



FLORIDA CONSORTIUM
of PUBLIC CHARTER SCHOOLS

Guide for Florida Charter Schools

Special Education: Compliance and Strategies for Charter Schools

**Ruth Jacoby, Ed.D.
Director of Educational Leadership
Florida Consortium of Public Charter Schools**

**“Every person is gifted in some area.
We just have to find out what.”
Evelyn Blose Holman**

Disclaimer

This guidebook includes references and discussion of state and federal laws governing charter schools. This information is believed to be accurate; however, the authors are not lawyers and this guidebook should not be relied on as constituting legal advice.

Copyright 2008

Florida Consortium of Public Charter Schools

All rights reserved. When forms and sample documents are included, their use is authorized only by educators, local school sites, and/or noncommercial entities who have purchased the book. Except for that usage, no part of this book may be reproduced or utilized in any form or by any means, electronic or mechanical, including photocopying, recording, or by any information storage and retrieval system, without permission in writing from the Florida Consortium of Public Charter Schools.



Table of Contents

1. Charter Schools and Special Education Law	5
What Is IDEA?	6
<i>Disabilities That Are Covered by IDEA</i>	<i>6</i>
<i>Services Provided to Students through IDEA</i>	<i>7</i>
Section 504: Children with Other Disabilities	8
<i>Examples of Disabilities Covered by Section 504 but Not IDEA.....</i>	<i>8</i>
Charter Schools and Disability Laws	9
<i>Facilities Compliance</i>	<i>9</i>
<i>NCLB and Students with Disabilities</i>	<i>9</i>
<i>NCLB Teacher Qualifications and Students with Disabilities.....</i>	<i>10</i>
<i>Paying for Special Education Services.....</i>	<i>10</i>
2. Preparing Your Charter School for Special Education Students.....	11
Preparing Your Staff.....	12
<i>Where to Find Professional Development Resources</i>	<i>12</i>
Staffing Special Education in Your School.....	13
Registering New Students with IEPs.....	14
<i>Identifying Students with Current IEPs.....</i>	<i>14</i>
<i>Enrolling a Student with a Current IEP</i>	<i>14</i>
The Child Find Process.....	17
<i>Identifying Students Who Need Special Education Services</i>	<i>17</i>
The Individual Education Plan (IEP).....	19
<i>The School's Responsibilities.....</i>	<i>19</i>
<i>What the IEP Should Include.....</i>	<i>19</i>
<i>Related Services.....</i>	<i>21</i>
<i>Re-Evaluation.....</i>	<i>21</i>
<i>If a Parent Disagrees with the School.....</i>	<i>21</i>
<i>Transportation of Special Education Students</i>	<i>22</i>
4. Planning for Special Education in a NEW Charter School	23
What Your Planning Team Should Know.....	24
Preparing Your Charter School Application	25
<i>Include Plans for Special Needs Students in Your Charter Application</i>	<i>25</i>
<i>Questions that Your Charter School Team Should Be Able to Answer About Special Education.....</i>	<i>25</i>
5. Compliance Made Simple.....	28
It's All About Good Record-Keeping.....	29
6. Effective Strategies for the Classroom Teacher	31
Effective Strategies for Teaching ESE Students	32



Tips for Teachers on Making the Inclusion Model Work	33
Tips for Good Classroom Management	36
Sample Forms to Improve Classroom Management	38
7. Lesson Strategies	40
Sample Activities to Create Prior Knowledge	41
Bring in the Hands On	43
Lesson Blueprint	44
Homework Tips	47
8. Questions and Answers about Special Education	49
9. Reference Guide: Glossary and Helpful Resources	54
Glossary of Terms	55
<i>Online Resources</i>	59
<i>Books and Publications</i>	59



1. Charter Schools and Special Education Law

“It is amazing what you can observe just by watching.”

Yogi Berra, baseball player



What Is IDEA?

IDEA or the **Individuals with Disabilities Education Act** is a federal law that is designed to ensure that children ages 3-21 who have any disabilities listed under the law are guaranteed a “free and appropriate education in the least restrictive environment” (FAPE) along with all appropriate “related services” required for that child to benefit from his/her education.

Through IDEA, the federal government provides financial assistance to state agencies and local agencies to guarantee special education and related services to eligible students with disabilities. Every state receives these funds and must follow IDEA’S procedures for evaluations, services, and re-evaluations.

IDEA states that the “**LEA**” or **Local Education Agency** has a legal obligation to attempt to identify the nature of the child’s disability and to accommodate that child’s needs. This is called “**Child Find.**” This process includes all children with disabilities, children who are homeless, children who are promoted from grade to grade, children who attend private schools and children who frequently move from place to place.

Identifying the charter school’s LEA: In the case of Florida charter schools authorized by their local school districts, the LEA is the school district. In the case of charter schools authorized by the Florida Schools of Excellence Commission (FSE) or a participating co-sponsor, the individual charter school is the LEA. FSE-sponsored schools should seek guidance from Florida Department of Education with regard to their individual LEA responsibilities.

IDEA is a federal law originally enacted in 1975. It was amended and reauthorized in 2004 (now called “IDEA 2004”). Changes made to IDEA in 2004 are discussed in more detail in the Glossary on page 58.

Disabilities That Are Covered by IDEA

To be eligible under IDEA, children must meet the criteria for one of the following 13 disability categories:

- Autism
- Deaf-blindness
- Deafness
- Emotional disturbance
- Hearing impairment
- Mental retardation
- Multiple disabilities
- Orthopedic impairment
- Other health impairment



- Specific learning disability
- Speech or language impairment
- Traumatic brain injury
- Visual impairment including blindness

Services Provided to Students through IDEA

Services for students that are guaranteed under IDEA include those listed below. You can find detailed information on all of these services within the appropriate chapters of this guide.

- **Child Find:** Every state is required to provide services to identify, locate and evaluate all children in that state who are in need of special education services.
- **Child Study Team (CST):** This is the team of professionals and parents that arranges for the child’s evaluation, determines eligibility, and decides on the individualized special education and related services for the child.
- **Individual Education Plan (IEP):** An IEP contains measurable goals, how the child will be included in state and district assessments and how the child will access the general education curriculum in order to meet standards. The IEP must be reviewed on an annual basis at a minimum.
- **Free appropriate public education (FAPE):** Students with disabilities are entitled to a free appropriate public education, including necessary related services, provided at no charge to the parents.
- **Least restrictive environment (LRE):** Students with special needs must have available to them a continuum of placement options that range from full time in a regular classroom to full time in a special setting. They are entitled to be placed in a setting that will meet their individual needs while removing them as little as possible from the regular classroom.

Section 504: Children with Other Disabilities

Some children with disabilities will be eligible for special services through Section 504 of the 1973 Rehabilitation Act rather than through IDEA. Section 504 is a non-discrimination statute that ensures that no individual will be denied benefits by federal programs or subject to discrimination because of his/her disability.

Section 504 does not list specific disabilities as does IDEA. It covers any individual who has a physical or mental impairment that substantially limits one or more life activities, or has a record of such an impairment, or who is regarded as having such an impairment. Reasonable accommodations are required. Section 504 states that educational and related aids and services must be designed to meet the educational needs of children.

Examples of Disabilities Covered by Section 504 but Not IDEA

- Diabetes and other chronic illnesses
- Physical impairment – such as one caused by cerebral palsy
- Cancer
- Epilepsy
- AIDS
- Arthritis
- Attention Disorders

Children with these disorders are entitled to “free and appropriate public education” (FAPE) and to an evaluation if they are found to meet the definition of a “handicapped person.” A **504 Plan** is written. These plans ensure a student’s access to an education (FAPE) despite that student’s handicapping conditions. Normally, a student with a 504 plan does not have an IEP unless a student’s learning ability is affected by the disability.

