

Surrogate Parent Training



Presented by:

Presenter:

Title:

District:

Date:

Roles and Responsibilities within the Special Education Process





Advocate

...for rights

...for needs





NEEDS	RIGHTS
<ul style="list-style-type: none">• As determined by initial or subsequent evaluations• Influenced by the surrogate's knowledge of the extent of the disability(s) and the home life of the individual student	<ul style="list-style-type: none">• As outlined in the relevant sections of the Individuals with Disabilities Education Act (IDEA), or the federal and state regulations developed from IDEA



Review



Data

- Assessments
- Evaluations



Placement

- Appropriateness
- Least Restrictive



Goals and Modifications

- Individual
- Research Based





Participate

IEP
Meetings

Conferences

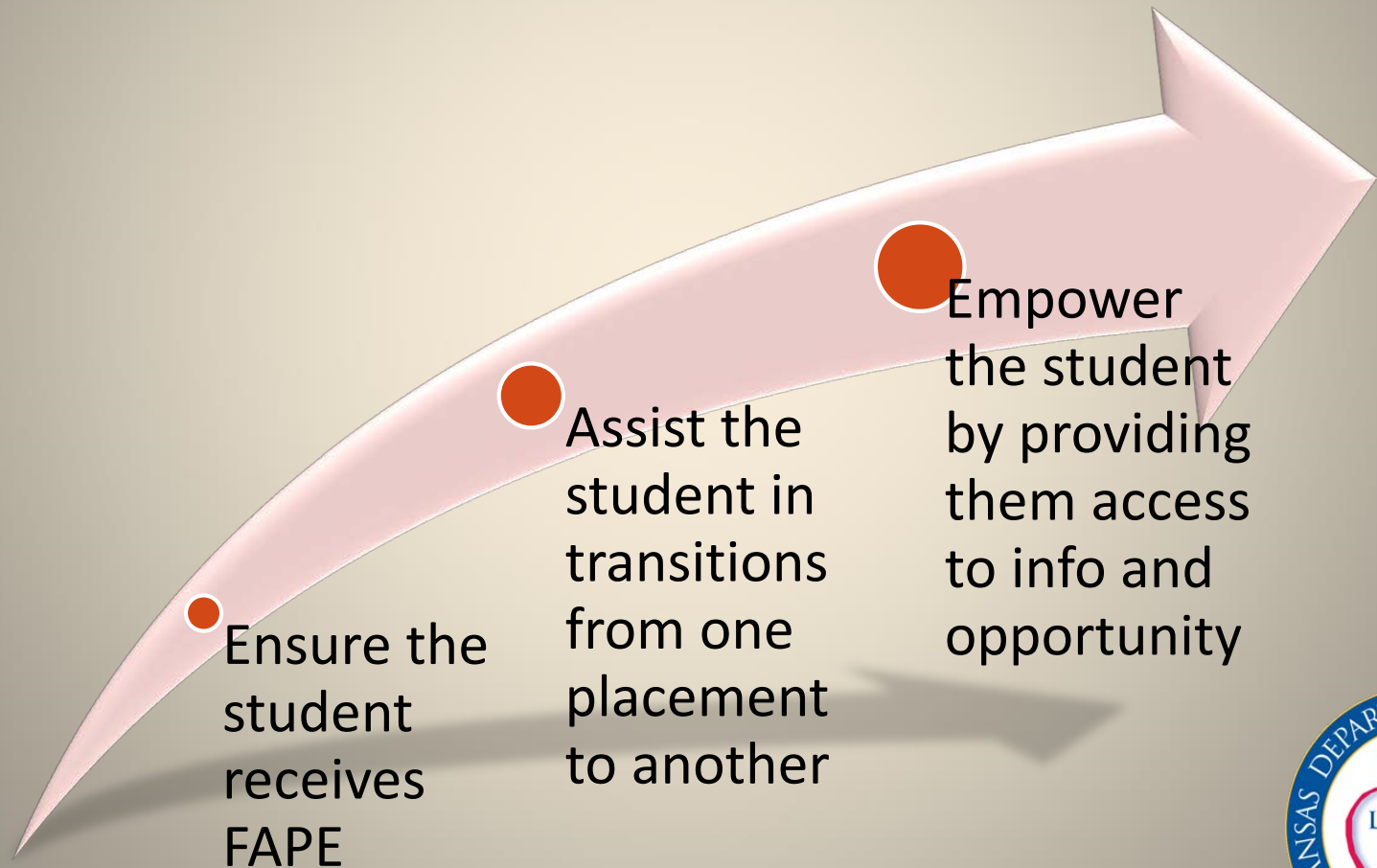
Evaluations

Informal
Discussions





Guide





Individuals with Disabilities Education Act:

COMMON TERMS AND DEFINITIONS



Parent

LEAs must have procedures to protect the rights of the child whenever the parents of the child are not known, the agency cannot, after reasonable efforts, locate the parents, or the child is a ward of the State, including the assignment of an individual to act as a surrogate for the parents, which surrogate shall not be an employee of the State educational agency, the local educational agency, or any other agency that is involved in the education or care of the child.

20 U.S.C.A. § 1415 (West)



(23) Parent

The term “parent” means—

(D) except as used in sections 1415(b)(2) and 1439(a)(5) of this title, **an individual assigned under either of those sections to be a surrogate parent.**






20 U.S.C.A. § 1401 (West)





FAPE

Free Appropriate Public Education

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- Personalized instruction with appropriate support services.
 - Provided at public expense.
 - Tied to state grade level standards.
 - Provided in conformity with the student's individualized education program.
 - From which a student may obtain educational benefit.




IEP


Individualized Education Program

The term “individualized education program” or “IEP” means a written statement for each child with a disability that is developed, reviewed, and revised in accordance with this section and that includes.....




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1. a statement of the child's present levels of academic achievement and functional performance
 2. a statement of measurable annual goals, including academic and functional goals
 3. 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 will be provided



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4. a statement of the special education and related services and supplementary aids and services to be provided to the child, and a statement of the program modifications or supports for school personnel that will be provided for the child
 5. an explanation of the extent, if any, to which the child will not participate with nondisabled children in the regular class and in the other activities



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6. a statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on State and districtwide assessments
 7. the projected date for the beginning of the services and modifications and the anticipated frequency, location, and duration of those services and modifications



LRE

Least Restrictive Environment

Each public agency must ensure..

- 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
- 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.



ESY

Extended School Year

(1) Each public agency must ensure that extended school year services are available as necessary to provide FAPE

Arkansas regulations establish guidelines and requirements for ESY



ESY

- 19.02.1 It is the purpose of these regulations to define extended school year services and delineate the criteria for eligibility for such services
- 13 factors (including, **but not limited to**, regression/recoupment data) must be considered by the IEP team in order to determine a student's eligibility for ESY
- 19.04.2 Extended school year services must be provided only if a **CHILD'S IEP TEAM** determined, on an individual basis, that the services are necessary for the provision of FAPE to the child




IEE

Independent Educational Evaluation

Independent educational evaluation means an evaluation conducted by a qualified examiner who is not employed by the public agency responsible for the education of the child in question





A parent has the right to an independent educational evaluation at public expense if the parent disagrees with an evaluation obtained by the public agency



IEE

Procedural Requirements

- The public agency must file a due process complaint to request a hearing to show that its evaluation is appropriate or;
- Ensure that an independent educational evaluation is provided at public expense.






Manifestation Determination

Within 10 school days of any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the LEA, the parent, and relevant members of the child's IEP Team (as determined by the parent and the LEA) must review all relevant information in the student's file, including the child's IEP, any teacher observations, and any relevant information provided by the parents to determine.....





**1) IF THE CONDUCT
IN QUESTION
WAS CAUSED BY,
OR HAD A DIRECT
AND
SUBSTANTIAL
RELATIONSHIP
TO, THE CHILD'S
DISABILITY; OR**

**2) IF THE
CONDUCT IN
QUESTION
WAS THE
DIRECT RESULT
OF THE LEA'S
FAILURE TO
IMPLEMENT
THE IEP**



RTI

Response To Intervention

According to the National Center on Response to Intervention, response to intervention is the practice of (1) providing high quality instruction/intervention matched to student needs and (2) using learning rate over time and level of performance to (3) make important educational decisions.



