



Lunch & Learn

Is Your Child Struggling at School?

Kentucky Special Parent Involvement Network (KY-SPIN) Parent Training & Information (PTI) Center

Funded by the U.S. Dept. of Education under IDEA since 1988 when Kentucky first received a PTI. KY-SPIN Parent Center provides training, information and support for children and youth with all types of disabilities (birth through 26 years old), their parents, families and professionals.



We do NOT

Act as attorneys

We DO

Empower families to advocate for their children effectively.

Provide “peer to peer” support to help families access needed
information and resources

Disclosure

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If your child is struggling at school:

Reach out to their teacher and/or counselor

- ❖ Ask what is available to help them at school and how do you access it?
- ❖ Are there also community resources you can access along with school resources?
- ❖ Share concerns and needs they have
- ❖ Work in partnership on solutions

What tools/programs are available through School?

Kentucky Multi-Tiered System of Supports (KyMTSS)

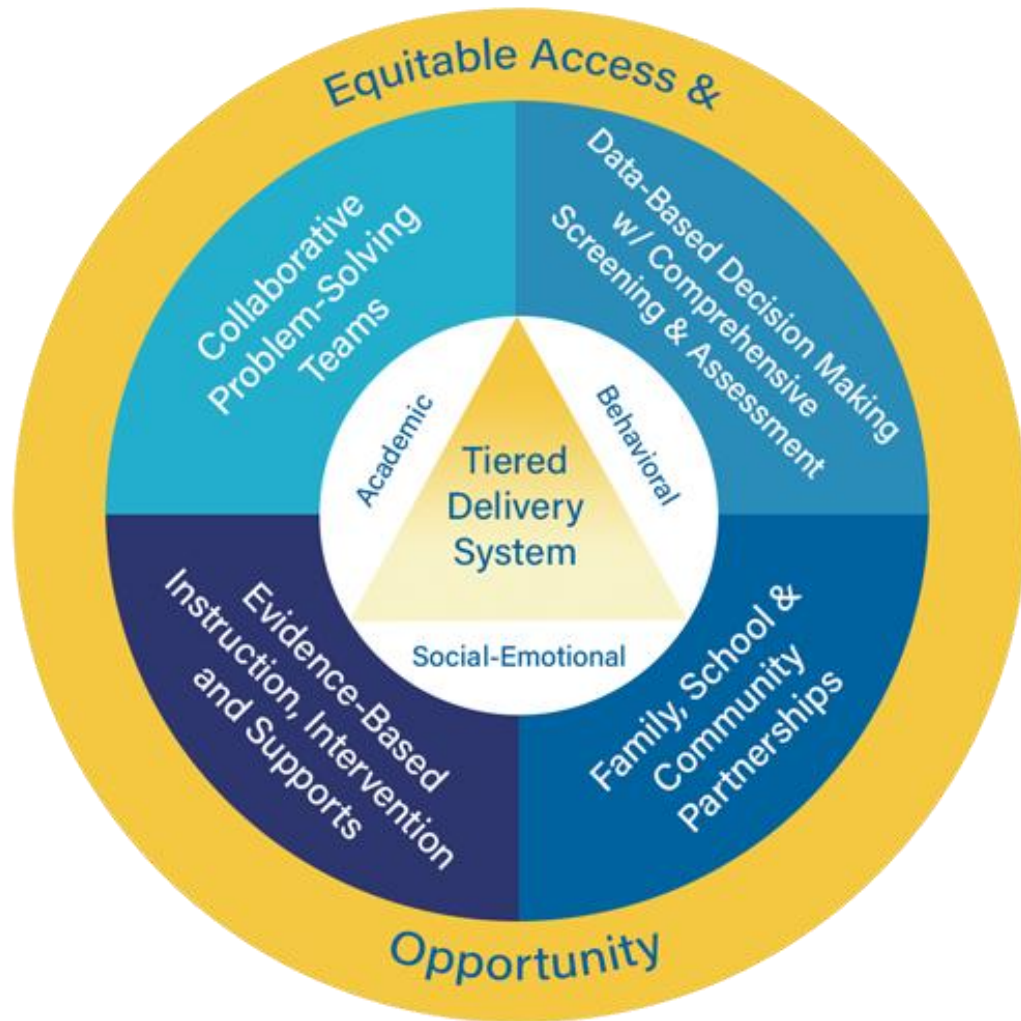
The Kentucky Department of Education (KDE) has expanded the system for response to intervention (RTI) to a more comprehensive multi-tiered system of supports (MTSS).

