

Let's Talk Learning Disabilities

EPISODE 25

Welcome to Let's Talk Learning Disabilities with Laurie Peterson and Abbey Weinstein. Laurie & Abbey spend their days talking about dyslexia, dysgraphia, dyscalculia, & ADHD they talk to parents of struggling students and adults who have had a lifetime of academic challenges. They want to share those stories, along with their own insights with you through simple conversation. So, *let's talk learning disabilities.*

Laurie: Hey everybody! This is Laurie.

Abbey: This is Abbey.

Laurie: Welcome to episode number 25 of Let's Talk Learning Disabilities. We're very excited today. 25. That's huge.

Abbey: 25 is huge!

Laurie: People with ADHD, The fact that we stuck through this for 25 episodes, that's a humongous accomplishment. So congratulations.

Abbey: Thank you. Congratulations to you as well!

Laurie: I'm very excited. So Abbey, tell everyone what we're talking about today.

Abbey: So today we're talking about special education 101. What the schools can and cannot do. And with us today, we've got Nancy Isaacs, a former special education director that we're going to be interviewing and kind of picking her brain to find out more about what schools can and can't do for students in special education. So welcome Nancy.

Nancy: Thank you. It's nice to be here.

Abbey: Thank you. We're so glad you're here. Thank you for coming in. Tell us a little bit about the job of a special education director and how did you end up there?

Nancy: I'm not sure how I ended up there. Um, the job of a special ed director is to ensure that the students with disabilities in a public school system receive all the services they're entitled to, ensure compliance with all federal and state laws and, hire and make sure that we have staff for all the students needs, those kinds of things. So it's a large global job, but, um, that's huge.

Abbey: It does sound huge.

Nancy: But I loved it and, I'm retired now, but I do miss the kids.

Abbey: Good for you for being retired. And what did you do prior to becoming a director? And how did you end up as a special education director?

Abbey: I taught in a general ed classroom for 17 years, and then I taught in a special ed classroom for about six years. And then I was an educational diagnostician that did evaluations. Then I became a special ed coordinator. Um, and then one day I woke up and I was a special ed director. So, happens a lot.

Laurie: I think probably it does, great job.

Nancy: I loved every minute of it and, um, very rewarding.

Abbey: Oh, good. I'm so glad to hear that. So tell us, what kinds of disabilities can students be found eligible for special education services?

Laurie: We're starting with bare basics, at the bottom right.

Abbey: I like that. How does a student become eligible for special education?

Nancy: Um, a student can be referred by a number of sources, could be a physician. It could be their parent. It could be a teacher, um, community

agency, et cetera. Um, once the referrals are received by the special ed department, then they, uh, meet with the parents and explain exactly. The process, what the evaluation is for what the evaluation will consent, uh, uh, consist of. And then they asked for the parents' permission to do the evaluation. They never do anything, without the parent's permission. And so, once the evaluation is complete and they have an eligibility, then they meet again with the parents and to get consent for services. There are large number of eligibilities in special ed and the most, um, the highest population incidences for disabilities is specific learning disability. Um, other health impairment that is children with ADHD. Um, there that's probably the largest population of other health impairment, but any medical diagnosis that would meet that criteria as well. Um, there are children who are visually impaired and auditorily impaired, um, children with emotional disturbances, of course, children with intellectual disabilities. Getting larger every day is our population of students with autism. So that's not all of the disabilities, but that's a big, that's a majority and most common of them.

Abbey: Okay. So once a student is found out, they've had this evaluation by a special education evaluation team, they're found eligible. And I do want to point out in order to be eligible for special education. There's not just the disability category. The student also has to demonstrate what's called educational need for specially designed curriculum and instruction. So you don't just decide, I have a disability. I need special education services or an individual in the schools or the parent can't just say we want special education services. There is a committee that has to determine if the child has that need for those specially designed services because not all students with disabilities need special education services.

Laurie: Really quick, Can we talk about that meeting that we have because in Texas we call it something weird. And when I moved here, I'm like, what do you people talking about? So to any kind of meeting Nancy tell us about the meetings and what they're called.

