SELF-ADVOCACY
For Students Who are Deaf or Hard of Hearing

Second Edition

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UNIT 2

Knowledge is My Power Base

OVERVIEW OF UNIT 2, LESSONS 2-5

In the next four lessons, students will learn that developing a "knowledge base" is the first step in becoming a self-advocate. Students will learn that the foundation to this knowledge base is a basic understanding of the law, and they will learn about two important aspects of the law: (a) how their legal rights have been protected up through their high school years and (b) how their legal rights continue to be protected after high school graduation in both college and job training/work environments.

CONTENTS OF UNIT 2

Lesson 2: My Legal Rights While in High School: My IEP
Lesson 3: My Legal Rights When I Leave High School: Section 504 and College
Lesson 4: My Legal Rights When I Leave High School: ADA & Work
Lesson 5: Transitioning: Making the Move from High School to College and Work
Unit Evaluation: Quiz 2
LESSON 2

My Legal Rights
While in High School: My IEP

PURPOSE OF LESSON 2

This lesson describes three basic components of the Individuals with Disabilities Education Act of 1990 (IDEA): an education that is (a) free, (b) appropriate, and (c) public. The lesson also describes the features of an Individualized Education Program (IEP) and its use as a communication vehicle or contract among the participants who develop the IEP.

EXPECTED LEARNER OUTCOMES

1. Learners will define three guarantees of the IDEA.
2. Learners will describe five features of a sample IEP.
3. Learners will describe how an IEP serves as a communication vehicle or contract.

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<th>Performance Activities</th>
<th>Materials</th>
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<tbody>
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<td>1. Warm-up activity:</td>
<td>Students complete worksheet</td>
<td>Worksheet 2a</td>
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<tr>
<td>Personal Inventory</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Core material</td>
<td>Students take notes</td>
<td>Worksheet 2b</td>
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<tr>
<td>3. Review: Sample IEP</td>
<td>Writing, discussion</td>
<td>Worksheets 2c, 2d</td>
</tr>
<tr>
<td>4. Summary, homework</td>
<td>Homework assignment</td>
<td>Worksheet 2e</td>
</tr>
</tbody>
</table>
**SUGGESTED INSTRUCTIONAL/PERFORMANCE ACTIVITIES**

1. Discuss results of Quiz 1 and review main points of Lesson 1. Ask for students' thoughts regarding the Unit 1 case study about Marcos (homework assignment).

2. State today's goal: Today you will learn about the law that protects your rights as a student who is deaf or hard of hearing for as long as you are in high school. You will learn how this law protects three aspects of your education. You will also learn about the communication vehicle your teachers and parents use to decide how your education will be provided.

3. Warm-up activity: "Personal Inventory." Using Worksheet 2a, ask students to conduct a self-assessment. This inventory is meant to be confidential. The needs that are identified will be addressed throughout the remaining self-advocacy lessons.

4. Present Lesson 2 Core Material while students follow along on Worksheet 2b.

5. Practice activity: Ask students to examine Worksheet 2c (or a blank copy of their school’s IEP form) and identify the five IEP features mentioned in the core material.

6. Reflection: "What’s In It for Me?" (Worksheet 2d). Ask students to take 5 minutes to jot down three ways the IDEA and the IEP benefit them. Students will then contribute their thoughts to the group; the teacher may want to write each idea on the board. Group discussion: Do we see any common ideas among those contributed?

7. Summarize and assign homework: Worksheet 2e.

8. State topic of next meeting: Next time we meet, we will look at the changes in your rights after you graduate from high school.

**LESSON 2 CORE MATERIAL**

In 1975, Congress passed a law to protect the education of persons with any type of disability. It was called the Education for All Handicapped Children Act (Public Law 94-142). Every few years, Congress discusses this law, makes some changes, and then votes to pass it again – or "reauthorizes" it with the new changes (amendments). When this law was reauthorized in 1990, it was renamed the Individuals with Disabilities Education Act, or IDEA.

**Three Guarantees of IDEA**

IDEA has three guarantees: that the education provided will be free, *appropriate*, and public. These guarantees are described below.

*Free.* This means that the education is provided by taxpayers, just like the education for all children in the country. Families do not have to pay additional money for special education.

*Appropriate.* This means that the education is suitable and meets the needs of each individual student. It is an intentionally flexible word; it lets people discuss what they think is right for a particular student. Different people may have widely different opinions, and sometimes it takes a lot of discussion to come to an agreement on the meaning of the word *appropriate* for the student in question.