Kentucky's Multi-Tiered System of Supports (KyMTSS) is defined as a multi-level prevention system to support student achievement and social-emotional behavioral competencies through an integration of differentiated core instruction, assessment and intervention.

[KyMTSS Website](#)

Crosswalk: Kentucky Multi-Tiered System of Supports (KyMTSS), Response to Intervention (RTI), Positive Behavioral Interventions and Supports (PBIS) and Interconnected Systems Framework (ISF) The purpose of this document is to provide clarity to educators (e.g., leadership teams, administrators, teachers, implementation support staff, etc.) on how Response to Intervention (RTI), Positive Behavioral Interventions and Supports (PBIS) and the Interconnected Systems Framework (ISF) share foundational components and are integrated under the overarching framework of Kentucky Multi-Tiered System of Supports (KyMTSS).





What do the components of the KyMTSS graphic represent?

The **Equitable Access and Opportunity** component surrounds the framework to represent the intentional commitment to equity embedded within all components of KyMTSS.

At the center of the model is the familiar triangle representing the Tiered Delivery System with a continuum of **supports designed to meet the academic, behavioral and social-emotional needs of all students.**

Family, School and Community Partnerships Component



Family, school and community partnerships are about building active, reciprocal relationships in which schools, families and community agencies and organizations engage in meaningful and culturally appropriate collaboration to improve student outcomes. Kentucky's Multi-Tiered System of Supports (KyMTSS) **provides the structure for families, schools and community members to work together to support and improve the learning and well-being of all students.**

Does my child need a referral for special education services?

Does your child's disability affect them educationally?

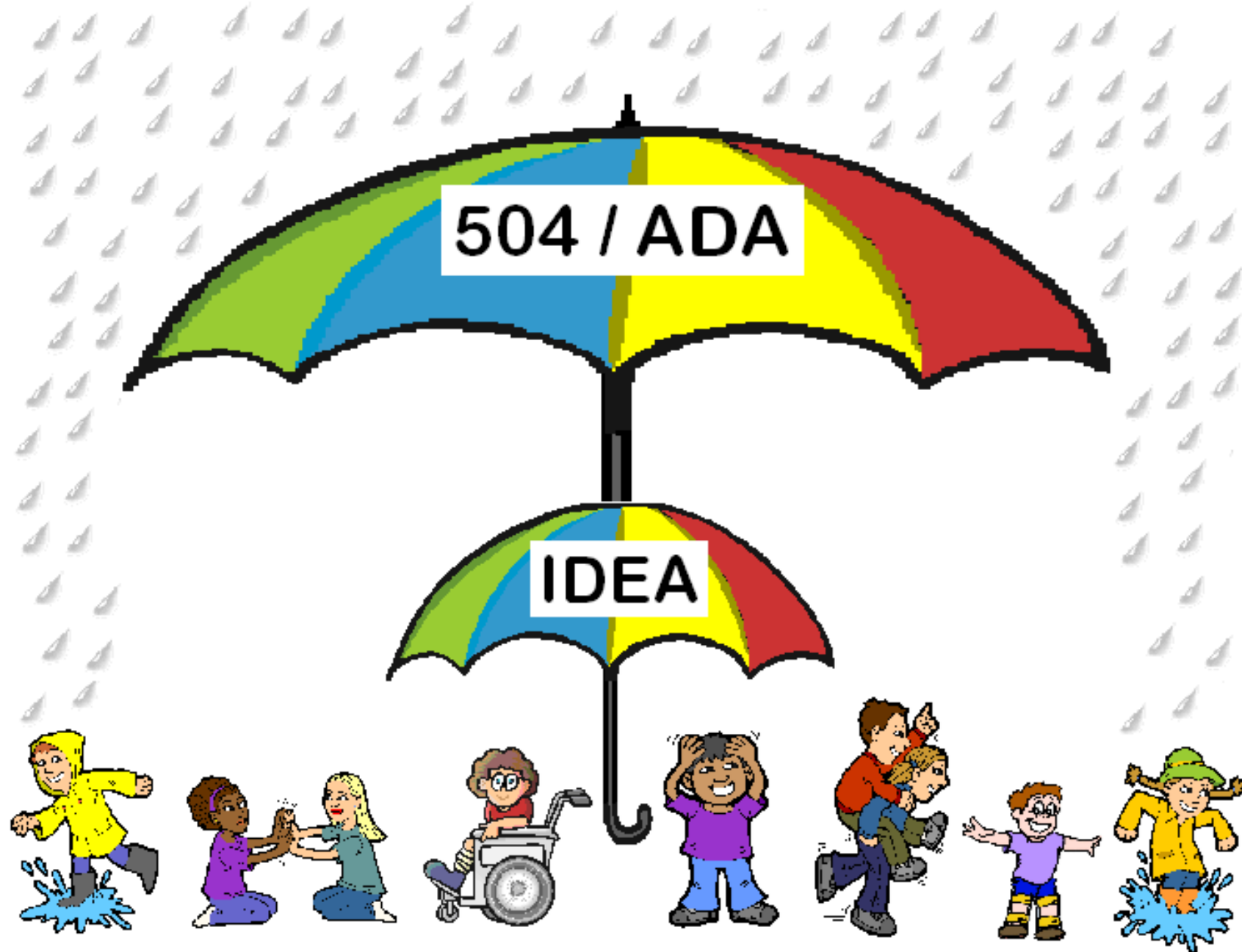
Examples: academically, socially, emotionally, behaviorally, functionally

