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A TEACHER'S GUIDE TO

SPECIAL EDUCATION

DAVID F. BATEMAN
& JENIFER L. CLINE



1703 N. Beauregard St. • Alexandria, VA 22311-1714 USA
Phone: 800-933-2723 or 703-578-9600 • Fax: 703-575-5400
Website: www.ascd.org • E-mail: member@ascd.org
Author guidelines: www.ascd.org/write

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A TEACHER'S GUIDE TO SPECIAL EDUCATION

Introduction.....	1
1. Special Education and the Laws That Affect It	8
2. Educational Frameworks and the Pre-Referral Process	28
3. The Referral and Evaluation Process	44
4. General Education Teachers and IEPs	64
5. Other Students Who Require Accommodations	82
6. Transition	98
7. Classroom Management and Student Behavior	110
8. Service Delivery Options, Related Services, and Other Service Providers.....	126
9. Assessment, Grades, Graduation, and Diplomas.....	138
10. Putting It All Together.....	146
Appendix A: Special Education Terms and Acronyms	155
Appendix B: Definitions of Disabilities	163
Appendix C: People-First Language	166
Appendix D: Explanations and Examples of Accommodations, Modifications, and Interventions.....	168
Appendix E: Modifications by Type.....	170
Appendix F: Checklists for Multidisciplinary Team Meetings	174
References.....	177
Index.....	179
About the Authors	189

Introduction

With general education classroom teachers facing increased demands—from additional assessments to accountability to larger class sizes to working with students with disabilities—the profession of teaching is more complex and challenging than ever. We don't have all the answers for dealing with all of its demands, but we do have concrete suggestions and descriptions of procedures and processes that can change the way teachers work with students with disabilities. Like other students, those with disabilities are expected to achieve in the general education classroom, and it is often the general education teacher who is responsible for that achievement.

This book is designed for you, the general education classroom teacher. Educating students with disabilities is most likely taking up more of your time each year. Parents and students look to you for information about learning strategies, standards, curriculum, accommodations, and modifications. There is a lot to know. Some of the issues related to students with disabilities are about paperwork and compliance, which may seem different from the content demands you face daily, but these elements are actually closely intertwined.

In this book, we address daily issues you are likely to encounter in working with students with disabilities, whether they have an individualized education program (IEP), have a 504 plan, or are not yet identified. We bring together information that will help you understand the process of how a student becomes eligible for special education services and your role in providing special education services and accommodations, and we present specific examples of what to do. We do not delve into the theory of the education of students with disabilities other than to confirm the belief in providing them with an education that improves their abilities and future possibilities. Federal law entitles them to such an education, and educational institutions are responsible for ensuring they receive it.

Our Purpose and What This Book Addresses

As a general classroom teacher, you will undoubtedly have students with disabilities in your classes. In fact, the majority of students diagnosed with disabilities spend most of their school time in the general education classroom (Friend & Bursuck, 2014). This was not always the case, and this shift has been happening continuously over the past 50 years. Furthermore, due to the provisions put in place to ensure equal opportunity for students with disabilities to access education and make progress in the curriculum, the situation is not going to change. Understanding the provisions and how to implement them is clearly important.

The realization that most students with disabilities spend the majority of their time in the general education setting steered the development of this book. Other factors include the following:

- Students with disabilities are entitled to be included in general education classrooms to the maximum extent appropriate.
- The inclusion of students with disabilities is good for both students with and without disabilities.
- Parts (sometimes large parts) of a student's IEP are implemented in the general education setting.
- Students with disabilities have educational rights.
- Students with disabilities are children first and are not defined by their specific disability.

If you are like most general education teachers, it is likely you have received little if any training for working with students with disabilities. In this book we address this overarching problem by focusing on the following points: (1) your roles and responsibilities as the general education teacher, including working with other educators who are involved; (2) tools and information to assist with classroom instruction; (3) your relationship with parents of students with disabilities; (4) the range of students with disabilities, including those who do not receive any special education services; and (5) the importance of sound data management.

Roles and responsibilities

Like many general education teachers, although you probably received great training in how to teach reading or Algebra I, or the best way to teach students how to write an essay, you need guidance on the roles and

responsibilities related to working with students with disabilities. You are looking for assistance understanding many factors, including your role in the special education process, your role in an IEP meeting, who the various people are who work with students with disabilities, where (and when) to seek help, needs related to students with 504 plans, what information you need to provide for evaluation reports, what to do for classroom management, and how to handle grading for students who may not be working on the same level as other students.

Classroom instruction

We realize that most general education teachers never set out to be special education teachers. However, we also know that although many teachers came to the profession wanting to teach content (e.g., mathematics, literature, science), the vast majority did so because they wanted to teach *students*. When the students in your classroom include students with disabilities—as is almost always the case—meeting this goal can be a challenge. We are here to help. Our goal is to help improve the lives of students with disabilities and to give you background knowledge and tools to assist you in doing this.

The parent-teacher relationship

Many parents know the names of only three adults in their child's school: the principal, the bus driver, and their child's teacher. Those whose children are eligible for special education services may also know the name of the special education teacher, but their primary contact will be you. You need to be ready to address their concerns, participate with them in meetings, and then be willing and able to provide an education that is appropriate for their child.

The range of disabilities

Serving students with disabilities is part of every general education teacher's career from start to finish; new teachers should expect to have students with disabilities during their entire teaching career. Those students come in all shapes and sizes and with various kinds of challenges, including learning, intellectual, social and emotional, or physical disabilities. In addition, an increasing number of students with disabilities have Section 504 plans (the topic of Chapter 5) and receive no additional assistance from special education staff; they are, therefore, the sole responsibility of the general education program.

Data management

Good teaching is good teaching. However, using good practices for the data management that is required for students with disabilities can potentially enhance the educational experience for all students if you expand and use those practices for everyone. Good data management may also decrease the number of students being identified for services by better tracking of academic and behavior problems and the effectiveness of the interventions put in place to address these problems. At a minimum, the steps you take to document efforts to improve instruction for students with disabilities will likely improve the process and efforts directed toward all students.

Reasonable Expectations and Assumptions

Given all these factors, what can you, as a general education teacher, reasonably expect when working with students with disabilities? Here are some basic assumptions you should make:

You can expect to get assistance for a student who needs help. You are not in this alone. Others you can rely on to help provide support for students who are eligible for special education and related services include administrators, special education teachers, providers of related services, and outside agencies. Work with them, rely on them, and support one another. Remember you are an important player on the educational team of students with disabilities—particularly because you are most likely the first person who will detect a need for additional support for a student. If you do not make others aware of the need and work with them to provide the assistance required, the student may lose valuable educational opportunities. Such assistance may come in the form of an observation with recommendations, suggestions for classroom arrangement, suggestions for instruction, classroom support staff, or individualized instruction in an alternate setting. This support will not come unless you work with the administration and support staff to develop a program that is appropriate, based on the student's individual needs.

