



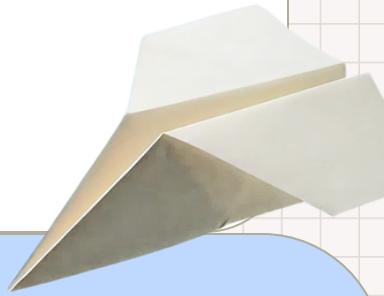
THE NATIONAL ASSOCIATION OF  
SPECIAL EDUCATION TEACHERS (NASET)



CERTIFICATION HANDBOOK

## Board Certification in Advocacy for Special Education (BCASE)

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# **NASET / AASEP - Board Certification for Advocacy in Special Education (BCASE) Program**

## **MODULE/UNIT SUMMARIES**

The NASET and AASEP Board Certification for Advocacy in Special Education (BCASE) Program is comprised of a comprehensive compilation of 30 Units of study broken down into 6 specific Modules. Each Unit contains video lectures, PowerPoint presentations, supplemental videos and supplemental readings. At the end of each Module, there is a multiple-choice examination which must be successfully completed with a grade of at least 80% to move on to the next Module. Upon successful completion of each Module, you will immediately be able view/save or print a professional certificate of recognition. Modules are enabled for review one at a time in a sequential order, per the listing below.

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## MODULE #1

# Overview of Legal Issues in Special Education

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### Unit 1. Special Education Today: Basic Principles of Special Education

**Video Lecture and PowerPoint Presentation** - Special education is instruction that is specially designed to meet the unique needs of children who have disabilities. It is provided in public schools at no cost to the parents and can include special instruction in various types of educational setting. Special education is mandated for students with disabilities by a federal law, the Individuals with Disabilities Education Improvement Act (or IDEIA). This law gives eligible children with disabilities the right to receive a free appropriate public education (FAPE). More than 6 million children ages 3 through 21 receive special education and related services each year in the United States. This lecture focuses on an overview of terms and concepts of importance in special education. Areas covered include: definition of special education, the Individuals with Disabilities Education Act, exceptionality, disability classifications, prevalence, gender issues in special education, early intervention, 10 basic steps of special education, and using appropriate first person language.

**Supplemental Readings** - In this section, you will have the opportunity to reinforce concepts presented in Unit 1, including: IDEA Parent Guide, Job Outlook - Special Education Teachers, Key Terms to Know in Special Education, Overview of Special Education Law, Special Education Literature Review, The Special Education Process under IDEIA 2004, and Understand Special Education Process.

**Supplemental Videos** - In addition to the video lecture presentation in Unit 1, the following supplemental videos are available to enhance the concepts learned: Introduction to Special Education, What is Special Education, A Day in the Life of a Special Education Teacher, Special Education Teacher, Career Video, and Introduction to Special Education.

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## Unit 2. History of Special Education and the Law

**Video Lecture and PowerPoint Presentation** - Generally, over the years, special education has been restructured and transformed by legislation. Today, we have a federal special education law, the Individuals with Disabilities Education Act (IDEA). IDEA was originally enacted by Congress in 1975 to ensure that children with disabilities have the opportunity to receive a free appropriate public education, just like other children. An “appropriate” education differs for each child with a disability because it is based on his or her individual needs. IDEA specifies in some detail how school systems and parents are to plan the education that each child receives so that it is appropriate—meaning, responsive to the child’s needs. The plan that parents and school staff develop is documented in writing through the individualized education program (IEP), which the school is then responsible for carrying out. IDEA has been revised many times since 1975 and it remains the cornerstone of special education. But how did we get to this law? The path was not an easy one. This lecture takes teachers through the history of special education and how state and federal laws were enacted. Topics covered include:

- Brown v. Board of Education of Topeka, Kansas
- 14th Amendment of the US Constitution
- 1960s—What happened during that time regarding special education?
- *Parc v. Commonwealth of PA*
- *Mills vs. Board of Education of D.C.*
- Section 504 of the Vocational Rehabilitation Act
- P.L. 94-142
- Six key provisions of P.L. 94-142
- Key points about P.L. 99-457
- IDEA
- Definition of Reauthorization
- Today under IDEIA—What do we know?

**Supplemental Readings** - In this section, you will have the opportunity to reinforce concepts presented in Unit 2, including: IDEA - 35 Years of History and Legislative and Litigation History of Special Education.

**Supplemental Videos** - In addition to the video lecture presentation in Unit 2, the following supplemental videos are available to enhance the concepts learned: Brown vs Board of Education (PBS), Digital Storytelling: PARC vs. Commonwealth of Pennsylvania, and Celebrating 35 Years of IDEA.

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## **Unit 3B. Understanding the Meaning of a “Free Appropriate Public Education” (FAPE)**

**Video Lecture and PowerPoint Presentation** - Prior to the passage of P.L. 94-142, many students with disabilities were excluded from school entirely, and many others were offered an education that was not appropriate to their needs. ? When P.L. 94-142 was enacted in 1975, it required that States submit plans that assured all students with disabilities the right to a free appropriate public education (FAPE). Today, IDEIA requires that all States demonstrate that they have in effect “a policy that assures all children with disabilities the right to a free appropriate public education.” But what really is a FAPE? What’s mandated in order to provide FAPE to all children receiving special education? The focus of this course will be to discuss in detail a free appropriate public education. Topics covered include:

- Introduction to FAPE
- Definition of FAPE
- “Free”--Education Be At No Cost To The Parent
- Hendrick Hudson District Board of Education v. Rowley
- Educational Benefit
- Cadillac v. Chevrolet argument
- Best v. Appropriate
- Defining An “Appropriate” Education
- Graduation and FAPE

**Supplemental Readings** - In this section, you will have the opportunity to reinforce concepts presented in Unit 3, including: Q & A about FAPE, and Hendrick Hudson District Board of Education v. Rowley

**Supplemental Videos** - In addition to the video lecture presentation in Unit 3, the following supplemental videos are available to enhance the concepts learned: Did You Know? - Free Appropriate Public Education and Free Appropriate Public Education (FAPE).

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## **Unit 3B. Endrew F. v. Douglas County School District**

**Video Lecture and PowerPoint Presentation** - On March 22, 2017 the U.S. Supreme Court (sometimes referred to as Court) issued a unanimous opinion in *Endrew F. v. Douglas County School District Re-1*, 137 S. Ct. 988. In that case, the Court interpreted the scope of the free appropriate public education (FAPE) requirements in the Individuals with Disabilities Education Act (IDEA). The Court overturned the Tenth Circuit's decision that Endrew, a child with autism, was only entitled to an educational program that was calculated to provide "merely more than de minimis" educational benefit. In rejecting the Tenth Circuit's reasoning, the Supreme Court determined that, "[t]o meet its substantive obligation under the IDEA, a school must offer an IEP [individualized education program] that is reasonably calculated to enable a child to make progress appropriate in light of the child's circumstances." The Court additionally emphasized the requirement that "every child should have the chance to meet challenging objectives."

The *Endrew F.* decision is important because it informs our efforts to improve academic outcomes for children with disabilities. This lecture will focus on the question: What is the level of educational benefit that school districts must confer on children with disabilities to provide them with the free appropriate public education (FAPE) guaranteed by the Individuals with Disabilities Education Act?