*Public.* This means that the education will be provided at a school building owned by a city, county, or state and that the teachers will be employed by the city, county, or state.

The term *free appropriate public education* is often shortened to its acronym, FAPE. The education of a person with a disability may require the involvement of
many people. First, of course, are the students and parents, and at least one teacher. Depending on what is appropriate for each student, other persons may be involved; these are called related service providers. Related service providers may include audiologists, speech-language pathologists, school nurses, social workers, psychologists or counselors, and physical or occupational therapists. To ensure that everyone involved understands and agrees to their responsibilities, each student with a disability has an Individualized Education Program (IEP), which is a form describing how everyone, including the student, will work together in partnership to help the student succeed. Everyone who contributes to the IEP is part of the IEP team.

Five Requirements for an IEP

Each IEP must have five pieces of information, as described below.

1. A statement of present performance. This statement usually includes several sentences describing recent test results or other types of evaluation to indicate how the student is doing at the present time.
2. Summary of annual goals. Each IEP indicates the kinds of goals the student should reach by the next year. For example, the student's reading abilities will improve by one grade level; or, the student will pass ninth-grade algebra; or, the student will show that he or she can monitor personal finances or complete a job application form.
3. Description of services. This description indicates the type of services to be provided, as well as who will provide them. For example, speech therapy may be provided by Ms. Wilson, and hearing aid or cochlear implant monitoring by Dr. Sanchez.
4. Dates when services start, and their duration. For example, speech services will start immediately and will be provided twice a week; FM system monitoring will start next week and will be conducted every day by the student with a trained aide and once a month by the audiologist.
5. Extent to which student will be in general education programs. This statement gives the percentage of a week (or the number of minutes) the student will spend in general education classes. This time may be part of the day (for instance, geometry, computer class, PE and lunch period), or all day. It depends on what the IEP team agrees is appropriate for the student.

The IEP: Contract and Communication Vehicle

Besides describing goals for the next year and how those goals will be reached, the IEP works to convey to everyone what the IEP team agreed to do. A written record helps teachers and other service providers keep track of many students. Like any communication system, an IEP is not "carved in stone." An IEP is reviewed and updated often, but it can be changed at any time if any one on the IEP team wants to make a change.
**WORKSHEET 2a**

How would you answer the following?

Circle your answers.

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>I can explain my hearing difficulties to teachers.</td>
<td>Easy for me</td>
</tr>
<tr>
<td>2.</td>
<td>I can explain my hearing difficulties to employers.</td>
<td>Easy for me</td>
</tr>
<tr>
<td>3.</td>
<td>I can explain to a teacher why I would need to use an FM microphone or interpreter.</td>
<td>Easy for me</td>
</tr>
<tr>
<td>4.</td>
<td>I am comfortable asking a teacher to use an FM microphone or interpreter.</td>
<td>Easy for me</td>
</tr>
<tr>
<td>5.</td>
<td>I can explain to an employer why I would need a reasonable change for my job.</td>
<td>Easy for me</td>
</tr>
<tr>
<td>6.</td>
<td>I am comfortable asking an employer to make a reasonable change for my job.</td>
<td>Easy for me</td>
</tr>
<tr>
<td>7.</td>
<td>I can explain my legal rights that help me in high school.</td>
<td>Easy for me</td>
</tr>
<tr>
<td>8.</td>
<td>I can explain the laws that will protect my rights if I go to college.</td>
<td>Easy for me</td>
</tr>
<tr>
<td>9.</td>
<td>I can explain the laws that will protect my rights when I get a job.</td>
<td>Easy for me</td>
</tr>
</tbody>
</table>
1. The law that protects the education of persons with disabilities is now called:

______________________________________________________, or ___ ___ ___ ____

It was first passed in Congress (that is, became a law) in (year): ____________________

This law has three guarantees: That the education of persons with disabilities will be:

_________________, meaning ______________________________________________

_________________, meaning ______________________________________________

_________________, meaning ______________________________________________

These guarantees are abbreviated as ____ ____ ____ ____.

2. The form that describes how students with disabilities receive their education is called:

___________________________________________ or ____ ____ ____.

It is required to have five pieces of information:

1. _____________________________________________________________________

2. _____________________________________________________________________

3. ___________________________________________________________

4. _____________________________________________________________________

5. _____________________________________________________________________

It works as a contract because:

_______________________________________________________________________

_______________________________________________________________________

_______________________________________________________________________
WORKSHEET 2c

Locate and circle the five required features on your personal IEP, or on the sample IEP below.

