



New School Year begins with New Law Individual with Disabilities Education Improvement Act of 2004

Most of you know that President Bush signed IDEA 2004 into law. Its new name is the "Individuals with Disabilities Education Improvement Act" and for students it went into effect on July 1, 2005. Many things have changed; some of the changes will help children, some may not.

STEP has the entire law in our Parent Manual which is distributed at our **ALL NEW** "Introduction to Special Education" (Basic Rights) workshops (free of charge for families). It is also on our Web page in a fully searchable format. Those who want to purchase a hard copy can call the office (book \$25 & CD \$10).

STEP also has an **ALL NEW** workshop on Basic Rights -- "Introduction to Special Education". We have worked hard over the summer preparing an all new workshop with the changes that parents need to know to effectively work with their child's school and as an IEP team member.

Even though the law changed on July 1, Tennessee law and

regulations are still in effect. Although there may be some future movement to change these TN rules, they are currently the ultimate authority if the state rules give children more rights than the federal law does.

The new workshop will help parents understand IDEA's new rules on issues such as:

- ◆ Procedural safeguard notice
- ◆ IEP development
- ◆ Referrals
- ◆ Evaluation requirements
- ◆ IEP participation
- ◆ Transition requirements
- ◆ Academic achievement & functional performance
- ◆ Measurable annual goals
- ◆ Reporting on student progress
- ◆ Use of research-based special education and related services
- ◆ Accommodations on T-CAPS and other statewide tests
- ◆ Graduation and the Summary of performance
- ◆ Due Process & the Resolution session
- ◆ Universal design
- ◆ NIMAS (National Instructional Material Access Standards)

The parents' role has been strengthened as education partners with schools. There is a greater emphasis on parent involvement and parent partnerships.

Even though there are no new regulations to go with the new law, the new law is in force and must be followed. Regulations are being worked on in Washington and are projected to be published in December.

Many parents and staff at STEP have heard that a number of school systems intend to continue with short-term objectives even if the state eliminates them, because they say "it just makes good sense". Our hope is that many systems will follow. There is nothing in the new law that would restrict such a practice and it has worked for 30 years.

These new workshops are scheduled across the state, there is a list on the next page. If you need a workshop scheduled in your county, call us - we'd love to come - (800) 280-STEP.

U.S. Department of Education Awards STEP the PTI Grant to Serve You

To all our supporters:

We are pleased to say a great big **thank you** to the incredible number of families and professionals who wrote us such wonderful and heart touching letters of support! We were deeply moved as we read them and included them in our grant application to continue our work in Tennessee.

I am proud to announce that STEP won the U.S. Department of Education grant competition so we can continue to be your **Parent Training and Information Center** (PTI) for another 5 years! At the same time, I am deeply grateful for the support and encouragement of folks all over Tennessee. Thanks have to go to so many... thanks to the TN State Department of Education and the many school systems who wrote support letters. Thanks to the huge number of agencies and professionals that also wrote strong support letters. And thanks to the families -- there are not enough words to express our gratitude for your touching testimonials and heartfelt stories. Your hundreds of letters of support made a significant difference and helped us secure our funding to serve you for 5 more years.

Thanks, from the STEP Board of Directors and staff:

Nancy, Jenness, Karen, Alena, Donna, Sally, Jennifer, Donna B, Jim and all the DPTs

STEP WORKSHOPS ACROSS TENNESSEE

If you want to attend a workshop in your area, would you help us by letting us know so we can schedule one for you? Call **(800) 280-STEP** or e-mail us at **information@tnstep.org** -- Preregistration is required for all workshops (see contact number). Basic Rights is a *new* three-hour basic special education training workshop: "First STEP: A Parent's Introduction to Special Education" including the changes in IDEA. Additional workshop topics include: IEP, Evaluation, Inclusion, Section 504, Communication & Conflict Resolution, Transition, and LRE, and Early Childhood.

