



SELF-ADVOCACY

For Students Who are Deaf or Hard of Hearing

Second Edition

Kristina English, PhD
The University of Akron/NOAC

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.

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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.

Instructional Activities	Performance Activities	Materials
1. Warm-up activity: Personal Inventory	Students complete worksheet	Worksheet 2a
2. Core material	Students take notes	Worksheet 2b
3. Review: Sample IEP	Writing, discussion	Worksheets 2c, 2d
4. Summary, homework	Homework assignment	Worksheet 2e

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.

- | | | |
|--|-------------|-------------|
| 1. I can explain my hearing difficulties to teachers. | Easy for me | Hard for me |
| 2. I can explain my hearing difficulties to employers. | Easy for me | Hard for me |
| 3. I can explain to a teacher why I would need to use an FM microphone or interpreter. | Easy for me | Hard for me |
| 4. I am comfortable asking a teacher to use an FM microphone or interpreter. | Easy for me | Hard for me |
| 5. I can explain to an employer why I would need a reasonable change for my job. | Easy for me | Hard for me |
| 6. I am comfortable asking an employer to make a reasonable change for my job. | Easy for me | Hard for me |
| 7. I can explain my legal rights that help me in high school. | Easy for me | Hard for me |
| 8. I can explain the laws that will protect my rights if I go to college. | Easy for me | Hard for me |
| 9. I can explain the laws that will protect my rights when I get a job. | Easy for me | Hard for me |

WORKSHEET 2b

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.

Individualized Education Program

IEP Dates: from _____ to _____

Student Name: _____ DOB: _____ ID#: _____ Grade/Level: _____

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

IEP Dates: from _____ to _____

Student Name: _____ DOB: _____ ID#: _____

Present Levels of Educational Performance**A: General Curriculum****Check all that apply.****General curriculum area(s) affected by this student's disability(ies):**

- | | |
|--|--|
| <input type="checkbox"/> English Language Arts | Consider the language, composition, literature (including reading) and media strands. |
| <input type="checkbox"/> History and Social Sciences | Consider the history, geography, economic and civics and government strands. |
| <input type="checkbox"/> Science and Technology | Consider the inquiry, domains of science, technology and science, technology and human affairs strand. |
| <input type="checkbox"/> Mathematics | Consider the number sense, patterns, relations and functions, geometry and measurement and statistics and probability strands. |
| <input type="checkbox"/> 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

IEP Dates: from _____ to _____

Student Name: _____ DOB: _____ ID#: _____

Present Levels of Educational Performance**B: Other Educational Needs****Check all that apply.****General Considerations**

- | | | |
|--|--|--|
| <input type="checkbox"/> Adapted physical education | <input type="checkbox"/> Assistive tech devices/services | <input type="checkbox"/> Behavior |
| <input type="checkbox"/> Braille needs (blind/visually impaired) | <input type="checkbox"/> Communication (all students) | <input type="checkbox"/> Communication (deaf/hard of hearing students) |
| <input type="checkbox"/> Extra curriculum activities | <input type="checkbox"/> Language needs (LEP students) | <input type="checkbox"/> Nonacademic activities |
| <input type="checkbox"/> Social/emotional needs | <input type="checkbox"/> Travel training | <input type="checkbox"/> Skill development related to vocational preparation or experience |
| <input type="checkbox"/> Other _____ | | |

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

IEP Dates: from _____ to _____

Student Name: _____ DOB: _____ ID#: _____

Current Performance Levels/Measurable Annual Goals

Goal #	Specific Goal Focus:
--------	----------------------

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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Individualized Education Program

IEP Dates: from _____ to _____

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?

IDEA 2004 Regulation 20 U.S.C. §612 (a) (5).550: "... 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.