- Overview of Educational Benefit and the "Rowley Standard"
- Facts of *Endrew F.* Case
- Decision of *Endrew F.* Case
- *De minimis* Standard
- Reasonably Calculated Standard
- Progress Appropriate in Light of the Child's Circumstances
- IEP Teams and *Endrew F.*
- Due Process and *Endrew F.*
- Conclusion: Importance of *Endrew F.*

**Supplemental Readings** - In this section, you will have the opportunity to reinforce concepts presented in **Unit 3B**. These supplemental readings will cover critical areas that will enhance your knowledge regarding important legal decision by the Supreme Court.

**Supplemental Videos** - In this section, you will have the opportunity to reinforce concepts presented in **Unit 3B**. These supplemental videos will cover critical areas that will enhance your knowledge regarding this important legal decision by the Supreme Court.

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## Unit 4. Making Sense of Individualized Education Programs (IEPs)

**Video Lecture and PowerPoint Presentation** - The centerpiece of IDEIA is the requirement that each student receiving special education and related services has an individualized education program (IEP). The contents of the IEP are designed to provide a road map for the child's educational programming during the course of the coming year. The IEP is the primary mechanism for ensuring that students receive an appropriate education. An IEP summarizes all the information gathered concerning the student, sets the expectations of what the student will learn over the next year and describes the special education and related services the student will receive. The development of an IEP is a collaborative effort between the LEA and parents to ensure that a student's special education program will be appropriate and meet his or her individual unique needs. IDEIA spells out very clearly the required components of an IEP. This course will address the required components of an IEP under IDEIA. Topics covered include:

- The child's present levels of educational performance
- A statement of measurable annual goals
- A description of how the child's progress toward meeting the annual goals will be measured
- A statement of the special education placement, related services, and assistive technology services to be provided.
- An explanation of the extent, if any, to which the child will not participate with children without disabilities
- A statement of any accommodations or modifications in the administration of state or district-wide assessments of student achievement
- The projected date for the beginning of the services and modifications, and the anticipated frequency, location, and duration of those services and modifications.
- Transition Services
- Transfer Rights at the Age of Majority
- Finally, the course will address issues involving early intervention and the requirements of Individualized Family Service Plans (IFSPs)

**Supplemental Readings** - In this section, you will have the opportunity to reinforce concepts presented in Unit 4, including: Individualized Education Programs (IEP) and Understanding Individualized Education Programs.

**Supplemental Videos** - In addition to the video lecture presentation in Unit 4, the following supplemental videos are available to enhance the concepts learned: What is an IEP, The IEP Team Process: A Framework for Success, Developing the Individualized Education Plan (IEP), and Assistive Technology in the Classroom.

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## Unit 5. Related Services in Special Education

**Video Lecture and PowerPoint Presentation** - Related services help children with disabilities benefit from their special education by providing extra help and support in needed areas, such as speaking or moving. Related services are defined in IDEIA as: “transportation, and such developmental, corrective and other supportive services....as may be required to assist a child with a disability to benefit from special education.” Related services must be provided to all eligible children in special education. But, just because a child is in special education doesn’t mean he/she will be eligible for related services. IDEIA includes a long list of related services that schools must provide to students who need them to receive a meaningful education. It is important to note, however, that this list does not include all of the services which a school district may be required to provide. The focus of this course will be to address some of the most common related services offered to children with disabilities. Topics covered include:

- Overview of related services
- Transportation
- Speech and language therapy
- Psychological and Counseling Service
- Occupational and Physical Therapy (OT/PT)
- Orientation and Mobility Services
- Medical Services
- School health service
- Parent counseling
- Travel training

**Supplemental Readings** - In this section, you will have the opportunity to reinforce concepts presented in Unit 5, including: Overview of Related Services.

**Supplemental Videos** - In addition to the video lecture presentation in Unit 5, the following supplemental videos are available to enhance the concepts learned: Speech and Language Therapy in Special Schools, Occupational therapists enable children to participate in activities at home and in school, PT in Schools, Orientation & Mobility-Lighthouse Central Florida, and Travel Training.

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## Unit 6. Least Restrictive Environment and Extended School Year Services

**Video Lecture and PowerPoint Presentation** - Placement decisions for students with disabilities are to be based on an existing IEP, and therefore must be made after the development of the IEP. IDEIA contains several requirements governing the location of the educational placement. Perhaps most important, IDEIA requires that children with disabilities must be educated with those without disabilities to the maximum extent appropriate. This requirement applies to nonacademic activities and extracurricular activities, for example, lunch and recess, as well as academic activities. The requirement that “children with disabilities must be educated with those without disabilities to the maximum extent appropriate” is referred to as the Least Restrictive Environment or the LRE. The least restrictive environment is composed of various continuums of placements that range from least restrictive to most restrictive. This NASET course will focus on the least restrictive environment (LRE). Topics covered include:

- Overview of LRE
- Inclusion Classrooms
- Resource Rooms
- Special Education Classroom (Self-Contained Classrooms)
- Residential Facilities
- Hospital and Homebound Instruction
- Determining Placement of a Student
- Annual Reviews
- Changing Educational Placements
- Extended School Year Services

**Supplemental Readings** - In this section, you will have the opportunity to reinforce concepts presented in Unit 6, including: Least Restrictive Environment and Integrated Co-Teaching (ICT): The Definition and Benefits

**Supplemental Videos** - In addition to the video lecture presentation in Unit 6, the following supplemental videos are available to enhance the concepts learned: The Least Restrictive Environment, What does the IDEA say about the Least Restrictive Environment?, Extended School Year, IDEA Basics: (LRE) Least Restrictive Environment, Least Restrictive Environment (LRE).

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## MODULE #2

# Assessment in Special Education

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### Unit 7. Methods of Assessment in Special Education

**Video Lecture and PowerPoint Presentation** - Assessment in special education is a process that involves collecting information about a student for the purpose of making decisions. Assessment is primarily a problem-solving process. There are many different types of assessment methods used in the assessment process. Special educators need to be very aware of the various methods of assessment used in special education, along with their specific advantages and disadvantages. This course will provide you with the most common types of assessment methods. After taking this course, you should understand the following:

- Definition of assessment
- Observations
- Types of observations
- Observational techniques
- Advantages and disadvantages of observations
- Interviews
- Types of interviews
- Advantages and disadvantages of interviews
- Portfolio assessments
- Types of portfolio assessments
- Tests
- Validity
- Reliability
- Norm-referenced tests
- Standardization
- Criterion-references tests

**Supplemental Readings** - In this section, you will have the opportunity to reinforce concepts presented in Unit 7, including: Methods of Assessment.

**Supplemental Videos** - In addition to the video lecture presentation in Unit 7, the following supplemental videos are available to enhance the concepts learned: Norm - and Criterion-Referenced Tests, Criterion and Norm Reference Tests - What's the Difference, Criterion and Norm Referenced Scoring, Reliability and Validity in Student Assessment, Reliability and Validity, Observation Assessment, and Introduction to Special Education Assessments.