If you feel your child has a disability or has been diagnosed with a disability, or if you feel your child is having trouble learning in school, you may want to request an evaluation through school for special education services.

What is an evaluation?

An evaluation gathers information about a child and how their disability affects them educationally. It looks at your child's strengths and weaknesses. It also looks at what is difficult for them and how they perform functionally and academically in relation to similar age peers.

Information is gathered from parents, tests, observations, interviews, and medical information can also be considered.



Individualized Education Program (IEP)



An **IEP** is a written program developed by an Admissions and Release Committee (ARC)/IEP team designed to meet a student's unique educational needs.

The IEP was established by the Individuals with Disabilities Education Act (IDEA) to help ensure every child's access to a Free Appropriate Public Education.

A medical diagnosis doesn't automatically qualify a child. They must fall into one or more disability categories and have an evaluation to determine eligibility.

The child's disability must show an "adverse effect" that impedes progress where educational performance is significantly and consistently below the level of children of similar age. They must need specially designed instruction and related services.

An IEP addresses

- Present Levels of Performance (PLOP)
- Measurable annual goals
- Specially Designed Instruction
- How, when, and by whom services and supports will be provided
- How, when, and by whom progress will be monitored and measured
- Related Services and Accommodations
- Transition planning (age 14+)



1

IDEA: Individualized Education Program (IEP) Infographic or Video

IEP step by step

1. Referral

Anyone (a parent, teacher, therapist, etc.) with knowledge of the child can refer the child in writing or verbally, although in writing is preferable.



[How to Get an Evaluation through School](#)

[Sample Letter requesting an evaluation](#)

2. Consent to Evaluate

Once parental consent to evaluate is signed, an evaluation is completed within 60 school days of signing.



3. Eligibility

A professional evaluates the student using data from various sources. Evaluation results are reviewed at an ARC meeting to determine eligibility.

Someone who can explain the results will be present. If they do not qualify and as parent you are not in agreement you have the right to request an Independent Education Evaluation (IEE). If they qualify and the parent agrees for the child to receive the IEP then the next step follows.

[Sample letter requesting an independent education evaluation](#)

4. ARC/IEP Meeting

The student's team produces a written program describing present level of performance, goals, objectives, specially designed instruction, related services, accommodations, etc.



5. Yearly Meeting

Each year, the team meets to review the student's progress and set new goals.

Meetings are held at least once a year and after any foster care placement changes, but you can request an ARC/IEP meeting at any time.

6. Re-evaluation

Students are re-evaluated at least once every 3 years.

You should request detailed periodic reports on IEP progress including data and where they are with achieving annual goals.



3



Does every child qualify if they have a disability?

No, they have to meet the definition of disability under IDEA to qualify.