Students determined to be disabled under Section 504 are entitled to reasonable accommodations and modifications within the general education setting. Frequently used accommodations for 504 students include additional time to complete class work and assessments, testing in small group settings, assistance with organizational strategies, etc.

There are no additional funds available to schools under Section 504 and IDEA funds may not be used to service the children who qualify as disabled only under Section 504. In general, students whose disabilities require direct special education services (defined in IDEA 2004 as specially designed instruction) and related services should be served though an IEP as IDEA eligible students. Students who do not require direct ESE services but only require reasonable accommodations within the general education setting are best served by a 504 Plan.

Charter Schools and Disability Laws

How Do IDEA and Section 504 Apply to Charter Schools?

→ Children with disabilities who attend public charter schools and their parents retain all rights under IDEA and Section 504.

An amendment made in 1997 to IDEA made it absolutely clear that students who attend charter schools are eligible for the same services as they are in traditional public schools.

Florida school districts are categorized as the LEA for charter schools sponsored by the school district. Students with disabilities in charter schools that are part of a school district must be served in the same manner as children with disabilities in the district's traditional public schools.

Special education is a "partial link," meaning that the LEA provides to charter schools full state and district funding for special education, minus a 5% administrative fee, which the district retains for administrative purposes. In many districts, special education staffing specialists are assigned to charter schools and are responsible for overseeing IEP meetings.

Charter schools sponsored by the Florida Schools of Excellence Commission (FSE) or an approved FSE co-sponsor, will act as their own LEA with regard to services to student with disabilities. Charter schools sponsored by the FSE should seek guidance from the Florida Department of Education (FLDOE) regarding their responsibilities as LEA for their students with disabilities.¹

Facilities Compliance

Charter school facilities must meet state and federal requirements according to the Americans with Disabilities Act (ADA) and Section 504 regarding physical accessibility for individuals with disabilities. Charter schools should seek legal and technical advice to comply with these requirements.

NCLB and Students with Disabilities

There are many parts of NCLB that pertain to students with disabilities in charter schools. The most important ones concern accountability requirements that are related to assessment and highly qualified teachers.

¹ For charter schools authorized by the FSE, there may be a change in the legislation concerning the 5% administration fee, whereby a charter school will be responsible for ESE services by contracting them out rather than relying on its authorizer for such services.

Key Points under IDEA and NCLB

- Students with disabilities must be included in state and district-wide assessment programs with appropriate accommodations as written in the IEP.
- Alternate assessments must be provided for those children who cannot participate in state and district-wide assessment programs even with accommodations.
- The IEP for all students with disabilities will specify how they will participate in state assessments

- ➔ Students with disabilities must be included in state and district-wide assessment programs with appropriate accommodations if necessary.
- ➔ Students with disabilities are included in AYP as stated in NCLB. The law requires selected subgroups, one of which is students with disabilities, to be considered under certain conditions in determining whether a school has met AYP targets.

NCLB Teacher Qualifications and Students with Disabilities

Special education teachers who provide instruction in the core academic subjects must meet the highly qualified teacher requirements for the core subjects that they teach. This applies to teachers who instruct in resource rooms, regular classrooms or other settings.

IDEA states, “the term ‘qualified personnel’ means personnel who have met state education department’s certification - licensing, registration or any other requirements that apply to the area in which the individuals are providing special education or related services.”²

Paying for Special Education Services

Special education costs more than the funds available from the state and the federal government. However, lack of funds is not a legal reason for denying services to a child who is eligible for services. You should become familiar with programs providing funding for special education services in your school district and through the Florida Department of Education.

² The definition of what is a highly qualified special education teacher under IDEA 2004 may change to match the terminology of NCLB.

2. Preparing Your Charter School for Special Education Students

**“All students can learn and succeed,
but not on the same day in the same way.”**

William G. Spady, Educational Theorist



Preparing Your Staff

All staff, including the paraprofessionals, should receive training on the procedures and requirements of special education. You may also want to include board members and parent volunteers as well. Workshops should be planned and given to staff during preplanning week prior to the first day of school.

The following topics should be covered in any training you provide to your staff in preparation for special education students:

- Linking curriculum and instruction to special needs
- Effective strategies for teaching special needs students in the classroom
- The elements that make up a Child Study Team Process including Response to Intervention (RTI) strategies pursuant to IDEA 2004
- Preparing your classroom for special needs students
- Other topics: Ask your staff what they feel is needed. Let them design their own training program.

Where to Find Professional Development Resources

- Check with your school district for training opportunities, including RTI strategies
- Florida Department of Education, Bureau of Special Education and Student Services: www.fldoe.org
- U.S. Department of Education: <http://idea.ed.gov>
- Local agencies and providers
- Special Education Law: www.specialedlaw.net
- National Association of Charter School Authorizers: www.charterauthorizers.org
- U.S. Charter Schools: www.charterschools.org
- *Inclusion Strategies that Work*, Toby Karten, Corwin Press
- *Differentiating Instruction for Students with Learning Disabilities*, William Bender, Corwin Press
- *What Successful Teachers Do in Inclusive Classrooms*, McNary, Glasgow, and Hicks, Corwin Press
- *PRIM-3 Pre Referral Intervention Manual*, Hawthorne Publishers, 1-800-542-1673



Staffing Special Education in Your School



Every charter school needs to include the cost of qualified special education staff and services in its budget. Be flexible and creative! Consider these options for meeting the special education staffing needs in your school:

- Hire faculty with dual licensure (general education and special education)
- Hire qualified consultants on an hourly basis
- Contract with your local school district or other private or charter schools
- Share special education faculty and related services personnel (legal counsel, accountants, special aides, data clerks, computer technicians and therapists) with another charter school in your vicinity.

Registering New Students with IEPs

Identifying Students with Current IEPs

- ***Be prepared for students with special needs before they enroll in your school. Charter Schools are only responsible for the special educational services of children who are enrolled in the charter school.***
- ***Be sure that your marketing and recruiting materials provide information regarding your school's exceptional student education (ESE) services to help parents make informed choices regarding their child's enrollment.***



Your school's registration form should have an area for a parent to note if their child already has an IEP and to describe what it is for. You may want to ask that a copy of IEP be attached to the registration form to assist you in determining what services the child will require.

Be sure that your enrollment procedures are non-discriminatory with regard to students with students with disabilities (SWD). You may not exclude a student simply because he/she is disabled.

Likewise, you may not design your ESE program as a "one size fits all" model (e.g., we only offer full inclusion, regular classroom placement) that effectively excludes significant numbers of SWD who require more intensive services. As a general rule, a charter school should offer the same levels of ESE services that a SWD could expect to receive at a traditional district school

If a prospective student already has an IEP, the IEP will follow them to your school. Learn about that child's IEP before you register that student. At that time, it is appropriate to discuss with the parent how the school provides services to students with disabilities. You can also schedule a time for your staff to meet with the parent to explore potential strategies to meet the needs of that prospective student. This allows the parent to make an informed decision on whether your school can best meet the needs of that child.

Enrolling a Student with a Current IEP

Once a new student with an IEP is enrolled, your staff will need to obtain the IEP file from the child's previous school. You may need the parent's assistance with this process to obtain the files in a timely fashion. You may need to call your school district office to initiate the process in order to secure the records.

Your school must follow the IEP exactly as it is written until you have another meeting with the child's new IEP team.