Nancy: The meetings in Texas are called ARDS Annual Review and Dismissal. Everywhere else in the United States, they're called an IEP, individual education plan.

Laurie: And you're meeting to discuss, to review it or plan it, review it or say it's been completed?

Nancy: The purpose of the meeting is to determine the eligibility. Do they have a disability? And then also, do they need a specially designed instruction? Um, special ed instruction or accommodations or modifications to the curriculum that couldn't be done in the general ed classroom. Um, and that's the purpose of the meeting and, um, and you are correct that there are students, many students with disabilities who will, uh, need special ed services, but there are many who can be successful in the general ed classroom with 504 services Americans with disabilities act. Or even just some general ed kinds of accommodations often will be sufficient to, um, in a general ed classroom to help the child be successful.

Abbey: Okay. So that's good to know. And you mentioned that parents have to provide consent for the evaluation. I think it's also important for parents to know that even once you've given consent for an evaluation, you still have to give consent again to be provided special education services. The school can't just put your student in special education and start providing an individualized education plan without your consent. Right?

Nancy: That is correct. Um, at the end of this first AR day meeting ARD meeting that you have. If it's deemed that your student needs special ed services, then the parent must agree to that. They must get permission to provide those services. And the parent has the right to revoke those services at any time throughout their child's career in school. So, um, And at that point services terminate. So there is, um, very much control on the parent's part about what happens to their child in a public school in terms of evaluation, in terms of services provided and in terms of the continuation of those services.

Abbey: Okay, good to know. And so we've talked about special education services in general, kind of as a broad term, what are some services that a child or student can get through special education or be found eligible for through special education?

Nancy: Um, well, I could talk all day about that. Um, probably the very first as children are very young in school, the first services you will see are

speech language services. We have lots of little little ones that come in pre-K kindergarten, et cetera, who have speech impairments. Um, and so we usually, you know, a year or two of speech therapy and that they're back into general ed classroom and they're this they're dismissed from special ed and very successful. Um, we also have lots of children with learning disabilities. They get accommodations in the classroom, things like, uh, shortened assignments or extra time or. I mean, there's a page of accommodation that are, unending of things that can be provided to a student in a classroom in that term. Um, some students need to the level of modified curriculum. And so, uh, while they're learning the same content, they might not learn it in the same way or are not at the same pace. Um, we have students who have intellectual disabilities who need a classroom outside of general ed, specialized small classroom, that with more intense services, um, we have classrooms for children with emotional disturbances who need behavior support. Um, I mean, the list is on and on.

Abbey: So, it's more intensive than just being able to get accommodations. So we've talked previously in some previous episodes about 504 services, section 504 that affords students accommodations, which you mentioned just. Supports that can level the playing field, but under that special education umbrella, there are, is a whole host of services that students can get. And even some students are found eligible for occupational therapy, physical therapy, social skills instruction, counseling...

Nancy: ...medical services, even nursing services and those kinds of things. So it's a very broad list.

Abbey: Okay, good. And that is important too, in that those services are. Not just requested by a teacher can't say, I think this student needs to be in a small group, a small, a resource classroom, which is, uh, taught by a special education teacher, small group, low to staff, to student ratio, uh, maybe simplified language, reduced rigor, modified curriculum. Again, that meeting has to happen where everyone has to determine that the student really needs it. And then, do the parents get to decide if they're okay with their child being moved into, out of the regular classroom, into a special education class.

Nancy: Yes in no child services can be changed without an ARD meeting. Um, so what you agree to what the ARD committee agrees to in that ARD meeting that

happens every year. You have an ARD meeting every year. You can have as many in between, as you need to, to plan the services for the child that you must have at least one per year. What, what is decided in that meeting and everyone signs and agrees to, remains exactly the same. And if a teacher feels like the student needs more services, or sometimes the student, the teacher feels like the student might need less services. I think he can be successful without being in a resource classroom. Those kinds of things, but that has to be done in another ARD meeting. No one can just change the services because they want to, and there's a very strict limit on how many days a student can be out of placement.