LEA

Local Education Agency

Local education agency or LEA means a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary schools or secondary schools in a city, county, township, school district, or combination thereof.



FBA

Functional Behavior Assessment

An evaluation performed by a licensed professional; conducted for the purpose of identifying the causes of a student's problematic behavior.



BIP

Behavioral Intervention Plan

1) The student's behavior intervention plan should include positive strategies, programs or curricular modifications, and supplementary aids and supports required to address the behaviors of concern; and

2) emphasize skills needed by the student to behave in a more appropriate manner and that provide proper motivation





CIRCUIT Referral

**Centralized Intake and Referral / Consultant
Unified Intervention Team**

a regional group of special education consultants who can assist in interventions for students with sensory disabilities, multiple physical disabilities, behavior, and autism spectrum disorders



Transition Services

Transition services means a coordinated set of activities for a child with a disability that....





is focused on improving the academic and functional achievement of the child with a disability to facilitate the child's movement from school to post-school activities

Is based on the individual child's needs, taking into account the child's strengths, preferences and interests; and

Transition Services

The development of employment and other post-school adult living objectives and, if appropriate, acquisition of daily living skills and provision of a functional vocational evaluation.

Which includes instruction, related services, and community experiences



SEA

State Education Agency

The State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or, if there is no such officer or agency, an officer or agency designated by the Governor or by State law.



The SEA in Arkansas is the Arkansas Department of Education



Parent and Student Rights



General Rights



You have the right to....

- Examine all records pertaining to the student.
- Participate in all conferences and meetings regarding the student
- Request and obtain an independent educational evaluation at the school's expense.




Procedural Rights



Notice

Prior written notice of action to the parents of the child is required whenever the local educational agency—





- proposes to initiate or change; or

- refuses to initiate or change

....the identification, evaluation, or educational placement of the child, or the provision of a free appropriate public education to the child.



Consent

Parent must provide written consent
for....

..the initial
and all
subsequent
evaluations

..before providing
initial or
temporary
special education
or related
services

..the performance of
a functional
behavioral
assessment unless
required after a
Manifestation
Determination
Review.



Consent is not required for any other aspect of your student's special education. You do, however, have the right to be notified.



Mediation

Each public agency must ensure that procedures are established and implemented to allow parties to disputes involving any matter, including matters arising prior to the filing of a due process complaint, to resolve disputes through a mediation process




**Either a parent
or the district
can request that
the dispute be
mediated.**

**The mediation
can't be used to
delay or deny
the request for
a hearing.**

**The mediation is confidential and an
agreement in mediation is binding on
both the parties.**



Due Process Hearing



Parent can request	<ul style="list-style-type: none">• Waive mediation• After mediation is unsuccessful
Impartial third party	<ul style="list-style-type: none">• Hearing officer
Effect of court order	<ul style="list-style-type: none">• Orders issued to which schools must comply



Rights During Change in Placement





Initial Referral and Evaluation

If a referral conference results in a decision to evaluate a child, and existing data and educational observations establish the need for immediate intervention or differential diagnostic data gathering, the local education agency, with the parent's written consent, may initiate a temporary placement for the child to provide special education and related services.





Changes in Placement or Services

If changes are made to the student's placement or services and the parent files a request for a hearing to object to those changes.....

..the student will “stay put” in her or his current placement and continue to receive the same services until an order is issued by the hearing officer.



Participation Rights



IEP Team Participation

Parent must be afforded the opportunity to be a member of the IEP Team



However...

Parent can agree not to convene the IEP Team and use a written document to allow for the modification or amending of the IEP

Parent can agree to participate through means other than physical presence at the location of the meeting

Parent can request that other individuals be present at the IEP meetings who have knowledge of the child and/or her or his disability.



Annual Review

A meeting of the IEP team that must be held annually. Team will discuss changes to IEP, need for ESY services, and progress towards the achievement of the goals on the IEP.





Separate Programming Conference

This meeting is usually held on an as-needed basis and can involve discussion on changes in goals or modifications, issues with behavior, transfer students coming in the middle of the school year, health concerns, or any other issue that can't wait for the annual review.





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