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## Unit 8. Statistics Used in Special Education

**Video Lectures and PowerPoint Presentations** - Statistics play a vital role in the understanding of disability awareness. Although there are numerous reasons to know statistics, of primary importance to special educators is that without a proper understanding of it, you cannot interpret test results. When large sets of data are being presented, it is important that they be organized in a fashion that makes some sense to the reader. In special education, this is done through methods known as descriptive statistics. Statistics summarize and describe data. In this course, we discuss basic descriptive statistics used every day in special education. After taking this course, you should be able to understand (and in some cases be able to calculate) the following:

- Measures of central tendency (mean, median, and mode)
- Frequency distributions
- Range
- Standard deviation
- Normal curve
- Purpose of the normal curve in special education
- Application of normal curve in special education
- Correlations

**Supplemental Readings** - In this section you will have the opportunity to reinforce concepts presented in this unit including further clarification on Statistics.

**Supplemental Videos** - In addition to the video lecture presentation in Unit 8, the following supplemental videos are available to enhance the concepts learned: Statistics Used in Special Education, Statistics - How to make a frequency distribution, What is the standard deviation, Normal Distribution - Explained Simply, and What Is Correlation?

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## **Unit 9. Identification, Referral, Evaluation, & Classification of Students with Disabilities**

**Video Lectures and PowerPoint Presentations** - The identification and evaluation of a child with a suspected disability is a critical step in the special education process. Under IDEIA 2004, each local education agency (LEA) must establish procedures by which children in need of special education and related services are identified. These are known as “Child Find” efforts. States are left to develop their own identification procedures, but IDEIA requires an active effort to identify children in need of special education services. Evaluation procedures determine “whether the child has a disability and the nature and extent of the special education and related services that the child needs.” The evaluation of a child for a suspected disability must be individualized, meaning that the procedures and methods of evaluation must address a student’s unique needs, rather than be a general assessment that can be used interchangeably with all students. The focus of this course will address the step-by-step process in the identification and evaluation of a child with a suspected disability. After taking this course, you should understand the following:

- Overview of the evaluation of a child with a suspected disability
- Indicators of Children Who May Have a Suspected Disability and Need an Evaluation
- How Students Are Identified For An Evaluation For A Suspected Disability
- Child Study Teams (CST)
- Parental Consent
- Consent v. Agreement
- Evaluation Standards Under IDEA
- Multidisciplinary teams (MDT)
- Validity
- Reliability
- Components of a Comprehensive Evaluation
- Eligibility Meetings
- Parent Refusal to Consent
- Annual and Triennial Reviews

**Supplemental Readings** - In this section, you will have the opportunity to reinforce concepts presented in Unit 9, including: Evaluating Children for Disability, Parental Consent for Evaluations in Special Education, and Identification and Evaluations in Special Education.

**Supplemental Videos** - In addition to the extensive video presentations in the main unit the following supplemental videos are available to enhance the concept and include further information on Assessments and Special Education.

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## Unit 10. Scoring Terminology Used in Assessment

**Video Lectures and PowerPoint Presentations** -Understanding the terminology used in scoring is critical when interpreting test scores. When doing the assessment of a child for a suspected disability, there will be many such terms of which you need to be aware and will calculate. It is important that when you are at committee meetings and having discussions with parents and administrators that you are able to not only report these scores but also understand what they mean. The focus of this course will be on scoring terminology used in assessment in special education. After taking this course, you should understand the following:

- Basal
- Ceiling
- Raw Scores
- Standard Scores
- Percentiles
- Stanines
- z Scores
- Age Equivalents
- Grade Equivalents

**Supplemental Readings** - In this section, you will have the opportunity to reinforce concepts presented in Unit 10, including: Glossary of Testing, Standardized Assessment, Understanding Evaluation Terminology, and Understanding Test Scores.

**Supplemental Videos** - In addition to the video lecture presentation in Unit 10, the following supplemental videos are available to enhance the concepts learned: Percentiles - Introductory Statistics, Z-Scores and Percentiles: Crash Course Statistics, What is a Grade Equivalent Score? Why Do We Need z Scores?, and Standard Scores.

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## MODULE #3

# Understanding Students with Exceptionalities: Part 1

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### Unit 11. Intellectual and Developmental Disabilities

**Video Lectures and PowerPoint Presentations** – An intellectual disability is characterized by significant limitations both in intellectual functioning (reasoning, learning, problem solving) and in adaptive behavior, which covers a range of everyday social and practical skills. This disability originates before the age of 18. Intellectual disabilities are disorders that are usually present at birth and that negatively affect the trajectory of the individual's physical, intellectual, and/or emotional development. Many of these conditions affect multiple body parts or systems. This lecture focuses on students with intellectual disabilities. Topics covered include:

- Definition of intellectual disabilities
- Adaptive behavior
- IQ
- Prevalence
- Levels of intensities and support
- Degrees of intellectual disabilities
- Causes of intellectual disabilities
- Down Syndrome
- Phenylketonuria (PKU)
- Drugs and fetal alcohol syndrome
- Perinatal and postnatal causes of intellectual disabilities
- Characteristics of children with intellectual disabilities
- Classroom management strategies.

**Supplemental Readings** - In this section, you will have the opportunity to reinforce concepts presented in Unit 11, including: Frequently Asked Questions on Intellectual Disability, Intellectual Disabilities, and What are Intellectual and Developmental Disabilities (IDDs)?

**Supplemental Videos** - In addition to the video lecture presentation in Unit 11, the following supplemental videos are available to enhance the concepts learned: Intellectual Disabilities, Intellectual Disability: SEARCHing for Employment, Let's Talk About Intellectual Disabilities, College - possible for students with intellectual disabilities, and How much do you know about intellectual disabilities?

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## Unit 12. Learning Disabilities

**Video Lectures and PowerPoint Presentations** - “Learning disability” is a general term that describes specific kinds of learning problems. A learning disability can cause a person to have trouble learning and using certain skills. The skills most often affected are: reading, writing, listening, speaking, reasoning, and doing math. Many children have trouble reading, writing, or performing other learning-related tasks at some point. This does not mean they have learning disabilities. A child with a learning disability often has several related signs, and they don’t go away or get better over time. The signs of learning disabilities vary from person to person. Research suggests that learning disabilities are caused by differences in how a person’s brain works and how it processes information. This lecture focuses on students with learning disabilities. Topics covered include:

- Definition of learning disabilities
- Processing disorders
- Visual processing
- Auditory processing
- Processing speed
- Types of learning disabilities
- Discrepancy formulas
- Causes of learning disabilities
- Characteristics of children with learning disabilities
- Teaching strategies

**Supplemental Readings** - In this section, you will have the opportunity to reinforce concepts presented in Unit 12, including: The State of Learning Disabilities - 3rd Edition, Dyslexia in the Classroom, Learning Disabilities- NICHCY, and Overview of Learning Disabilities.

**Supplemental Videos** - In addition to the video lecture presentation in Unit 12, the following supplemental videos are available to enhance the concepts learned: Common Learning Disabilities, Learning Disabilities, What Are the Different Types?, Learning About Learning Disabilities, What is dyslexia?, The True Gifts of a Dyslexic Mind, What Is Dyscalculia, and Strategies for Teaching Students with Processing Disorders How to Read.