You can expect to be an active participant in a student's evaluation and plan development. You are the primary teacher of students, including those who are identified as eligible for special education and related services. Many of the other adults who will be part of the evaluation team will see the student only in isolated instances or for limited periods of time. After the evaluation is complete, the general education teacher is often the one who must continue to provide services (Mastropieri & Scruggs, 2013).

Speak up. Make sure you are heard. You will most likely know more about this student's educational needs and classroom performance than anyone else on the initial evaluation team. Make sure you help students (eligible or not) to get assistance that will help them make progress.

You can expect to access school district resources. Districts offer a wide range of services for students with disabilities, some of which may include services provided by paraprofessionals; tutors; specialized service providers such as speech language pathologists, occupational therapists, and physical therapists; or programs designed to meet specific behavioral or vocational needs of students. In addition, reading specialists, school counselors, and special education teachers can help analyze content and behavioral issues and develop adaptations to address them. It is important to be aware of the continuum of services your district provides so that you may advocate access for your students who require them.

You can expect to work with and get support from special education staff to understand what is important to know about a particular student with a disability and the effects of that disability on the child's education. As previously noted, most students with disabilities of various kinds—learning, intellectual, social and emotional, and physical—spend most of their school time in general education classrooms. As a general education classroom teacher, you recognize problems before anyone else and can provide important information about the student's performance compared to typically developing peers. It is important to be able to work with the special education staff to use this information to develop and implement appropriate services for students. This is also the case for students who are not eligible. Often, others can deliver individualized supports or additional information or strategies to supplement the general education program you provide to ensure that all students make progress.

What a General Education Teacher Can Expect When Working with Students with Disabilities

- To receive assistance for a student who needs help
- To actively participate in a student's evaluation for special education services and special education plan development
- To access school district resources
- To work with and get support from knowledgeable special education professionals
- To access a student's special education records and assessment information
- To be heard

You can expect to work with providers of related services. Students who are eligible for special education services may require additional assistance in the form of related services from other professionals in order to receive an appropriate education. The challenge is that many of these providers work with the student for only a limited amount of time each week. The rest of the time the student is in the general education classroom. It is important to understand the efforts and instruction being provided by the related service providers so you can reinforce skills while the student is in the classroom. Additionally, it is important to be able to report to the related service providers any updates and concerns about progress or lack of progress.

You can expect to have access to a child's special education records and assessment information. When a child becomes eligible for special education and related services, a fairly large report is developed, analyzing performance from a variety of perspectives. This is an important document for you as a general education teacher to be able to read and understand, so that you can be ready to implement its suggestions. Included in this paperwork will be the results of testing completed by either the district or independent evaluators, along with copies of the student's IEP (relevant parts should have already been provided to you). You will see a lot of important and private student information, and you will need to sign a sheet indicating that you accessed these records, which are kept locked up. Some of the information may be kept online and accessed with a password. It is imperative that you honor student and family confidentiality and talk only with the professionals who need to know information about this child in order to do their job.

You can expect to be heard! As you can see from this list of basic assumptions, the role and expectations of a general education teacher are to work with others in identifying problems, following up on concerns, actively participating in the development and implementation of a plan, and sometimes being the main point person representing the interests of students in your classes. To do all these things effectively, you need to be heard and respected as a viable team member providing services.



Working with students with disabilities in a general education classroom can be difficult. However, a lot of supports are available to ensure that they receive an appropriate education.

In this book, we offer information to help you meet the needs of students with disabilities in your classroom. Use it to learn the steps to take, when to document, and when to seek assistance. The appendixes provide helpful resources, including a list of common special education terms and acronyms, definitions of disability categories, information on “people-first” language, information on accommodations, and checklists for effective multidisciplinary team meetings.

We are certain that no matter where you teach, you will have students with disabilities in your classes. Our job is to help you succeed as you work to ensure they receive the education to which they are entitled.

1

Special Education and the Laws That Affect It

In this chapter we discuss the main laws affecting special education and how they apply to you as a general education teacher. The omnibus Individuals with Disabilities Education Act (IDEA) and the Family and Educational Rights and Privacy Act (FERPA) provide important guidelines and, although the Every Student Succeeds Act (ESSA) focuses on *all* students, it also has certain implications for students with disabilities.

To provide context, we explain what special education is—its characteristics, who receives it, its purpose and goal, why access to the general education classroom and curriculum is important, and who the various professionals are who work with students with disabilities. We also cover the rights and roles of parents of students with disabilities, again pointing out information that is important for you to know. (Keep in mind that some students with disabilities do not require special education services but may be affected by Section 504 of the Rehabilitation Act of 1973; basically, Section 504 is an anti-discrimination statute. For more about Section 504, see Chapter 5.)

Public Law 94-142

The Education for All Handicapped Children Act of 1975 (PL 94-142), which is frequently referred to as PL 94-142, provides guidance to states, allowing students with disabilities to access public education and providing financial assistance to states as supplemental funding for special education and related services. Passed in 1975, PL 94-142 mandated that in order to receive federal funding for special education, states had to comply with the law (Yell, 2015).

The outcome of PL 94-142, now referred to as the Individuals with Disabilities Education Act, or IDEA (PL 108-446), is special education as we know it. Mostly recently reauthorized in 2004, it is the main law regarding educational services for students with disabilities, and its specific components are important to their education. Before 1975, only a few small districts provided education for students with disabilities in the United States. At that time it was legal to prevent students with disabilities from receiving an education. PL 94-142 changed everything for students with disabilities, and public education became education for all.

Eight Core Principles of Special Education

Special education law as it currently stands embodies eight core principles:

- Child find/zero reject
- Nondiscriminatory evaluation
- Individualized education program (IEP)
- Free appropriate public education (FAPE)
- Least restrictive environment (LRE)
- Related services
- Parent participation
- Confidentiality

Understanding these principles can help you understand how special education is meant to be provided for students with disabilities; they can guide you as you work to ensure that students make progress in the general curriculum.

Child find/zero reject

School districts are required by law to seek out and identify every eligible student with a disability

IMPORTANT POINTS

- IDEA is the main law governing the education of students eligible for special education and related services.
- IDEA has eight main principles—most notably that students who qualify for special education services are to receive a free and appropriate public education (FAPE).
- FERPA is a law that governs who can see documents and files related to students in schools.
- Parents of students with disabilities have extensive rights to help ensure that the education their child receives is appropriate.

living within their jurisdiction. Once identified, with parental permission, *all* students identified as having disability and requiring special education are to receive an education based on their individual needs. It is important to understand that this principle extends to students who may have committed a serious offense. Such students are still eligible for services.

