

Individuals with disabilities education act



**ASSIGN
BUSTER**

Before 1975 children with disabilities did not have any civil rights to an education. Public schools excluded children with disabilities from obtaining any education. All that changed when IDEA passed in 1975, it gave children the possibility to a free education. “ The Individuals with Disabilities Education Act also known as IDEA was signed into law in 1975. It was designed to protect children with disabilities and their families the right to an equal and effective education” (Gargiulo, 2008, p. 48). This essay will summarize the six key components and their reauthorization of the original 1975 IDEA, and the mandated IDEA process for referring a student for special education services.

Gargiulo (2008) indicated, that IDEA consisted of six key components which are a free Appropriate Public Education, The Least Restrictive Environment, An Individualized Education Program, Procedural Due Process, Nondiscriminatory Assessment and Parental participation. The first component of IDEA is a free appropriate public education. “ A free appropriate public education simply means a child regardless of mild or severity of their disability will receive a free education” (Gargiulo, 2008, p. 48). Let’s say a student with a disability has a difficult time with their speech, a speech therapist would be provided from the school to fit the child’s needs. The parents or guardian would not be charged for this service instead their child benefits from a free education. The second component of the IDEA is least restrictive environment. This component states that children with a disability can be educated with children without disabilities when it’s possible. For example, a student in special education is on the same grade level in reading as their peers. This student will be able to participate in a

regular education environment during reading. The third component of IDEA is individualized education program known, as IEP. The IEP is an educational plan created by the student's parents and by professional educators consisting of specific criteria for students in the special education program. These criteria address which services and how long each service will be provided to the student. According to Gargiulo (2008), academic goals are established and instructions are provided to guide the student to achieve their goals. It also includes which programs the students will participate in a general education environment. During the IEP meetings parents become important advocates for their child's education. Parents are able to agree or disagree on services or goals set for their child. IEP is beneficial for the student; it focuses on how they can continue their academic success. Procedural due process is the fourth component. This component is a safeguard for the parent or guardian. " These safeguards allow parents or guardians to access and examine their child's records" (Gargiulo, 2008, p. 49). For example during the school year, if the teacher notices that one of her students in the special education program is showing some difficulties in their social skills. The IEP is then changed to add a social skill goal. The parent or guardian is then notified of the changes made to their child's IEP. The parents or guardian can agree or disagree to this new change. If any disagreement occurs based on their child's educational plan, the parent or guardian is able to seek legal counsel. The fifth component is Nondiscriminatory assessment. This means that students need to go through different types of assessments by trained personnel before being placed. Educators need to be aware of their bias against students with cultural backgrounds and diverse languages. When educators put aside their biases

<https://assignbuster.com/individuals-with-disabilities-education-act/>

they can precede to test their student fairly during their assessment.

Parental participation is the final component and this allows parents to be involved in all of their child's education decision making. "The parents or guardian participate in the selection process in their child's education and the environment they will be learning in" (Gargiulo, 2008). Parents have the opportunity be involved in meeting, evaluates and placements of their child. In return, the parent or guardian begin to build a strong partnership with the school and educators. A student success benefits when parents and teachers work together.

There have been several reauthorizations made since 1975. "Congress passed into law PL 99-457 in 1986" (Gargiulo, 2008, p. 51). This public law also expands their services to special education needs for children from birth to the age of five. The PL 99-457 was developed to reduce educational cost by providing early interventions to minimize services when the children reach kindergarten. Schools must provide special education services to children between the ages of three to five years old. "If any state does not meet the requirements of this public law then the state will lose a huge portion of their preschool funding" (Gargiulo, 2008, p. 51). The second reauthorization is PL 94-142. "Children" was replaced with the term "individuals" and "handicapped" became "with disabilities" (Gargiulo, 2008, p. 51). For example instead of saying "He's autistic," the proper way of saying it is "Chris is autistic." This law focuses on the children first and not their disability. A transition plan was also added. When a student reaches the age of 16 a transition plan must be a part in their IEP. The transition plan helps the student to prepare for life after high school. "This plan is designed to

