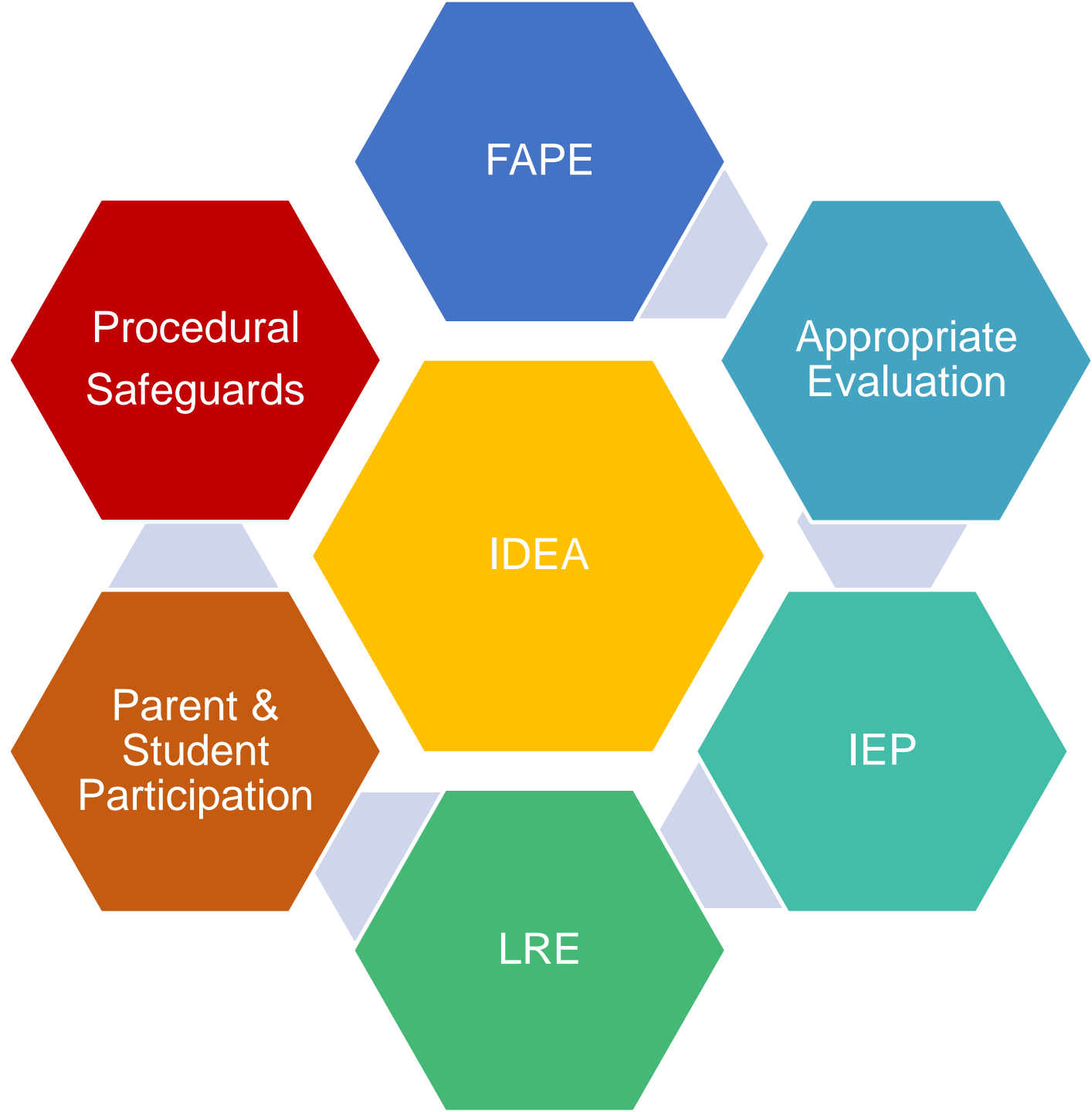
## Part B

- serves 3 - 21
- Part B of the Individuals with Disabilities Education Act (IDEA) is a federal law that governs the education of children with disabilities in the United States. It covers children from ages 3 to 21 who have a disability that requires special education and related services.
- Supports **SCHOOL-AGED CHILDREN** by providing special education and related services
- Part B 619 – 3 to 5 year old students
- Part B 611 – 5 – 21 year old students



# IDEA's 6

Guiding Principles



Procedural Safeguards

FAPE

Appropriate Evaluation

IDEA

Parent & Student Participation

IEP

LRE





FAPE

## **34 CFR §300.17 Free appropriate public education**

*Free appropriate public education* or *FAPE* means special education and related services that—

- (a) Are provided at public expense, under public supervision and direction, and without charge;
- (b) Meet the standards of the SEA, including the requirements of this part;
- (c) Include an appropriate preschool, elementary school, or secondary school education in the State involved; and
- (d) Are provided in conformity with an individualized education program (IEP) that meets the requirements of §§300.320 through 300.324.