Nondiscriminatory evaluation

Before students with disabilities are eligible for special education services, they must receive a nondiscriminatory evaluation, which is usually conducted by the school district. The evaluations must conform to the following guidelines:

- Tests must be administered in the student's native language.
- Tests must be appropriate for the student's age and suspected disability.
- More than one test must be used in determining the disability and need for services.
- Knowledgeable and appropriately trained individuals must administer the tests.
- All areas of suspected disability must be assessed.
- All decisions about eligibility for special education and related services must be made by a team, not a single individual.
- To be eligible for special education and related services, students must meet specific criteria; school districts serve students' educational needs under specified disability categories.

Individualized education program (IEP)

All students eligible for special education and related services receive an individualized education program, or IEP. The IEP is one of the most important educational documents for a student with a disability, and it should be viewed as a contract between the district and the student's parents. The IEP lists the educational and intervention services to be provided for the student, specifying the types and amount of such services. The IEP serves many purposes: instruction, communication, management, accountability, monitoring, and evaluation.

Free appropriate public education (FAPE)

All students in the United States have the right to receive an education, but students who are eligible for special education and related services are

entitled to receive a free appropriate public education, or FAPE, which may look very different than what the general education student receives. FAPE is the heart of special education, and it includes several elements. First, the educational services provided to the student (assessment, instruction, special transportation if needed, other specialized services) are all provided at no cost to the family. Second, the education must be appropriate in that it allows the student to make progress in the general curriculum and is tailored and planned according to the student's individual needs. It is important to note that an "appropriate" education does not require the best possible services, but must ensure adequate progress in the general curriculum. Third, FAPE means that the public education entity is responsible for educating students within its boundaries. Some students may have such severe disabilities that they need to attend a school outside of the district. When a district determines it is unable to provide a free appropriate public education for a student, it is still responsible for covering the cost for the student to receive that education in a different setting.

Least restrictive environment (LRE)

"Least restrictive environment" is not only a special education term, but also a legal principle—and one of the most important points for general education teachers to know about because it determines where a student with a disability is to receive education services. LRE requires that students with disabilities be educated with their chronologically aged peers to the greatest extent possible, and that typically means in the general education classroom.

Under LRE, students with disabilities who are in general education classrooms are provided with supports and services that meet their needs as much as possible. Students with disabilities are to participate fully, both academically and socially. In addition, the general education teacher is expected to differentiate the methods used to provide services so all students benefit from instruction. Students with disabilities are to be educated in the general education classroom until all available methods to meet their needs in this environment are tried and deemed unsuccessful. A more restrictive setting should be considered only if every available method has been tried in the general education classroom and the needs of a student are still not met. It is important to note that the meaning of "restrictive" is open to interpretation and depends on the specific circumstances. For example, a paraprofessional interacting with a student one-on-one all day in a general education classroom could result in a more restrictive situation

than the student would experience in a separate setting for instruction, due to possible social repercussions.

Related services

In addition to special education services, a student may require related services. Section 300.24(a) of IDEA defines “related services” as those that “are required to assist a child with a disability to benefit from special education.” They include but are not limited to the following components: transportation, speech pathology, audiology, physical therapy, occupational therapy, therapeutic recreation, social work, medical services, counseling, and recreational services.

You may have students in your classroom who have articulation difficulties, are uncoordinated, have poor handwriting, or face other challenges, but will not be able to receive related services even though they might benefit from them. To be eligible for related services, students must first qualify for special education under one of the qualifying categories. Related services cannot be provided as standalone services (with the exception of speech language services). Thus an IEP cannot contain only related services. The purpose of a related service is to help a student with a disability benefit from the special education program.

Parent participation

Before a student receives special education and related services, the parents or guardians must sign on. They are equal participants in the process and must give permission for the evaluation, participate in the development of the IEP, and agree to any changes in either the program or placement. As a check on the system, parents have the right to request a due-process hearing. Finally, parents may have access to the student's records, including evaluation reports, IEPs, and disciplinary reports. (We discuss parents' roles and responsibilities in greater detail later in this chapter.)

Confidentiality

As a general education teacher, you will hear a lot of personal information about students, especially those with disabilities. Needless to say, confidentiality is very important. You should discuss information about a specific student only with others who need to know. For example, a 3rd grade teacher might talk with the special education teacher about problems in the classroom with a student who receives services from that teacher but

should not discuss these problems with colleagues who are not part of the student's educational team. Additionally, there needs to be a log of all personnel who see a student's special education records.

The Broader Picture: What Is Special Education?

IDEA defines special education as “specially designed instruction, at no cost to the parents, to meet the unique needs of a student with a disability” (Sec. 300.39.a.1). But beyond the definition and the various components mandated by law, what exactly is special education? In a broad sense, special education encompasses the academic, physical, cognitive, and social-emotional instruction offered to students who have one or more disabilities. Due to a specific disability, some students' needs cannot be met within what might be called the “traditional” classroom environment. Special education programs and services adapt content and teaching methodology and deliver instruction to meet the needs of each student.

Special education has four main characteristics. First, it is *individualized*. For example, a student with a learning disability might need a smaller class size with individualized attention in reading; a student with a physical disability might need specialized equipment and possibly some technology modification; a student with an articulation disorder might need intensive instruction and modeling to improve her ability to communicate with others.

Second, students who receive special education services may receive *modifications* of teaching strategies or programs. Some students require extensive modifications due to the nature and severity of their disabilities, whereas others require only minimal changes.

Third, students who receive special education services are systematically *monitored*. Data support all phases of the special education process. Data are used to determine qualification for services and as the starting point for the development of the IEP, in terms of present levels of academic and functional performance, which includes all academic, behavioral, and social skills. Appropriate assessment at the start of the IEP process provides baseline data from which future progress can be measured. Progress toward goals can be measured by the student's performance in relation to individual short-term objectives or through other means, as determined by the IEP team. The IEP must also include a statement of how the student's progress toward goals and objectives will be measured. The data accumulated from these measurements are used to assess the student's progress.

Fourth, students who receive special education services also receive *related services* necessary to help ensure an appropriate education. As

noted in the earlier discussion about the eight core principles of special education, these services are an important and beneficial component of many students' programs.

Who receives special education services?

Parents and other staff may come to you requesting an IEP for a student who has been diagnosed with a disability. However, it is important to understand that to be eligible for special education and have an IEP, a student must (1) meet the disability criteria outlined in federal and state law and (2) require individualized instruction (i.e. instruction that is not available to the general population of students). If these two criteria are not met, then a student does not qualify, even if that student has a disability.