(E=East TN, M=Middle TN, W=West TN)

Workshop Schedule

Date	Time	Workshop	TN	Location	Contact
10/04/05	6:00 p.m.	New Basic Rights	E	Maryville/Blount Co.	(865) 984-1212
10/11/05	6:00 p.m.	IEP	E	Chattanooga/Hamilton Co.	(423) 867-1517
10/22/05	9:00 a.m.	Trans. Institute	E	Knoxville/Knox Co.	(800) 280-7837
10/25/05	6:00 p.m.	New Basic Rights	E	Clinton/Anderson Co.	(865) 457-0159
11/08/05	6:00 p.m.	New Transition	E	Maryville/Blount Co.	(865) 984-1212
11/15/05	6:00 p.m.	Evaluations	E	Chattanooga/Hamilton Co.	(423) 648-1757
03/07/06	6:00 p.m.	TBA	E	Maryville/Blount Co.	(865) 984-1212
10/04/05	5:00 p.m.	New Basic Rights	M	Tullahoma/Coffee Co.	(931) 454-0050
10/10/05	9:00 a.m.	New Basic Rights	M	Fayetteville/Lincoln Co.	(931) 438-0337
10/11/05	5:30 p.m.	New Basic Rights	M	Franklin/Williamson Co.	(615) 790-5815
10/18/05	5:00 p.m.	IEP	M	Lewisburg/Marshall Co.	(931) 359-1197
10/19/05	6:00 p.m.	New Basic Rights	M	Nashville/Davidson Co.	(615) 269-7091
10/21/05	9:00 a.m.	New Basic Rights	M	Lebanon/Wilson Co.	(615) 444-0597
10/27/05	5:00 p.m.	IEP	M	Nashville/Davidson Co.	(615) 322-8200
10/27/05	5:30 p.m.	New Basic Rights	M	Dickson/Dickson Co.	(615) 446-3111
11/01/05	5:30 p.m.	New Basic Rights	M	Murfreesboro/Rutherford Co.	(615) 494-8880
11/08/05	6:00 p.m.	New Basic Rights	M	Dickson/Dickson Co.	(615) 441-8546
11/14/05	6:00 p.m.	New Basic Rights	M	Clarksville/Montgomery Co.	(931) 302-7395
11/15/05	8:30 a.m.	New Basic Rights	M	Centerville/Hickman Co.	(931) 698-1720
01/10/06	6:00 p.m.	IEP	M	Dickson/Dickson Co.	(615) 441-8546
03/02/06	6:00 p.m.	New Basic Rights	M	Clarksville/Montgomery Co.	(270) 798-8997
11/10/05	9:00 a.m.	New Basic Rights	W	Memphis/Shelby Co.	(901) 756-4332

This list is as of 9/28/05 (in time for publishing and distributing the newsletter), more workshops are being added daily! Please call us or go to our Website (www.tnstep.org) to learn of the newest schedule of workshops! Please let us know which workshop you would like to attend and we will set one up -- right in your county! As always, these trainings are free to parents or other family members!

*NEW - STEP's all new Basic Rights workshop includes many of the IDEA 2004 changes that went into effect July 1st.



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 Telephone: (423) 639-0125 or (800) 280-STEP. Text: (423) 639-8802 E-mail: information@tnstep.org



Institute on Transition into Adult Life

A program of the On TRAC Project - Transition and Rehabilitation Advocacy Center

What happens when the **School Bus** stops coming?



WHAT WILL I DO IN THE COMMUNITY?

What am I going to do when I leave school?
Stay in school? Train for a job? Get a job?
Can I still do fun things? How will I get around?



WHERE WILL I LIVE IN THE COMMUNITY?

What if my parents or family is not around?
Can someone with a disability have their own place?
Where will I live? With my family? With friends? Alone?



HOW WILL I BE SUPPORTED IN THE COMMUNITY?

What services can I still get? Will I still have rights?
Will I still have an IEP? Who will help me do these things?
Parents? Family? Friends? Service Providers?



This Institute is for students and individuals with disabilities and their family, teachers, Vocational Rehabilitation staff, members of their circle of support, and other professionals who care for and about them and wish to learn more about how to support them.

When? Saturday, October 22, 2005 9:00 AM to 4:00 PM (Eastern Time)(registration 8:00 - 9:00)

Where? Cornerstone Christian Church, 1411 Lantana Lane, Knoxville, TN

How? Call **(800) 280-STEP** (7837) to **REGISTER** and for directions– it is FREE!!
To receive a free lunch you MUST call to register by October 10, 2005.