If your child qualifies under IDEA then an Individualized Education Program (IEP) will be written with you as an equal IEP Team Member.

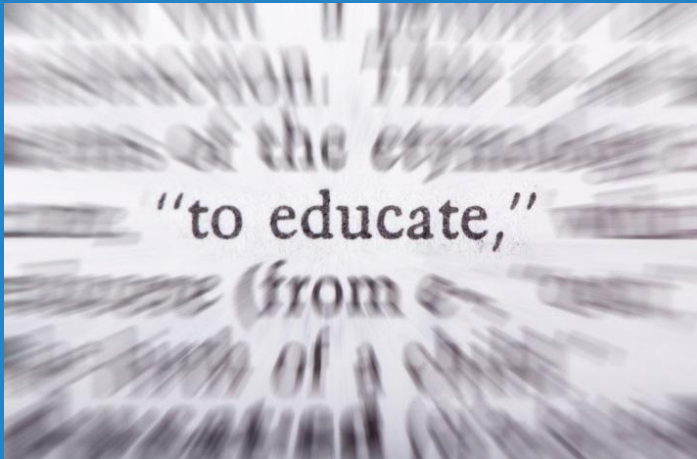
Qualifying for special education services doesn't mean he/she has to go into a special education class rather the law is written for every child to be in the Least Restrictive Environment (LRE), regular education classroom, then if that is not what is appropriate for your child look at other settings.

There are a number of categories children can qualify for an IEP in school.

The evaluation is at no cost to parents.

IDEA

Definition of Disability

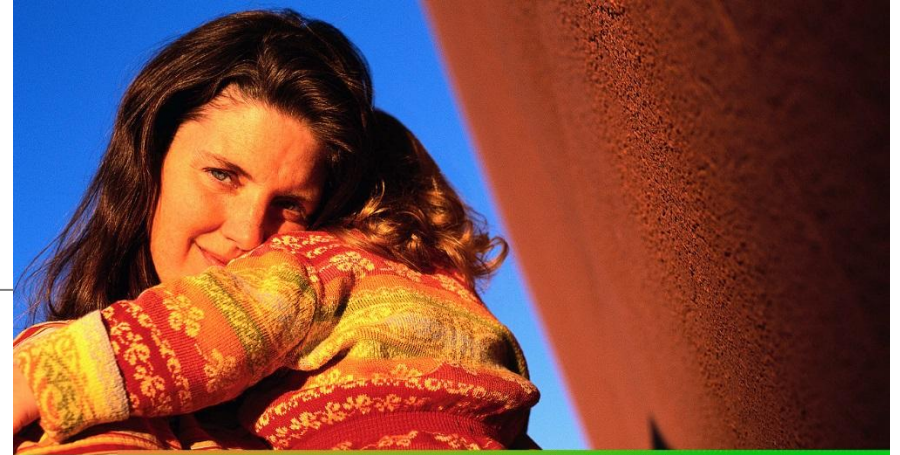


- The child's disability must show an "adverse effect" that impedes progress where educational performance is significantly and consistently below the level of children of similar age.
- Must meet criteria of one or more disability categories
 - Must need specially designed instruction & related services

Referral

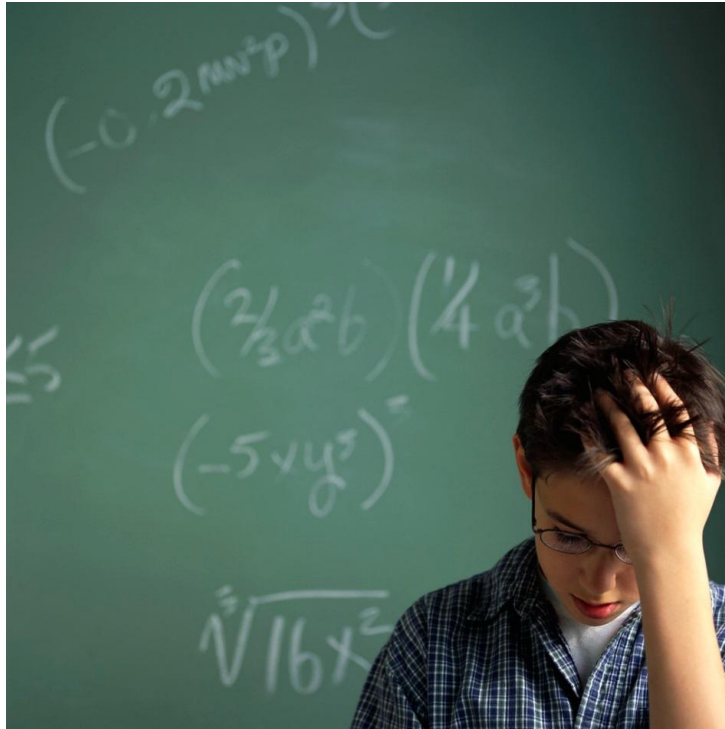
Anyone who has knowledge of the child and suspects that the child may have a disability may make a referral.
parents sign consent. The evaluation takes place once parental consent has been signed. The school has 60 school days from date