Laurie: So when you say out of placement, what it's like out of their special ed specialists?

Nancy: Yes, they a very strict limit on how many days they can not be following exactly what that ARD meeting said, individualized education, that IEP or individualized education plans. So if that student it's IEP says, um, that they're going to have 30 minutes a day of resource English, let's say then there's a very strict limit on how many days that student can not get that service. Now, if the student is absent, that's not accountable, but if the teacher's not there and there's no substitute or, you know what, for whatever reason, there's a very strict limit on how many days they can not receive that service. And the school will be monitoring that closely because that's the law.

Abbey: Out of placement.

Nancy: Yes. That is considered out of placement.

Abbey: So the school needs to provide what was agreed upon on that student's individualized education plan or IEP. And if they're not providing that, then they need to come together and talk about what the student needs and make sure that they have agreed upon some new services, but if they want to try different places, they can't be out of placement or, or being provided something different than what was agreed upon in their, in their plan for more than what is it? 10 days?

Nancy: 10 school days, yes. 10 school days outside of the school staff who monitors that. So like if you're a parent and your child is in special education, and you're curious as to, if something's not getting done, who's checking over that. Um, typically each student in a school has a special ed case manager and that's a special ed teacher probably. And that teacher is responsible for monitoring that student's progress. Um, being the representative at that IEP meeting, ARD meeting, um, monitoring their placement, um, ensuring, watching their grades, all those kinds of things and making contact with the parent. And that person is usually I can't speak for every school system. Um, usually it's the person that would be monitoring those days out of placement.

Abbey: Okay.

Nancy: That goes to discipline disciplinary settings. Also they, that 10 days applies if they're in a disciplinary setting and they do not receive their services, that's another whole can of worms.

Abbey: That is a whole can of worms, but that is good to know for parents. If your child is in special education, you have rights. You have to agree to agree to different proposed services or, or disagree if you, if you don't agree with them, but also with discipline, if your student is going to be, if the administrators want to suspend your student or expel them or send them to an alternative disciplinary education school or program, then again, if they're in special education, the whole IEP team or the ARD committee has to meet and talk about if that student can be placed in that alternative setting.

Nancy: That's correct.

Abbey: Okay. And parents again, have to agree or disagree to that proposed placement. So the school can't just make any changes at any time. I think we've established that and that the parents have to agree or disagree. And then how is it that parents know that their child is getting what they need, that the school is actually doing what they said they're going to be doing? I mean, how can parents are monitor progress. Keep up with these individualized education plans, know that their child is getting what they're needing. Um, besides that case manager, you mentioned, right?

Nancy: One of the things I can encourage parents to do is be an advocate for your child, but also have a relationship with the school staff. Uh, find out who that case managing teacher is for your child and have a, you know, Not a daily conversation, but you know, maybe every couple of weeks, just check in how's how's my child doing? If you are concerned, there's kind of two ways to approach that if you think the services are provided, but they're not enough, um, then you would want to have an ARD meeting and change them. If you think the services are not being provided, that are in the IEP that you agreed to, I would, you know, talk to the teacher and ask them, you know, could you show me some work samples that have my child's accommodations? I'd like to kind of see how you're doing those, uh, maybe, you know, so that I can do them at home. Um, or I can see if maybe my expectation of what that should look like isn't what your expectation of what that should look like. I really would talk to the teacher about it. Show me, or give me some concrete examples about how you're providing this accommodation to my child, or is my, are you sending my child to, you know, resource or content mastery? Every day, you know, is he missing any days? Just ask those questions. Um, if the teacher can't answer those, then, then you should be concerned if the teacher can answer those, but you're not really sure. Um, or you don't understand that would just, you know, Go back to that special educator. Um, talk to the gen ed teacher first, and then go back to that special ed teacher. Can you help me with this? If you still don't feel like at that point that the teacher is following through, isn't really providing those accommodations. You really don't think they're enough. Then you maybe talk to them in a straighter and say, could you help moderate this with us? Could you sit down and mediate with us and let us work through this? Or you can always, always call an ARD and say in the ARD officially, I have concerns that my students accommodations are not being provided. How, how do we handle that? Um, confrontation is usually not a good thing. Um, you really want a good working relationship with your students' school. That's the best thing for your child is for the teacher and the parents to be working together as a team, to provide services to, to the child, to ensure that they're getting them. So I would encourage you to really talk to the general ed teacher. Show me what you're doing. I really need to understand that, um, talk to the special ed teacher. Can you help me with this? Go to the administrator. You know, as a third, as a third thing, because you really want to keep that good working relationship, if you possibly can. You can't always, but, but that should be your goal.