Special Needs? If you require a disability accommodation to attend this workshop, please call as soon as possible and no later than October 14, 2005.



TRANSITION: DON'T FORGET ABOUT HEALTH

During transition planning, health is a key area that is often overlooked. Some other key issues are often related; knowing how to access doctors, insurance coverage and medication; and, knowing TO WHOM, WHEN, and HOW to talk about a disability or health condition. Other issues related to staying healthy are developing good food choices (nutrition), understanding their developing bodies (sexual development), knowing the importance of getting rest and exercise, and becoming aware that alcohol or other drugs may affect them differently because of medication or their disability. What can you do? It may vary due to age, ability and condition, but you could encourage the child or individual with a disability to do some of the following:

- Give papers or insurance card to staff during office visits;
- Ask the doctors to talk directly to them as you listen;
- Involve them in picking up prescriptions, and develop ways they can learn to schedule and take medication appropriately;
- Allow them to answer questions about themselves, or prompt staff to direct questions to them;
- Learn about and discuss basic information about their disability or health condition; and
- Find out how their age and other benefits will affect their current medical coverage.

Transition tools on the web:

Health related transition information: www.htrw.org

There is a curriculum available to help youth with a disability to learn to talk about their disability called "The 411 on Disability Disclosure": http://www.ncwd-youth.info/resources_&_Publications/411.html

Easter Seals has several curricula about how to use public transportation and other ideas to increase the community mobility of individuals with disabilities: <http://projectaction.easterseals.com>

If you do not have access to the internet, contact STEP and we can assist you in getting the information or assist you in locating a place in your area where you can access the internet for free.



On TRAC to STEP up to National Service

On October 1, 2005, STEP begins a year long partnership with the Tennessee Commission for National and Community Service. AmeriCorps is a network of local, state, and national service programs that connects more than 70,000 Americans each year in intensive service to meet our country's critical needs in education, public safety, health, and the environment. It is often called the "domestic Peace Corps".

Individuals who serve with AmeriCorps programs become a member of a national corps of capable, committed individuals. Serving with national and local nonprofits, schools, faith-based organizations and other groups, these citizens tutor and mentor children, coordinate after-school programs, build homes, conduct neighborhood patrols, restore the environment, respond to disasters, build nonprofit capacity and recruit and manage volunteers. Members earn an education award (up to \$4,725) and may also receive benefits which may include: a living allowance, insurance and the opportunity for hands-on training and experience related to their program. In Tennessee, more than 520 people are serving in 15 AmeriCorps State programs through almost 100 service sites.

STEP will work with the programs to strengthen recruitment and outreach efforts to include persons with disabilities. We will assist the program in evaluating current recruitment strategies, knowledge of inclusion and accommodation practices, and the access to sites. Service and volunteering is one of many ways students and individuals with disabilities who have or are about to transition to adult life can gain life and job skills and to contribute to the community.

Public Service Announcement Update

Last newsletter there was a PSA for Tennessee Protection and Advocacy. On October 1, 2005 they will change their name to Disability Law and Advocacy Center of Tennessee. The change is to better reflect their specific purpose and the services they provide.

LEADERSHIP OPPORTUNITIES FROM THE COUNCIL ON DEVELOPMENTAL DISABILITIES FOR...

YOUTH. The Tennessee Youth Leadership Forum (YLF) is a 4 day summer session held during the month of June at Vanderbilt University in Nashville. The sessions cover disability issues and future planning for high school students with disabilities where. The opportunity is available to 20 high school 10th, 11th, and 12th graders with disabilities. Students independently attend without family or friends and all expenses are paid including reimbursement for travel to and from the Forum. For an application contact them on the web or by phone. Application Deadline is February 28, 2006.

ADULTS AND PARENTS. The Partners in Policymaking Leadership Institute is designed to provide adults with disabilities and parents of children with disabilities with the latest information on disability policy issues, and to help them become advocates for themselves, and for others in their communities. Each year, a class of 25-30 participants is selected from across the state. The criteria for acceptance into the program require that each participant is either a person with a disability or a parent (or other family member) of a child with a disability and to commit to attend all sessions. Application deadline is April 3, 2006.