Keep in mind that some students may be diagnosed with a disability and only require accommodations. Those students would not qualify for an IEP because requiring accommodations is not the same as requiring individualized instruction. However, they may qualify for a Section 504 plan (see Chapter 5 for more about Section 504 plans). Some parents and educators believe a diagnosis of a disability from a clinical psychologist or a physician automatically makes a student eligible for special education and related services. The student may have a disability but may not necessarily need specially designed instruction, and is therefore not eligible for special education. If a student receives a diagnosis of a disability from someone outside the school district, the district should consider this diagnosis and review the student's educational performance closely to determine if special education is necessary. The student may well be eligible, but that determination is made only after a comprehensive evaluation.

A comprehensive evaluation includes all of the existing data gathered about the student through the referral process and any additional assessments needed to determine eligibility for special education. As part of this information, the general education teacher provides an assessment of the student's progress in the general education classroom. Also, observations of the student take place—probably in the general education classroom. The purpose of this assessment is to help determine present level of performance, instructional strategies that are both effective and ineffective for the student, and any accommodations and modifications that may be needed.

Obviously, as the general education teacher, you have a significant role in the evaluation process. Each district will administer the assessments differently or use different assessments. It is important that you talk with the special education teacher, school psychologist, or administrator to

determine your role and the tools that are used. The initial evaluation report is used to determine if a student qualifies and what special education and related services the student needs. And it is worth repeating that the determination that a student is eligible for special education and related services is a team decision, not a decision made by one person.

What is the purpose and goal of special education?

As noted earlier, students with disabilities have been historically excluded from education services, and by definition they need something different than what is provided for all students in order to be successful. The purpose of special education is no longer just to give these students access to education, but rather to teach the skills they need so they can be successful in the general education setting or develop as much independence as possible for adult life. Once students are receiving special education services, the goal is to enable them to use their potential to benefit from education and to build their skills to the point that the services are no longer required.

This goal is accomplished via individualized programs designed to address students' needs in accordance with IDEA, and it leads to increased responsibilities for general education teachers. In fact, only a small proportion of students with disabilities currently receive more than 60 percent of their education outside the general education classroom (U.S. Department of Education, 2013).

How much should a student benefit from special education?

Over the years, courts have attempted to help define how much benefit a student with a disability should receive from special education. Court cases regarding the implementation of IDEA have stated that IDEA does not require schools to provide students with the best or an optimal education, nor to ensure that students receive services to enable them to maximize their potential. Instead, schools are obligated to offer services that provide students with “some educational benefit” (*Board of Education of the Hendrick Hudson School District v. Rowley*, 1982). Courts sometimes refer to this as the “Cadillac versus Chevrolet” argument, with the student entitled to a serviceable Chevrolet, not a Cadillac (*Doe ex rel. Doe v. Bd. of Ed. of Tullahoma City Sch.*, 1993).

Some courts refined the “some educational benefit” standard to require that students achieve “meaningful benefit” or make “meaningful progress” in the areas where their disability affects their education. In *Rowley*

(1982), the Supreme Court of the United States mentioned that grades and advancement from grade to grade were factors in assessing benefit for mainstreamed students. Post-Rowley, courts have viewed passing grades and grade advancement as important factors in determining if students have received educational benefit. However, schools often modify grades for students with disabilities, so grades lose their validity as a measure of benefit or progress.

Some people may conclude that this lack of substantive standards for combined with the current “Cadillac versus Chevrolet” perspective, changes expectations for students with disabilities compared with their typically learning peers. However, for many students, as long as the teacher knows what is in the IEP, and as long as the program is developed to appropriately meet the students’ needs, the expectation of educational benefit is not lower for a student who receives special education services, it's just different.

Access to the General Education Classroom and Curriculum

There should be support for maintaining special education classrooms as part of the continuum of services. Some students require more assistance with academics and life skills, or their behaviors are such that they require a small classroom environment with more supports than can be provided in a general education classroom. However, there are a number of drawbacks associated with removing students with disabilities from general education classrooms, including the following:

- The general education classroom is where same-age peers are educated, and therefore it promotes social, emotional, and academic equality for all students.
- When appropriate support is provided, *all* students can benefit from inclusion. With so many diverse learners in today’s general education classrooms, a general education teacher armed with better teaching tools will reach more other, typically developing students as well (Friend & Bursuck, 2014).
- The removal of students from the general education classroom carries an associated stigma, including possible ridicule (Mastropieri & Scruggs, 2013).
- When students leave the general education classroom to receive support, they often lose valuable instructional time. For example, if students are “pulled out” for reading instruction when general education science

content is being delivered, they may miss the opportunity to gain important science knowledge. Although the ideal is to remove students only from the classes that they are unlikely to benefit from, this is often not the case, due to scheduling conflicts.

Other researchers, such as Morse (1995), have discussed the disadvantage of students not receiving adequate services in a pullout program.

Educators and others have noted academic, social, and emotional pros and cons in both inclusive and special education settings for students with disabilities. But one viable alternative approach focuses on the restructuring of schools to allow for flexible learning environments with flexible instruction (Mastropieri & Scruggs, 2013). In a successful “merged” system, practices and methodologies are supported administratively and set high expectations for all students (Friend & Bursuck, 2014).

Who Are the Professionals in Special Education?

Providing services for students with disabilities is a team affair, and some students have many members on their team. Some of the following individuals provide direct support, whereas others play a more indirect role.

General education teachers are often the first persons to notice a student has a disability, can compare the student to others of the same chronological age and grade, and then are responsible for implementation of some services for the student. The general education teacher is the person on the team knowledgeable about curricular expectations and methods for differentiating so students with disabilities can make progress. Also, many parents will use the general education teacher as a point of contact for questions and concerns about educational services.

Special education teachers participate in meetings to help determine whether a student is eligible for services, and they are the professionals who are responsible for the facilitation and management of students’ IEPs. They are often responsible for writing the goals and objectives of the IEP, and they work closely with the general education teacher on implementation of some of those goals and objectives. Sometimes they work directly with students to provide remedial or developmental instruction. Their specific role may vary dramatically depending on a student’s individual program. Some special education teachers spend time in the general education classroom assisting the general education teacher and eligible students.

School administrators often provide indirect services for students with disabilities by ensuring proper implementation of policies, procedures, and

The Professionals Who Provide Special Education

- General education teachers
- Special education teachers
- School administrators
- School psychologists
- School counselors
- Speech language pathologists
- Occupational therapists
- Physical therapists
- Audiologists
- Paraprofessionals
- Clinical psychologists, behavioral specialists, and other outside professionals

financial responsibilities. School administrators range from building-level principals to districtwide administrators; all are important in working behind the scenes to make sure others can provide services.