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## Unit 13. Attention Deficit Hyperactivity Disorder

**Video Lectures and PowerPoint Presentations** - ADHD stands for attention deficit hyperactivity disorder, a condition with symptoms such as inattentiveness, impulsivity, and hyperactivity. ADHD is one of the most common *neurodevelopmental* disorders of childhood. It is usually first diagnosed in childhood and often lasts into adulthood. Children with ADHD may have trouble paying attention, controlling impulsive behaviors (may act without thinking about what the result will be), or be overly active. The symptoms differ from person to person. ADHD was formerly called ADD, or attention deficit disorder. Both children and adults can have ADHD, but the symptoms always begin in childhood. This lecture focuses on teaching students with ADHD. Topics covered include:

- Definition of ADHD
- Types of ADHD
- Inattention
- Hyperactivity
- Impulsivity
- Diagnosis of ADHD
- Problems associated with ADHD
- Prevalence
- Treatment recommendations
- Medications
- Behavioral therapy
- Educational interventions

**Supplemental Readings** - In this section, you will have the opportunity to reinforce concepts presented in Unit 13, including: ADHD Fact Sheet, Identifying and Treating Children with ADHD, and Teaching Children with ADHD.

**Supplemental Videos** - In addition to the video lecture presentation in Unit 13, the following supplemental videos are available to enhance the concepts learned: Walk In My Shoes: ADHD, Everything You Need to Know About ADHD, Signs, Symptoms, and Treatment of ADHD in Children, ADD/ADHD | Attention Deficit Hyperactivity Disorder, ADHD in the Classroom: Management Strategies and Student Supports, and Helping Teens With ADHD Succeed After High School.

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## **Unit 14. Emotional Disturbance (Emotional or Behavioral Disorders)**

**Video Lectures and PowerPoint Presentations** -Identification of students with emotional disturbance is not a simple, clear-cut task. Many variables enter into the identification process. Any or a combination of the behaviors listed may characterize a student with an emotional disturbance but may also be exhibited by students in other disability categories. Emotional disturbance is an umbrella term for different, but related, social-emotional deficits and disorders. These significant mental health and/or behavior issues manifest as dysregulation in thoughts, feelings, and/or behaviors. Simply put, students with an emotional disturbance demonstrate extreme ranges of emotions and/or behaviors that, without the extreme nature, would be considered normal in all children and adolescents. Students with an emotional disturbance have less ability to regulate their emotions and/or behaviors. A great deal of research goes on every day, but to date, researchers have not found that any of these factors are the direct cause of behavioral or emotional problems. This lecture focuses on students with emotional and behavioral disorders. Topics covered include:

- Overview of emotional disturbance (ED)
- Definition of ED
- Social maladjustment
- Prevalence controversy
- Gender features of students with ED
- Age of identification of students with ED
- Education of students with ED

**Supplemental Readings** - In this section, you will have the opportunity to reinforce concepts presented in Unit 14, including: Emotional Disturbance Evaluation Guidance, Emotional Disturbance from CPIR, Emotional Disturbance, and a Possible Emotional Disturbance Checklist.

**Supplemental Videos** - In addition to the video lecture presentation in Unit 14, the following supplemental videos are available to enhance the concepts learned: Individuals with Emotional and Behavioral Disorders Presentation, The IDEA's Special Education Categories: Emotional Disturbance, Students with Emotional and Behavioral Disorders and Referral to Special Education - Emotional Disturbance.

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## Unit 15. Autism Spectrum Disorders

**Video Lectures and PowerPoint Presentations** - Autism spectrum disorder (ASD) is a developmental disability defined by diagnostic criteria that include deficits in social communication and social interaction, and the presence of restricted, repetitive patterns of behavior, interests, or activities that can persist throughout life. Children with autism or one of the other disorders on the autism spectrum can differ considerably with respect to their abilities, intelligence, and behavior. Some children don't talk at all. Others use language where phrases or conversations are repeated. Children with the most advanced language skills tend to talk about a limited range of topics and to have a hard time understanding abstract concepts. Repetitive play and limited social skills are also evident. Other common symptoms of a disorder on the autism spectrum can include unusual and sometimes uncontrolled reactions to sensory information. This lecture focuses on students with autism spectrum disorders (ASD). Topics covered include:

- Definition of ASD
- Prevalence of ASD
- Possible causes of ASD
- Educational programming for students with ASD
- Characteristics of students with ASD
- Asperger Syndrome
- Teaching students with ASD

**Supplemental Readings** - In this section, you will have the opportunity to reinforce concepts presented in Unit 15, including: Autism and Autistic Disorders, Autism Fact Sheet, Autism Spectrum Disorder Comparison Brief, Prevalence of Autism Spectrum Disorder, and a Comparison of the Diagnostic Criteria for Autism Spectrum Disorder Across DSM-5, 1 DSM-IV-TR, 2 and the Individuals with Disabilities Education Act (IDEA).

**Supplemental Videos** - In addition to the video lecture presentation in Unit 15, the following supplemental videos are available to enhance the concepts learned: Apps for Autism, Animated Explanation of Autism, Autism — what we know (and what we don't know yet), The world needs all kinds of minds - Temple Grandin, and Autism Awareness Video: Diagnostic Criteria for Autism.

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## MODULE #4

# Understanding Students with Exceptionalities: Part 2

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### Unit 16. Communication Disorders

**Video Lectures and PowerPoint Presentations** - There are many kinds of speech and language disorders that can affect children. These areas are reflected in how “speech or language impairment” is defined by the nation’s special education law, the Individuals with Disabilities Education Act. The Individuals with Disabilities Education Act, or IDEA, defines the term “speech or language impairment” as follows: “Speech or language impairment means a communication disorder, such as stuttering, impaired articulation, a language impairment, or a voice impairment, that adversely affects a child’s educational performance.” Speech and language skills develop in childhood according to fairly well-defined milestones. Parents and other caregivers may become concerned if a child’s language seems noticeably behind (or different from) the language of same-aged peers. This may motivate parents to investigate further and, eventually, to have the child evaluated by a professional. This lecture focuses on students with communication disorders (speech and language impairments). Topics covered include:

- Definition of a speech and language impairment
- Differences between speech versus language
- Types of speech disorders
- Characteristics of speech disorders
- Language disorders
- Characteristics of language disorders
- Causes of communication disorders
- Teaching strategies for students with communication disorders

**Supplemental Readings** - In this section, you will have the opportunity to reinforce concepts presented in Unit 16, including: Specific Language Impairment, Speech and Language Impairments, and Voice, Speech and Language.

**Supplemental Videos** - In addition to the video lecture presentation in Unit 16, the following supplemental videos are available to enhance the concepts learned: Speech Language Pathology: Speech and Language Impairments, Understanding language disorders, and Expressive and Receptive Language. Speech and Language Disorders. Childhood Speech and Language Delays, and Teachers TV: Speech and Language Strategies.