**Free:** requires that the education of each child with a disability must be provided at public expense and at no cost to the child's parents.

**Appropriate:** means that each child with a disability is entitled to an education that is "appropriate" for his or her needs.

**Public:** refers to the public school system. The public school system must educate students with disabilities, respond to their individual needs, and help them plan for their future.

**Education:** School age children with disabilities will receive a public education that includes special education and related services, preparing them for further education, employment, and independent living.

# Child Find

[34 CFR § 300.111](#)



- (1) The State must have in effect policies and procedures to ensure that—
- (i) All children with disabilities residing in the State, including children with disabilities who are homeless children or are wards of the State, and children with disabilities attending private schools, regardless of the severity of their disability, and who are in need of special education and related services, are identified, located, and evaluated; and
  - (ii) A practical method is developed and implemented to determine which children are currently receiving needed special education and related services.

Schools are required to locate, identify and evaluate **all children** with disabilities from **birth through age 21**. The Child Find mandate applies to all children who reside within a State, including children who attend private schools and public schools, highly mobile children, migrant children, homeless children, and children who are wards of the state. (20 U.S.C. 1412(a)(3))

This includes all children who are suspected of having a disability, including children who receive passing grades and are "**advancing from grade to grade**." (34 CFR 300.111(c)) The law **does not** require children to be "labeled" or classified by their disability. (20 U.S.C. 1412(a)(3)(B); 34 CFR 300.111(d)).

Schools are required to locate, identify and evaluate **all children** with disabilities from **birth through age 21**. The Child Find law applies to all children who reside within a State, including children in private schools and public schools, high schools, homeless children, and children with disabilities (20 U.S.C. 1412(a)(3))

**What does this mean for paraprofessionals?**

This includes all children who are eligible for special education, including children who receive passing grades. **Advancing from grade to grade.**" (34 CFR 300.111(c)) The law **does not** require children to be "labeled" or classified by their disability. (20 U.S.C. 1412(a)(3)(B); 34 CFR 300.111(d)).



# Appropriate Evaluation

- An evaluation must be conducted within **60** calendar days of the parent giving consent
- A comprehensive re-evaluation must be conducted every three (3) years (minimum requirement – not a limitation)
- A new or updated evaluation is to be conducted if there is reason to suspect a need or if the parents request an evaluation





# Appropriate Evaluation

34 C.F.R. § 300.304(c)

- Comprehensive evaluation is required to determine if a student is eligible to receive special education services through an Individualized Education Program (IEP).
- To qualify for special education services and an IEP, the student must: 1) qualify under a disability category AND 2) show educational need (disability is impacting their education).

# The evaluation instruments and methods used must be:

- Technically sound
- Not culturally discriminatory
- In the language the child uses
- Administered by trained and knowledgeable personnel
- Comprehensive – evaluate all areas of suspected need