<table>
<thead>
<tr>
<th>Individualized Education Program</th>
</tr>
</thead>
<tbody>
<tr>
<td>IEP Dates: from __________ to __________</td>
</tr>
<tr>
<td>Student Name: ___________________ DOB: __________ ID#: __________ Grade/Level: __________</td>
</tr>
</tbody>
</table>

**Parent and/or Student Concerns**

What concern(s) does the parent and/or student want to see addressed in this IEP to enhance the student’s education?

**Student Strengths and Key Evaluation Results Summary**

What are the student’s educational strengths, interest areas, significant personal attributes and personal accomplishments?

What is the student’s type of disability(ies), general education performance including MCAS/district test results, achievement towards goals and lack of expected progress, if any?

**Vision Statement:** What is the vision for this student?

Consider the next 1 to 5 year period when developing this statement. Beginning no later than age 14, the statement should be based on the student’s preferences and interest, and should include desired outcomes in adult living, post-secondary and working environments.
Individualized Education Program  

Student Name: ____________________________  DOB: ________  ID#: ________

IEP Dates: from ________ to ________

Present Levels of Educational Performance

A: General Curriculum

Check all that apply.

☐ English Language Arts

☐ History and Social Sciences

☐ Science and Technology

☐ Mathematics

☐ Other Curriculum Areas

General curriculum area(s) affected by this student’s disability(ies):

General curriculum area(s) affected by this student’s disability(ies):

☐ English Language Arts

Consider the language, composition, literature (including reading) and media strands.

☐ History and Social Sciences

Consider the history, geography, economic and civics and government strands.

☐ Science and Technology

Consider the inquiry, domains of science, technology and science, technology and human affairs strand.

☐ Mathematics

Consider the number sense, patterns, relations and functions, geometry and measurement and statistics and probability strands.

☐ Other Curriculum Areas

Specify:

How does the disability(ies) affect progress in the curriculum area(s)?

What type(s) of accommodation, if any, is necessary for the student to make effective progress?

What type(s) of specially designed instruction, if any, is necessary for the student to make effective progress?

Check the necessary instructional modification(s) and describe how such modification(s) will be made.

☐ Content:

☐ Methodology/Delivery of Instruction:
## Individualized Education Program

**Student Name:**

**DOB:**

**ID#:**

**IEP Dates:** from ___ to ___

### Present Levels of Educational Performance

#### B: Other Educational Needs

<table>
<thead>
<tr>
<th>Check all that apply.</th>
<th>General Considerations</th>
</tr>
</thead>
<tbody>
<tr>
<td>□ Adapted physical education</td>
<td>□ Assistive tech devices/services</td>
</tr>
<tr>
<td>□ Braille needs (blind/visually impaired)</td>
<td>□ Communication (all students)</td>
</tr>
<tr>
<td>□ Extra curriculum activities</td>
<td>□ Language needs (LEP students)</td>
</tr>
<tr>
<td>□ Social/emotional needs</td>
<td>□ Travel training</td>
</tr>
<tr>
<td>□ Other</td>
<td>□ Behavior</td>
</tr>
<tr>
<td></td>
<td>□ Communication (deaf/hard of hearing students)</td>
</tr>
<tr>
<td></td>
<td>□ Nonacademic activities</td>
</tr>
<tr>
<td></td>
<td>□ Skill development related to vocational preparation or experience</td>
</tr>
</tbody>
</table>

#### Age-Specific Considerations

- □ For children ages 3 to 5 — participation in appropriate activities
- □ For children ages 14+ (or younger if appropriate) — student's course of study
- □ For children ages 16 (or younger if appropriate) to 22 — transition to post-school activities including community experiences, employment objectives, other post school adult living and, if appropriate, daily living skills

### How does the disability(ies) affect progress in the indicated area(s) of other educational needs?

### What type(s) of accommodation, if any, is necessary for the student to make effective progress?

### What type(s) of specially designed instruction, if any, is necessary for the student to make effective progress?

Check the necessary instructional modification(s) and describe how such modification(s) will be made.

- □ Content:

- □ Methodology/Delivery of Instruction:
# Individualized Education Program

**Student Name:**

**DOB:**

**ID#:**

## IEP Dates: from ________ to ________

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### Current Performance Levels/Measurable Annual Goals

<table>
<thead>
<tr>
<th>Goal #</th>
<th>Specific Goal Focus</th>
</tr>
</thead>
</table>

**Current Performance Level:** What can the student currently do?

**Measurable Annual Goal:** What challenging, yet attainable, goal can we expect the student to meet by the end of this IEP period? How will we know that the student has reached this goal?