Laurie: And is it part of the law where they have to do kind of a progress report on their goals throughout the year? Is that part of the federal law?

Nancy: Yes. Um, student has an IEP at the same time. Um, if students get a grade report card every six weeks or nine weeks, whatever it is that a special ed teacher will send home updated IEPs that show the progress at that same time. So if your student gets a report card with grades, you should also get a copy of the IEPs with updated progress that shows they're making progress. They're not making progress. They've mastered that goal. Um, sometimes you'll see the, whatever the code is. They have codes on them, but, um, that they've mastered that goal and they won't be working on that necessarily all the time.

Laurie: So that's a great way to really monitor, you know one more checkpoint in addition throughout the year.

Nancy: And I know those papers are not always simple to read, ask, ask the art committee or a special ed teacher to explain the code to you and really walk through it with you. So, you know, when it comes to you in the mail or with the report card that you know exactly what you're looking at.

Abbey: That's great. And so if your child is in special education, you should be getting a copy of their IEP progress reports every grading period, whenever report cards come home.

Nancy: That's correct.

Abbey: So that is a great way for parents to monitor that their child is making good progress toward mastering their individualized goals. If you're not getting a copy of those progress reports, then ask a special education, your child's special education case manager. If they don't know, ask another one of your child's teachers or the diagnostician or assessment professionals got to have it.

Laurie: Someone's got to have it.

Nancy: If you're not, yes. If you're not getting them, I would probably go to a special ed teacher first, diagnostician second.

Abbey: Okay. Um, and so the parents, again, I think it's a great suggestion to ask for a copy of work samples, you mentioned, and that's another great way to help your child at home to see what they are doing without accommodations and how they're doing with accommodations. And I think it's a good idea to even ask when you get certain grades, is this with his accommodations or without his accommodations, if it's not indicated on the assignment or on the test so that, you know, at home. We don't want to be blindsided and just see grades and think our child is doing great because they have passing grades or they're making Bs, but, and not know that those assignments and tests have all been heavily accommodated. So I think it is, um, great for parents to ask teachers about those accommodations and look at assignments and work samples with those accommodations.

Nancy: And you can ask your, uh, general ed teacher. Um, it's not a whole lot of extra work for them, when you're grading my child's assignment. If, if you provided accommodations on this, would you just put a little star or check mark? Just something that only you and I know teacher and parent, that this was an assignment that was accommodated because if it doesn't have that, then I kind of know that they did that on their own. And I can see, you know, the progress that they've made and how well they did, or I know this had heavy accommodation, so the student got a B or an A, but it was accommodated versus really being able to see that they've made a lot of progress in that same assignment two weeks from now, might have that same grade without the little check mark or star, whatever it is. And I know, wow, they've made this much progress, and that's simple. It doesn't draw attention to them that their papers are different in any way, just lets you know.

Abbey: Okay. So, um, another thing I was thinking about is you were talking earlier about maybe a young student that has a speech impairment that was receiving speech therapy for a couple of years. And then you mentioned being. So being dismissed or no longer being in special education.

Nancy: Sorry, that's our own lingo. We have our own lingo.

Abbey: Can a child be dismissed from special education services and they graduate and can they get out of special education? There is this perpetuated myth that once you get into special education, you never get out or it's hard to get out. So, um, what, what is the process of you know, exiting or

dismissing from special education? And at what point do you know that a child can be dismissed from special education?

