

SPECIAL EDUCATION
NJ Administrative Code Title 6A
Chapter 14
QUICK REVIEW

FAIR IS NOT EQUAL

FAIR ...IS WHAT EACH CHILD NEEDS

- A STUDENT WITH DISABILITIES NEEDS CERTAIN STRATEGIES AND MODIFCATIONS TO HELP THEM LEARN AND SUCCEED. THIS IS FAIR BUT NOT EQUAL.

IDEA – INDIVIDUALS WITH DISABILITIES EDUCATION ACT

IDEIA 2004 – INDIVIDUALS WITH DISABILITIES EDUCATIONAL IMPROVEMENT ACT

- KEY POINTS
- (“FAPE”) Free and appropriate public education to all students with disabilities between the ages of 3 and 21
- State Law – NJ incorporates the federal requirements for special education that are found in IDEIA 2004, but in some cases exceeds the federal requirements. In these cases, school districts are expected to meet the state requirements.

CONT.

- FAPE
- Free –At no cost to the parent
- Appropriate – Individualized to meet the needs of the student
- Public – Provided by the public school
- Education – A program designed to insure that the student makes meaningful educational progress. (The U.S. Supreme Court in Rowley (1982) ruled that a FAPE DOES NOT require that schools maximize the potential of students with disabilities)

LRE

- Least Restrictive Environment
- To the maximum extent appropriate children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are not disabled, and that special classes, separate schooling, or other removal of children with disabilities from the regular education environment occurs ONLY when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily

CONT.

- Placement decisions are made by the IEP team and must be made on an individual basis.
- IEP Individualized Education Program
- At the beginning of each school year, the school shall have an IEP in effect for each student with a disability within its jurisdiction
- An IEP does not guarantee that a student will achieve goals, nor does it hold teachers or administrators liable if a student does not meet specified goals.
- The IEP does commit the school to providing special education and related services and to making “good faith” efforts to achieve the goals.
- School officials such as principals, board members and superintendents may not change decisions made by the IEP teams.

CONT.

- Special education is not a place, but an array of services to support the student's progress.
- A student is determined eligible and classified "eligible for special education and related services" when it is determined that the student has one or more of the 14 disabilities; when the disability adversely affects the student's educational performance AND when the student is in need of special education and related services.

PROGRAM OPTIONS

- All students shall be considered for placement in the general education class with supplementary aids and services including, but not limited to, the following:
 - Curricular or instructional modifications/strategies
 - Assistive technology
 - Teacher aides
 - Related services
 - Integrated therapies
 - Consultation services

- **SOME EXAMPLES OF MODIFICATIONS/STRATEGIES**
- Environment (preferential seating, minimize distractions, altering classroom arrangement, tennis balls on legs of chairs)
- Presentation of Material (visual, auditory, tactile, multi, individual/small groups, outlines, manipulatives, pre-teaching vocabulary)
- Pacing (extended time, frequent breaks, varying activity)

- Materials and Equipment (highlighting material, copies of teacher notes, calculator, computer, AlphaSmart, large print books, white board, books on tape, FM systems, SmartBoards,computer programs)
- Assignments (give directions in small steps, use written back-up for oral directions, adjust length of assignment, change format of assignment (matching, fill-in the blank, multiple choice), alternate assignment, break assignment into smaller assignments, reduce paper/pencil tasks, give prompts, allow typed answers, provide a list of steps, provide examples, eliminate non-essential and tricky “stuff”, simplify vocabulary, provide page number of the answer, reduce length, avoid T/F questions, allow for oral responses, modify essay)
- Grading (modify weights of tests or homework)
- Reinforcement and Follow-through (check often for understanding, peer tutor, have student repeat directions, use study guide, reinforce long term assignment timelines, use behavior contracts, call home)

In-class support and out of class replacement

- ICS (in-class support)
- 1 general education teacher & 1 special education teacher (co-taught classroom)
- OCR (out of class replacement) When it has been determined that a student with a disability cannot remain in the general education setting with supplementary aids and services
- Resource room with special education teacher

Inclusive school

- Vision- Inclusive schools begin with a philosophy and vision that all children BELONG and can learn in the mainstream of school and community life. Diversity is valued and celebrated.

Points to Think About

- The Alexandria Township School District prepares students for the “real world”. All students need to experience academic and social success. It is so important that students with disabilities know how to self-advocate, problem solve, make positive choices, set goals and plan, and be self determined.
- A self determined person is one who sets goals, makes decisions, sees options, solves problems, speaks up for himself or herself, understands what SUPPORTS are needed for success, and knows how to evaluate outcomes. A person’s actions are self determined if he or she acts in ways that make positive use of knowledge and understanding about his or her own characteristics, strengths, and limitations. (Christine D. Bremer, Mera Kachgal, Kris Schoeller – Research to Practice Brief, 2003)

Why is it important to be self determined?

- Because unlike grades K to 12, IDEA does not apply to higher education and college students have a much greater responsibility if they are to receive accommodations (and parents have a greatly reduced role). Unlike IDEA which guarantees an education to all school aged children, regardless of ability, the ADA protects only those individuals who meet the stated qualifications of a college or program.

CONT.

- So, only those people who are able to meet the technical and academic qualifications for ENTRY into a school are protected by the ADA. In addition, colleges are required to make what are called minor academic adjustments, not substantial modifications to their curricula or course requirements.
- So, it is important that special education students (if appropriate) are instructed with their peers in general education classes because it will help prepare them for their years ahead.

Last point to ponder....

“ Intelligence plus character- that is the goal of true education”

Dr. Martin Luther King, Jr.