**Benchmark/Objectives:** What will the student need to do to complete this goal?

---

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**Benchmark/Objectives:** What will the student need to do to complete this goal?
### Service Delivery

What are the total service delivery needs of this student?

Include services, related services, program modifications and supports (including positive behavioral supports, school personnel and/or parent training/supports). Services should assist the student in reaching IEP goals, to be involved and progress in the general curriculum, to participate in extracurricular/nonacademic activities and to allow the student to participate with nondisabled students while working towards IEP goals.

School District Cycle:  
- [ ] 5 day cycle
- [ ] 6 day cycle
- [ ] 10 day cycle
- [ ] other:

| A. Consultation (Indirect Services to School Personnel and Parents) |
| --- | --- | --- | --- | --- |
| Focus on Goal # | Type of Service | Type of Personnel | Frequency and Duration/Per Cycle | Start Date | End Date |
| --- | --- | --- | --- | --- |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |

| B. Special Education and Related Services in General Education Classroom (Direct Service) |
| --- | --- | --- | --- | --- |
| Focus on Goal # | Type of Service | Type of Personnel | Frequency and Duration/Per Cycle | Start Date | End Date |
| --- | --- | --- | --- | --- |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
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| C. Special Education and Related Services in Other Settings (Direct Service) |
| --- | --- | --- | --- | --- |
| Focus on Goal # | Type of Service | Type of Personnel | Frequency and Duration/Per Cycle | Start Date | End Date |
| --- | --- | --- | --- | --- |
|  |  |  |  |  |  |
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**Individualized Education Program**

<table>
<thead>
<tr>
<th>IEP Dates: from</th>
<th>to</th>
</tr>
</thead>
</table>

| Student Name: | DOB: | ID#: |

### Nonparticipation Justification

Is the student removed from the general education classroom at any time? (Refer to IEP 5—Service Delivery, Section C.)

- [ ] No
- [ ] Yes  
  If yes, why is removal considered critical to the student’s program?

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**IDEA 2004 Regulation 20 U.S.C. §612 (a) (5):** “... removal of children with disabilities from the regular educational environment occurs **only when** the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.” (Emphasis added.)

### Schedule Modification

**Shorter:** Does this student require a *shorter school day or shorter school year*?

- [ ] No
- [ ] Yes — shorter day
- [ ] Yes — shorter year

If yes, answer the questions below.

**Longer:** Does this student require a *longer school day or a longer school year* to prevent substantial loss of previously learned skills and / or substantial difficulty in relearning skills?

- [ ] No
- [ ] Yes — longer day
- [ ] Yes — longer year

If yes, answer the questions below.

- How will the student’s schedule be modified? Why is this schedule modification being recommended?
- If a longer day or year is recommended, how will the school district coordinate services across program components?

### Transportation Services

Does the student require transportation as a result of the disability(ies)?

- [ ] No  
  Regular transportation will be provided in the same manner as it would be provided for students without disabilities. If the child is placed away from the local school, transportation will be provided.

- [ ] Yes  
  Special transportation will be provided in the following manner:
  - [ ] on a regular transportation vehicle with the following modifications and/or specialized equipment and precautions:
  - [ ] on a special transportation vehicle with the following modifications and/or specialized equipment and precautions:
WORKSHEET 2d

What’s In It For Me?

Take 5 minutes to write three ways the IDEA and an IEP benefit you in your education.

1. __________________________________________________________
   __________________________________________________________
   __________________________________________________________
   __________________________________________________________

2. __________________________________________________________
   __________________________________________________________
   __________________________________________________________
   __________________________________________________________

3. __________________________________________________________
   __________________________________________________________
   __________________________________________________________
   __________________________________________________________
WORKSHEET 2e

Summary

1. During high school, students' rights are protected by a law called the Individuals with Disabilities Act (IDEA). This law guarantees a free, appropriate, public education (FAPE).
2. Specific details of a student's educational program are written into a communication vehicle or contract called an Individualized Education Program (IEP).
3. An IEP can be changed when necessary, but it must always contain five pieces of information. (See notes on Worksheet 2b for details.)

Homework

1. Make a list of services you are receiving in school this year, if any.

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

2. Ask a parent: Is this list accurate? Is anything left out? To check, review a copy of your latest IEP. Find the five features mentioned in class.

3. What is the date on your latest IEP? When will the next IEP be written?

Add these worksheets and a copy of your IEP to your Self-Advocacy File.