Nancy: Um, the process is, for the most part, um, you would the school, if they think that the students ready to be dismissed or, uh, no longer need special ed services is probably the longer, more appropriate term. Um, they complete an evaluation, another evaluation with parents' permission, um, and you know, eligibility is based on that data, what the evaluation says. So for example, if you have a speech therapy student who, um, you know, didn't have and RS articulation issues, um, and now all of the, all of the data shows that they can do all of those things that were in their goals, then they might no longer need special ed services and speech therapy. And so, we just end their services or "dismiss" them is the word that's the most common time that students are dismissed from special ed services and students with learning disabilities, If you have a learning disability, you're always going to have a learning disability. So it really depends a lot on the child, there are students, as they get older and learn to compensate can move from special ed to 504, and still have some accommodations, but they don't need specially designed instruction. They don't need modifications. They don't need, um, resource services. They don't need that case manager. They've matured and can really make it on their own with accommodations in 504. That might be a case. Once again, you have to have an evaluation, um, and sit down with that same meeting and the parents, you know, are a part of that and very critical part of that team and help make that decision. Uh, you can always reverse that decision as well. You can go back and, and say, they're, they're not doing as well as we thought they were. We're going to do another evaluation. We may need to re-look at that. Uh, but it takes another evaluation to go back into special ed once you're out. Parents can have the right to terminate services anytime they want to. Um, if they just feel like it. I don't want this for my child anymore. Um, then they have the right to say, I don't want it anymore. They signed a paper, it's a document. And, but that student still has the right to 504 services. The accommodations, all of those kinds of things that help them be successful as well.

Laurie: So, for those learning disabled students, when they meet and feel like it's time to be dismissed, they do the evaluation. There's a good chance. The learning disability is still going to show. I mean,

Nancy: Absolutely.

Laurie: But now what's changed is, there's no longer that need. So kind of like Abbey was saying earlier to get in, you gotta have those things, right. And really to stay and you have to have those things. So every year at that annual meeting, it's still being checked off that, yes, there's still a need. Nothing has changed. We're not going to move down that road of, you know, dismissal. We're going to keep on keeping on because they still need the services.

Nancy: That's correct.

Laurie: That's hard, that's kind of a hard concept for a lot of parents because they think they have a disability. So.

Abbey: Right, but they might close that gap that they had. Right. Generally they've learned strategies, coping strategies, compensatory techniques, they no longer have the intense need that they once had. So it is in my experience, I was in a public school district for 14 years as a diagnostician and for six years as an educator or a teacher, and I saw lots of students get dismissed from special education, which made me really happy, especially when I was on a middle school campus. A lot of middle schoolers were originally diagnosed or originally found eligible for special education. In elementary school, they had greater needs that the gaps were bigger. They were farther behind and as they've progressed and gotten older and matured and had intensive good instruction, they've closed those gaps, and no longer need those services. So it is possible to be dismissed from special education and no longer need those services. And as you mentioned, I think it's great for parents to remember that at any time, if you decide you don't want your student to receive special education services, you can request that they no longer receive those services. You have to request it in writing. And then that it's as simple as being dismissed and no longer having that individualized education plan. But you can say I would like a 504 plan to provide accommodations.

Laurie: I feel like this has been awesome. Like, I feel like we've kind of, we're big on trying to put things into very easy to understand terms, right. And I think there's a whole bunch of stuff that we would, I mean, we could be here all day. So if parents have questions or would like to read up more,

either understand their own child's program better, or just, if they feel like their child might benefit from this and they want to start kind of that process. Are there any resources that are easy to understand? Because the problem with special education is it's filled with a whole lot of legal jargon, lots of weird acronyms and parents just get so easily overwhelmed. I mean, educators can too. So do you have any resources that you could share that would be a place that parents could go?

Nancy: Um, off the top of my head? I would say to be really careful with Google searches, because you're not necessarily going to get accurate information. Some that might be very old and outdated and not correct, some that is just, um, not quite accurate. So, um, you can always call anybody in a special ed education department at any public school and say, I just have questions. Can you help me? And they will be more than happy to answer your questions. Kind of talk you through the process, um, in hopefully simple, you know, parent friendly terms. I think if you find other parents who have students in special education in that district and talk to them, it really is. Yeah, it's important because they come from the same perspective you do in terms of parent of a child. And I'm talking through the process and. And how you feel about it. Um, do you talk to your child's teacher? They're always a good resource. You can always talk to the diagnostician at the campus where your child attends. They also are a very good resource.

