

EDUCATION SUPPORT GUIDE

Resources and Tools
to Advocate for Your Child





Welcome and thank you for reaching out to us. Disability Rights Mississippi (DRMS) is a private, non-profit corporation with a federal mandate to protect and advocate for the rights of individuals with disabilities across the state of Mississippi.

As a parent of a child with a disability, you represent your child's interests. We are here to help your child, as well as to help you enhance your skills to advocate for your child on your own. You are your child's strongest advocate.

DRMS's two overall goals for special education related cases are:

- 1) Find a resolution to any IEP concerns; and
- 2) Develop and strengthen the parent and/or child's skills so they can "self-advocate."

This booklet was created in an effort to assist parents in their advocacy journey. In the booklet you will find:

- 1) Procedural Safeguards – *Keep with you and take to the meetings. You can save the bookmark version to keep with you and share the extra with another parent.*
- 2) Successful IEP Meeting Guidance sheet – *ACE.*
- 3) Communication Log – *Keep with you and add to it.*
- 4) IEP Meeting Planner – *Take with you to meetings.*
- 5) Transition Services – *Guidance for transition planning.*

For over forty years, federal law has required public schools to provide special education services to all children with disabilities who are eligible to receive them. The name of the law under which these services are provided to children today is the Individuals with Disabilities Education Improvement Act of 2004 (IDEA).

Children with disabilities have a legal right to "a free appropriate public education that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living."¹ Both state and federal law require teachers and school administrators to work together with parents to create individualized education programs (IEP's) to meet the unique needs of children with disabilities.² Thus, when schools provide special education and related services, they do so because children with disabilities are entitled to these services by law.

Our goal is to ensure that your child receives the services to which he or she is guaranteed under federal law and that you will be prepared to advocate for these services on your child's behalf in the future. Please take the information provided and continue to build upon your own advocacy skills for your child.

¹ 20 U.S.C. §1400(d)(1)

² 20 U.S.C. §1414(B); 34 C.F.R. § 300.39(a)(1)



Procedural Safeguards

Summary for Parents and Guardians

1. Right to receive a procedural safeguards packet.

The school must provide you with a written explanation of your rights. This usually comes in the form of a printed packet. You can request an additional procedural safeguards packet at any time.

2. Right to parent participation.

You have the right to participate in meetings involving your child's education and the right to call an IEP meeting at any time. You are also allowed to bring a support person, such as an advocate, with you to the meetings.

3. Right to confidentiality of information.

The school is required to protect your child's confidentiality, including personal information such as your child's name and address.

4. Right to access educational records.

You have the right to request and view your child's records.

5. Right to informed parental consent before assessment.

The school is required to get your informed consent before evaluating your child for special education services for the first time.

6. Right to Prior Written Notice (PWN).

The school is required to provide you with written notice before making changes to your child's educational experience.

7. Right to an Independent Education Evaluation (IEE).

If you disagree with the results of the school's evaluation results, you have the right to request an Independent Education Evaluation (IEE) which will be performed by someone outside of the school. The school is required to consider the results of the IEE, but is not required to accept the findings.

8. Right to understandable language.

The school's written notice must be provided in language that's understandable to the general public. The written notice must also be provided in your native language.

9. Right to Dispute Resolution.

You have the right to disagree with the school about what is best for your child, and in such a situation, you have the right to pursue a resolution via one of the dispute resolution procedures.

10. Right to "stay put."

You have the right to disagree with a proposed change of placement for your child. The filing of a Due Process petition invokes the "stay put" provision and the current educational program stays in place until the dispute is resolved.

Be the ACE Your Child Needs!

An ACE is the “most valuable and powerful card in a deck of playing cards, and carries an implication of excellence”. Also, ACE is referenced in many sports: the winning point and hole in one to name a few. When considering these phrases, most sports are difficult to master and take many years of practice to develop a consistent outcome: to be the winner.

Advocating for your child is no different.

You are the ACE for your child throughout all aspects of their lives. One specific aspect for a child with a disability is the development of your child’s IEP. Most of the following are common practices but sometimes when times are difficult, we all can forget the simple things that will help us along the way. Read and incorporate ACE into your IEP meetings. Your Appearance, Communication, and Expressions matter.