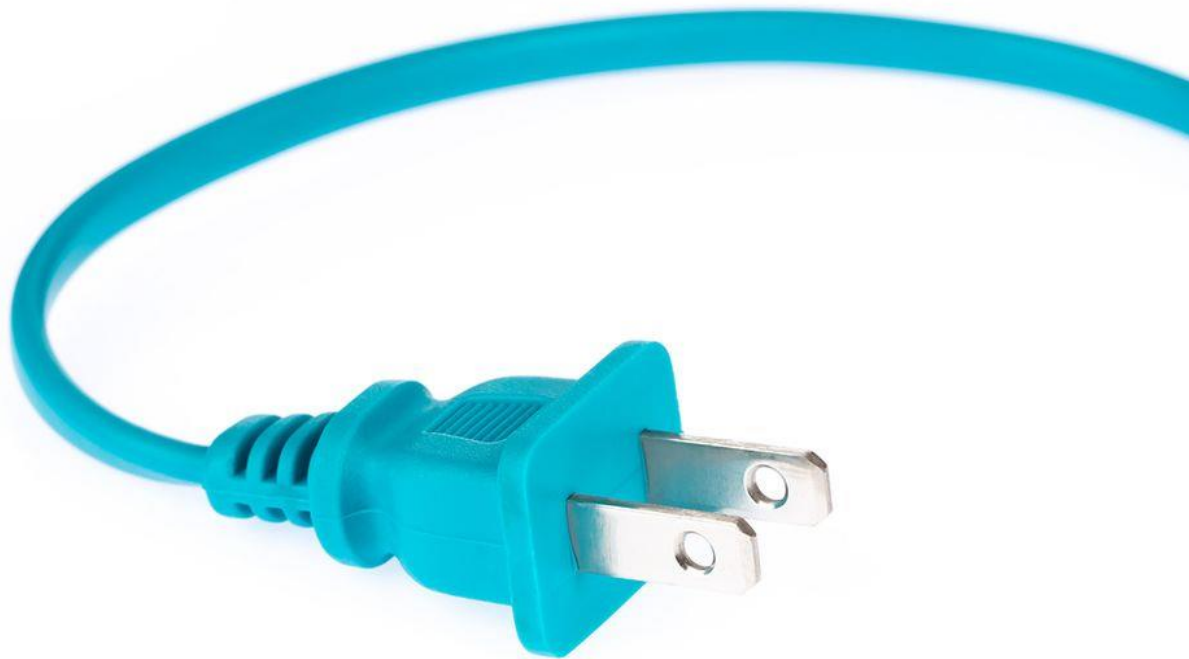
# Evaluation Wheel



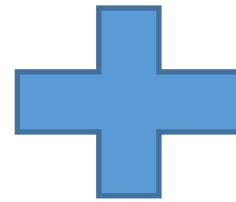
# Disability Categories

- Autism Spectrum Disorder
- Cognitive Disability
- Deaf-Blindness
- Developmental Delay (through age 9 for WY)
- Emotional Disability
- Hearing Impairment, Including Deafness
- Multiple Disabilities
- Orthopedic Impairment
- Other Health Impairment (includes ADHD)
- Specific Learning Disability (includes dyslexia, dyscalculia, dysgraphia, and other learning differences)
- Speech or Language Impairment
- Traumatic brain injury
- Visual Impairment, Including Blindness

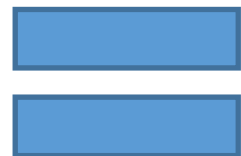




**Prong 1:** Must have an IDEA disability



**Prong 2:** Must require special education and related services as a result of the disability to benefit from public education



**IDEA Eligibility**

# No Educational Need?

If the disability does not adversely affect educational performance, the student is NOT eligible under IDEA. 34 C.F.R. §300.8.

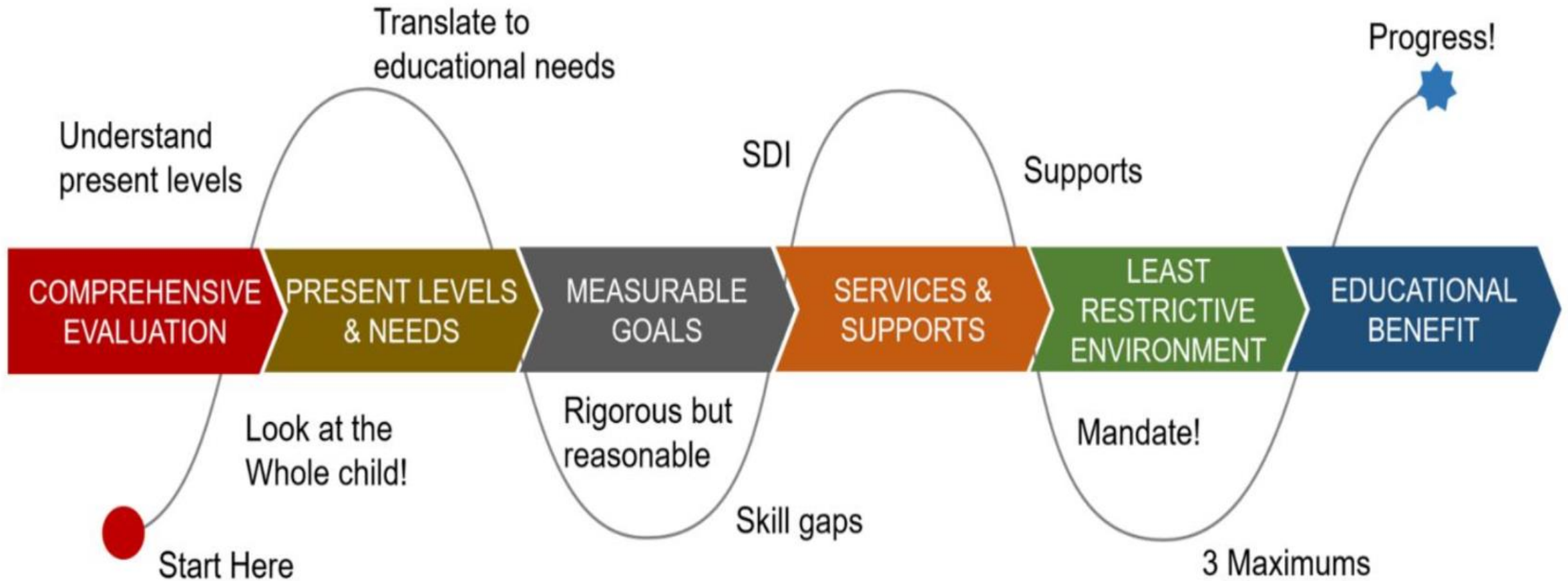
If the child does not need special education, or specially designed instruction, the child is NOT eligible under IDEA. 34 C.F.R. §300.8.