Checklist for Newly Enrolled Students

- ☑ Check the district computer database to determine which newly enrolled students are classified as ESE and what services they are currently receiving.
- ☑ Pull all documents on those children in a secure location.
- ☑ Establish a procedure for the handling of those files, such as a check-out sign sheet.
- ☑ Train all staff in the proper handling of ESE documentation.



To help your ESE specialist prepare for the new year, create a chart like the one shown below. It will help the ESE specialist and your staff determine what additional staff may be needed, what space will be used for ESE students and for how long each day. It will also help in the planning and staffing of future IEP meetings.

Remember: The IEP date, which is different from the evaluation date and re-evaluation date, is the key to knowing when the new IEP must be developed by on a yearly basis.

Student Name Grade/Teacher	IEP Date	Evaluation date	Re-evaluation date	Type of services (SLP, LD, OT)	Time required for services and/or consultation
Jane Likeable 3 rd grade Ms. Sanchez	2/03/06	1/05/06	1/05/07	Speech, PT	30 minutes two times a week for speech 30 minutes three times a week for Physical Therapy
Lori Lee 5 th grade Mr. Roberts	4/10/01	3/05/01	When needed	Medication (refrigerated): insulin dependent diabetic	Test blood as needed, call home if low and/or high sugar level

The Child Find Process

Identifying Students Who Need Special Education Services

As part of Child Find, charter schools, like any public school, are responsible for identifying students who may need an evaluation for special education services. A parent, teacher or other school official can initiate the process. If you are the administrator of your school, you should learn, understand, and follow these procedures.

The First Step

Before a child who is suspected of having a disability is referred to the evaluation process, the Florida Department of Education requires that schools and parents “to the extent possible and appropriate. . . work together to resolve a student’s learning or behavioral areas of concern within the general education environment.” The Department of Education outlines the following steps, which must be completed before the submission of a request for an evaluation:

- ✓ Two or more conferences concerning the student’s specific learning or behavioral areas of concern must be held; one of these conferences is to be held following the intervention;
- ✓ Anecdotal records or behavioral observations must be conducted by at least two people, one of whom is the student’s classroom teacher. The observations or anecdotal records must reflect more than one situation in which the specific behaviors indicating the need for a referral for evaluation are evident;
- ✓ Social, psychological, medical, and achievement data in the student’s educational records must be reviewed;
- ✓ Attendance records must be reviewed, and where appropriate, investigation of reasons for excessive absenteeism must be conducted;
- ✓ Screening for speech, language, hearing, and vision for the purpose of ruling out sensory deficits that may interfere with the student’s academic and behavioral progress must be conducted;
- ✓ A minimum of two general education interventions or strategies must be attempted. For students with academic learning problems, the general education interventions must include the use of an academic improvement plan and the provision of remedial instruction for a reasonable period of time. Implementation of these interventions

must include pre- and post-intervention measures, to assist in identifying appropriate interventions and measuring their effectiveness.³

The Evaluation Process

Once the above steps have been taken and you have determined that the student is still not being successful in the general education environment, you can proceed to the evaluation process.

- 1. Request for Evaluation:** A parent, teacher, student or school official may request an evaluation. This request *must be in writing* and should include information on what is being proposed, reasons for the proposal, evaluation procedures and an explanation of parent rights and procedural safeguards. Parental written permission must be obtained before an evaluation can be conducted.
- 2. Child Study Team:** The charter school should have a Child Study Team to review these referrals. The team should consist of a representative of the school, parent, and at least one teacher or specialist familiar with the disability.
- 3. Parental Consent:** The school must act upon the request within 10 days by obtaining parental consent for an evaluation. If the parent does not provide consent, the school is under no obligation to provide special education services.
- 4. Evaluation:** Once parental consent is provided, the school should begin the evaluation process within 60 *school days* not calendar days. The 60-day period does not include days when the child is absent. The student must be assessed in all areas related to the suspected disability. Evaluation specialists include but are not limited to physicians, school psychologists, psychologists, speech/language pathologists, teachers, audiologists, and social workers. Each of these individuals must hold a valid license or certificate to practice his/her profession in the state of Florida.
- 5. Review of Evaluation Results/Eligibility Meeting:** Results from the assessments are reviewed by the team to determine eligibility for special education and related services. A parent must be a member of the team. It is during this meeting that the Child Study Team decides whether the student is eligible for special services under IDEA. **This meeting can also include the development of the student's IEP.**

³ Florida Department of Education, Bureau of Exceptional Education and Student Services, Rule Implementation Brief, Rule 6A-6.0331, Florida Administrative Code, *Identification and Determination of Eligibility of Exceptional Students for Specially Designed Instruction*. November 1, 2004.



The Individual Education Plan (IEP)

The School's Responsibilities

Responsibility for IEP development depends largely on the specific arrangements that are reflected in your school's contract, state law, and the relationship with your charter school sponsor. The procedures should be clearly written into school policies.

Under current IDEA requirements, the IEP team must include:

- a parent of the child with the disability, unless the parent has provided written consent for the IEP to proceed in their absence
- one regular education teacher of the child
- one special education teacher of the child
- an administrative representative of the LEA who is authorized to commit resources on behalf of the LEA
- individuals who can interpret the instructional implications of evaluation results
- other individuals with knowledge and expertise regarding the child.

The child may also be included as a member of the team. Under the provisions of IDEA 2004, some members of the IEP Team may be excused from the meeting by mutual consent of the parent and the LEA. Any such excusals should be in writing and contain provisions for incorporating the input of the excused member via written notes or other means. It is also permissible to combine roles of IEP team members (e.g., the ESE teacher may also serve as the staff member interpreting evaluation results if the teacher has the necessary expertise to perform that role).

- ➔ **The IEP meeting** serves as a communication tool between parents and school personnel, and enables them as equal partners to jointly decide what the child's needs are, based on the evaluation, and what services and anticipated outcomes are appropriate.
- ➔ **The IEP document** puts into writing a commitment of resources necessary to enable a child with a disability to receive needed special education and related services. It is a management tool to ensure that each child that qualifies receives the necessary services and education.

What the IEP Should Include

The IEP is a legal document that outlines exactly what special education services will be provided to the student along with specific goals for that child's progress. It should include the following items:



- ✓ A statement of the child's present level of performance, including how the child's disability affects the child's involvement and progress in the general curriculum;
- ✓ A statement of measurable annual goals, including benchmarks or short-term objectives;
- ✓ A statement of special education and related services and supplementary aids and services to be provided to the child and a statement of the program modifications or supports for school personnel that will be provided for the child;
- ✓ An explanation of the extent, if any, to which the child will not participate with non-disabled children in the regular class;
- ✓ A statement of any individual modifications in the administration of state or district-wide assessments of student achievement that are needed in order for the child to participate in the assessment and, if the IEP teams determines that the child will not participate in a particular state or district-wide assessment, a statement of why that assessment is not appropriate for the child and how the child will be assessed;
- ✓ The projected date for the beginning of services and modifications and the anticipated frequency, location and duration of those services and modifications;
- ✓ A statement of how the child's progress toward the annual goals will be measured; i.e., how the child's progress towards the annual goals and the extent to which that progress is sufficient to enable the child to achieve the goals by the end of the year;

Note: the IDEA requires that parents of students with disabilities be informed of their child's progress at least as frequently as parents of non-disabled students. Additionally, that reporting of progress must be related to IEP objectives and be of sufficient detail to determine if the rate of progress would allow the IEP objective(s) to be met by the end of the school year.

School staff should carefully monitor the progress of their students with disabilities. If progress monitoring indicates that a student is not making adequate progress toward IEP objectives, the IEP Team should be reconvened to consider additional supports and services to assist the student.