707 KAR 1:320 Section 2. (3)



For DoDEA Schools they have 45 school days from the date that you sign the “Parent Permission to Assess” form.

Eligibility Disability Categories



Federal IDEA	KAR Categories
Autism Spectrum Disorder (ASD)	Autism
Deaf-Blindness	Deaf-Blindness
Development Delay (Ages 3 through 9)	Developmental Delay (Student is three (3) through eight (8) years of age. <i>(Note: Eligibility for DD ends on the child's 9th birthday.)</i>)
Emotional Disturbance	Emotional-Behavioral Disability
Hearing Impairment (including deafness)	Hearing Impairment
Intellectual Disability	Mental Disability: Mild Mental Disability (MMD) or Functional Mental Disability (FMD)
Multiple Disabilities	Multiple Disabilities
Orthopedic Impairment	Orthopedic Impairment
Other health Impairment	Other Health Impairment
Specific Learning Disability	Specific Learning Disability
Speech or Language Impairment	Speech Language Impairment
Traumatic Brain Injury	Traumatic Brian Injury
Visual Impairment including Blindness	Visual Impairment

Request a referral in writing

<https://www.parentcenterhub.org/wp-content/uploads/repository/model-letter-requesting-initial-evaluation.pdf>



Model Letter

Today's Date (include month, day, and year)

Your Name
Street Address
City, State, Zip Code
Daytime telephone number

Name of person to whom you're writing
Title
Street Address
City, State, Zip Code

Dear (Person's name),

I am writing to request that my son/daughter, (child's name), be evaluated for special education services. I am worried that (child's name) is not doing well in school and believe he/she may need special services in order to learn. (Child's name) is in the (_) grade at (name of school). (Teacher's name) is his/her teacher.

Specifically, I am worried, because (child's name) does/does not (give a few direct examples of your child's problems at school).

We have tried the following to help (child's name): (If you or the school have done anything extra to help your child, briefly state it here).

I understand that I have to give written permission in order for (child's name) to be evaluated. Before the evaluation begins, I have some questions about the process that I need to have answered (list any questions you may have).

I would be happy to talk with you about (child's name). You can send me information or call me during the day at (daytime telephone number). Thank you for your prompt attention to my request.

Sincerely,

(Your name)

cc: the principal, supervisor, or special education administrator
other members of the meeting

*Note: The "cc:" at the bottom of the letter means you are sending a copy of your letter to the people listed after the cc.

Effective Written Communication

You write letters to:

- Make a request
- Clarify an event
- Decline a request
- Express appreciation
- Document

Effective Written Communication

1. Make a first, lasting impression.

- Answer the following:
 - Why am I writing this letter?
 - What do I want this letter to accomplish?

2. Your first letter is a draft.

- State your concerns
- Think over what you've written
- Make changes
- Have someone else read over the letter and make suggestions
- ALWAYS read your letter aloud before sending

Effective Written Communication

- Write letters that are clear and easy to understand
- Write the letter as a business letter
- Make it short
- Request a response (10 business days)
- Make corrections



For children who do not qualify under IDEA, but qualify under Section 504, a 504 plan will be written.

A 504 plan addresses the unique learning needs of student with a disability and provides reasonable accommodations so that the student has **equal access** to school programs and activities to meet their learning needs.



504 Definition of Disability

To qualify, a person must meet one of the following:

- Physical or mental impairment that substantially limits a major life activity.
- Has a record of such an impairment.
- Is regarded as having such an impairment.