School psychologists are licensed to administer assessments to help determine a student's eligibility for special education and related services. They often also provide consultation to classroom teachers for students who have problems with social and emotional issues.

School counselors are responsible for *all* the students in the school, so although they are not providers of specific special education services,

they can be valuable resources for students with disabilities. For example, in some states they are responsible for developing students' Section 504 plans (see Chapter 5). They can also help students deal with social and emotional issues and provide resources for those students who need access to such basic provisions as clothing and food.

Speech language pathologists work with students who have issues related to communication. They assess, participate in meetings to determine eligibility, develop goals and objectives, and then work to provide instruction for students who may need assistance with a variety of issues, including articulation disorders, language issues, or physical problems with tongue movement or mouth and throat issues. The speech language pathologist may also be a resource in a student's development of social skills and the understanding and use of social communication.

Occupational therapists work with students who have problems with fine-motor control. Fine-motor control helps students with such things as grasping, writing, cutting, and using buttons, among other activities.

Physical therapists work with students who have difficulty with gross-motor activities. They often help students who have difficulty with muscle strength, balance, posture, and mobility. For students with more

severe physical disabilities, they (along with other staff) also help with positioning, lifting, and transferring of students.

Audiologists help diagnose problems related to the ear and specifically to hearing. Often audiologists help determine if a student would benefit from a hearing aid or other amplification devices (personal or classroom).

Paraprofessionals work under the direction of a teacher or an administrator to provide direct services for students with disabilities. Paraprofessionals can have different titles, including classroom aide, teaching assistant, or one-on-one assistant, and they have widely different roles from class to class and building to building. One may provide reading assistance in a classroom, while another may help with positioning of a student with a physical disability, while yet another might help a student who has an emotional disorder deal with stressful situations.

Outside professionals are not employed directly by the district, but many states rely on them to help meet the needs of students with disabilities. Some of these professionals include clinical social workers and behavioral specialists.

The professionals highlighted in the preceding paragraphs typify those that you, as a general education teacher, are likely to see in your school. Others who also provide services typically work only with students who have a disability that is rare or more severe. Examples of others who might provide services include the following:

- Orientation and mobility specialist
- Art therapist
- Therapeutic recreation specialist
- Interpreter for the deaf
- Technology specialist
- Personal care attendant (PCA)

Parents' Roles and Rights

Earlier in this chapter we noted that parent participation is one of the core principles of special education, and as a general education teacher, it is important that you understand the roles and rights of parents of children with disabilities. IDEA outlines the rights of parents of students with disabilities. Those rights begin with the initial request for assessment and flow all the way to being expected to be an active participant in IEP discussions, as well as discussions regarding placement and transition services. Figure

1.1 delineates the basic rights that parents have regarding the education of their student.

Parents as team members

As Figure 1.1 illustrates, parents are active team members in the identification, programming, and evaluation components of the education of a student with a disability. Parents of students with disabilities have more rights regarding education than parents of students without disabilities because students with disabilities are historically a protected class. They were for many years excluded from the educational process, and the additional rights provided to their parents serve as a check on the system to help ensure the district is meeting the students' needs.

Figure 1.1 / Parents' Rights Under IDEA

1. The right **to request testing**. Parents have the right to request that their child be tested and considered for special education.
2. The right **to give approval for testing**. When a school district would like to evaluate a student for special education, the process cannot move forward without the expressed written consent of the parents.
3. The right **to bring information to the evaluation and IEP teams for consideration**. Parents have the right to present any information they feel is pertinent to consideration for eligibility or development of their child's IEP. The team is obliged to consider this information.
4. The right **to request an independent educational evaluation (IEE)**. If the parents disagree with the evaluation completed by the school district, they can request an independent evaluation from a professional not affiliated with the district.
5. The right **to have IEE results considered**. Parents can ask that the results from the IEE be considered as part of their child's educational programming and placement.
6. The right **to request an evaluation in a native or preferred language**. Parents can request their child be tested in their native or preferred language and that the evaluation be conducted with the assistance of an interpreter or technology supports to accommodate physical disability.
7. The right **to be interviewed as a part of the assessment**. Parents have the right to have their ideas about their child's progress (or lack thereof) included in the evaluation report generated by the district.

8. The right **to be informed of their rights**. School districts are expected to routinely provide parents with copies of procedural safeguards to assist the parents in making an informed decision about their rights under IDEA.
9. The right **to be a team member for the evaluation**. Parents have the right to participate as team members when their child is being considered for eligibility for special education and related services.
10. The right **to be a part of the IEP team**. If a student is found eligible for special education, parents may be a part of the team determining programming and placement for the student.
11. The right **to bring others**. Parents have the right to bring others to an evaluation or IEP meeting who have knowledge about the student or the disability, including an outside specialist, an advocate, or an attorney.
12. The right **to incur no cost**. Special education and related services are to be provided to the student at no cost to the student's parents.
13. The right **to access due process/mediation**. Parents have the right to call for a due-process hearing or mediation if there is a dispute regarding the identification, education, or placement of the student with a disability.
14. The right **to file complaints with the state**. Parents can file a complaint against the district with the state education agency.
15. The right **to receive notifications in writing**. Parents must receive notifications in writing whenever the school district proposes a change in placement or is seeking to commence additional assessments to determine programming and eligibility.
16. The right **to receive regular reports**. Parents can expect to receive regular progress reports on their child at the same rate as parents of students without disabilities.
17. The right **to access records**. Parents can access their child's records and request a change if the records contain incorrect information.
18. The right **to request explanation of information**. Parents can request that the district explain reports, records, and documentation kept about their child.
19. The right **to obtain copies**. Parents can ask for and obtain copies of reports, records, and other documentation kept about their child. There may be documents that parents do not have a right to obtain. A building or district administrator can provide further clarification.

It is imperative that educators value the parental contribution—and remember that students spend the majority of their time *outside* of school. If students do not miss a single day of school (including full-day kindergarten), by the time they graduate from high school they will have spent only 10 percent of their life in school. The other 90 percent is the responsibility of the parents. Granted, some of that 90 percent is time that students are asleep (one would hope), but it is still the parents' responsibility to make sure their children are safe and provided for. It is the parents who help with sleeping problems, medical problems, finding help for services on weekends and summers, and countless other matters.