- ✓ Beginning at age 14, a statement of transition service needs of the child with a focus on the child's courses of study;
- ✓ Beginning at age 16, or younger as the IEP deems appropriate, a statement of transition services for the child including a statement of interagency responsibilities or needed linkages. For students being considered for transition services, representatives from community agencies providing such services should be invited to the IEP meeting with appropriate notice to the parent.

Related Services

Related services are supportive services to assist a child with a disability to benefit from special education. These are determined at an IEP meeting. These services are provided at no cost to the parent. They might include:

- Transportation
- Speech-language pathology
- Audiology
- Psychological services
- Occupational and physical therapy
- Counseling services
- Social work
- Parent counseling and training

Re-Evaluation

A review of the IEP is conducted at least once a year to see if goals have been met. At that time, a new IEP is written for the following year. A re-evaluation must take place every three years after placement in special education. During the re-evaluation, the IEP Team determines if re-testing is necessary. Testing can be done more frequently if requested by teachers, parents, staff, or if conditions are warranted.

! Important: Each student with an IEP must receive all special education supports identified in the IEP. If your charter cannot provide the services, an IEP team meeting must be convened immediately to discuss appropriate actions.

If a Parent Disagrees with the School

The IDEA contains **procedural safeguards** and **due process rights** for parents in the identification, evaluation and placement of their child. Parents must be provided with **written notice** of these rights. The law put various procedures in place for resolving conflicts between parents and schools. The State of Florida has a **formal complaint system** and must provide for mediation and due process hearings to settle conflicts.

! A parent can legally prohibit the evaluation of their child and the enrollment of that child into a special needs program.

Transportation of Special Education Students

If your school provides transportation to and from school for non-disabled students, then you need to do the same for students with disabilities. If you do not provide transportation, you do not need to provide it to students with disabilities unless it is written into the IEP. It then becomes your responsibility to provide transportation.



4. Planning for Special Education in a NEW Charter School



What Your Planning Team Should Know

Consider all students who may become part of your charter school: It is important at every phase of planning to consider all students who may become part of your charter school, including students with disabilities (SWD).

Include special education goals when writing your Mission and Vision Statements: Since your school is a public school that must accept all students who apply, you should expect students with disabilities to register. It is therefore critical to consider them when writing your mission and vision statements in order to minimize problems at a later date.

Insure that you do not discriminate when recruiting students: In order to be in compliance with federal civil rights laws, you may not discriminate against children with disabilities when announcing your charter school.

Remember that IDEA requires:

- Zero rejection of children with disabilities
- Individual education program (IEP)
- Free appropriate education (FAPE)
- Least restrictive environment (LRE)
- Due process and parental involvement
- Nondiscriminatory evaluation

Preparing Your Charter School Application

Educate yourself about special education before you submit your charter application in order to avoid problems later on. Be sure to include special education at every point of your decision making.

Include Plans for Special Needs Students in Your Charter Application

In your charter application, you will need to describe your knowledge of general assurance with regard to special education of the students who will attend your charter school.

- **Articulate your plan regarding governance, service delivery and finance of special education**
- **Explain how you plan to:**
 1. identify, evaluate, and serve children with disabilities
 2. develop and review IEPs
 3. integrate special education into the general education program
 4. deliver special education and related services to students with disabilities enrolled your school.
- **Project the cost of special education in your school budget. Include costs for:**
 1. Child Find, student identification, evaluation and planning
 2. providing special education and related services
 3. facility space
 4. personnel
 5. professional development

Questions that Your Charter School Team Should Be Able to Answer About Special Education

Funding Special Education Programs

- Are you familiar with all of the federal, state and local funds that are available to your school for special education needs?
- Do you have plans for school-based fund raising activities to help support the costs of special education?



Space and Facilities

- Where will you conduct student evaluations? You will need to have a quiet room separate from the other classrooms.
- Where will you conduct IEP meetings?
- Where will the confidential files be stored? Remember, these files should be stored in fireproof containers and be located where personnel has limited access.
- Where will you provide pull-out services?
- Where can personnel meet with individual students?
- Where will you store supplies and equipment used by students with disabilities, such as educational supplies, medications, and technology equipment?
- Are entrances, classrooms, common areas and bathrooms accessible to individuals with physical disabilities, including adults?
- Have you planned any necessary renovations and repairs to insure that your school is accessible to students and adults with disabilities (i.e., providing elevators, handrails, and ramps)?

Human Resources

- How many students will the school enroll?
- How many teachers will you need to hire?
- How many special education teachers will you need to hire?
- What kind of certification will the teachers need? Remember, your teachers for special education students need to be “highly qualified.”
- Have you considered hiring dual-certified teachers?
- Have you considered contracting out for special needs services? Do a cost analysis.
- Have you considered hiring student teachers or interns from nearby universities?
- What type of related services personnel will you need? Related services personnel might include legal counsel (with special education expertise), accountants, special aides, data clerks, computer technicians and therapists (speech, occupational and mental health).
- What is the most cost-effective way to obtain these services? Consider soliciting bids from agencies and individuals, asking other charter schools who they are using, and, if you are a small school, asking other charter schools if they are willing to share personnel.

Curriculum

- What curriculum will your school offer? Survey other charter schools to find publishers and computer software companies that offer special education products.
- How does the curriculum align with state standards?
- How and what modifications will be made to the curriculum to meet the needs of students with disabilities? ESE specialists may recommend a research-based curriculum. If your school is a small one, it may be cost effective to contact another charter school and share orders.



- What types of assistive technology will be needed by the students?

Service Provision

- How will you provide special education related services, such as occupational therapy, physical therapy, and speech therapy?
- What systems do you need to identify students with special needs?
- How will you conduct student identification, evaluations, and special needs determination meetings? (Who will be there, criteria, child study observations)
- Who will participate in IEP development and implementation?
- What special staff or consultants will you need to implement the IEPs?

Professional Development

- How will you provide staff with professional development? Consider costs, planning days, areas to cover, and creating a line item in your budget for special education training.
- What type of specialized training will your staff require to support children with disabilities? Examples: implementing the inclusion model, learning about the parts of a child study, learning how to manage classroom behavior.
- Does the LEA (district) or SEA (state) offer a professional development program that your staff can utilize?

Administration

- Who will administer the special education program? Remember, you will need a certified, licensed professional.
- Who will be responsible for collecting, managing, and reporting data related to children with disabilities? It is usually best to have a team that includes the ESE specialist and a data processor.
- What equipment/supplies/programs will be needed to collect and store data and records? How will you obtain these? What training will be needed to use these efficiently and appropriately? Consider including these as a separate item in your school budget.
- Can you create your own system to administer special education or do you have to follow the policies/procedures of your school district/authorizer?

Transportation

- Will you provide special needs students with transportation?
- Can you access district or state transportation dollars to pay for transportation? Do a cost analysis. Transportation is costly.
- How will you meet transportation needs of students whose IEPs require them to receive transportation as a related service?
- How will you arrange transportation for a child in a wheelchair?



5. Compliance Made Simple

**“Listen long enough and the person will generally
come up with an adequate solution.”**

Mary Kay Ash, Mary Kay Cosmetics



It's All About Good Record-Keeping

Good record-keeping is one of the keys to staying in compliance with special education requirements. If you do not maintain detailed and organized records on your special education students and services, your school could lose valuable funding or even its charter!

Here are some tips to help you stay on top of compliance with special education laws.