promote the students' movement to post school functions such as independent living, vocational training, and additional educational experiences" (Gargiulo, 2008, p. 51). " The Public Law 105-17 was restructured from Individuals with Disabilities Education Improvement Act" (Gargiulo, 2008, p. 52). Several key components of the IDEA were changed. For example, regular educators become part of the IEP team. The transition plan was changed from age 16 to the age of 14. The Individuals with Disabilities Education Improvement Act obligates the school to evaluate the academic progress of students in the special education program. Also the parental involvement in their child's education is voluntary but they still obtain the right to a due process hearing. " The next reauthorization is the Individuals with Disabilities Education Improvement act of 2004 or known as PL 108-446" (Gargiulo, 2008, p. 57). This reauthorization made changes in the IEP process. A progress reports would now be included in the IEP to show the student's progress towards their annual goals. Not all of the members involved in a student's services are required to attend an IEP meeting. If a certain service of the IEP is not being reviewed, then the member does not have to attend. The member however does need to submit a written report of how the student is developing in that area. The transition plan is updated yearly and the age requirement was changed back to 16 years old. Special Education teacher must obtain a bachelors degree or fully certified to teach in the special education program. Changes were done for the due process of the families. For example parents only have a two year limitation to file a due process and the IEP members must set a meeting within 15 days after receiving a due process complaint.

There are four steps an educator takes for evaluating a student for the special education program. These steps are referral, assessment, instructional programming, and appropriate placement. A referral is the first step in the special education program. A teacher or a parent can initiate a written referral to the school to begin the evaluating process to see if their child qualifies for the special education program. Some reasons for a referral can vary from having academic or behavior difficulties noticed by a teacher or parent. An educational professional reviews the referral but not every school does this. They will determine if the services and resources are required for the student to enter in the special education program. The school will need parental consent before testing begins. A parent or guardian can withdraw the referral for special education services. An assessment is to determine whether a child is eligible for special education services. During this process a profile of the student's weakness and strengths will be created. Assessments cover areas from cognitive, speech and language, social and emotional behavior. Permission is required from parents before an assessment is administered. Parents can obtain copies of the assessments reports prior to an IEP meeting. Final, the Instruction programming and appropriate placement focuses how a multi-disciplinary team decides whether or not the student qualifies in a special education program. The students that do not meet the qualification will be given intervention strategies to help them with the subjects they are struggling with. If the student qualifies for the program then a letter will be sent to the parent's with an evaluation summary. At this time, the team will begin to create an IEP for the student.

Pre-referral intervention is a process to help provide intervention strategies within the regular classroom before a child is to be referred to a special education assessment. These interventions are based on helping with any learning or behavior difficulties that the student may have. Let's assume a teacher noticed one of her student's having difficulties in spelling, the teacher then speaks to the special education teacher to create strategies to help the student in spelling. These strategies are designed plans to suit the needs of the student. This process can decrease unnecessary referrals to the school. A Multi-disciplinary team is used during the assessment process. This team consists of variety of professionals that create a complete profile of a student. This team is responsible for delivering the assessment and evaluating the concern areas addressed on the referral. " Norm-referenced are standardized tests and are linked to inter individual differences" (Gargiulo, 2008, p. 65). This test compares the student's skill to other students in the similar age group. Statistical method is used to determine how the student did. For example first grade students were tested and the outcome is used in a statistical method. You would be able to see how each student ranked. For example, Jon scored at the 50th percentile among his class. " Criterion-referenced tests are associated with intra individual differences and can provide data that is useful for instructional planning" (Gargiulo, 2008, p. 66). For example, a math problem is given to a student to see if the student is able to add two digit numbers. The outcome is strictly based on whether the student did or did not answer the problem correctly. Individualized Education Program also known as IEP is an educational plan created for students in the special education program. This document describes services the student will receive and a list of goals in which will

<https://assignbuster.com/individuals-with-disabilities-education-act/>

measure the student progress. An IEP is created by a team consisted of a parent or guardian, teachers and specialist. Every goal, modification or accommodation is to help the student receive the most appropriate education as possible. Not too long ago children with disabilities were denied of an education. As a result of IDEA, children are achieving levels of success that many thought was impossible.