Although parents have an essential role as team members, it is important to acknowledge challenges that some teams face. Sometimes parents of children with disabilities view professionals as their “enemies”—as being difficult to work with and causing problems rather than providing help for the parent. According to Burke (2012), the biggest problems described by parents include teachers not understanding their child's disability, teachers not demonstrating commitment to the job, teachers not demonstrating respect to minority families, concern about the reception of services, too much jargon for the parent to understand, and disproportionate power in special education meetings. Burke (2012) states:

Regarding professional skills, for example, parents want school personnel to (1) understand the disability of their child and (2) learn about their child as an individual. School personnel need to recognize when they do not know something, admit that they do not know, and, subsequently, seek out the answer. For both general and special education teachers, it is important that teachers find information about the disability of the student and corresponding interventions. (p. 201)

It is important that as school districts work with parents to provide services for students with disabilities, the parents' rights and contributions are acknowledged and respected. Students will be best served when all members of their teams are functioning together.

To ensure that parents and educators have the knowledge and skills necessary to form effective teams on behalf of students with disabilities, districts can provide a number of supports (see Figure 1.2 for a list of the basics).

Figure 1.2 / Recommended District Supports for School Staff and Parents

- **Provide learning opportunities for educators to meet their basic obligations** to work effectively with families and for families to meet their basic parenting obligations.
- **Ensure systematic two-way communication** (school to home and home to school) about the school, school programs, and students' progress.
- **Provide learning opportunities for educators and families to work together** so that both can fulfill a wide range of support and resource roles for students and the school.
- **Provide educators and families with the skills to access community and support services** that strengthen school programs, family practices, and student learning and development.
- **Prepare educators and families to actively participate in school decision making** and exercise their leadership and advocacy skills.
- **Provide educators and families with strategies and techniques** for connecting learning at school with learning activities the student can do at home and in the community.

Parents and IEP approval

When parents make suggestions regarding the educational placement and programming for their student, they have a long-term interest in mind. Parents of some students with disabilities will be expected to help provide and care for their children for many years after high school.

Congress rightfully provided a check on the provision of care for students with disabilities by giving parents the right to approve the IEP. School districts cannot evaluate, place, or provide services for students with disabilities without parental consent. All states have detailed notices about procedural safeguards that are provided to parents to make sure they understand their rights, and one of the most important is IEP approval and consent.

When the terms “consent” or “parental consent” are used in IDEA, the meaning is the same as the meaning of the term “informed written consent.” It means that the parent has been fully informed regarding the action for which parental consent is being requested.

Parents have the right to disagree with decisions that the school system makes with respect to their student with a disability. This includes the school's decisions about the following:

- The identification of the student as a “student with a disability”
- The student’s evaluation
- The student’s educational placement
- The special education and related services that the school provides to the student

What should parents do when they don’t agree with the school system regarding any one of these matters? In such cases, it’s important for both parties to first discuss their issues and try to reach a compromise or an agreement. The compromise can be temporary. It could be a trial agreement regarding transportation or the use of an aide in the classroom. The district should gather data to determine if the trial measure is working.

If a disagreement persists, the law and regulations include ways through which parents and schools can resolve disputes. These include the following mechanisms:

- *Mediation* brings the parent and a representative of the school together with an impartial third person to talk about the areas of disagreement, in an attempt to reach an agreement.

- *Resolution* begins when the school system receives a parent’s due-process complaint and a meeting is held between parents and relevant members of the IEP team who have specific knowledge of the facts identified in the due-process complaint.

- *A hearing* occurs if the resolution discussion fails. The parents and the school present evidence before an impartial person (called a hearing officer), and that individual issues a decision that resolves the issue or issues.

Keeping parents informed

Keeping parents informed is one of the best suggestions we can offer to schools and districts, and as a general education teacher, you have a major role in this effort. Parents need to be kept informed about their student’s progress, any problems that may occur with their student’s education, and any plans for future services.

Remember that parents are an essential part of the student’s team and their rights are embedded throughout the procedures of special education. Some would argue that the most important work you can do to help students with disabilities is to build a trusting working relationship with their families.

Withdrawal from special education programs

Along with the right to give consent for their student to participate in special education programs, parents have the right to revoke that consent at any time. They may do so even after a student has been placed into special education and things seem as though they are going well (Letter to Cox, 2009). This means a parent may remove a child from special education at any time.

What Parents Need to Know

- Grades, both good and bad
- Behaviors, both good and bad
- Problems with academics
- Problems with peers and other social difficulties
- Problems with transportation (such as on the bus to and from school)
- Schedule changes
- Need for assistance

FERPA

The Family Educational Rights and Privacy Act (FERPA) of 1974 (PL 93-380) is a federal law protecting the privacy of student education records. FERPA gives parents certain rights with respect to their student's education records. These rights transfer to the student when he or she reaches the age of 18 or attends school beyond the high school level.

Here are the main points articulated in FERPA:

- Parents of students up to age 18 have the right to inspect and review the student's school records unless their rights have been terminated under state law.
- School district employees can also access a student's education records when doing so is necessary for their job.
- School districts are required to keep a record of all people, other than school district employees, who access a student's school records.
- Parents have the right to receive one free copy of their student's records.
- Parents may request in writing that the school district change the student's school records if they believe them to be inaccurate, misleading, or in violation of the privacy or other rights of the student.
- Once a student turns 18, parents have the right of access to their student's educational records only if they have the student's written consent,

unless the parent maintains the student as a dependent for tax purposes or has retained custodial rights of the student.

ESSA and How It Relates to IDEA

IDEA and the Every Student Succeeds Act (ESSA) of 2015 (PL 114-95) are the two most important federal laws related to the education of students in the United States. As discussed earlier in this chapter, IDEA focuses on ensuring that students with disabilities are able to access appropriate education, which involves determining the individual needs of the student and building a program that addresses those needs. ESSA, on the other hand, focuses on improving the education of *all* students. Therefore, the provisions of ESSA also apply to students protected under IDEA.

ESSA was signed into law in 2015. The goals it set provided both benefits and challenges for districts and students. Let's look briefly at the goals of ESSA and, when relevant, highlight their impact on special education.

Develop challenging academic standards and benchmarks. This concept adheres to the intent of IDEA; however, when developing individual programs for students who have more severe disabilities, the inclusion of academic standards and benchmarks has been a bit of a challenge. Doing so is possible, however, and because of this goal, standards-based IEPs are being developed and implemented.

Develop annual academic assessments. This goal relates to measuring growth and determining if school programs are working for the majority of students. However, special education has included regular assessment of student progress since its inception. This part of ESSA implements a good practice that has been happening in special education for a long time.

Limit alternative tests. In the past, IEP teams could determine that students with disabilities did not need to take state and district assessments. Now the expectation is that all students will participate. However, alternate assessments for up to 1 percent of the population are available for students with disabilities who are unable to participate in the regular assessments.