Appearance

(People Respond Best When)

Strive for clothes & shoes that are:

- Professional
- Comfortable
- Good fit
- Modest

Aim for Hair that is:

- Clean
- Neatly styled
- Combed or Brushed
- Out of your eyes/face



Communication

(People Listen Best When)

Speak:

- Clearly
- Concisely
- Confidently
- Be specific & direct
- Repeat back what is said to you
- Use appropriate language
- Use a reasonable tone, volume, & speed
- Refrain from sarcasm, cursing, and yelling
- Ask questions
- Ask for clarification



Expression

(People React Best When)

Try to keep your facial expressions:

- Friendly/smiling
- Make good eye contact
- Look up
- Refrain from tilting head

Try to keep your Body:

- Seated
- Upright
- Hands in your lap or on the desk
- Refrain from pointing

Remember: Be open and approachable. Be polite, direct and prepared. Be attentive and respectful even when others may not. This will serve your child well. During IEP meetings, when you need a break to regain your composure, just ask. You can always go get some water or step out for a moment and start the meeting again.



Records To Keep

It is imperative to keep written documentation of your child's educational and related records. We encourage keeping a copy of everything, but we have outlined a general list below of documents that are especially important to keep.

Written Record of Verbal Communications. You can make a verbal conversation a written record by following up a verbal conversation with an email recounting the conversation.

Report Cards and Progress Reports

Standardized Test Results

Evaluation Results

Medical Records: related to disability or ability to learn

Individualized Education Programs (IEPs) and other official service plans such as 504 plans

Notes on your child's behavior or progress

All written correspondence to and from the school district staff (notes, emails, etc.)

Notices of meetings scheduled

Notices of disciplinary actions

Student handbook and policies

Attendance records

Calendar of meetings

Samples of schoolwork and/or homework

Personal Communications Log. In the log provided in this packet (or in a notebook or journal), keep track of your communications and dealings with the school, including but not limited to:

- Records of meetings and their outcomes**
- Dates of disciplinary actions**
- Dates important documents were sent or received**
- Dates important information was provided to the school**
- Detailed notes of telephone conversations (including person with whom you spoke, dates, and what was said)**

The above list is not exhaustive.

The information provided does not, and is not intended to, constitute legal advice; instead, all content is for general informational purposes only. If more information is needed, please consult a professional.



IEP MEETING

Planner

Date: _____
 Time: _____
 Team Members: _____
 Sped T: _____
 General Ed: _____
 LEA: _____
 Related Service: _____

Concerns & Questions

Reading - _____

Math - _____

Behavior - _____

Other - _____

My Action Plan
 What are my goals for today?

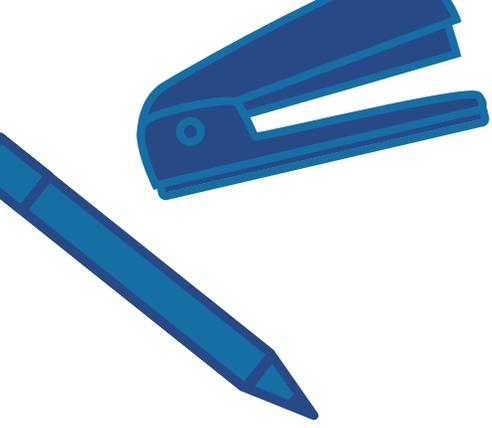
What is the progress?

Evidence of progress:

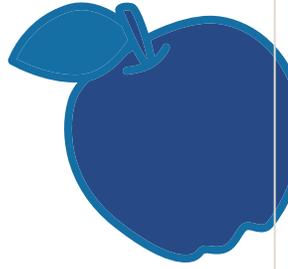
Related/Compensatory Services Discussion

IEP Changes

- Outcome Checklist**
- Procedural Safeguards
 - Changes Made
 - Received Copy of IEP
 - Received Prior Written Notice



Notes



Questions or Follow Ups:



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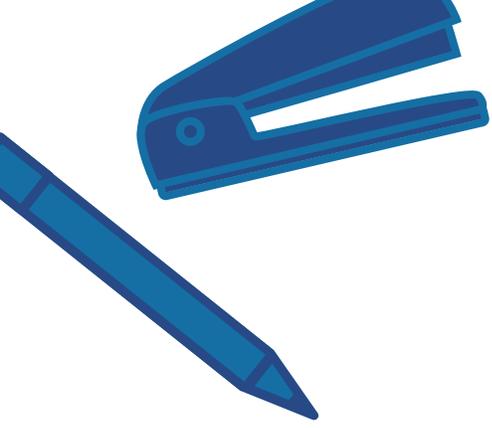
Evidence of progress:

Related/Compensatory Services Discussion

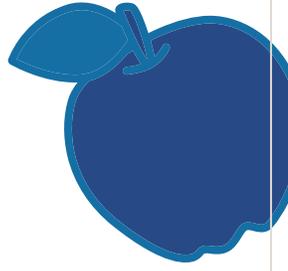
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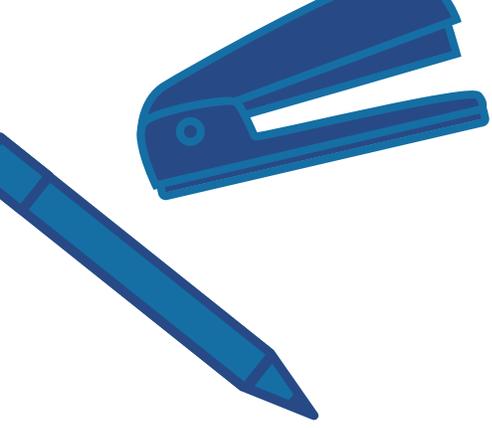
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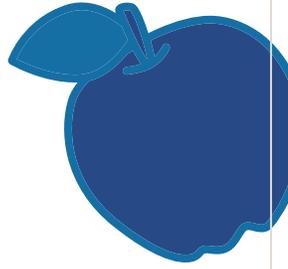
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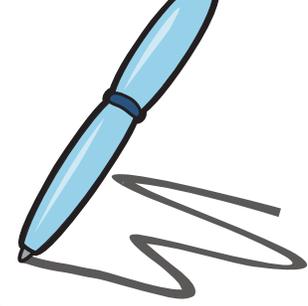


Notes



Questions or Follow Ups:

TRANSITION Planning & Programming for Post-Secondary Outcomes



One of the most important questions for an individual with a disability is “What do I want to do after high school?” The answer to this question starts at a young age, especially for students with disabilities. Your child’s IEP contains a piece called “Transition” that is dedicated to address the question of life after high school.

Each student should have a specific Transition Plan developed through his or her IEP. Your child’s IEP team will help develop the outcomes and provide the needed activities to meet the student’s goals. This is a required part of the special education transition process. If you think that your child has an inadequate transition plan, we encourage you to contact someone to help get a proper transition plan in place for your child as soon as possible. Below you will find further information and resources about transition services.

What are Transition Services?

The Individuals with Disabilities Education Act (“IDEA”) defines transition services as “a coordinated set of activities for a child with a disability” that:

- a** is designed to be within a results-oriented process, that is focused on improving the academic and functional achievement of the child with a disability to facilitate the child’s movement from school to post-school activities, including post-secondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation;
- b** is based on the individual child’s needs, taking into account the child’s strengths, preferences, and interests; and
- c** includes instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and, when appropriate, acquisition of daily living skills and functional vocational evaluation.”¹

IDEA requires that transition planning begin at the earliest age appropriate, but the first IEP must be in effect no later than the date the child turns 16. The IEP must then be updated at least annually, or more frequently when needed.²

Interagency representatives should be invited to IEP meetings relating to transition whenever appropriate.³ A high school guidance counselor’s attendance can be beneficial for students planning to attend college.