If the student only needs a related service and NOT specially designed instruction, the student is NOT eligible under IDEA. 34 C.F.R. §300.8.





# The FAPE Continuum



A large teal graphic of a compass rose is positioned on the left side of the slide. It features a central white circle with a teal dot, surrounded by four main points and four smaller points, all enclosed within a teal circular border.


# Individualized Education Program (IEP)

- Present Levels of Academic Achievement and Functional Performance (PLAAFP)



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- **Statement of Measurable Annual Goals**



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- Statement of Measurable Annual Goals
- **Description of how child's progress toward meeting annual goals will be measured**



# Individualized Education Program (IEP)

- Present Levels of Academic Achievement and Functional Performance (PLAAFP)
- Statement of Measurable Annual Goals
- Description of how child's progress toward meeting annual goals will be measured
- **Special education/related services/supplementary services**



# Individualized Education Program (IEP)

- Present Levels of Academic Achievement and Functional Performance (PLAAFP)
- Statement of Measurable Annual Goals
- Description of how child's progress toward meeting annual goals will be measured
- Special education/related services/supplementary services
- **Statement of program modifications or supports for school personnel**





# Least Restrictive Environment (LRE)

[300.114](#) LRE requirements.

[\(a\)](#) General.

[\(1\)](#) Except as provided in [§300.324\(d\)\(2\)](#) (regarding children with disabilities in adult prisons), the State must have in effect policies and procedures to ensure that public agencies in the State meet the LRE requirements of this section and [§§300.115](#) through [300.120](#).

[\(2\)](#) Each public agency must ensure that—

[\(i\)](#) To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are nondisabled; and

[\(ii\)](#) Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.



# Least Restrictive Environment

## MAXIMUM

- To the maximum extent appropriate, children with disabilities are provided supplementary aids and services to enable them to be educated with children who are nondisabled. 34 C.F.R. §300.42.