<http://www.state.tn.us/cdd/> -- Phone: (615) 532-6556 -- TTY: (615) 741-4562



Questions and Answers Regarding IDEA Changes:

This information is provided as an "overview" and not intended to be all inclusive. More specific information is available through the Office of Special Education Programs (OSEP) "one-pagers" (www.ed.gov) or can be requested through STEP's 800 line: (1/800-280-7837)

Are there changes in the requirements for children transferring to a school in another part of the State and between States?

Yes. In the case of a child with a disability who transfers school districts within the same academic year, who had an IEP that was in effect in the same State, the new LEA (local educational agency) must provide the child with a free appropriate public education, including services comparable with the previous district's IEP, in consultation with parents, until it adopts the previous IEP or develops and implements a new IEP. If a child with a disability transfers school districts within the same academic year and had an IEP that was in effect in another State, the above applies until the LEA conducts an evaluation, and if determined to be necessary by the agency, a new IEP is developed. (Sec. 614 (d) (2) (C) (i) (I & II))

What are the requirements for children enrolled by their parents in private schools, including home schooled?

There are a couple points to be made here. The local education agency (LEA) has to consult with private school representatives of parentally placed private school children with disabilities during the design and development of special education and related services for the child. This consultation consists of child find to identify children with disabilities, discussion of how proportionate funds are calculated to serve these children, discussions about how privately placed students can meaningfully participate in special education and related services, and discussion of the types of services, and how services will be apportioned if funds are insufficient to serve all children. The new law also specifies that the LEA is responsible to identify, locate, and evaluate parentally placed private school children with disabilities in their area of jurisdiction. The LEA where the school is located is responsible, without regard to where the child resides. (Sec. 612(a) (10))

Was medication addressed in IDEA 2004?

Yes. There is now a prohibition on mandatory medication and the State education agency must prohibit State and LEA personnel from requiring a child to obtain a prescription...as a condition of attending school, receiving an evaluation or receiving services. There is not a prohibition against teachers and other school personnel consulting or sharing classroom-based observations with parents or guardians regarding a student's academic and functional performance, or behavior in the classroom or school, or regarding the need for evaluation for special education. (Sec. 612 (a)(25))

Does the standard of "highly qualified" apply to Special Education teachers?

The TN Dept. of Education clarified the answer to this in a memo dated 1/6/05. Special education teachers who are "teachers of record", (the one who gives the grade in a subject), for core academic subject areas must document "highly qualified" status by the **same** methods available to a regular teacher. Special educators who *do not directly instruct students* in core academic subjects or who provide only consultation in adapting curricula, using behavioral supports or interventions or selecting appropriate accommodations, *do not* need to demonstrate subject matter competency in those subjects.

For example, a Resource Teacher for grades K - 12 who does "pull out" to **reinforce** classroom instruction, would *not* have to be HQ. However, a Resource Teacher (K - 12) who does "pull out" and is the main deliverer of instruction must be HQ in each core academic subject. A teacher of a self-contained CDC (Comprehensive Development Class) that teaches multiple core academic subjects *must* be highly qualified. There are several options available to special education teachers to demonstrate that they meet highly qualified requirements. (Sec. 602 (10) & 612(a)(14))

A Special Education teacher who is teaching to Alternate Achievement Standards *exclusively* to students who are assessed against alternate achievement standards must meet the requirements as applied to an elementary school teacher, or in the case of instruction above the elementary level, has subject matter knowledge appropriate to the level of instruction being provided, and that is needed to effectively teach to those standards. For example, a CDC teacher whose class consists of students with significant, multiple disabilities ranging in age from 14-22, who all read at or below the 2nd grade level, and who would likely not be taking grade-level standardized tests, would only be required to have subject matter knowledge as described above.

In regard to related service personnel and paraprofessionals, they must meet State-recognized requirements that apply to the discipline in which they are providing special education or related services. States must ensure that this provision is met. Additionally, IDEA 2004 allows for paraprofessionals and assistants who are appropriately trained and supervised, in accordance with State law, to be used to assist in the provision of special education and related services. 612(a)(14)(B)

Note: This does not create a right of action on behalf of an individual student or class of students for the failure of the SEA or LEA staff person to be highly qualified, or to prevent a parent from filing a complaint about staff qualifications with the SEA. 612 (a)(14)(D)

What changes to discipline procedures are important for parents to know?