Major Life Activities could include:

Caring for Oneself
Communicating
Concentrating
Bending
Breathing
Eating
Hearing
Learning
Lifting

Performing Manual Tasks
Reading
Seeing
Sleeping
Speaking
Standing
Thinking
Walking

Examples of physical or mental impairments could be: diabetes, ADD/ADHD, food allergies and autism. The determining factor is does the disability limit a major life activity?



504 Plans Infographic or Video

1

Referral

Anyone with knowledge of the child can refer in writing or verbally. Contact the 504 Coordinator at your child's school.

2

Consent to Evaluate

Requires parental permission for initial evaluation.

3

Eligibility

A 504 Plan will be written if your child meets the definition of having a disability and qualifies.

4

504 Meeting

The student's team writes a 504 plan describing accommodations and supports needed.

5

Yearly Meeting

The team will meet yearly to review and update your child's plan.

6

Re-evaluation

The school district will reevaluate your child at least every three years and before a major change of placement.

504 step by step

Provide the school documented history of the disability and request it be used as part of the 504 evaluation.



Meetings are held at least once a year, but you can request a 504 meeting at any time.

If needed, you may request a re-evaluation. Check with your local school district for the timeline of when re-evaluation will occur.



Does your child's behavior impede their learning or that of others?

Functional Behavioral Assessment (FBA)

The FBA is a structured data gathering process an IEP team uses to help identify positive behavior interventions and supports to be used in the school. An FBA is used to determine the answers to the following three questions:

- Why does the student have challenging behavior?
- What reinforces the challenging behavior?
- What positive interventions help decrease the challenging behavior and increase the desired behavior.



Behavior Intervention Plan (BIP)

A positive behavior intervention plan is a written proactive plan that is part of a child's IEP and includes strategies to help reduce or prevent the likelihood of challenging behaviors from occurring. For some students, simple interventions such as moving a desk in a classroom may make a difference. For others, a more formal plan may be needed to address the behavior.

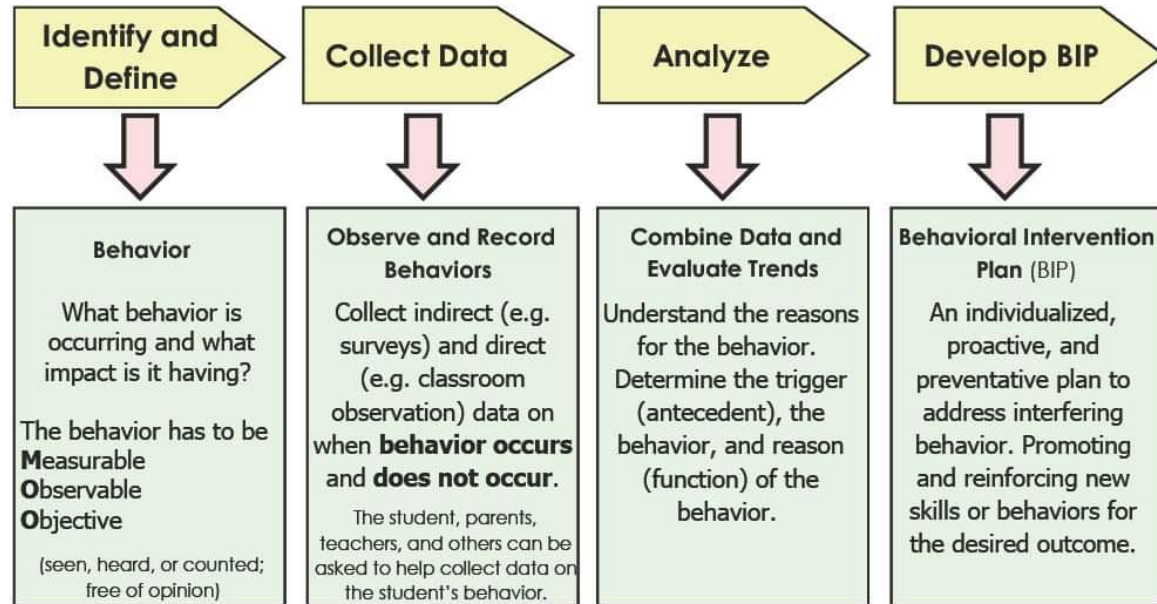
KDE [Behavior Intervention Plan \(BIP\)](#)





Functional Behavior Assessment (FBA)

The Functional Behavior Assessment is a method used by the IEP/ARC team to identify behaviors and the underlying causes that influence a child's success.