Laurie: Yeah, they're a wealth of knowledge.

Abbey: When you were a special education director, could a parent call you? I mean, do parents have access to a name, and a number of the special education director in their district?

Nancy: Yes. Every, every public school system, I've, I've never seen one that didn't have the name of the special ed director and their phone number and email. And yes, all parents could always call, um, and talk to me or any of the coordinators in our district who oversee the services for the district. So, certainly they, they want you to ask questions because they want accurate information out there. They want parents to know really what the law is and what the school provides and what the school can't by law provide. Um, and, and all the rules that go with that. They really want you to know that, but I

would encourage you also to talk to parents that, that networking is so important, right.

Laurie: I think we see a lot of parents, even that come out of a IEP meeting and. They are not even sure that their child's in special education. That's true. And it's, you know, they don't, they know they're going to get some help. They don't know if it's under 504 special education and they don't really know why other than they were struggling. So to ask, it's okay, because it is overwhelming. You're at a table with administrators and teachers and they're there and you got, I mean, as, as the staff members, you know, we're running through it, like we've done seven of these today. Like, go, go, go. And that parent is like a deer in the headlights, so they do. So I think it's so important to. Ask questions. It is okay to slow everybody down. Don't sign anything until you know what you're signing and you understand everything.

Nancy: Parents should always feel like I, they are able to say, I'm not really sure I understand this. Could you explain it to me? And the schools, district staff should always be willing to stop and explain it in parent-friendly terms. This is what we're saying. This is what it looks like. Examples are so critical because we do have our own language, like all professions do, and we're really. Um, you have to really try hard not to get into that conversation between each other and the parents. Like, I, I don't know, we're talking about, um, there is, uh, a document in Texas called the ARD Guidebook is what they call it. I'm sure it has a more formal name, but it explains the process in pretty fair, parent-friendly terms. And you can get that off the Texas education agency website.

Laurie: Oh, that's good to know.

Nancy: And you can read that even before you start the process, because it goes through the whole. Um, process start to end and explains the parents' rights. These are your rights as a parent.

Laurie: That's what awesome.

Abbey: So for parents outside of Texas, for our listeners, if you find out the phone number or the website of your educational agency for your state or state educational agency, they are a good resource for you for what is and is not

allowed in your state for public schools under special education, you might have a document in Texas it's called a guide to the ARD process or the Admission Review and Dismissal process. In other states, you might have a document that you have access to call the guide to the Individual Education Plan process, or the IEP process, the special ed and the special education process. So, so that is a resource to contact your educational agency of your system. But also we're whatever region your school district is in. There are educational service centers that provide services and supports and education to different school districts within a region. So you might find out what region. In all states, they have regions. And so you might find out what region you're in and call your regional ESC or Educational Service Center. And they have also a lot of people there that can answer all your questions about the special education process.

Nancy: That's an actual slow recommendation. They also have websites with, um, lots of parent information and, and things for you to read. That's a great resource.

Laurie: Well, thank you so much for being here today. This is awesome. Like I said, I feel like we could probably talk for another hour. We'll put some resources in the show notes. I've thought of a couple of websites while we were talking that we might want to put in there, to give parents some information. And you guys know if you have questions, you can always email us at letstalklearningdisabilities@gmail.com. Abbey...

Abbey: Laurie...

Laurie: Have a great afternoon. We'll see you back for number 26.

Thank you so much for joining us today. In our show notes you can find information about today's talk, as well as links to the resources and other episodes. If you have questions about today's talk, have ideas for future episodes or just want to stay connected, you can contact us through Diagnostic Learning Services on Facebook, Twitter, LinkedIn and Instagram. So, Let's Keep Talking Learning Disabilities. This podcast is sponsored by E Diagnostic Learning. You can find more information at www.ediagnosticlearning.com.

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