- Maintain a secure filing system with fire-proof cabinets to store paper documents to ensure security and confidentiality of critical data and reports.
- Keep up with documentation, timelines for implementation of IEPs, qualifications of faculty, and parent complaints.
- Learn about your district's requirements and the state charter school law regarding special education. Go to all meetings. Be sure that your school follows all current program implementations.
- Be aware that NCLB states that children with special needs are part of the accountability of a charter school and these students are included in the count for AYP status.
- Provide accurate reporting in order to collect funds. As the school's administrator, you should read any reports on special education students and make sure that all data entered on these students is current and up-to-date. If not, make corrections so that you receive appropriate funding.
- Failure to meet special education requirements can result in failure to renew a charter. Remember, special education is a federal statute!
- If you are audited, be aware that the audit may include the school's financial, academic, personnel, facilities and data system records.





The charts below are examples of methods you can use to organize information on special education students, documents and procedures.

Table for Tracking IEP Request

Student name/grade	Request # 1, 2, 3...	School contact/school name	Phone/fax/date	Received by/date
Frank Friendly 4 th grade	2 nd request	Miss Smart/John Smith Elementary	333-454-6699 fax/9/20/07	Not answered will call LEA 9/27/07

Sign In/Out IEP Folders

Student Name	Grade	Time Out	Time Returned	School Personnel's Name	Personnel's Signature	Reason
Liam Jones	kindergarten	9:15 AM	9:25 AM	Ms. Read		Check on last Dibel's test score

Individual Student Tracking Sheet

Student Name: _____

Grade	Math Level	Reading Level	Writing Level	ELL/LEP	IEP Status	Teacher
K	Pre-K	K	Pre-K			Mrs. Read
1	Beginning K	Beginning K	Pre-K		Child Study	Ms. Plus
2	K.2	K.1	K		SLD	Mr. Smith
3						
4						
5						
6						

6. Effective Strategies for the Classroom Teacher

**“There is only one child in the world and that is child’s name is
ALL children”**

Carl Sandburg



Effective Strategies for Teaching ESE Students

“Focus on strengths, what people can do, their abilities!” - Toby Karten

These are classroom techniques that have been proven to be effective for students with disabilities. These are also great techniques for general education students as well as children with disabilities:

1. Before moving into small group lessons and interactions, pre-teach a lesson and model what is the expected outcome and what the successful strategies will be.
2. Use visual cuing and reinforcement, plus words of encouragement.
3. Review instructions orally prior to moving into small groups, rather than depending only on visual instructions.
4. Consider homework as home learning. Are you giving enough or too much? Can all students meet the expectations? For some students, 20 problems are too many. Some students may need only 10 right answers to demonstrate proficiency.
5. Make a point to have one-to-one contact as a means of encouragement or for extra instruction. A simple “thumbs up” goes a long way. If you find that some students are struggling to get a concept, pull them all aside and re-teach them before they get frustrated and meet failure.
6. Design a classroom that creates a positive learning environment that makes it easy for students to stay focused. Does every space on the wall really need a chart? Is the room arranged so that you are in voice and “pat on the back” range? Can you avoid writing the ADD child’s name on the board all the time?
7. Make sure that written classroom rules are visible to students at all times. Simple, understandable classroom rules should be posted along with consequences.
8. Post daily schedules for all students to see.
9. Help easily distracted students stay on task. Seat them away from windows, pencil sharpeners and doors. Do you have many students who are easily distracted? Change your room arrangement, placing desks in rows instead of a horseshoe, or in clusters, to help students concentrate and contribute to less misbehavior.
10. Vary instructional techniques. Many teachers have their own comfort level. If you are most comfortable using the direct instruction model, ask yourself, “Is everyone in the room responding the same way? Should I add some hands-on projects to get the point across? Be flexible and rotate delivery techniques. Think of Sesame Street and how long and how often the show moves concepts around and the various ways it presents a learning idea.

Tips for Teachers on Making the Inclusion Model Work

The inclusion model requires schools to include special education students within the general education classroom as often as possible. This can be a challenge for many teachers.

It is important for every teacher prior to the opening of school to know which students have IEPs and what the IEPs contain. Consider making a chart like the one illustrated below of what skills and modifications are included in each child’s IEP. Remember, this information is **confidential** and should not be shared with other students and parents.



Sample Chart of Important Student IEP Information

Child's Name	Area(s) of Concern	IEP Goal - behavior and/or academic	Accommodation/ Strategy	Other
Scott	Auditory learner	Improve test taking skills, Increase reading for meaning	Longer time on test Repeat test instructions Read test questions when appropriate	Teach test taking strategies to help eliminate test stress

Here are other techniques for teachers to use in an inclusion classroom:

- **Concentrate on “power standards.”** Does every benchmark need to be taught or just those that are “essential to know?” This doesn’t mean stop being creative, just consider focusing on the Sunshine State Standards that will help student become life-long learners.
- **Offer assistance in the early morning or after class time.**

- **Offer parental guidance.** Suggest web sites and community resources to help parents assist their child’s learning, including ideas for homework assistance.
- **Increase interest.** Every lesson should stimulate students to want to learn more. For example, introduce lessons by incorporating a “hook.” Ask students to “go on a treasure hunt.” Instead of saying, “Today we are going to learn why certain things float and others sink,” introduce the lesson by saying, “Why do cruise ships float, yet when I throw a rock into the water it sinks?”
- **All students should keep planners** - for homework assignments, important events, and due dates for projects and collection of monies. At regular intervals, review students’ planners and offer suggestions for better organization.
- **Establish prior knowledge.**
- **Break up learning into smaller tasks.** Go from the simple to the more complex, always checking along the way that students know each step proficiently.
- **Teach to your students’ strengths to help them compensate for weaknesses.**

There is More than One Way to Assess

By varying your methods of assessment, you can increase comprehension and motivation among your special education students. These assessment techniques will also be effective with your regular education students.

- **Turn negatives into positives.** Mark a test with a “+7/10” instead of “-3.” Then say to the child, “How about trying for a positive 8 the next time?”
- **When assessing a student’s writing,** concentrate on the story line in the first draft (getting the thoughts on paper). Then edit grammar, spelling, paragraphs and capitalization. It is easier for a student with disabilities to fix those errors than to organize thoughts.
- **Do frequent assessments.** Don’t wait for the standardized tests! Alternative assessments can be informal, short formal or small group. Using the results, teachers should remediate immediately so that students do not fall so far behind that they can’t catch up.
- **Remember, not all work needs a grade.** You can give students your comments orally or in writing. Checklists are another way to give students encouragement to keep moving to the next step.

- Consider using scoring rubrics. Rubrics are a great way to demonstrate to a student exactly what needs to be accomplished. If you use a rubric, be sure to provide an example of an exemplary model.
- Use individual contracts. These are written agreements between the teacher and student that state the time the assignment is to be finished, the exact requirements that need to be completed, and the quality of work expected in order to receive a certain grade.
- Hold frequent parent-teacher conferences to discuss student progress, areas of strengths and concern, and to demonstrate work and the student's progress. During the conference, you can establish goals and new strategies with the student's parent. You may want to include the student in the discussion of goals and strategies.
- Use portfolios to help define a child's capabilities rather than just using test results. Include in a portfolio sample works, tests, projects, and rubrics. Decide beforehand what goes into the portfolio or what goes home. You may want to copy samples and then send the originals home.
- Use a variety of assessments for the same skill. Re-teach and re-evaluate. The "light bulb" for learning may go on at one time for one individual and at a different time for another. It doesn't mean that the skill cannot be learned, some students it just might take longer.

→ Teachers should assess prior, during and after lessons in order to learn what each individual student can accomplish and what concepts they understand.

Tips for Good Classroom Management

Good classroom management must come before giving instructional lessons. Nothing is learned during confusion and noise.