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## Unit 17. Traumatic Brain Injury

**Video Lectures and PowerPoint Presentations** - This Unit will provide teachers with an overview of traumatic brain injury (TBI). A traumatic brain injury is an injury to the brain caused by the head being hit by something or shaken violently. This injury can change how the person acts, moves, and thinks. A traumatic brain injury can also change how a student learns and acts in school. The signs of brain injury can be very different depending on where the brain is injured and how severely. Although TBI is very common, many medical and education professionals may not realize that some difficulties can be caused by a childhood brain injury. Often, students with TBI are thought to have a learning disability, emotional disturbance, or an intellectual disability. As a result, they don't receive the type of educational help and support they really need. Topics covered in this lecture include:

- Educational Definition of Traumatic Brain Injury
- Types of TBI—Open Head Injury
- Types of TBI—Closed Head Injuries
- Causes of TBI
- Deficits Resulting from TBI
- Educational Concerns for Students with TBI
- Classroom Management Strategies

**Supplemental Readings** - In this section, you will have the opportunity to reinforce concepts presented in Unit 17, including: Guide to Writing about TBI in News and Social-Media, Pediatric TBI, TBI in Children, TBI - A Guide for Patients, and TBI - Report to Congress.

**Supplemental Videos** - In addition to the video lecture presentation in Unit 17, the following supplemental videos are available to enhance the concepts learned: Concussion / Traumatic Brain Injury (TBI), Introduction to Traumatic Brain Injury, Understanding Traumatic Brain Injury, TBI or Traumatic Brain Injury, Traumatic Brain Injury (TBI) in Kids, and A brain injury is like a fingerprint, no two are alike.

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## Unit 18. Orthopedic Impairments

**Video Lectures and PowerPoint Presentations** - Children with orthopedic impairments (OI) are those whose physical limitations interfere with school attendance or learning to such an extent that they require special services, training, equipment, materials or facilities. Under IDEIA, these are children classified with Orthopedic Impairments. Orthopedic impairments are also referred to as “physical disabilities”. Orthopedic impairments involve physical disabilities which could affect the academic process of a student. The specific characteristics of an individual who has an orthopedic impairment will depend on the specific disease and its severity, as well as additional individual factors. The primary distinguishing characteristic of children with physical disability is physical limitations or health problems. Orthopedic impairments are characterized by physical disabilities that significantly affect a student’s academic functioning in the classroom. This lecture will focus on students with orthopedic impairments. Topic covered include:

- Overview of OI
- Definition of OI
- Prevalence
- Neuromotor impairments
- Cerebral palsy
- Spina bifida
- Muscular dystrophy
- Other types of OI
- The impact of learning on students with OI
- Teaching students with OI

**Supplemental Readings** - In this section, you will have the opportunity to reinforce concepts presented in Unit 18, including: Orthopedic Impairments - Eligibility, Orthopedic Impairments – Overview Orthopedic Impairment - Fact Sheet, Teaching Strategies Orthopedic Impairments, and Teaching Students with Orthopedic Impairments.

**Supplemental Videos** - In addition to the video lecture presentation in Unit 18, the following supplemental videos are available to enhance the concepts learned: The IDEA's Special Education Categories: Orthopedic Impairment, TALK TOME | Physical Disability Awareness, Orthopedic Impairment Video, Orthopedic Impairments, Orthopedic Impairment Presentation 6Orthopedic Impairment Video, A brain injury is like a fingerprint, no two are alike.

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## Unit 19. Special Topic: Gifted and Talented Students

**Video Lectures and PowerPoint Presentations** - According to the National Association for Gifted Children, “children are gifted when their ability is significantly above the norm for their age. Giftedness may manifest in one or more domains such as; intellectual, creative, artistic, leadership, or in a specific academic field such as language arts, mathematics or science...It is important to note that not all gifted children look or act alike. Giftedness exists in every demographic group and personality type. It is important that adults look hard to discover potential and support gifted children as they reach for their personal best.” There is no standard global definition of what constitutes a gifted student. Multiple definitions of giftedness are used by different groups. Most of these definitions select the students who are the most skilled or talented in a given area, e.g., the students with the most skill or talent in music, language, logical reasoning, or mathematics. Being gifted and talented does not fall into one of the 13 classifications of special education, however, these children are still considered “exceptional children”. The focus of this NASET video lecture will be on learners with special gifts and talents. Topics covered include:

- Definition of gifted and talented
- Insight
- Creativity
- Genius
- Prevalence
- Bright versus gifted students
- Key points on giftedness
- Teaching strategies for gifted students

**Supplemental Readings** - In this section, you will have the opportunity to reinforce concepts presented in Unit 19, including: Definitions, Models, and Characteristics of Gifted Students, Gifted Students, Gifted Students and Perfectionism, and the term "gifted child" from teachers' view.

**Supplemental Videos** - In addition to the video lecture presentation in Unit 19, the following supplemental videos are available to enhance the concepts learned: Example in the classroom, Gifted, creative and highly sensitive children, Why gifted may not be what you think, The stigmas of giftedness, Gifted children documentary, and Common characteristics of gifted children.

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## **Unit 20. Special Topic: Early Intervention (Birth to age 3) and Preschool (Early Childhood) Special Education**

**Video Lectures and PowerPoint Presentations** - In 1986, Congress created a nationwide incentive for states to implement coordinated systems of early intervention services for infants and toddlers with disabilities and their families by enacting P.L. 99-457. This is currently known as Part C of IDEIA. Part C of the Individuals with Disabilities Education Improvement Act provides financial assistance to states for the purpose of providing services to infants and toddlers (age birth through two) with disabilities. The purpose of these services is to enhance the development of infants and toddlers with disabilities and to minimize their potential for developmental delay. This lecture focuses on the importance of assessment and education in the birth to 5-year-old population. After listening to this lecture, you should understand the following:

- Overview and purpose of early intervention
- Part C of the Individuals with Disabilities Education Improvement Act
- Eligibility criteria for early intervention services
- Evaluation of infants and toddlers for early intervention services
- Individualized Family Service Plan (IFSP)
- Purpose of the initial IFSP process
- Notice required to families for an IFSP meeting
- Timeline corresponding with an IFSP
- Contents of an IFSP
- Early intervention services available to infants and toddlers
- IFSP Reviews
- Transition from early intervention to preschool settings
- Overview of preschool assessment
- The challenge of preschool assessment
- Working with families

**Supplemental Readings** - In this section, you will have the opportunity to reinforce concepts presented in Unit 20, including: IFSP vs IEP, IFSP, and Overview of Early Intervention.

**Supplemental Videos** - In addition to the video lecture presentation in Unit 20, the following supplemental videos are available to enhance the concepts learned: Introduction to Early Intervention, What Is Early Intervention in Virginia, Early Intervention, and Early Intervention for Children | Child Development.

