

Special Education Law & the General Education Teacher

IDEA 2004 is a Federal Law which we as educators must follow.

The IEP summary report should be explained to general education staff by the case manager or other individuals identified at the IEP meeting. If a functional behavioral assessment is conducted and a behavioral intervention plan is developed, this plan should be provided to all staff who have interactions with the student, including staff responsible for discipline and security. Parents who speak a language other than English may receive a complete copy of the IEP in their native language. If this is not available, they may receive an audio recording of the IEP in their native language.

Thoughts from Deb:

EVERY teacher and support specialist who provides instruction for students with disabilities must have access to information regarding the needs of these students. After an IEP meeting, the IEP Team and staff must complete several important activities. Every teacher who provides instruction for students with disabilities must read the IEP and understand his/her responsibility to the student in order to assure the successful implementation of the IEP, as well as compliance with Federal and State laws.

Notes from Nancy:

“The expectation of Reg. Ed. teachers regarding support of students with disabilities does not come in a simple, single reference. There are citations in IDEA (the federal law), in ECEA (the state law), in ADA (more federal law), and in lots of case law. In general, Reg. Ed teachers should provide equal access to the curriculum to any student with a disability.

*Students with disabilities have the 'right' to participate in the general ed. classroom to the same degree as their non-disabled peers. Additionally, Reg. Ed staff needs to provide any agreed upon accommodations students with disabilities need to assure these students can access the curriculum. In general, **we cannot allow a disability to become a barrier to participation.***

While we cannot assure students with disabilities will get equal benefit from this exposure to the curriculum... we cannot exclude them or limit this opportunity because they are disabled. If students with disabilities are denied access to any instructional opportunity, it could be considered discrimination, and the Office of Civil Rights could get involved...and unfortunate outcomes could result. If any Reg. Ed. teacher wants a copy of the entire IEP, they are free to have a copy.” Nancy Homan

Comments from Deb Johnson Special Education Induction Teacher Coach and Nancy Homan Lead Special Education Facilitator in District 11 Special Education Department

Want more info? <http://www.cde.state.co.us/cdesped/iep>

IEP: Individualized Educational Program (IEP)

***An IEP is a LEGAL DOCUMENT, individuals can and have been *individually* sued over refusal to implement IEP's.**

General Education Teacher

- 1) Must attend the IEP meeting and remain for the entire time.**
- 2) The general education teacher is the teacher of record.** (The special education teacher is the resource teacher.)

Pre - IEP Meeting, preparing for the IEP meeting

- **Review the current IEP**, and compile anecdotal records, samples of student work, and other information relevant to determining the student's potential for learning, rate of learning. If the purpose of the meeting is to determine eligibility, compile data, anecdotal records, samples of student work and other information to assist with the evaluation report.
- **Identify instructional and classroom management strategies that have been successful** with the student.
- **Observe the student's learning** in the general classroom
 - List or identify special factors that may impede the student's learning
 - Share with the special educator comments on student progress toward achieving IEP goals, including student's participation in classroom activities
 - Collaborate/share with the special education teacher regarding positive intervention strategies for improving the student's behavior, supplementary aids and services, program accommodations, or modifications and supports
- **Be prepared to provide a brief report regarding** the student's current performance in relationship to the general education curriculum and include information regarding behavior, attendance patterns, strategies and accommodations/modifications.

During the IEP Meeting (special education teacher will facilitate)

- **Share information** regarding the student's present level of educational performance in the general education curriculum and the general education classroom environment
- **Participate** in discussion and sign the appropriate forms

Implementing the IEP

- **Review IEP for implications on classroom instruction - provide accommodations** and modifications in accordance with the IEP
- **Collaborate** with the special education teacher, related service providers, and other teachers about meeting the student's needs and implementing the IEP

- **Establish and maintain effective and positive communication with the parents**
- **Assess the student's progress on a regular basis**
- **Inform** the case manager if a concern arises

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