



Volume 1 Issue 1

Family - School Partnership



where every seat counts



April 2010

Welcome!

Roundtable is the quarterly e-newsletter of the Family-School Partnership at The Advocacy Center. Our goal is to give families the tools to fully participate in their child's education. When families partner with schools they form a strong foundation of support for children.

What is the Roundtable?

The Roundtable is the name of the quarterly e-newsletter of the Family-School Partnership at The Advocacy Center. We chose 'The Roundtable' because at a round table there is no seat that is more important than any other seat. Since there is no head of the table, everyone at the table is an equal member. We believe children benefit when families and schools work together to plan a child's special education program. This newsletter is one tool we use to educate and empower parents.

April's Alternative Dish

**Clouds...
It's all In What You See**

One of my favorite past-times is looking at clouds. There is just something so peaceful and calming that floods my senses. Maybe it is just the action of looking up or the awareness that an escape exists far above the chaos that often describes my life.

When the clouds are dark and stormy instead of fluffy and white, I still find myself mesmerized by the way they purposefully cover the horizon. Regardless of the many forms they take and differences of color, clouds are just clouds.

Isn't it amazing that a group of people can lie on their backs, watch the same sky and yet each person can see something different in the clouds? One may see a plane and another a dinosaur or a tree. There is never a question of if it is indeed clouds that they are watching.

Wouldn't it be grand if we as people could look at one another and appreciate our majestic, awesome and unique selves? We are individual and yet all it takes is a moment to realize that we will always have 'human' as our common bond.

So, the next time you notice something different about someone, remember that even though they may or may not walk like you, act like you, communicate like you or even look like you do, take time and realize that they actually are like you. There should never be a question of this fact.

Meet the Team



Joe Goyos
Coordinator/Bilingual Parent
Education Specialist



April Dixon
Parent Education Specialist



Jenny Hutkowskij
Parent Education Specialist

Coming Soon our new website!
www.specialedparentcenter.edu

CENTER PIECE

“What You Need to Know About IDEA: IEPs for Children with Behavior Problems

By Pat Howey, Paralegal and Advocate

Question: Help! The school had my child with autism arrested. The charges were dismissed but I am afraid this will happen again. What can I do?

Answer: You are wise to think this may happen again. You need to write a letter and request that the IEP team meet to review and revise your child's IEP, in light of the behavior issues that led them to have him arrested. Your letter should include relevant information about your child's history and your concerns. (For more about this, read *Preparing for IEP Meetings: Providing Information & Sharing Concerns*)

But first, you need to learn what the law requires IEP teams to do when children with disabilities have behavior problems.

The IDEA 2004 regulations and commentary to the regulations were published in August 2006. The law, federal regulations and commentary describe what IEP teams must do when a child's behavior "impedes the child's learning or the learning of other children."

Do not assume that your child's IEP team is knowledgeable about these requirements.

The questions and answers about the requirements for meeting the needs of children with behavior problems (below) are taken from IDEA 2004, the special education regulations, and the Commentary.

Note: Wrightslaw: Special Education Law, 2nd Edition includes IDEA 2004 and the special education regulations. You can download the special education regulations and commentary and other resources from IDEA 2004 at Wrightslaw.

Question: If a child's behavior impedes the child's learning or that of others, must IEP Teams base positive behavioral interventions and support on a functional behavioral assessment?

Answer: Yes. Conducting functional behavioral assessments typically precedes developing positive behavioral intervention strategies.

Question: Does "consideration of special factors" address the behavioral needs of children with disabilities in the IEP process?

Yes. The IEP Team determines whether a child needs positive behavioral interventions and supports. If the behavior of a child impedes the child's learning or the learning of other children, the IEP Team must consider the use of positive behavioral supports, supports, and other strategies to address that behavior. (20 U.S.C. § 1414(d)(3)(B)(i), 34 C.F.R. § 300.324(a)(2)(i))

Question: If the child's behavior impedes the child's learning or that of others, must the IEP Team develop a plan to address these problem behaviors?

Answer: Yes. If the child's behavior impedes his learning or the learning of others, the IEP team must include strategies, including positive behavioral interventions, supports, and other strategies to address that behavior. If the child's behavior that impedes learning is not addressed in the IEP, the IEP Team must review and revise the IEP to ensure that the child receives appropriate positive behavioral interventions and supports and other strategies. (34 C.F.R. § 300.324(a)(2)(i) and 34 C.F.R. § 300.324(a)(3)(i).)

Question: Must school districts train teachers regarding the use of positive behavioral interventions and support?

Answer: Yes. School districts must provide teachers with high-quality professional development, including the use of scientifically based instructional practices. School districts must ensure that personnel have the skills and knowledge necessary to improve the academic achievement and functional performance of children with disabilities. Each district must ensure that all personnel necessary are appropriately and adequately prepared. (20 U.S.C. § 1412(a)(14), 34 C.F.R. § 300.156)

Each State must establish and maintain qualifications to ensure that personnel are appropriately and adequately prepared and trained, and have the content knowledge and skills to serve children with disabilities. (20 U.S.C. § 1412(a)(14), 34 C.F.R. § 300.156(a))

Question: Must school districts use research-based positive behavioral supports and systematic and individual research-based interventions when addressing the behavioral needs of children with disabilities in their IEPs?

Answer: Yes. School districts must ensure that scientifically based research drives their professional development activities and services. (34 C.F.R. § 300.226(b)(1))

The implementation of early intervening services specifically focuses on professional development for teachers and other school staff to enable such personnel to deliver scientifically based academic and behavioral interventions, and providing educational and behavioral evaluations, services, and supports. (20 U.S.C. § 1413(f)(2), 34 C.F.R. § 300.226(b)(1))

The definition of "scientifically based research" is included in the regulations (34 C.F.R. § 300.35). Scientifically based research is referenced in IDEA 2004 (20 U.S.C. § 1411(e)(2)(C)(xi)). The full definition of the term "scientifically based research" includes that a peer-reviewed journal published the research, or that a panel of independent experts through a comparably rigorous, objective, and scientific review approved it.

Question: Must public agencies provide positive behavioral interventions and supports for all children identified as having an emotional disturbance?

Answer: No. IEP Teams make decisions on an individual basis for each child. IEP Teams need not consider such interventions, supports, and strategies for a particular group of children, or for all children with a particular disability. IEP Teams must consider the use of positive behavioral interventions and supports, and other strategies to address the behavior of a child whose behavior impedes the child's learning or that of others. (20 U.S.C. 1414(d)(3)(B)(i)), 34 C.F.R. § 300.324(a)(2)(i))

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