



Family-Driven Education Advocacy

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Today's Goals

- Participants will be able to name three policies or laws that support children with disabilities at school.
- Participants will be able to describe at least two ways the Individuals with Disabilities Education Act (IDEA) recognizes families as team members.
- Participants will be able to list at least three types of written letters or forms related to the IDEA to help their children.
- Participants will be able to identify common reasons for filing formal state complaints.



Definition of Family-Driven Practice

Family-driven means families have a primary decision making role in the care of their own children as well as the policies and procedures governing care for all children in their community, state, tribe, territory and nation.

This includes:

Choosing culturally and linguistically competent supports, services, and providers;

Setting goals;

Designing, implementing and evaluating programs;

Monitoring outcomes; and

Partnering in funding decisions.



What We Believe

- Families know their children better than anyone else.
- Families are their children's strongest advocates.
- Systems should follow laws and policies about families' and children's rights.





Families Know Their
Children Better than
Anyone

What is the Purpose of School?



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The Purpose of School

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The purpose of school is for children, ALL children, to learn.



Key Concepts

- All children in the United States have the right to attend public school (Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution).
- There are interventions in regular education that can be used to help children with their learning and behavior.
- Section 504 of the Rehabilitation Act helps students who have trouble accessing the curriculum, but are able to learn once they do.
- Children with disabilities that affect their ability to learn have the right to a Free and Appropriate Public Education (FAPE) under the Individuals with Disabilities Education Act (IDEA).
- Institutions like schools are held more accountable under federal law than are individuals.
- All of the laws and policies referenced in this presentation give families the opportunity to be a partner in their child's education. The IDEA mandates that families have this opportunity and recognizes the importance of family input.





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Response to Intervention

The Three Tier Instructional Model is designed to meet the needs of every student and consists of three tiers of instruction:

Tier 1: Quality classroom instruction based on Mississippi standards.

Tier 2: Focused supplemental instruction.

Tier 3: Intensive interventions specifically designed to meet the individual needs of students. The Teacher Support Team is the local team responsible for interventions developed at Tier 3. Each school must have a TST
<https://www.mdek12.org/OAE/OEER/InterventionServices>

REMEMBER: The Tier process CANNOT be used to delay a parent's request for an evaluation for special education.

Resources:

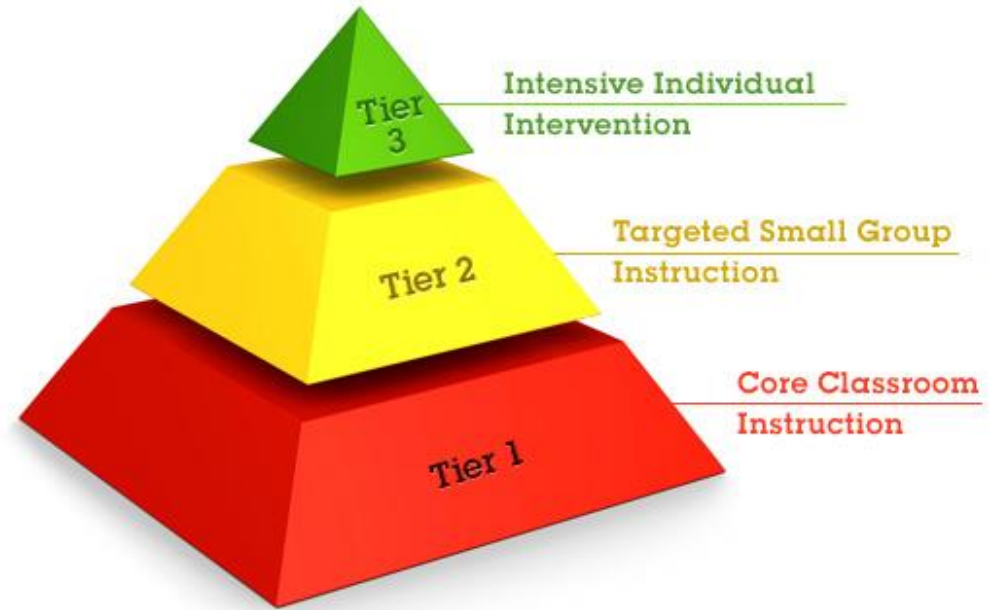
Parent Guide to RTI:

<https://www.mdek12.org/sites/default/files/Offices/MDE/OAE/OEER/Intervention/familyguiderti.pdf>

Family Guides for Student Success:

<https://www.mdek12.org/OAE/OEER/FamilyGuidesEnglish>





RTI (Response To Intervention)
3 Tiers of Support

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Section 504

Section 504 is an anti-discrimination, civil rights statute that requires the needs of students with disabilities to be met as adequately as the needs of the non-disabled are met. To be covered under Section 504, a student must be “qualified” (which roughly equates to being between 3 and 22 years of age, depending on the program, as well as state and federal law, and must have a disability. An individual with a disability means any person who: (i) has a mental or physical impairment that substantially limits one or more major life activity; (ii) has a record of such an impairment; or (iii) is regarded as having such an impairment. An impairment as used in Section 504 may include any disability, long-term illness, or various disorder that “substantially” reduces or lessens a student’s ability to access learning in the educational setting because of a learning-, behavior- or health-related condition(<http://www.greatschools.org/gk/articles/section-504-2/>)





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Individuals with Disabilities Education Act (IDEA)

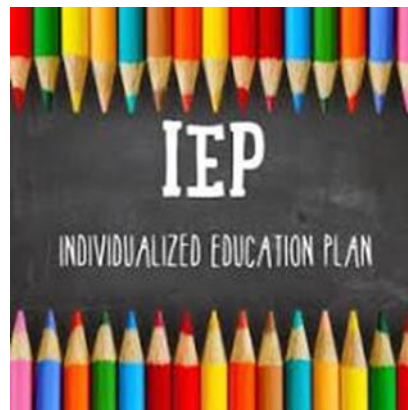
“The Individuals with Disabilities Education Act (IDEA) is a law ensuring services to children with disabilities throughout the nation. IDEA governs how states and public agencies provide early intervention, special education and related services to more than 6.5 million eligible infants, toddlers, children and youth with disabilities.

Infants and toddlers with disabilities (birth-2) and their families receive early intervention services under IDEA Part C. Children and youth (ages 3-21) receive special education and related services under IDEA Part B.” (<http://idea.ed.gov/>)





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Conditions Before IDEA



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November 29, 1975: President Gerald Ford signed the **Education for All Handicapped Children Act**, otherwise known as Public Law 94-142 to:

- Assure that all children with disabilities have available to them...a **free appropriate public education** which emphasizes special education and related services designed to meet their unique needs"
- Assure that **the rights of children with disabilities and their parents...**are protected
- Assist States and localities** to provide for the education of all children with disabilities
- Assess and assure the effectiveness of efforts** to educate all children with disabilities"

August 6, 1986: President Reagan signed the **Handicapped Children's Protection Act**, a law that **gave parents of children with disabilities more say in the development of their child's Individual Education Plan, or IEP.**

June 4, 1997: The **Education for all Handicapped Children's Act** became the **Individuals with Disabilities Education Act**. President Clinton reauthorized IDEA with **several key amendments** that **emphasized providing all students with access to the same curriculum**, additionally, states were given the authority to **expand the "developmental delay" definition from birth through five years of age to also include students between the ages of six and nine.**

Source: Timeline of the Individuals with Disabilities Education Act (IDEA)



Helpful Information from [Understood.org](https://www.understood.org)

[Conditions Covered Under IDEA](#)

Remember – accommodations are based on the child's *needs*, **not** the child's ruling.

[Important Terms to Know](#)

[Who Ensures Schools Follow Special Education Law?](#) By Melody Musgrove, Ed.D.

IDEA is a Complicated Law, BUT.....



What is says about families is simple.....

- Your child has the right to a Free and Appropriate Public Education (FAPE)
- You are a member of the team (and remember you know your child better than anyone so you have valuable insight into what is appropriate for them.)

*It is about what the district, the school and State Department of Education are required to do, **not** what families could or should do*

*The power of the law is in the law itself and the rights and options it gives to families, **not** in what an advocate says or does*

The Procedural Safeguards can be a family's best friend, but it's OK if you don't know or remember everything. Keep them handy! <https://www.mdek12.org/OSE/parents>

*Using the law to help your child **is not stigmatizing**, but districts not following the law in response to what you child needs **is discrimination**.*

Written Forms that Support Families and Children's Rights

[Sample Letter Requesting Evaluation](#)

[Sample Letter Requesting Appropriate Services](#)

[Formal State Complaint](#)

[Twelve Most Common Reason Parents File Complaints under IDEA](#)





Helpful Documents

[Comparison Chart – 504, IDEA and ADA](#)

[Procedural Safeguards for Mississippi](#)

[State Timelines for requesting evaluation](#)
(See Appendix page EE.B)

[Federal Timelines for requesting evaluation](#)





How Did We Do?

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