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## MODULE #5

# Special Education Advocacy

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### Unit 21. Confidentiality of Information and Education Records

**Video Lecture and PowerPoint Presentation** - Through the process of determining eligibility and placement, designing an individualized education program (IEP) and providing that program, very personal and sensitive information about students and families is created, collected, and shared. This often includes information about the social, emotional, and educational status of the student. Such information must be held confidential and must only be shared with individuals who need the information to provide services to the student or who have a legitimate educational need for the information. Confidentiality is the legally required process of keeping secret. In special education, it is the legally and ethically required principle and practice which compels professionals to not disclose identifying or other significant information about the parties without legal authority and the written consent of the involved parties to do so. The focus of this lecture will be on Confidentiality of Information and Educational Records. Following a Question and Answer format, topics covered include:

- What laws address confidentiality of student records in special education?
- What is Family Education Rights and Privacy Act (FERPA)?
- What does “Personally Identifiable” mean?
- What notice must be given to parents regarding confidentiality?
- What are considered “education records”?
- What are NOT considered education records?
- What are the two types of educational records?
- What rights do parents have to review educational records of their children by a participating agency?
- Do school districts have to maintain records of access?
- What if an education record includes information on more than one child?
- Do school districts have to provide parents with a list of the types and locations of education records?
- Can school district charge a fee for copies of records?
- What if parents believe that the education records of their child are inaccurate, misleading, or violates the privacy or other rights of their child?
- Do parents have an opportunity for a hearing to challenge information in education records?
- What law dictates hearing procedures of educational records?
- What happens if a hearing finds the education records to be inaccurate, misleading or otherwise in violation of the privacy or other rights of the child?
- Is parental consent for disclosure of personally identifiable information required?
- What does IDEIA require regarding destruction of information?
- What are children’s rights when they turn the age of majority?

**Supplemental Readings** - In this section, you will have the opportunity to reinforce concepts presented in Unit 21, including: Confidentiality of Information and Education Records, Understanding the Confidentiality Requirements Applicable to IDEA Early Childhood Programs and Confidentiality & Access to Student Records.

**Supplemental Videos** - In addition to the video lecture presentation in Unit 21, the following supplemental videos are available to enhance the concepts learned: Special Education Confidentiality, FERPA and IDEA Privacy Requirements, Intersection of FERPA and Part B of IDEA, Student Records and Confidentiality, Student Privacy 101: FERPA for Parents and Students, Explaining "FERPA" and Family Educational Rights and Privacy Act (FERPA).

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## **Unit 22. Discipline of Students with Disabilities**

**Video Lectures and PowerPoint Presentations** - In 1997, IDEA added explicit new provisions regarding the discipline of students with disabilities. IDEIA has kept these provisions and added new requirements for the discipline of children with disabilities. These provisions were intended to protect the rights of children with disabilities and their parents, while at the same time address the concerns of school administrators and teachers regarding school safety and order. They were also intended to help schools respond appropriately to a child's behavior and promote the use of appropriate behavioral interventions to prevent troubling behavior from recurring. IDEIA permits school personnel to consider any unique circumstances on a case by case basis when determining whether a change of placement is appropriate for a child with a disability. The same discipline may not be appropriate for all students, even students involved in the same incident. The focus of this lecture will be to address the discipline of students with disabilities. Topics covered include:

- Discipline in General
- Case by Case Basis
- Short-Term Suspension
- Long-Term Suspensions
- Manifestation Determination Hearings
- Medications Associated with Children with Emotional and Behavioral Disabilities
- Functional Behavioral Assessments (FBA)
- Behavior Intervention Plans (BIP)
- Special Circumstances
- Challenging a Manifestation Determination Decision

**Supplemental Readings** - In this section, you will have the opportunity to reinforce concepts presented in Unit 22, including: Discipline and Dangerous Students with Disabilities, Discipline of Students with Disabilities - (Giuliani), Discipline of Students with Disabilities - (P&A), Quick Guide: School Discipline for Special Education Students, and Student Discipline for Students with Disabilities.

**Supplemental Videos** - In addition to the video lecture presentation in Unit 22, the following supplemental videos are available to enhance the concepts learned: Functional Behavior Assessment (FBA) Instructions, Conducting an FBA and Creating a BIP, Manifestation Determination Reviews – RTSC, Discipline for Children with Disabilities, and Legal Brief: Suspensions, Expulsions, and Manifestation Determinations, and School Law Express Webinar: Special Education Law and Discipline

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## Unit 23. Roles and Responsibilities of Special Education Advocates

**Video Lectures and PowerPoint Presentations** - Advocacy is defined as any action that speaks in favor of, recommends, argues for a cause, supports or defends, or pleads on behalf of others. Advocacy is the act or process of supporting a cause or proposal; the act or process of advocating something. The primary responsibility of a Special Education Advocate is to represent the best interests of students in seeking Special Education supports and services under the Individuals with Disabilities Education Act 2004 (IDEA 2004). Special education advocates assist parents with understanding and participating in the special education process. This lecture will focus on special education advocacy and being a special education advocate. Topics covered include:

- What is Advocacy?
- How Are Special Education Advocates Different From Attorneys?
- Why Would Parents Obtain a Special Education Advocate?
- Knowledge and Responsibilities of Special Education Advocates
- What Can't an Advocate Do?
- Being an Effective Advocate
- Principles of Special Education Advocacy
- Tips for Special Education Advocates

**Supplemental Readings** - In this section, you will have the opportunity to reinforce concepts presented in Unit 23, including: Advocate for Kids: Top 9 Ways, How to be an Education Advocate, Special Education Advocacy Handout, and Ten Principles of Advocacy.

**Supplemental Videos** - In addition to the video lecture presentation in Unit 23, the following supplemental videos are available to enhance the concepts learned: Special Education Advocacy: Learn The 3 Rs of Advocacy, What is a Special Education Advocate?, Special Education Advocacy, and Special Education Advocacy.

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## **Unit 24. The Use of Active Listening Skills as a Special Education Advocate**

**Video Lectures and PowerPoint Presentations** - Listening is the process of receiving, constructing meaning from, and responding to spoken and/or nonverbal messages; to hear something with thoughtful attention. Listening is our primary communication activity. Our listening habits are not the result of training but rather the result of the lack of it. Most individuals are inefficient listeners. Good listening can be taught. Active listening is a way of listening and responding to another person that improves mutual understanding. It is a way of paying attention to other people that can make them feel that you are hearing them. This type of listening is called “active” because it requires certain behaviors of the listener. In order to be an effective special education advocate, you need to be able to actively listen and communicate effectively. The focus of this lecture will be on active listening and communication skills. Topics include:

- What is Listening?
- Listening vs. Hearing
- Active Listening
- 6 Key Concepts of Active Listening
- Active Listening—Difficulties
- The Importance of “Non-Verbal” Behavior
- Blocks to Effective Listening
- Negative Listening Habits to Avoid
- Listening and Negotiation
- Are You a Good Listener?
- Techniques for Effective Listening

**Supplemental Readings** - In this section, you will have the opportunity to reinforce concepts presented in Unit 24, including: 10 Techniques for Effective Listening, Active Listening - Handout, Active Listening - Learning Guide, Effective Listening, Developing Effective Listening Skills, and Listening Skills.

**Supplemental Videos** - In addition to the video lecture presentation in Unit 24, the following supplemental videos are available to enhance the concepts learned: 5 ways to listen better, The power of listening, Listen Better: 5 Essential Phrases for Active/Reflective Listening, Listen Better: 5 Essential Phrases for Active/Reflective Listening, Effective Listening Skills, 6 Tips for Active Listening and Think Fast, Talk Smart: Communication Techniques.

