

THE PARENT LETTER



About Our Kids:
A Letter for Parents by the
NYU Child Study Center

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ADVOCATING FOR THE EDUCATIONAL SERVICES APPROPRIATE FOR YOUR CHILD

Every child with a disability has a federally protected right to the special education and related services he or she needs to benefit from classroom instruction. As most parents of children with disabilities can attest, determining the appropriate services and ensuring that these services are provided can be complicated and confusing. However, parents can become educated so they can be successful advocates for their child. Many parents have found that persistent and appropriate parental involvement often helps open doors to the world of special education services and programs for a child who has any special learning needs.

Recognizing a child's special learning needs

Parents can facilitate the identification and provision of special education services by recognizing signs suggestive of a disability:

- Delays in developmental milestones, such as language or fine motor skills;
- Difficulties with organization, planning, and meeting deadlines;
- Trouble comprehending simple instructions, or problems with immediate or long-term memory;
- Social or emotional problems, such as difficulty in forming friendships or reacting with extreme emotion to events;
- Overly high activity level;
- Problems sleeping, eating, or getting along with family;
- Difficulties sustaining or paying attention or remaining focused;
- Delays in physical milestones or other physiological difficulties, such as vision or hearing loss, poor coordination, or handwriting problems.

Although the identification of these behaviors can raise red flags for parents, further assessment and testing is almost always required to identify a child's strengths and weaknesses.

Parents as advocates: Initial steps

Parents often realize that their child has unique needs but may not know how to address those needs through the educational system. Under the Individuals with Disabilities Education Act (IDEA), school districts are required to provide disabled students, between the ages of 3 and 21, with a "free appropriate public education" (FAPE).

If a parent suspects that their child needs special services, they should formally request **IN WRITING** that the school district immediately begins its special education process, including an initial assessment for eligibility. Letters should be addressed to the administrator of the school district who is responsible for special education; this may be the school principal, chairperson of the special education committee or a central office administrator such as the head of pupil personnel services. Copies of their child's school file should also be requested, including yearly report cards and other progress reports, attendance records, disciplinary reports, testing data, and teacher comments or other observations. All parental correspondence should be sent to the school by certified mail, return receipt requested, and parents should keep copies of all the materials sent.

Once parental consent is obtained, it is the school district's responsibility to conduct an evaluation of the suspected disability **free of charge** using various assessment tools to gather specific information on a child's cognitive, academic, linguistic, social and emotional functioning. Based on this evaluation, a school based support team or the school district committee on special education (CSE) then determines the child's eligibility and prepares an evaluation report that is reviewed with the parents. Parents are entitled to a copy of their child's evaluation report.

Understanding the Individual Education Plan (IEP)

In order to advocate for their child, parents need to become familiar with the IEP process. An IEP is a written plan, developed at a school district meeting with the parents, school personnel, and others who know the child, which documents the child's special education and related services. This plan is uniquely created for each child found eligible for special

education and is reviewed annually, with attention given to whether educational objectives have been met or need to be changed.

It is important that parents are well prepared for these meetings. Parents should maintain regular contact with their child's classroom teacher and, if necessary, spend some time in the classroom. They should also keep track of their child's progress long before the scheduled IEP meeting. These procedures will help parents assess how their child's goals are being met and provide support for any changes their child may require.

When a child cannot benefit from education in the regular school setting, other appropriate placements are considered. Program possibilities include placement in a regular classroom with support systems within or outside of the classroom, placement in a program specifically designed for children with learning disabilities, or placement in a specialized program, school or residential facility. The school district is responsible for the educational needs of the child, which may include the cost of specialized educational placements.

Disagreeing with the IEP results

Parents who disagree with the results of the school district's report or with the IEP developed for their child can challenge the plan in an impartial due process hearing or through an independent evaluation. However, if parents disagree with the plan they must legally prove that the plan is inadequate and why the plan will not provide the appropriate education that a child with disabilities requires.

Alternatives to the IEP

When a child with a disability does not qualify for services under IDEA, he or she can be considered for eligibility under Section 504 of the Rehabilitation Act upon parental request. Section 504 requires school districts to ensure that children with disabilities are provided *access* to educational programs and services, including the use of a scribe, note taker, or translator.

Useful Resources

The following are resources for families interested in learning more about how they can become the best advocate for their child.

- www.resourcesnycdatabase.org
- www.resourcesnyc.org/rcsn.htm
- www.chadd.org
- A Guide to the Individualized Education Program: <http://www.ed.gov/parents/needs/speced/iepguide/index.html>
- Special Education in New York State for Children Ages 3-21: A Parent's Guide. Albany, NY: New York State Education Department
- Siegel, M. (2003). *Nolo's IEP Guide: Learning Disabilities*. Lawrence Siegel: Berkeley, CA.

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ABOUT THE NYU CHILD STUDY CENTER

The NYU Child Study Center is dedicated to the research, prevention and treatment of child and adolescent mental health problems. The Center offers evaluation and treatment for children and teenagers with anxiety, depression, learning or attention difficulties, neuropsychiatric problems, and trauma and stress related symptoms.

We offer a limited number of clinical studies at no cost for specific disorders and age groups. To see if your child would be appropriate for one of these studies, please call (212) 263-8916.

The NYU Child Study Center also offers workshops and lectures for parents, educators and mental health professionals on a variety of mental health and parenting topics. The Family Education Series consists of 13 informative workshops focused on child behavioral and attentional difficulties. To learn more or to request a speaker, please call (212) 263-8861.

For further information, guidelines and practical suggestions on child mental health and parenting issues, please visit the NYU Child Study Center's website, AboutOurKids.org.

AboutOurKids.org

THE NYU CHILD STUDY CENTER ONLINE

**Changing the Face of Child Mental Health
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