The IDEA 2004 included the following changes:

Adds new authority for school personnel - Any "unique circumstances" can be considered on a case-by-case basis when deciding to order a change of placement for a child with a disability who violates a student conduct code. 615(k)(1)(A)

Establishes a new standard for manifestation determinations - Two prongs to look at are now (I) if the conduct in question was caused by, or had a **direct and substantial relationship** to the child's disability; or (II) if the conduct in question was the direct result of the schools failure to implement the IEP. 615(k)(1)(E)(i)

New provision if the behavior was a manifestation -

As before, must conduct a functional behavior assessment and implement a behavioral intervention plan or review existing plan and modify and then **return the child to the placement from which the child was removed** unless parents and school agree to a change of placement as part of the modification of the behavioral intervention plan.

A new standard for special circumstances - A school is permitted to remove a child to an alternative educational setting for not more than 45 days without regard to whether the behavior is determined to be a manifestation in cases where a child: carries or possesses a weapon; knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance; or has **inflicted serious bodily injury** while at school, on school premises or at a school function. 615(k)

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I received a note from school that there is going to be a change in the number of hours of resource my child gets. It said to "please sign consent below to the changes" and had a copy of the services page from the IEP with the "new" amount of time for me to initial and send back. Should I sign it?

It sounds like the school is trying to use a new part of IDEA '04 that went into effect July 2005. The law addresses making changes to a child's IEP after the annual IEP meeting, without convening an IEP meeting. However, this type of change requires an agreement on the part of the school and the parent to amend or modify a child's current IEP without convening an IEP meeting. First of all, parents need to know that they have a right NOT to agree to the change that is proposed. It sounds like the form you received did not clearly state your right to disagree with the change or explain that you have a right to call an IEP meeting at any time. The questions to ask before signing a request like the one you described are:

1. Can my child's IEP goals be met if this change is put in place?
2. Do I understand what is being proposed enough to sign consent without a meeting that allows an opportunity to ask questions?
3. Is this a change that will be of benefit to my child or is it a change for the convenience of school personnel due to scheduling conflicts?
4. What is the "individual" impact of this change on MY child? Remember, the IEP is designed to be unique for your child with a disability, so be sure to ask lots of questions when there are "system wide" or "entire classes" of students for which blanket decisions are being made.



Let me give you a few examples that might help as you are deciding whether to sign agreement or not:

Situation A: A Resource teacher is being assigned additional classrooms and sends home notice that because of a scheduling conflict your child will only be receiving 3 days a week, 1 hour per day of Resource service instead of 5 days a week, 1 hour per day. This clearly is not being proposed because the child only "needs" 3 hours a week, it is being proposed because the teacher can only "provide" three hours a week given the increased demands on her time.

Situation B: An entire school system determines that inclusion is a great idea and that all students will be included. So, a note is sent out that beginning next Monday there will be no more self-contained classes or resource classes, all children will be in the regular classroom. The intent of including every child is good, but the individual needs of each child were not taken into consideration when sending out this "system-wide" change.

Situation C: As a parent, you have been talking with the speech therapist and she has mentioned that she thinks your child really needs to "practice" in the classroom setting some of the skills he is learning in one-on-one speech. She would like to add 30 minutes a week of speech that would be done in the classroom during a naturally occurring language activity. You think that would be a great idea, so instead of having an IEP meeting, the speech therapist sends you the change and says that if you agree, please sign and return it and she will send you an amended copy of the IEP to reflect the agreed upon change.

In each of these scenarios, if you ask the four questions we have suggested, you will have a better understanding of the process and be able to make an informed decision about whether to agree to an IEP change without a meeting or not. If you have questions that need to be answered before you feel comfortable with signing the IEP, ask for a meeting.

Advocate or Parent Trainer: What's The Difference?