Special education students, in particular, benefit most from a structured, orderly classroom environment. Listed below are techniques that teachers can use to establish control over the classroom. These are more effective than “knee-jerk” reactions such as yelling and continual threats of punishment.

1. Warn students through proximity redirection (eye contact, snapping fingers, hand gestures, and clearing one’s throat).
2. Incorporate movement transitions during the day so that students have the opportunity to move about before refocusing on the next task.
3. Give alternatives to inappropriate behaviors.
4. Use tokens for positive behavior that students can accumulate and then turn in for rewards.
5. Use peers to set up learning partnerships during small group interactions.
6. Use behavior charts with point values. Younger students like rewards, while older students prefer the chance to redo assignments, earn extra credit, or make a choice of their assignments.
7. Make behavior identification charts in order to prioritize and identify the misbehaviors and the time of occurrence.
8. Allow plenty of waiting time for a student’s response. It may seem that some students with disabilities take forever to respond in class. When you call upon such a student, be prepared to give a visual or oral cue in order to elicit the response in a timely manner.
9. Remember that school success and behavior are linked. If a child is doing well and has self-confidence, the number of behavior incidences should decrease. Therefore, it is important to assist students who are having difficulties as quickly as possible to eliminate the misbehaviors.
10. Move around the classroom. Your desk should not be a barrier between you and the students.
11. Observe student work frequently.

12. Grade homework and assessments quickly. Allow students to correct errors and ask questions. Give results to parents.
13. Enforce consequences consistently and immediately.
14. Deliberately ignore some misbehavior and reinforce proper behavior. In certain cases, the ignored behavior will disappear.
15. Be proactive. Give students an errand to do to avoid potential behavior incidences by temporarily removing the child without embarrassing him.





Sample Forms to Improve Classroom Management⁴

Behavior Occurrence Account Checklist

Student Name: _____ Grade: _____ Date: _____

Parent Signature: _____

Teacher Signature: _____

	Not Focused	Out of Seat	Calling Out	Bothering Others	Talking	Other
8-8:30						
8:30-9:00		x				
9:00-9:30	x			x	x	
9:30-10:00			x			
10:00-10:30						
10:30-11:00		x		x	x	
11:00-11:30						
11:30-12:00		x			x	
12:00-12:30						
12:30-1:00	x					
1:00-1:30	x	x				
1:30-2:00						

⁴ *Teacher Talk!* Cheli Cerra and Ruth Jacoby, Wiley Publisher.

Behavior Record Checklist

Directions: Put an X in the box on the days that the behavior occurred.

Date: Week of Jan. 5

	Monday	Tuesday	Wednesday	Thursday	Friday
Out of Seat	X	X	X		X
Incomplete Class Work		X			
Bothering Others	X	X		X	
Yelling		X	X	X	
Disrespectful to Teacher	X				

Sample Contract (Behavior)

Class Rule that I need to improve: Stay in seat and keep hands to myself

Every time I break this rule, I will:

1. sit down immediately
2. apologize to my classmate
3. lose 3 points on my reward chart

Student's signature: _____

Parent's signature: _____

Teacher's signature: _____



7. Lesson Strategies

**“The greater thing in this world is not so much where we stand
as in what direction we are going.”**

Oliver Wendell Holmes



Sample Activities to Create Prior Knowledge

Before introducing a new skill or a higher level thinking skill, be sure to review the previous lesson. Sometimes the concept needs to be introduced many times before a student catches on. Not all students hear, see, or learn at the same speed or the same time. Just think of the age a baby learns to crawl. It differs for every child, yet they all do learn how.

Activity #1 for Elementary Students

Tell me everything you know about Presidents' Day after reading today's newspaper.

Who: Presidents Lincoln and Washington

Where: United States

Why: Their birthdays are in February.

When: February 12 is Lincoln's birthday. February 22 is Washington's Birthday.

How: Banks, post offices, and schools are closed.

Activity #1 for Middle/High School Students

Use the above activity for any subject in the newspaper that the teacher assigns. Ask the students to identify the "4 w's" and the "how" of an article just as the reporter did when he wrote the article.

Activity #2

Can you answer this? $6 \times 7 =$
 $10 \times 1 =$
 $33 - 19 =$
 $15 \text{ divided by } 5 =$

IF these are answered incorrectly:

Should the teacher go ahead to two-digit division?

Or should she assign small cooperative groups, one designed for students who know these skills and the other to review and re-teach the basic math skills?

Break Down Lessons into Baby Steps

When creating a lesson, think of how a recipe or the instruction booklet for putting together a new book shelf is laid out in simple steps.

Topic: Long division using steps divide (dad), multiply (mom), subtract (sister), and bring down (brother). Example: 550 divided by 5

Step 1: Student copies it down correctly from board to math journal

Step 2: Student can divide the first number (dad). How many 5s are in 500?

Step 3: $5 \times 100 = 500$

Step 4: $550 - 500 =$

Step 5: Student brings down 50 and start process over again

Step 6: Student is neat and keeps the hundreds, tens, ones columns straight.

Bring in the Hands On

Think of another way to teach a concept besides orally or visually. It is easy to say “read about electricity and answer the questions of page 145,” but have you reached every student? Can you honestly say that every student understands or is able to read and find the answers?

These are simple hands-on activities that will engage your special education students:

Elementary: Take a sentence and cut it up. Put it in a mixed-up nonsense order. Have the student reorganize it so it remakes the sentence.

Upper elementary: Do the same as the above with a paragraph. This time, cut up the sentences. Mix up the order and have the student put them back so the paragraph makes sense.

Middle/High: Do the same as above, but try mixing up a stories’ paragraphs. Have the student put them back to make sense and provide a meaningful flow for a story.

Elementary: Bring in batteries, wires, and a small flashlight bulb. Have the students make the connection.

Hypothesis:

Materials:

Procedure:

What I knew before:

What I learned:

Draw a picture of this experiment. Label all the parts.

Lesson Blueprint

Ask yourself these questions when creating a lesson:

- What am I going to teach?
- Did I review first? (Remember, learning is sequential, a constant rebuilding of ideas and facts into higher skills.)
- How am I going to teach this concept? (Think of the many ways to reach the students learning modalities.)
- Did it work? (The assessment)

1. Introduce the lesson to the whole group.
2. Clarify and define skill to cooperative groups or through independent time.
3. Review and re-teach to the whole group.

Sample Lesson: Learn spelling words of the week

Elementary

How: Give students the letters of the alphabet that have been cut out and placed in an envelope for them to use at any time. Have about four copies of each letter. You call out the word and the students find the letters to make the word and lay it out on their desks. You say the correct letters and the students make corrections. Students can then write the word on an index card to use as a studying tool.

Assessment: The weekly spelling test.

Students can then work in cooperative groups and give each other words to spell. The letters can also be used to teach word groups and later on move onto sentences by using word cards instead of letter cards. For some students, you may want to make the letters out of glitter to add sensory input.

Use magnetic strips: Put letters or words onto a strip and then provide a metal can for each cooperative group or each student can have his own board (small magnetic boards can be purchased at Dollar Stores). They can move words and letters around to make sentences. Students can re-use the letters for other lessons.

Have students keep word cards in a file box to review. Use the cards to increase vocabulary and improve dictionary skills by asking student to write the meanings on the back of the vocabulary cards.

Upper elementary:

Other activities: word jumble, word search, word puzzles (www.puzzlemaker.com).



Writing is Similar to Building a Fantastic Recipe

Below are two templates to help students with paragraph construction, one for lower grade students and one for upper grade students. Remind students in the draft stage to skip a line so that there is room to put revisions.

