



# Special Ed for Admin: What those who don't teach Special Education need to know.

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# My initial experience as an Administrator

- Impediment to overall education program
- Required disproportionate use of resources
- Taking resources/time from other students
- Slowed instructional programs
- Added burden on staff
- Limited view of their potential success



## On second thought...

- Modifications required by some helped other students in a class
- Differentiated learning increased overall student understanding
- **Benefit to other students in class to see differentiated learners taught with empathy.**



# My experience - legal

- Liability for public schools:
  - Potential loss of federal funding
  - State sanctions
  - Potential loss of state funding
  - Licensure risk for teachers/admin
  - Discrimination lawsuits by parents
  - Administrative “due process” hearing requests against the school by parents or 3<sup>rd</sup> party



# Education Law - Historic

- 1975 – Special Education programs began in United States.
  - Initial programs required students to be pulled out of classes/taught separately
  - Ostracizing
  - Limited testing and supports



## **Cher (Dyslexia)**

“When I was in school, it was really difficult. Almost everything I learned, I had to learn by listening. My report cards always said that I was not living up to my potential.”



## **Richard Engel (Dyslexia)**

Richard Engel struggled through school due to his Dyslexia. While working harder to achieve his goals wasn't an issue, the act of being coddled and meeting with specialists caused his self-confidence to plummet.



# Current Laws Governing Students with Disabilities

- Individuals with Disabilities in Education Act (“**IDEA**”)
- State Board of Education Special Education Rules (implements IDEA on the state level)
- The Rehabilitation Act of 1973, Section **504** (applies to all persons with disabilities in programs that receives federal financial assistance)
- Americans with Disabilities Act (“**ADA**”) (applies to **ALL** persons with disabilities, not just students)





## Current Law, cont.

- Most recent IDEA Supreme Court case: *Endrew F. v. Douglas Co. School District*  
Writing for the Court, Chief Justice Roberts stated that: “To meet its substantive obligation under the *IDEA*, a school must offer an IEP **reasonably calculated to enable a child to make progress appropriate in light of the child’s circumstances.**”



# Terms to know:

ADA

504

IDEA

IEP

RTI

FAPE



# Terms to know:

- **IDEA:** The main special education law. Students covered by it have a right to a free, appropriate public education (“fape”) in the least restrictive environment appropriate for their needs. Entitled to special education and related services; entitled to educational benefit. IEPs.
- **Section 504 of the Rehabilitation Act of 1973 and ADA:** Federal laws prohibiting discrimination against all persons with disabilities, not just students. Guarantees a level playing field – can’t be excluded solely on the basis of a disability where person is otherwise qualified to participate in a major life activity. Facilities access is an important element (program access). No IEPs; but students may get a “504” (accommodations under Section 504).
  - NOTE: Section 504 requires access to FAPE just like IDEA does.



# Terms to Know

- **IEP:** Individualized Education Plan. IDEA requires that students with certain qualifying disabilities receive an IEP outlining the student's needs, progress, and special education services to be provided in order to allow the student to access FAPE
- **RTI:** Response to Intervention. Looks different in every school. Multi-tier approach to the early identification and support of students with learning and behavior needs.



# Terms to Know

- Child Find: legal obligation under IDEA to identify students with disabilities. Often the crux of disputes: when should have the school suspected a disability?

Admin/teachers/aides should be on high alert for signs that a student may need special education services.

- NOTE: A request from a parent for testing or communication regarding concerns with child's education/behavior will almost ALWAYS trigger "child find"



# Legal Background:

- ✓ A combination of federal, state, and local statutes and regulations guide how education to students with disabilities is provided in public schools.
- ✓ Charter schools are public schools and therefore must abide by the same laws and regulations.
- ✓ It is essential to understand this legal background to ensure that your authorizing practices and the practices of the schools in your portfolio comply with applicable laws.

# Examples of “disabilities”\*

\* Not all of these qualify for an IEP but some may qualify for a 504 plan

- **Learning disabilities**
  - Dyslexia or dysgraphia
- **Communication disorders**
- **Emotional and behavioral disorders**
  - ADHD and ADD
- **Physical disabilities**
  - Hearing or visual issues
- **Developmental disorders**
  - Autism spectrum



## Example School Cost for Special Education


Special Education Director	Full-time	\$65,000 + benefits (\$80,000)
Special Education Teacher	Full-time	\$45,000 + benefits (\$60,000)
Para-Educators	Full-time/Part-Time	\$15 - \$17 an hour +(benefits if more than 30 hours) (\$19,000)
Speech Therapy	Part-Time or Contract	\$35,000 - \$40,000 (K-8) \$20,000 - \$35,000 (9-12)
Occupational Therapy	Contract	\$10,000 - \$20,000 (depending on caseload and grade configuration)
Testing materials and protocols	Complete kits, subscriptions, and replacements	\$4,748
School Psychologist	Contract	\$15,000 – \$30,000
Counseling Services	Contract	\$5,000 - \$20,000
Physical Therapist	Contract	\$5,000 - \$25,000
Behavior Specialist	Contract or part-time	\$10,000 - \$20,000
	Total	\$313,748






# Allowable IDEA funding:

- ✓ Supplemental funding only!!!
- ✓ State funding based on student count and the UCA
- ✓ Federal funds are reimbursed after they are spent.
- ✓ If something is provided to all students then it is not supplemental
- ✓ Administrative costs (Principal, Assistant Principal, Curriculum Coach, etc.) cannot be paid partially out of special education funds
- ✓ Library materials, NOPE
- ✓ Curriculum costs for students with disabilities that all students are using, NOPE




# Case Study – 1<sup>st</sup> set of facts

- 10<sup>th</sup> grade boy
- Bi-racial
- Average grades
- ADHD
  - Obvious and manifest in class settings
  - Frequently off task
- 3<sup>rd</sup> grade reading level



# Case Study – 2<sup>nd</sup> set of facts

- Excellent memorization skills
- Quick thinking
  - Sports
  - Peer interaction
  - Teacher interaction
- Mom continuously pushes for reading testing (not given until JH)



# Case Study – 3<sup>rd</sup> set of facts

- Upon testing:
  - IQ of 136
  - Severe dyslexia
- Upon data analysis
  - Perfect scores on all standardized math tests
  - Exceptional scores on all standardized science tests
  - Is aware of his own math proficiency, despite average grades (homework)

# Case Study – Recommendations\*

\* These recommendations may be written as accommodations in a 504 plan

- Books on tape or oral tests
- Allow him to “write” reports verbally
  - Demonstrates excellent comprehension, organization and content knowledge.
- Focus on strengths
  - Transfer him to advanced math/science classes
  - Recognize and reward achievement in areas of strength.





# My View: Students

- The earlier the better, but never too late:
  - Understanding of needs
  - Implementation of accommodations
  - Behavioral cues (later) to underlying issues
- Gain understanding through:
  - Teacher input & coordination
  - Testing
  - Parent communication



## **Anderson Cooper (dyslexia)**

“Luckily I went to a school that caught the problem very quickly and was able to figure out the problem and diagnose it, and luckily I had access to people who could really help”



## **Richard Branson (dyslexia)**

“Congratulations, Branson. I predict that you will either go to prison or become a millionaire”





“It is not the strongest of the species that survives,  
nor the most intelligent that survives.  
It is the one that is most adaptable to change”.

Charles Darwin