STEP has had many questions about whether STEP staff that attend an IEP meeting are "advocates" or "parent trainers". There seems to be a negative meaning attached to the word advocate, when in reality each person who chooses special education as a profession would probably say that they are "advocates for children's education". Many Parent Training and Information Centers (PTI's) call their staff that attend IEP meetings, "parent advocates". STEP has chosen to call our staff who attend IEP meetings Parent Trainers or Mentors. One reason is that at an IEP meeting we are continually in the role of demonstrating how to navigate the special education system and teaching and empowering families with skills so they become better equipped to participate effectively at IEP meetings to become stronger advocates for their child.

Indeed, the question has even been raised as to whether STEP as a Federally Funded Parent Training & Information Center (PTI) is allowed to attend IEP meetings. The answer is a simple yes; we are encouraged by the Office of Special Education Programs (OSEP) to assist families in a variety of ways, including supporting a family through the IEP process when needed. In fact, in reporting year 2003-2004, in the publication "Parent Centers Helping Families: 2003-2004 Data Outcomes", PTIs across the U.S. (like STEP) had their staff help more than 12,000 families through IEP team meetings!

The "myth" that families bring STEP to IEP meetings for the purposes of intimidation or that the situation must be "serious" if STEP is attending is simply not based in fact. Many families are new to the IEP process, have disabilities themselves, feel intimidated, are from racially or culturally diverse backgrounds, or simply need the additional support of seeing first hand how to participate in a group process effectively.

The role of the parent trainer or advocate is to help the family at an IEP meeting in a variety of ways. First, there is pre-planning to help clarify and define what the issues are and help the parent to gather what information they have that supports and demonstrates the points they would like to make. As a support to a family at a meeting, STEP can often ask clarifying questions, assist in recommending wording to make an IEP goal or objective measurable, add relevant stories about how a similar situation was handled successfully, as well as model good communication skills. Our goal is always that the family is learning skills and becoming confident and positive in their abilities to have their voice heard at IEP meetings. STEP assists parents of children with disabilities in understanding the often complex issues of the IEP meeting, the IEP document, and the positive impact parent involvement can have for their child.

In summary, you might think of STEP assisting a family at an IEP meeting like a "hands-on" in-service. School systems work with teachers, administrators, and related service providers on their roles and responsibilities as IEP team members. It is not uncommon if a special education teacher is new to the process or requests additional support, that the school system would send someone to assist the school staff as they learn the ropes. STEP provides that level of training and support for families. Whatever title is used for the person supporting a family at an IEP meeting, the end result of STEP involvement is typically better communication, well-defined issues, positive outcomes for children, supports for school personnel and strong collaboration among team members.

continued on next page

What is new about transition in 2004 IDEA ?

There are many changes! Transition has been strengthened in the new IDEA. (All underlining that follows has been added to emphasize the most outstanding changes)

Even the preamble to the new version of IDEA now says that *"all children...have available... education... designed to meet their unique needs and prepare them for further education, employment, and independent living.* 601(d)(1)(A)

Not only should children with disabilities be prepared to work and have the skills to have a life beyond high school, but to be lifelong learners, whether it is at college, adult education classes, leisure or skill development, trade school, or job training.

TRANSITION SERVICES... means a coordinated set of activities for a child with a disability that— is designed to be within a results-oriented process, that is focused on improving the academic and functional achievement of the child with a disability to facilitate... movement from school to post-school activities. 602(34)(A)

There should be a process designed in the plan to provide results that focus on teaching both academic and functional skills needed for the child to move from high school to post-school activities.

IN GENERAL.—Except as provided in subparagraph (B), a local educational agency shall evaluate a child with a disability in accordance with this section before determining that the child is no longer a child with a disability. 614(c) (5) (A)

The law prior to this says that if the IEP team determines evaluation is not needed to determine their child eligible for services AND to determine education needs (614(c) (5)), they must inform parents of their child's right to be evaluated and the right to request an evaluation for either one or both (eligibility, determination of education needs). An evaluation must be done to determine they are no longer eligible before they exit services.

IN GENERAL.—The evaluation... shall not be required before the termination of a child's eligibility... due to graduation from secondary school with a regular diploma, or due to exceeding the age eligibility... under State law. 614(c) (5) (B) (i)

An evaluation is not needed to determine that a student is not eligible for services if the reason they are not eligible is because they are getting a REGULAR DIPLOMA or no longer qualify due to AGE. However they do have to provide...