Lower Grades Sample

This template requires the lower grade student to describe a progression of events during the day that explain why he/she loves school, using transitional words such as “first, next and finally.” It will help a child who has trouble organizing his thoughts into a well-structured paragraph.

Topic Sentence (I love school). The very first thing, _____ _____.
Next, I _____ _____.
Finally, I _____ _____.
_____ and that is why I love school. (Repeat topic sentence).

Upper Grades Sample

In this template, the upper grade student is guided through writing a paragraph that expounds on an idea in five sentences using transitional words such as “also, in addition, sometimes, and in conclusion.”

I love school. First, _____.
Also, _____.
In addition, _____.
Sometimes, _____.
_____.
In conclusion, _____.

Writing Rubric Sample

Date/ Title	Transitional words: first, next, later	Spelling errors	Capitalization/ punctuation	Full sentences	Paragraphs had separate thoughts	Concluding sentence	Score
I Love School February 2, 06	OK	Speling (spelling) Receive (receive) Wen (when)	Did I like the teacher. (?)	6 red circles on the sentences	Spelling Reading PE Art Lunch	I love school.	+15/20

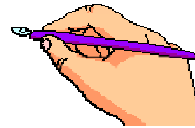
Homework Tips

Place homework assignments in the same place everyday. For younger students, use pictures and then write the words:

Reading



Writing



Spelling



Social Studies



Science



Math



1. **Have students put homework into an IN-BOX** that is kept in the same place in the classroom. Handing in homework should be the first thing students do on entering the classroom.
2. **Ask yourself: Are you assigning a reasonable amount of homework** and does it increase learning? Are you using homework as practice or to develop a skill you haven't had time to teach yet? Homework should not be used as a busy activity.
3. **Teach students to take a highlighter** and cross off assignments in their planners when they finish them. This way, they know and you know that they have completed all their work. Ask parents to check their planners as well.
4. **Teach students to use a calendar** for school events. Hang a calendar in your room with updated events and activities.

Sample Organizational Calendar

Monday	Tuesday	Wednesday	Thursday	Friday
	Money for field trip is due			Spelling Test
		Math Chapter Test on division		Spelling Test
Science Fair Project due			Field Day	Spelling Test
		Social Studies Report due		Spelling Test

8. Questions and Answers about Special Education

**“If your plan is for one year, plant rice; if your plan is for 10 years,
plant trees; if your plan is for 100 years, educate children.**

Confucius



Every child who can't learn belongs in Special Education.

FALSE.

Every child can learn and is entitled to the best education.

TRUE.

Q. Does the 504 Plan provide additional funds?

A. No. Funds are available only for students eligible under IDEA.

Q. If a parent does not agree with the 504 eligibility, can a student be placed on an accommodation plan?

A. Yes. Parent consent is not needed for the 504 eligibility or for the provision of accommodations under Section 504. The school district must provide notice of this to parents, along with a copy of "Parent Rights under section 504." Parents should be invited to all meetings.

Q. Does every student on medication need a 504 accommodation plan?

A. No. If the school normally administers medication to a student, then a 504 Plan is not needed. It is needed if the student's behavior or academics begins to suffer due to taking the medication.

Q. If the school determines eligibility, and the parent(s) do not sign for special services, does the child still have eligibility?

A. Yes and no. That student is considered eligible to receive services but cannot actually receive services if the parent does not provide consent. In the area of discipline, an eligible student without parental consent for services can be treated like a student without a disability.

Q. Who may request an evaluation?

A. Parents, students, or school personnel may request an evaluation.

Q. What steps must charter schools follow to provide special education services to a student with a disability?

A. Steps as described in IDEA:

1. Request for an evaluation
2. Review of evaluation request by Child Study Team



3. Parental consent for evaluation
4. Evaluation by specialists
5. Review of evaluation and eligibility meeting with Child Study Team

Q. How is special education funded?

A. The federal government provides approximately 12% of special education costs. State and local funds are used to support other special education services for children with disabilities.

It is imperative that charter school operators learn how special education funds are handled in their state. They must know the conditions they must meet in order to receive the funds and how the special education funds are disbursed to the school and the school district.

Q. What about discipline?

A. Some points from IDEA:

1. School personnel can remove a student with a disability for 10 consecutive school days or fewer at a time for a violation of the school code of conduct.
2. An ESE student can be suspended without FAPE for a maximum of 10 school days per school year.
3. School personnel can remove a child with a disability, including suspending or expelling for behavior that is not a manifestation of the child's disability, to the same extent as is done for children without disabilities, for the same behavior.
4. If school personnel believe that a child is dangerous to himself or others, they can ask a hearing officer in an expedited due process hearing to remove a student to an interim alternative educational setting for up to 45 days.

Q. How will staff identify, refer and evaluate students with disabilities?

A. Every charter school needs to determine how it will provide special education services before it opens its doors to students. Some of the questions it will need to address are:

1. How will students be evaluated for disabilities?
2. How will the charter school handle an IEP from another district or state?
3. Who will make decisions about special education services?
4. Who will provide the assessments?
5. Where will the service take place?
6. Whose staff will provide the services?
7. Will funds be available for assessments?
8. If a charter school is small, can it share services with another charter school?

Q. What are “power standards” and why are they useful with special education students?

A. “Power standards” refer to the “essential-to-know” state standards that are vital to a student's overall mastery of a subject and essential for the student's progress to the next



grade level. Identifying and using power standards allows a teacher to concentrate on the most important knowledge and skills for a special education student to master rather than requiring that student to learn everything.

Q. How can the school reduce the number of teacher referrals on students with disabilities?

A. Reduce referrals by doing the following at your school:

1. Establish a clearly written, practical referral process
2. Provide professional development for general education teachers on classroom management and reducing behavior incidences
3. Provide professional development on learning styles and instructional approaches
4. Follow up after a referral to let the teacher know how the administration/ESE team handled the referral

Q. What are some simple strategies that a general education teacher can use to change an inappropriate habit; for example, not completing class work?

A. Try these techniques:

1. Give the student frequent praise and attention while he is working on the task and a satisfactory grade when it is completed
2. Establish a signal to cue the student to get back on task
3. Develop a checklist form that a student checks off as he completes the appropriate steps (started on time, wrote down the assignment, asked questions if necessary, completed the task with accuracy and neatness, and handed in the assignment)
4. Develop consequences for incomplete class work.

Q. How can a teacher be most effective in an inclusion model when the class includes students of many exceptionalities, some recognized and some not?

A. These strategies may help administrators mentor staff, as well as give staff the skills necessary to help students with learning difficulties:

1. Teachers need to acquire a working knowledge of the most common disabilities, such as dyslexia, autism, developmental delays, and attention deficit disorder.
2. Teachers need to learn how to make adaptations related to time requirements for completion of tasks, levels of difficulty, and types of assistance that can be given during instructional time.
3. Teachers need background and support throughout the school year to help them understand their role and responsibilities as they relate to special education.

If teachers have not received adequate training in serving special education students through their higher education, it becomes the responsibility of the charter school, its trained administrators and special needs educators to assist the general education teacher through workshop trainings, mentoring, and consultations.



Q. What is the best way to encourage regular and special education teachers to work together as a team?

A. School administrators should try these strategies:

1. At the beginning of each school year, dedicate a time at each staff meeting for the special education faculty to speak about concerns and any new teaching strategies or reporting.
2. Insist that special education teachers join team meetings.
3. Ask special education staff to visit the regular classroom to mentor students and teachers.
4. Include all staff, including special education teachers, in social functions.
5. Establish School Study Teams that include people a teacher can turn to when she/he has a difficult student.
6. Differentiated instruction is the key to meeting students' diverse learning styles. Special Education staff may need to train regular education faculty on different instructional materials and techniques in order to help each student meet the state standards.