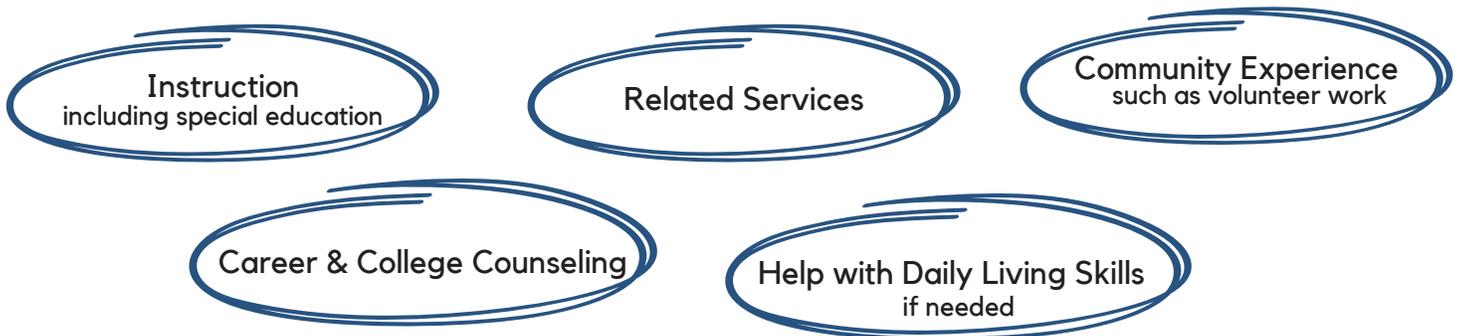
General Information

The IEP transition plan has two important pieces: postsecondary goals and transition services. Students are at the heart of planning and developing their transition plan. Students should be included and must be invited to their IEP meetings involving postsecondary goals and transition services.

The postsecondary goals in the IEP transition plan state what a student wants to do or achieve after high school. The goals are results oriented and are in four areas:



Once the goals are developed for the above areas the IEP team will decide what the student needs to meet those goals. Possible transition services include:



Another major piece of a well-developed transition plan is the Interagency Linkages. Interagency linkages are developed with agencies and/or their representatives who are currently involved with the student or family or are likely to become involved in providing support or services once the student exits high school. These agency representatives provide critical information to assist the IEP team in planning. These agencies should be invited to the meetings by the school with parental consent. Here are some of the relevant agencies for the state of Mississippi.

Independent Living Research Utilization (ILRU): www.ilru.org/projects/cil-net/cil-home
Institute for Disability Studies (IDS): www.usm.edu/ids
Mississippi Council on Developmental Disabilities (MSCDD): www.msccd.org
Mississippi Department of Mental Health (DMH): www.dmh.ms.gov
Mississippi Department of Rehabilitation Services (MDRS): www.mdrs.ms.gov
Mississippi Division of Medicaid: www.medicaid.ms.gov
Mississippi State Department of Health (MSDH): www.msdh.ms.gov
Social Security Administration (SSA): www.ssa.gov

After High School

Parents should know that Individuals with Disabilities Education Act (IDEA) no longer applies when a child with a disability graduates from high school. Colleges are required to comply with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA). Students with disabilities can still receive accommodations in college, but the service model in college is much different than the high school model.

It is the student's responsibility to let the college know that they have a disability, provide documentation of the disability, and request assistance. Each college will have an office of student support services for these matters. Colleges are required to provide reasonable accommodations to students with disabilities, but they are not required to modify academic expectations. What is considered reasonable may be different from college to college so it is important to ask. Students work with support services and make choices regarding services using an interactive process, rather than having a team decide for them.

Other Helpful Resources:

<https://www.pacer.org/transition/learning-center/postsecondary/preparing-for-postsecondary.asp>

<https://nextsteps-nh.org/transition-iep-tool/exemplar-iep-transition-plans/>



Know Your Rights

You are your child's best advocate. Throughout your child's education, it is important to take notes, keep track of all communication, and document and save as much as possible. If you feel your child's rights have been violated due to their disability, contact DRMS.

It is also important to teach your child to know their rights and that DRMS, as well as other protection and advocacy agencies in other states, are here to protect their rights in areas such as education, employment, and community accessibility.



[1] 20 U.S.C. § 1401(34); see also 34 CFR § 300.43.

[2] 20 U.S.C. § 1414(d)(1)(A)(i)(VIII).

[3] 34 C.F.R. § 300.321(b)(3).



The mission of Disability Rights Mississippi is to promote, protect, and advocate for the legal and human rights of all people with disabilities, and to assist them with full inclusion in home, community, education, and employment.



www.drms.ms