SUMMARY OF PERFORMANCE.—For a child whose eligibility... terminates under circumstances... in clause (i), a local educational agency shall provide the child with a summary of the child's academic achievement and functional performance, which shall include recommendations on how to assist the child in meeting the child's postsecondary goals. This summary should reflect what the goals are, what the child has learned, what skills they have developed, what experiences they have had in relation to those goals and what learning and skill devel-

opment is recommended to reach the goals. 614(c) (5) (B) (ii)

Remember that until the child graduates with a regular diploma OR the year they reach 22, they are still eligible to receive services from the school system, even if the parents or a student 18 or older has stopped accepting services for whatever reason. It does not say that if they stop accepting services that they still would not be eligible for a Summary of Performance when they are no longer eligible. If it is ever suggested that a child receiving services exit before eligibility ends or without a regular diploma, there must be an evaluation to determine they are not eligible.

Beginning not later than the first IEP to be in effect when the child is 16, and updated annually thereafter— (aa) appropriate measurable postsecondary goals based upon age appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills. 614(d) (1) (A) (VIII)

The goals should be based upon assessments related to the areas of transition listed. So for transition needs, assessments ARE required.

(bb) the transition services (including courses of study) needed to assist the child in reaching those goals; and Services including general curriculum classes should be listed that will help reach the goals.

Both the goals and services should be updated every year. REMOVED from this section in the Federal law was the requirement that the services be included at age 14. Tennessee has not changed the regulations, so age 14 will remain the requirement unless or until they do. The age is a deadline for which the needs and services should be included in the IEP, it does not prohibit an IEP team from discussing, planning or providing transition services if it is determined to be needed.

IN GENERAL.—In developing each child's IEP, the IEP Team, subject to subparagraph (C), shall consider- (iv) the academic, developmental, and functional needs of the child. 614(d) (3) (A)

This language now addresses the needs of the child in all areas that may not be reflected in the strengths, concerns or evaluation.

Requirements of 614(d) (1) (A) (VIII) (aa) and (bb) (above) do not apply to children with disabilities in adult prisons IF eligibility ends because they will not be out of prison before the year that they turn 22. 614(d) (7) (A) (ii)

In reality, parents should begin to plan for transition in the child's earliest years by designing IEPs that point the learning of the child towards the outcomes of employment, independent living, becoming a life-long learner, as well as having the skills to belong to the community by being a good neighbor, a good citizen, and a good friend to others. IDEA states it plainly when it says that education can be made more effective by "(A) having high expectations for children and ensuring their access to the general education curriculum in the regular classroom, to the maximum extent possible.



AHEAD

Support & Training for Exceptional Parents, Inc.
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Greeneville, TN 37745

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RETURN SERVICE REQUESTED

Workers with Disabilities Ready for Tomorrow's Jobs Today!

October 2005 is the 60th anniversary of National Disability Employment Awareness Month. The theme this year is "Workers with disabilities, ready for tomorrow's jobs TODAY!" This effort to educate the American public about issues related to disability and employment actually began in 1945 under another name. In 1988, Congress expanded the week to a month and changed the name to "National Disability Employment Awareness Month."

Also, October 19, 2005 is 2005 Disability Mentoring Day (DMD). The goals of DMD are:

- To enhance internship and employment opportunities for people with disabilities;
- To promote disability as a central component of diversity recruitment for a more inclusive workforce;
- To dispel employers' fears about hiring people with disabilities;
- To increase confidence among students and job seekers with disabilities;
- To serve as a launching point to promote year-round national effort to foster mentoring and career exploration opportunities.

What can I do? If you know of a student or individual with a disability who might benefit from an experience like this:

- Discuss it with them and their family.
- Include career exploration activities or community-based experiences in IEP's, and transition or support plans.
- Ask the school or Vocational Rehabilitation professionals if they know of employers willing to provide that experience for someone with a disability or suggest one.
- Be sure to find an experience which involves skills that match their interests, skills and abilities.

If a variety of experiences are needed, places like a retail store, hotel, even schools have a number of opportunities in one place for one- time mentoring and/or ongoing career exploration.

For more information go to: www.aapd-dc.org