ESSA and IDEA work together to ensure students with disabilities have the following:

- Performance assessment based on the same standards as their general-education peers
- Supports to help them succeed
- Assessments to help track their progress

Summary

This chapter discussed the law as it relates to students with disabilities. It also helped to define what special education is, who receives special education, and the purpose of special education; listed the professionals in special education; and covered in detail the rights of parents. Understanding IDEA and parent rights relating to special education is important to helping provide appropriate education for students with disabilities. As the general education teacher, you are an influential professional with an important responsibility to ensure that students with disabilities get the right services.

References

- American Speech-Language-Hearing Association (ASHA). (2015). *Questions and answers: Qualified provider provisions for related services personnel in IDEA*. Retrieved from <http://www.asha.org/uploadedFiles/advocacy/federal/idea/IDEAQuestionsAnswers.pdf>
- Americans with Disabilities Act of 1990, 42 U.S.C. § 12101 *et seq.*
- Bateman, D. F. (2005). The paperwork. In M. S. Rosenberg, D. J. O'Shea, & L. J. O'Shea (Eds.), *Student teacher to master teacher: A practical guide for educating students with special needs* (4th ed.) (pp. 209–250). Upper Saddle River, NJ: Merrill/Prentice Hall.
- Board of Education of Hendrick Hudson School District v. Rowley, 458 U.S. 176, 200. (1982).
- Bolt, S. (2004a). Accommodations for testing students with disabilities: Information for parents. National Association of School Psychologists. Available: <http://tinyurl.com/pfcsovz>
- Bolt, S. (2004b). Five of the most frequently allowed accommodations in state policy: Synthesis of research. *Remedial and Special Education, 25*(3), 141–152.
- Brendtro, L. K., Brokenleg, M., & Van Bockern, S. (2009). *Reclaiming our youth at risk: Our hope for the future*. Bloomington, IN: Solution Tree Media.
- Brown-Chidsey, R., & Steege, M. W. (2010). *Response to Intervention: Principles and strategies for effective practice* (2nd ed.). New York: Guilford Press.
- Burke, M. M. (2012). Examining family involvement in regular and special education: Lessons to be learned from both sides. *International Review of Research in Developmental Disabilities, 43*, 187–218.
- Callahan, C., & Plucker, J. (2013). *Critical issues and practices in gifted education: What the research says* (2nd ed.). Washington, DC: National Association for Gifted Children.
- Daniel R. R. v. State Board of Education, 874 F. 2d 1036 (5th Cir. 1989).
- Davis, G. A., Rimm, S. B., & Siegle, D. (2010). *Education of the gifted and talented* (6th ed.). Upper Saddle River, NJ: Pearson.
- Doe ex rel. Doe v. Bd. of Ed. of Tullahoma City Sch., 9 F.3d 455, 459-460 (6th Cir. 1993).
- Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2006).
- Flexer, R. W., Baer, R. M., Luft, P., & Simmons, T. J. (2007). *Transition planning for secondary students with disabilities* (3rd ed.). Upper Saddle River, NJ: Pearson.
- Friend, M., & Bursuck, W. D. (2014). *Including students with special needs: A practical guide for classroom teachers* (7th ed.). Upper Saddle River, NJ: Pearson.
- Gargiulo, R. M. (2015). *Special education in contemporary society* (5th ed.). Los Angeles: Sage Publications.
- Gerlach, K. (2015). *Let's team up! A checklist for teachers, paraeducators & principals*. Port Chester, NY: National Professional Resources, Inc.
- Huefner, D. S., & Herr, C. M. (2012). *Navigating special education law and policy*. Verona, WI: Attainment Company.

- IDEA regulations, 34 C.F.R. § 300 (2012).
- Individuals with Disabilities Education Act of 2004, 20 U.S.C. § 1400 *et seq.*
- Johnson, D. R., Thurlow, M., Cosia, A., & Bremer C. D. (2005). High school graduation requirements and students with disabilities. *Transition, 4* (2).
- Johnson, D. R., Thurlow, M. L., & Stout, K. E. (2007). Revisiting graduation requirements and diploma options for youth with disabilities: A national study (Technical Report 49). Minneapolis, MN: University of Minnesota, National Center on Educational Outcomes. Available: <http://cehd.umn.edu/NCEO/OnlinePubs/Tech49/TechReport49.pdf>
- Kochhar-Bryant, C. A. (with Shaw, S., & Izzo, M.). (2008). *What every teacher should know about transition and IDEA 2004*. Upper Saddle River, NJ: Pearson.
- Kovaleski, J. F., VanDerHeyden, A. M., & Shapiro, E. S. (2013). *The RTI approach to evaluating learning disabilities*. New York: Guilford Press.
- Letter to Cox, 110 LRP 10357. (OSEP Aug. 21, 2009).
- Mastropieri, M. A., & Scruggs, T. E. (2013). *The inclusive classroom: Strategies for effective differentiated instruction* (5th ed.). Upper Saddle River, NJ: Pearson.
- Morse, W. C. (1995). Comments from a biased viewpoint. In J. M. Kauffman & D. P. Hallahan (Eds.), *The illusion of full inclusion: A comprehensive critique of a current special education bandwagon* (pp. 105–120). Austin, TX: Pro-Ed.
- No Child Left Behind Act. 34 CFR Part 200. (2001).
- Oberti v. Board of Education of the Borough of Clementon School District, 995 F.2d 1024. (3rd Cir. 1993).
- Rehabilitation Act of 1973, 29 U.S.C. § 701 *et seq.*
- Roncker v. Walter, 700 F.2d 1058 (6th Cir. 1983).
- Rose, D. H., Meyer, A., Strangman, N., & Rappolt, G. (2002). *Teaching every student in the digital age: Universal design for learning*. Alexandria, VA: ASCD.
- Section 504 of the Rehabilitation Act of 1973, 34 C.F.R. Part 104.
- Shea, T. M., & Bauer, A. M. (2011). *Behavior management: A practical approach for educators*. Upper Saddle River, NJ: Pearson.
- Stipek, D. (2002). Good instruction is motivating. In A. Wigfield & J. Eccles (Eds.), *Development of achievement motivation* (pp. 309–332). San Diego: Academic Press.
- Sunderman, G. L., Kim, J. S., & Orfield, G. (2005). *NCLB meets school realities: Lessons from the field*. Thousand Oaks, CA: Corwin.
- U.S. Department of Education. (2012). College and career ready students. Retrieved from <https://www2.ed.gov/policy/elsec/leg/blueprint/college-career-ready.pdf>
- U.S. Department of Education. (2013). Individuals with Disabilities Education Act: To ensure the free appropriate public education of all children with disabilities. 35th Annual Report to Congress on the Implementation of the Individuals with Disabilities Education Act. Washington, DC: Author.
- U.S. Department of Education. (2015a). Improving basic programs operated by local educational agencies (Title I, Part A). Retrieved from <http://www2.ed.gov/programs/titleiparta/index.html>
- U.S. Department of Education. (2015b). Protecting students with disabilities. Retrieved from <http://www2.ed.gov/about/offices/list/ocr/504faq.html#protected>
- U.S. Equal Employment Opportunity Commission. (2009). Americans with Disabilities Act: Questions and answers. Retrieved from <http://www.ada.gov/q&aeng02.htm>
- Yell, M. L. (2015). *The law and special education* (4th ed.). Upper Saddle River, NJ: Pearson.