Sources & Resources:

[KY Social-Emotional-Behavioral Resources & Supports](#) - [FBA/BIP Development Resources](#); [IRIS Center: FBA & BIP](#)
[POSITIVE, PROACTIVE APPROACHES TO SUPPORTING CHILDREN WITH DISABILITIES: A GUIDE FOR STAKEHOLDERS](#)

www.kyspin.com

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Behavior Intervention Plan (BIP)

A formal, written plan developed by the IEP/ARC team to prevent or stop behaviors that interfere with school.



Sources: KDE [Behavior Intervention Plan \(BIP\)](#)

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[Functional Behavior Assessment \(FBA\) & Behavior Intervention Plan \(BIP\) Infographic and worksheets](#)

[Functional Behavior Assessment \(FBA\) Video](#)

[Behavior Intervention Plan \(BIP\) Video](#)

[Behavior Intervention or Crisis Plans \(PACER\)](#)

Conclusion

- If you suspect your child has a disability that impacts their education, it is your right to request an evaluation.
- Evaluations should be requested **in writing**
- Request a response within 10 school days
- Request and Sign the Parental Consent to Evaluate ASAP
- Keep all correspondence in an easily accessible location
- Contact KY-SPIN if you need assistance

Helpful Resources

- [Individualized Education Program \(IEP\) Video & IEP Infographic \(KY-SPIN & Aetna\)](#)
- [How to Get An Evaluation for Your Child Through School \(ages 3-21\) KY-SPIN, Inc. Information Sheet Series](#)
- [Communicating with your child's school through letter writing \(CPIR\)](#)
- [Evaluation: What Does It Mean for Your Child? \(PACER\)](#)
- [Just for Parents: Learning about Special Education Evaluation \(PACER\)](#)
- [Right to Obtain an Independent Educational Evaluation \(IEE\) \(CPIR\)](#)
- [Guidance Document for Individualized Education Program \(IEP\) Development \(Kentucky Department of Education — KDE\)](#)
- [Kentucky Parent Guide for Special Education \(HDI\)](#)
- [FAQ: Kentucky Specific Regulations as related to IDEA 2004 Part B \(ages 3-21\) Chart \(KY-SPIN, Inc.\)](#)
- [From Needs to Services: Parent Homework Sheet \(PACER\)](#)

Helpful Resources

- [Kentucky Department of Education's District and School Directory](#)
- [KDE Special Education Forms - Eligibility Determination](#)
- [How to Negotiate in ARC Meetings \(KY P&A\)](#)
- [504 Plans Infographic](#)
- [504 Plan for Public School](#) (KY P&A)
- [Sample 504 plan template](#) (Understood)
- [School Accommodation Ideas for Students who Receive Section 504 or Special Education Services \(PACER\)](#)
- [Students with Disabilities and Section 504 of the Rehabilitation Act of 1973 \(PACER\)](#)
- [Partners In Advocacy-A Guide to Special Education Planning \(KY P&A\)](#)
- [Part B Procedural Safeguards Notice \(KDE\)](#)
- [Right to Receive a Complete Explanation of IDEA's Procedural Safeguards \(CPIR\)](#)
- [Special Education Glossary of Terms](#)

Sources

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"Wrightslaw - Tactics & Strategy Session - How To Write A "Letter To The Stranger"". *Wrightslaw.Com*, 2022, [Wrights Law https://www.wrightslaw.com/advoc/articles/tactics.ltr.stranger.htm](https://www.wrightslaw.com/advoc/articles/tactics.ltr.stranger.htm)

Kidshealth.org. 2022. *504 Education Plans (for Parents) - Aetna Better Health of Kentucky (Medicaid)*. [online] Available at: <<https://kidshealth.org/AetnaBetterHealthKentucky/en/parents/504-plans.html>> [Accessed 14 June 2022].



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questions...**

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Please complete
our evaluation



<https://forms.gle/XrxeXNkXeoLHCcLu8>

[KY-SPIN Resources](#) **(Infographics, short videos & more)**