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## Unit 25. Principles of Negotiation in Special Education Advocacy

**Video Lectures and PowerPoint Presentations** - Wouldn't it be wonderful if everybody at a special education IEP meeting (or any type of special education related meeting) thought the way you did? Or agreed to everything you proposed at the meeting? Nice idea, but life rarely works that way. Because being a special education advocate will require different ideas and proposals being addressed, it is critical for special education advocates to be skilled at negotiation. Negotiation is all about relationships. By cultivating and maintaining a good rapport with everyone at the table, every player can win. You're not just creating an agreement; you are cultivating a long-term relationship as well as a reputation. A negotiation is a strategic discussion that resolves an issue in a way that both parties find acceptable. This lecture will focus primarily on negotiation techniques that can help you be a more effective advocate in the field of special education advocacy. By implementing the negotiation techniques discussed in this lecture, you will be well on your way to mastering the art of negotiation. After viewing this lecture, you should understand:

- Overview of Negotiation
- Stages of Negotiation
- Numerous Negotiation Techniques to be Used in Special Education Advocacy

**Supplemental Readings** - In this section, you will have the opportunity to reinforce concepts presented in Unit 25, including: Conflict Resolution, Conflict Resolution Handout, Conflict Resolution Skills, Negotiations and Resolving Conflict, Seven Elements of Effective Negotiations and Ten Strategies for Conflict Resolution.

**Supplemental Videos** - In addition to the video lecture presentation in Unit 25, the following supplemental videos are available to enhance the concepts learned: The Art of Negotiation, The Skill of Self Confidence, Conflict Resolution in 6 Simple Easy Steps, Comments from a Negotiation Expert, and Why Negotiations Fail.

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## MODULE #6

# Dispute Resolution Options in Special Education

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### **Unit 26. IEP Review Meetings and Facilitated IEP Meetings**

**Video Lecture and PowerPoint Presentation** - In all cases where a family and school disagree, it is important for both sides to first discuss their concerns and try to compromise. There are several, relatively informal ways in which parents and school staff might attempt to work out disagreements regarding a child's special education program. The two most frequently used "informal" methods are (1) IEP review meeting and (2) Facilitated IEP meeting. Following a Question and Answer format, Unit 26 will address:

- What is an IEP review meeting?
- What types of disputes might be resolved through an IEP review meeting?
- What types of disputes might be resolved through an IEP review meeting?
- Does the entire team have to be at an IEP review meeting?
- What are the benefits of resolving a dispute through an IEP review?
- What is a facilitated IEP Team meeting?
- Is IEP facilitation mentioned in IDEIA?
- Who can request an IEP meeting be facilitated?
- Who does the IEP facilitator serve?
- Is the facilitator a decision maker at the IEP meeting?
- How does facilitation differ from mediation under IDEIA?
- What are the benefits of an IEP facilitator?
- When should parents NOT use IEP facilitation as a method of dispute resolution?
- Is procedural notice to parents required for a facilitated IEP meeting?
- How do parents request a facilitated IEP meeting?
- How long does the facilitated IEP meeting take?
- Where and when is a facilitated IEP meeting held?
- Who is required to attend a facilitated IEP meeting?
- Who pays for the facilitator?
- Do all school districts have to offer facilitated IEP team meetings?
- What if the facilitated IEP meeting does not result in an acceptable IEP?

**Supplemental Readings** - In this section, you will have the opportunity to reinforce concepts presented in Unit 26, including: Facilitated IEP Meetings-US Dept of Ed, Facilitated IEP Meetings-PACER and Quick Reference Guide-Facilitated IEP.

**Supplemental Videos** - In addition to the video lecture presentation in Unit 26, the following supplemental videos are available to enhance the concepts learned: Introduction to Special Education, Facilitated IEP - Led by a Neutral Facilitator, Facilitated IEP Meetings - an Overview, Facilitated IEP Training and the Facilitated IEP.

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## Unit 27. Special Education Mediation

**Video Lecture and PowerPoint Presentation** - When parents and schools disagree on special education programs for students with disabilities (and negotiations in IEP team meetings have stalled) reaching a resolution can be difficult. However, parents may want to avoid a more adversarial due process hearing and/or want to attempt to resolve the matter without attorney involvement. In this type of situation, mediation is often considered. Mediation is a voluntary process that may be used to resolve disputes between school systems and the parents of a child with a disability. Mediation is entirely voluntary. While each mediation situation is unique, generally both parties to the mediation will come to the mediation session prepared to explain their own position and listen and respond to the other party's position. A mediator helps the parties generate potential solutions and helps them communicate and negotiate. Using a Question and Answer format, the following areas covering mediation in special education will be addressed:

- What is mediation?
- Why would parents and school districts want to use mediation as dispute resolution option?
- Does IDEIA afford mediation as an option for dispute resolution?
- What sets mediation apart from other special education meetings?
- What are the benefits of using mediation to resolve a dispute?
- How is mediation different from a due process hearing?
- What are the procedural requirements of mediation?
- How would school districts know what mediators are available?
- How are mediators selected?
- Does IDEIA address the impartiality of mediators?
- Who bears the cost of mediation?
- When and where are mediation sessions held?
- Who can attend a mediation session?
- Are attorneys' fees reimbursed for mediation?
- What happens if the parties resolve the dispute through mediation?
- Must a written mediation agreement be kept confidential?
- How is a mediation agreement enforced?
- How does the use of mediation affect parents' other due process rights?

**Supplemental Readings** - In this section, you will have the opportunity to reinforce concepts presented in Unit 27, including: Considering Mediation for SPED Disputes, Dispute Resolution Process Chart, IDEA and the Use of Mediation, Quick Guide to Dispute Resolution and SPED Mediation-US Dept. of Education.

**Supplemental Videos** - In addition to the video lecture presentation in Unit 27, the following supplemental videos are available to enhance the concepts learned: IDEA Basics: Mediation, Part I: Special Education Mediation, Part II: Special Education Mediation, Special Education Mediation for Families and Schools, Tops Tips for Mediation Success and Mediation Pros and Cons.

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## Unit 28. Filing State Complaints in Special Education

**Video Lecture and PowerPoint Presentation** - A state complaint is a written, signed letter directed to the State Department of Education, which alleges that a public agency responsible for the education of a student with disabilities violated a requirement of the Individuals with Disabilities Education Act (IDEA) and accompanying State and federal regulations. The complaint may be filed on behalf of an individual student or a group of students that were affected by the alleged violation. A state complaint is very much what it sounds like: a letter written to an official state agency to report a violation or problem. Within special education, it's one of several procedural safeguards available under IDEA to resolve disputes between parents of children with disabilities and the school systems responsible for educating those children. Using a Question and Answer format, the following questions will be addressed in this Unit regarding the filing of state complaints:

- What is a state complaint?
- Who may file a state complaint?
- Does IDEIA talk about state complaints?
- What information must a state complaint include?
- When filing a state complaint who needs to receive a copy of the complaint?
- What types of complaints will not be investigated by the state?
- Is the complaint filed with the SEA?
- What happens if the complainant doesn't include all required information?
- What will the state do when it receives a complaint that meets the requirements?
- What is the SEA's obligation when it receives a state complaint?
- What are the timelines for filing a state complaint?
- How soon must the SEA resolve a State complaint?
- Can the public agency attempt to resolve the complaint before an investigation occurs?
- Must a State complaint be investigated if it's resolved through mediation?
- What happens if a state complaint and a due process complaint are filed to resolve the same issue?
- Can the SEA's decision be appealed?