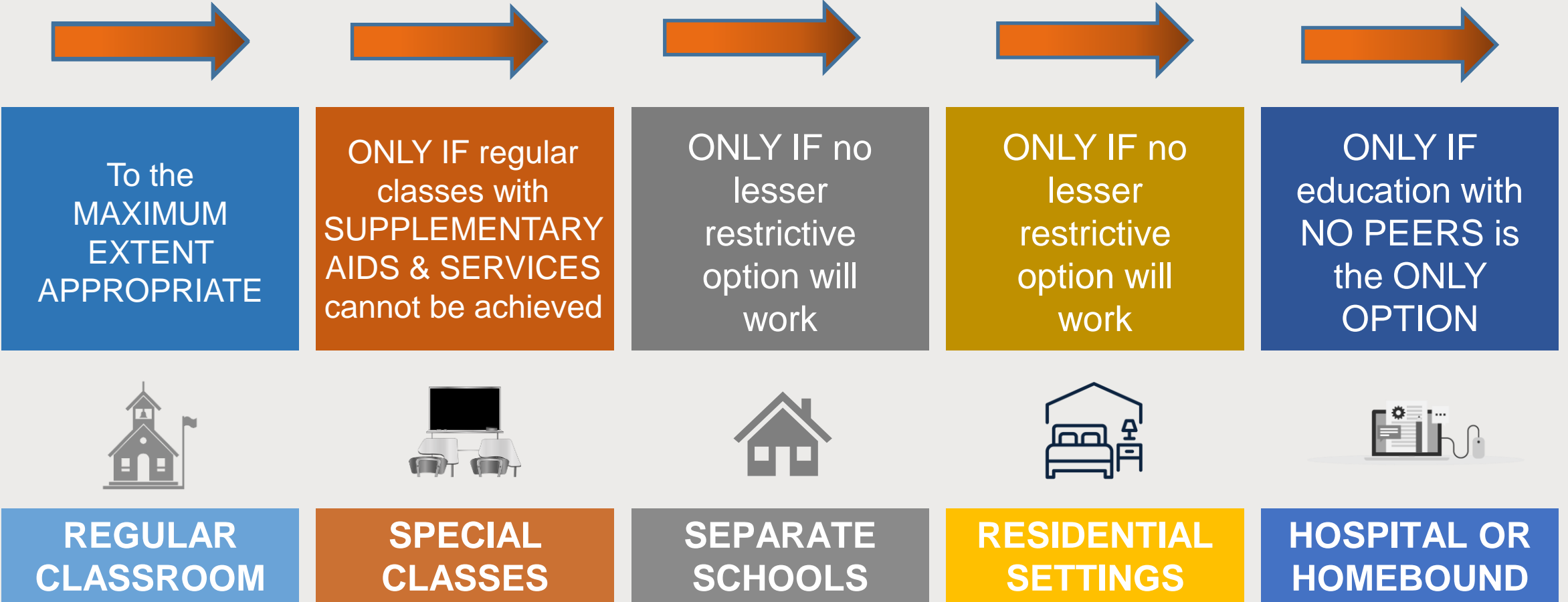
## MAXIMUM

- To the maximum extent appropriate, children with disabilities are educated with children who are nondisabled. 34 C.F.R. §300.114.

## MAXIMUM

- To the maximum extent appropriate, children with disabilities are able to participate in extracurricular activities with children who are nondisabled. 34 C.F.R. §300.117.

# LRE Continuum





# Parent Participation in Decision Making

## [300.322](#) Parent participation.

- Public agency responsibility
  - One or both parents have an opportunity to participate in the IEP meeting:
    - Notification early enough to participate
    - Mutually agreed time/place
- Information is provided to parents
  - Indicate purpose, time, location
  - Who will attend
  - If student is 16 – must indicate postsecondary goals and transition services
- Other methods of parent participation
  - Phone calls, virtual
- Conducting a meeting without a parent
  - Document, document, document
- Use of interpreters or other action, as appropriate
  - Language eg. Spanish, ASL
- Copy of child's IEP provided to parent at no cost to the parent

Transition aged students should be invited to the IEP as appropriate.



# Parent Participation in Decision Making

[300.322](#) Parent participation.

- Public agency responsibility
  - One or both parents have an opportunity to participate in the IEP process
    - Notification early enough to permit meaningful participation
    - Mutually agreed upon methods of communication
- Information regarding the child's progress must indicate postsecondary goals and transition

**Meaningfully participate**

- Other methods of parent participation
  - Phone calls, virtual
- Conducting a meeting without a parent
  - Document, document, document
- Use of interpreters or other action, as appropriate
  - Language eg. Spanish, ASL
- Copy of child's IEP provided to parent at no cost to the parent

Transition aged students should be invited to the IEP as appropriate.



# Student Participation in Decision Making

- Transition-aged students should be invited to their IEP, as appropriate.
- The Individuals with Disabilities Education Act (IDEA) requires that students be invited to their IEP meetings when they are 14 or older. However, the student's attendance is not required.