- modifications (*continued*)
 - behavioral, 76*f*, 172–173
 - considerations, 169
 - defined, 159*d*, 169*d*
 - environmental, 170
 - examples, 76*f*, 169
 - in the IEP, 70–71, 75, 76*f*
 - in lesson design and delivery, 170–171
 - meaning of, 13
 - multidisciplinary team meeting
 - checklists, 174–176
 - organizational skills, 171
 - testing and testing procedure, 172
- monitoring
 - IEP to document, 66
 - RTI/MSS model, 30–31
 - in special education, 13
- multidisciplinary team
 - communication with the, 64–65
 - meeting checklists, 174–176
 - members of the, 41, 44–45, 48
 - signatures in the IEP, 68
- multiple disabilities, 159*d*, 164*d*
- multiple sclerosis, 167
- Multi-Tiered System of Support (MTSS), 29. *See also* Response to Intervention/ Multi-Tiered System of Support (RTI/MSS) model
- native language assessment, 20
- no-cost provision, 21, 101
- nondiscriminatory evaluation, 10, 12–13
- notifications in writing, 21
- objectives
 - behavioral, 156*d*
 - in the IEP, 13, 64–65, 69–70
 - measurement statement of progress toward, 13
 - short-term, 161*d*
- objective test, 159*d*
- observation criteria, 56
- occupational therapists, 18, 66
- occupational therapy, 159*d*
- organizational skills, modifications to support, 171
- orientation and mobility services, 160*d*
- orthopedic impairment, 160*d*, 164–165*d*
- others, paying attention to, 99
- paraprofessionals, 19, 132–133
- parents. *See also* families
 - district supports recommended for, 23*f*
 - IEP contract with, 10, 66
 - as IEP team members, 20, 22, 45, 48, 66
 - involving, 40, 95, 101
 - keeping informed, 21, 24, 40, 131, 144
 - postsecondary transition planning role, 108–109
 - responsibilities of, 22
 - school personnel, requests of, 22
- parents, rights of
 - to be informed, 21
 - to consent, 12
 - to disagree, 23–24, 59
 - due process hearing, 21
 - in eligibility assessment, 48
 - in the evaluation process, 20–21, 45, 48, 59
 - to file complaints, 21
 - guardianship rights and leaving school, 144
 - under IDEA, 19, 20–21*f*
 - IEP approval, 12, 23–24
 - to inclusion, 20–22, 59
 - to independent evaluation, 20, 59
 - to mediation, 21
 - to native language assessment, 20
 - no cost provision, 21
 - to notifications in writing, 21
 - permission for testing, 20, 45, 59
 - procedural safeguards notice, 68
 - to regular reports, 21
 - to request explanations, 21
 - to student records, 12, 21, 25
 - withdrawal, 25
- participation, environmental differentiation for, 33
- people-first language, 166–167
- performance contracts, 142
- performance goals/objectives in the IEP, 64–65
- performance levels in the IEP, 69
- physical challenges, evaluation report summarizing, 61
- physical disability, 166
- physical environment, modifications of the, 170

About the Authors



David F. Bateman is a professor in the Department of Educational Leadership and Special Education at Shippensburg University of Pennsylvania, where he teaches courses about learning disabilities, special education, and special education law to future teachers and administrators. Dr. Bateman has been a classroom teacher of students with learning disabilities, behavioral disorders, intellectual disabilities, and hearing impairments. A former due process hearing officer for the Commonwealth of Pennsylvania and past-president of the Pennsylvania Council for Exceptional Children, he is public policy chair of the Division for Learning Disabilities and is active in the Consortium for Citizens with Disabilities in Washington, D.C. Dr. Bateman has an MEd in special education from the College of William and Mary and a PhD in special education from the University of Kansas. Using his background as a teacher and a hearing officer, he works with school districts that have been recently involved in litigation to help them move forward successfully. He is coauthor of *The Principal's Guide to Special Education* and *The Special Education Program Administrator's Handbook*.



Jenifer L. Cline is a special education administrator in Great Falls Public Schools in Great Falls, Montana. She has an M.A. in speech language pathology from Washington State University and received her special education administrative endorsement from Montana State University Billings. Prior to earning an endorsement for special education administration, she practiced speech pathology in a variety of schools. Ms. Cline has worked as a special education administrator for the last 10 years as both the special education director of a special education cooperative and as a district-level special education administrator. She has presented on administrative topics for the American

Speech-Language-Hearing Association, the Council of Administrators of Special Education (CASE), the American Educational Research Association, and the Council for Exceptional Children (CEC). An active member of CASE and CEC, Ms. Cline has served as the president of Montana CASE and on the professional development committee for CASE. She is coauthor of *Efficient and Effective Management of Resources* and *Data: Making It Meaningful*.

A TEACHER'S GUIDE TO SPECIAL EDUCATION

Despite the prevalence of students with disabilities in the general education classroom, few teachers receive training on how to meet these students' needs or how to navigate the legally mandated processes enumerated in the Individuals with Disabilities Education Act (IDEA). What is their role? What are their responsibilities? What are the roles and rights of parents? And what must they do to ensure that students with disabilities and other special needs receive the quality education they're entitled to?

In this practical reference, David F. Bateman—bestselling author of *A Principal's Guide to Special Education*—and special education administrator Jenifer L. Cline clarify what general education teachers need to know about special education law and processes and provide a guide to instructional best practices for the inclusive classroom. Topics covered include

- The pre-referral, referral, and evaluation processes
- Individualized education programs (IEPs) and the parties involved
- Accommodations for students who do not qualify for special education services, including those covered by Section 504
- Transition from preK to K–12 and from high school to postschool life
- Classroom management and student behavior
- Educational frameworks, instructional strategies, and service delivery options
- Assessment, grades, graduation, and diplomas

The breadth of coverage in this book, along with its practical examples, action steps, and appendixes covering key terms and definitions will provide the foundation all K–12 teachers need to successfully instruct and support their students receiving special education services. It's an indispensable resource for every general education classroom.

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