**Supplemental Readings** - In this section, you will have the opportunity to reinforce concepts presented in Unit 28, including: Filing a State Complaint, State Complaint Form Model #1, State Complaint Form Model #2, State Complaint Form Model #3 and US Dept. of Education-State Complaints.

**Supplemental Videos** - In addition to the video lecture presentation in Unit 28, the following supplemental videos are available to enhance the concepts learned: IDEA State Complaint, How to Submit a State Special Education Complaint, IDEA: How to file a state special education complaint, and IDEA Dispute Resolution Series-State Complaints.

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## Unit 29. Resolution Meetings in Special Education

**Video Lecture and PowerPoint Presentation** - The resolution meeting was a step added to the due process complaint procedure in IDEIA when parents file a due process complaint. With the Individuals with Disabilities Education Improvement Act, Congress recognized the need to provide additional opportunities for early dispute resolution. The resolution process was added as another way schools and parents can work out their differences whenever a parent has filed a due process complaint. Before a due process hearing can occur, the parents and the school district must participate in a resolution meeting. The purpose of this meeting is for parents to be able to discuss the issues and the facts that are the basis of the due process complaint and to provide the school the opportunity to resolve the issues IDEIA makes the purpose of the resolution meeting very clear: The meeting provides an opportunity “for the parent of the child to discuss their due process complaint, and the facts that form the basis of the due process complaint, so that the LEA has the opportunity to resolve the dispute that is the basis for the due process complaint. Using a Question and Answer format, this Unit will address the following questions regarding resolution meetings in special education:

- What is a resolution meeting?
- Does the resolution process apply when a public agency (e.g., school district) files a due process complaint?
- What are the benefits of participating in a resolution meeting?
- What are the concerns about the resolution meeting?
- Is there a required agenda for a resolution meeting?
- Who pays for the resolution meeting?
- Can parents and/or the school district withdraw from an agreement reached at a resolution meeting?
- What happens if parents do not reach an agreement in the resolution meeting?
- Who can attend the resolution meeting?
- Are resolution meetings confidential?
- Are facilitators available for the resolution meeting?
- Can the resolution meeting be waived?
- What is the timeline for a resolution meeting?
- Is there an expedited resolution meeting timeline?
- Can attorney's fees be awarded at a resolution meeting?
- What happens when a resolution of a dispute is reached?
- Is information discussed at a resolution meeting allowed to be introduced at a due process hearing?
- In the event an agreement is not reached during the resolution meeting, must mediation continue to be available?
- Does the 30-day resolution period apply if the parties elect to use mediation rather than convene a resolution meeting?
- Must the LEA continue its attempts to convince a parent to participate in a resolution meeting throughout the 30-day resolution period?
- If a party fails to participate in the resolution meeting, must the other party seek the hearing officer's intervention?

**Supplemental Readings** - In this section, you will have the opportunity to reinforce concepts presented in Unit 29, including: IDEA Regulations-Resolution Process, IDEA Resolution Meetings, Resolution Meeting Summary, and The Resolution Process.

**Supplemental Videos** - In addition to the video lecture presentation in Unit 29, the following supplemental videos are available to enhance the concepts learned: IDEA Basics: and Resolution Series, Basic Rights in Special Education (Part 5) - Dispute Resolution Process.

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## Unit 30. Due Process Hearings in Special Education

**Video Lecture and PowerPoint Presentation** - A due process complaint is an administrative hearing on a special education issue that is not agreed upon between a student's parent (or an adult student), and the school district. An impartial hearing officer is assigned to hear testimony, receive evidence and render a decision. A due process complaint involves the proposal or refusal to initiate or change the identification, evaluation, or educational placement of a child with a disability or the provision of a free and appropriate public education (FAPE) to the child. Due process is one of the most complex areas of special education law. Knowing what to expect at a hearing is important for parents to understand in how to resolve a dispute about their child's education. Because the laws are so complex and the results of the hearing are so important, parents should seriously consider hiring a special education advocate or attorney to guide them through the process and help them advocate for their child. Using a Question and Answer format, the following questions regarding due process hearings in special education will be addressed in this Unit:

- What is a due process complaint?
- Who may file a due process complaint?
- What is the subject matter of a due process complaint?
- Is there a time frame as to when the due process complaint must be filed?
- Does the school district need to provide the parents with information about legal services if they file a due process complaint?
- Do all states have to have due process procedures?
- Can a party have a hearing on a due process complaint until the party, or the attorney representing the party, files a due process complaint?
- What is a "sufficient" due process complaint?
- Does the complaint have to be sufficient?
- What steps are available to the complaining party if a hearing officer rules that the due process complaint is "insufficient"?
- When can a party amend a due process compliant?
- Is the local education agency required to respond to a parent's due process complaint?
- Is the local education agency required to respond to a parent's due process complaint?
- How would parents know how to draft a due process complaint?
- When the local education agency is notified of a parent's due process complaint, what must it do?
- What are the timelines for the due process hearing to occur?
- Must each party disclose to the other parties all of the evaluations completed by the date of the due process hearing?
- What are the requirements to be a hearing officer presiding over a due process hearing?
- What are the requirements to be a hearing officer presiding over a due process hearing?
- What are the rights of parties at a due process hearing?
- Can the party requesting the due process hearing raise issues at the due process hearing that were not raised in the due process complaint?
- Who has the burden of proof in an IDEIA due process hearing?
- How is a decision about whether a child received a FAPE determined by a hearing officer?
- Are decisions at due process meeting final?

- How does the appeal process work?
- What are the timelines and convenience of hearings and reviews?
- Can parties bring a civil action with respect to the due process complaint notice requesting a due process hearing?
- What is the child's status during the pendency of any administrative or judicial proceeding regarding a due process complaint notice requesting a due process hearing?
- Can the hearing officer award attorney fees?

**Supplemental Readings** - In this section, you will have the opportunity to reinforce concepts presented in Unit 30, including: Due Process Form-(NYS Sample), Due Process Hearings-1, Due Process Hearings-2, Due Process Hearings-3, and Due Process Letter-Sample.

**Supplemental Videos** - In addition to the video lecture presentation in Unit 30, the following supplemental videos are available to enhance the concepts learned: Basics: Due Process, The Due Process Hearing: Overview of the Process, Practice Tips, and Litigation Skills, and Mock Due Process.

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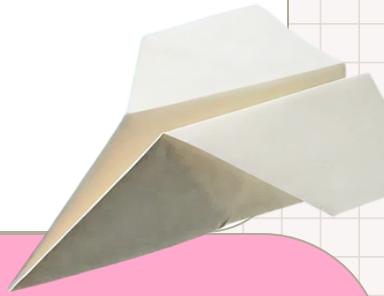
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