# Procedural Safeguards

WDE  SPECIAL EDUCATION

Notice of Procedural Safeguards  
Individuals with Disabilities Education Act

JULY 2021



- [Notice of Procedural Safeguards Rev. 2021](#)
- [Notice of Procedural Safeguards Rev. 2021 \(Spanish\)](#)

# FERPA



# FERPA

Family Educational  
Rights & Privacy Act

## Family Educational Rights and Privacy Act

- Protects the privacy of parents and student's information
- Protect students' records (grades, behavior, cumulative reports, etc.)
- Disciplinary files
- Student transcripts
- Immunization & health records
- Only staff working with student-Need to know basis
- Restrictions on sharing information
- Disciplinary action if violated
- Parents have right to access, review, and make corrections



Personally Identifiable Information (PII)

## 34 C.F.R. §99.3

### Personally Identifiable Information:

The term includes, but is not limited to—

- (a) The **student's name**;
- (b) The name of the student's **parent or other family members**;
- (c) The **address** of the student or student's family;
- (d) A personal identifier, such as the **student's social security number, student number, or biometric record**;
- (e) Other indirect identifiers, such as the **student's date of birth, place of birth, and mother's maiden name**;
- (f) **Other information** that, alone or in combination, is linked or **linkable to a specific student** that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or
- (g) Information requested by a person who the educational agency or institution reasonably believes knows the identity of the student to whom the education record relates.



# Health Insurance Portability and Accountability Act (HIPAA)

- Signed into law in 1996
- US law designed to provide privacy Standards to protect patient's medical records and other health information
- Student health and medical records are confidential



# How Can You Support the IEP Process?

- Inform teacher(s) of any suspicion of a disability
- Provide unique perspective of the student in multiple settings
- Support student advocacy and independence in all settings
- Support IEP goals
- Collect data for reporting progress



WHAT DO YOU

THINK



1. A student may be eligible under the IDEA if she qualifies under one of the 13 IDEA disability categories but does not need specialized instruction.

A. True

B. False

A student may be eligible under the IDEA if she qualifies under one of the 13 IDEA disability categories but does not need specialized instruction.

## **B. False**

To qualify as a "student with a disability" under the IDEA, the student must: 1) meet the definition of one or more of the categories of disabilities under the IDEA; and 2) need special education and related services as a result of his disability. [34 CFR 300.8](#) (a)(1).

2. A school psychologist makes the determination of whether a student is eligible for special education and related services.

A. True

B. False



A school psychologist makes the determination of whether a student is eligible for special education and related services.

## **B. False**

A school psychologist may conduct the evaluation, make recommendations, and participate as part of the team that makes the eligibility decision. However, that decision must be made by the team; neither the psychologist, nor any other individual may unilaterally determine whether the child is eligible. [34 CFR 300.306](#) (a).

3. Once the district completes an initial IDEA evaluation, a group of qualified professionals and \_\_\_\_ determine whether the child is a child with a disability and what the child's educational needs are:

- A. The student
- B. The parent
- C. The superintendent

Once the district completes an initial IDEA evaluation, a group of qualified professionals and \_\_\_\_ determine whether the child is a child with a disability and what the child's educational needs are:

## **B. The parent**

The parent is a key and mandatory member of the eligibility team. Upon completion of the administration of assessments and other evaluation measures, a group of qualified professionals and the parent of the child determine whether the child is a child with a disability and the educational needs of the child. [34 CFR 300.306](#) (a).

4. A student who is in a gifted program is disqualified from IDEA eligibility.

A. True

B. False

A student who is in a gifted program is disqualified from IDEA eligibility.

## B. False

The mere fact that a student is gifted does not disqualify him from eligibility for special education and related services under the IDEA. A student who needs special education because of a qualifying disability retains his rights under the IDEA, even if the student is intellectually gifted. See *Letter to Anonymous*, [55 IDELR 172](#) (OSEP 2010) (stating that a gifted student with Asperger syndrome could be eligible under the autism classification and require services to address behavioral or social challenges). See also *Memorandum to State Dirs. of Special Educ.*, [65 IDELR 181](#) (OSEP 2015) (stating that high cognition is not a bar to eligibility)

# Join us for Session #2

October 17, 2024  
4:00 – 5:30 p.m.

## Session #2: 3 R's: Roles, Responsibilities, & Relationships

- Ethics
- Teacher(s) and Paraprofessional
- Classroom Management
- Collaboration/  
Communication

### **Zoom registration:**

[https://zoom.us/webinar/register/WN\\_-meWjDBYS42Y88JzIcgqqg](https://zoom.us/webinar/register/WN_-meWjDBYS42Y88JzIcgqqg)

# Session Attendance & Participation

<https://bit.ly/4e5RvNV>





THANK YOU  
SO MUCH

YOU ARE VERY MUCH APPRECIATED!