Q. What is Asperger's Syndrome?

A. Asperger's Syndrome is a form of high functioning autism. In most cases, students with this disability are fully included in the general education class. Their lower social skills are many times obvious and can cause problems with their interaction with peers. Some teachers believe in involving classmates to help the Asperger's student in areas of difficulty.

Q. How do teachers provide instruction to gifted students within the regular classroom?

A. Try these strategies:

1. Raise the bar using Bloom's Taxonomy and requiring more complex work.
2. Encourage a tolerance of understanding among all students.
3. Differentiate the curriculum for gifted students as well as the regular education pupils.
4. Set up learning stations to offer a variety of directed activities that use thinking skills, different learning styles and rates.
5. Remember that some students are weaker in some areas and stronger in others.
6. Learning skills do not always match social skills.
7. Require students to keep their own portfolios.
8. Allow students to monitor their academic achievement on projects and self-evaluate the results along with teacher input.
9. Include parents for home support.

Resources on Gifted Education:

National Association for Gifted Children (NAGC), www.nagc.org

The Association of the Gifted (TAG), www.cectag.org



9. Reference Guide: Glossary and Helpful Resources



Glossary of Terms

Special Education Acronyms

ADA	Americans with Disabilities Act
ASD	Autism Spectrum Disorder
AYP	Adequate Yearly Progress
DHH	Deaf or Hard-of-Hearing
EBD	Emotional/Behavioral Disabilities (new term with new definitions that replaces “EH”- Emotionally Handicapped” and “SED”- Severely Emotionally Disturbed)
FAPE	Free Appropriate Public Education
FERPA	Family Educational Rights and Privacy Act
504	Section 504 of the Rehabilitation Act of 1974
IDEA	Individuals with Disabilities Education Act
IEP	Individualized Education Program
LEA	Local Education Agency
LRE	Least Restrictive Environment
NACSA	National Association of Charter School Authorizers
NCLB	No Child Left Behind Act
OHI	Other Health Impairment
OI	Orthopedic Impairment
PI	Physically Impaired
PMP	Progress Monitoring Plan (term used instead of AIP)
SEA	State Education Agency
SPMP	Schoolwide Progress Monitoring Plan (formerly the AIP)
SWD	Students with Disabilities
TBI	Traumatic Brain Injury

Adequate Yearly Progress (AYP): The minimum level of improvement that states, school districts, and schools must achieve each year, as required by NCLB. It is a measure of yearly progress, as defined by individual states, toward achieving that state’s academic standards.

Autism/Autism Spectrum Disorder (ASD): Autism is a developmental disability that is generally evident before age three. It significantly affects verbal and nonverbal communication and social interaction and adversely affects a child’s educational performance. It is often associated with engagement in repetitive activities and stereotyped movements, resistance to environment change or change in daily routines and unusual responses to sensory experiences.

Child with a Disability: A child with a disability means a child evaluated in accordance with IDEA as having mental retardation, a hearing impairment, a visual impairment, serious emotional disturbance, and orthopedic impairment, autism, traumatic brain injury,



a specific learning disability, deaf-blindness, or multiple disabilities, and who by reason thereof, needs special education and related services.

Free Appropriate Public Education (FAPE): Special education and related services that are provided at public expense, under public supervision and direction, and without charge, meet the standards of the state, and are provided with an IEP.

Individualized Education Program (IEP): A written statement for a child with a disability that is developed, reviewed, and revised in a meeting in accordance with IDEA regulations.

Individuals With Disabilities Act (IDEA): The major federal law related to special education that provides funding to states and sets specific procedural requirements for the identification of students with disabilities.

IDEA 2004 Reauthorization Points:

1. Improving and measuring the academic achievement and functional performance of children with disabilities, including the use of scientifically based instructional practices, accompanied by multiple valid and reliable up-to-date assessments and accommodations and if necessary, coordination with institutes of higher learning
2. Supporting with high-quality, intensive **professional development** for personnel who work with children with disabilities, including training related services personnel and paraprofessionals
3. Supporting the use of technology to maximize accessibility for children with disabilities
4. Providing **transition services** within a results-oriented process to the maximum extent possible to facilitate movement from school to post-secondary activities, including further recommendations for continuing education, independent living, and community participation
5. Helping students with disabilities meet challenging state student academic achievement standards
6. Reducing paperwork burdens on teachers by conducting services of processes, forms, and **expanding use of technology in IEP process**
7. Improving services for the homeless and foster children and children with disabilities in the military
8. Conducting the National Children's Study, a long-term child development study to determine the relationship between environmental health factors and the development of children with disabilities



9. Awarding **attorney** fees to local education agencies if parent's case is determined to be frivolous or improperly based on legal precedents
10. Including the "high-need child," defined as a child with disability for whom free appropriate education involves four times the average per-pupil expenditure
11. Clarifying that a discrepancy between achievement and intellectual ability is not the sole indicator for a **learning disability** classification. It allows for a new process that determines if the child is responding to classroom interventions. This allows students who are functioning below classroom standards to receive help, even though no discernable discrepancy may be revealed between intelligence and school performance.
12. **Excusing IEP members** from attending meetings if all agree attendance is deemed unnecessary beforehand with IEP team members obtaining that member's input prior to the meeting
13. Trying to **consolidate meetings**, such as reevaluations with IEP team meetings
14. Setting up procedures that require the state educational agency to develop a model form to assist parents in filing a complaint, and a due process complaint notice
15. Reducing the number of times copy of procedural safeguards are given to parents
16. Requiring that both parties participate in a "Resolution Meeting" to attempt to resolve outstanding issues prior to the scheduling of a Due Process Hearing through the Division of Administrative Hearings (DOAH)
17. Strengthening the role and responsibility of parents and ensuring that families have meaningful opportunities to participate in the education of their children at school and at home
18. Recording the incidence, duration, and type of disciplinary actions and determining if misbehaviors were the result of a failure of the IEP.

Further updates:

- www.nochildleftbehind.gov
- www.wrightslaw.com

Least Restrictive Environment (LRE): The IDEA requires that, to the maximum extent appropriate, school districts must educate students with disabilities in the LRE in the regular classroom with appropriate aids and supports along with non-disabled peers in the school they would attend if not disabled, unless a student's IEP requires some other arrangement.

Local Education Agency (LEA): An educational agency at the local level which exists primarily to operate schools or to contract for educational services.



Qualified Personnel: Under IDEA, “qualified personnel” refers to personnel who have met SEA approved or SEA-recognized certification, licensing, registration, or other comparable requirements that apply to the area in which the individuals are providing special education or related services.

School Wide Progress Monitoring Plan (formerly called an AIP – Academic Improvement Plan): A plan developed for individual students with identified deficiencies in reading, writing, science and mathematics. This plan is usually prepared for a student who is not labeled ESE, but still needs to have extra attention in order to bring about a positive learning change.

It should include:

- The specific needs that require remediation
- The intervention strategies to be used
- Identify how and when the strategies should be used
- Identify the monitoring and reevaluation activities to be employed

Special Education: Special education means specially designed instruction, at no cost to parents, to meet the unique needs of a child with a disability, including instruction conducted in the classroom, in the home, in hospitals, in institutions and in other settings.

State Education Agency: SEA is the component of state government that is primarily responsible for the state supervision of public elementary and secondary schools. Under IDEA 2004, the SEA has responsibility for developing a State Performance Plan (SSP) relating to the provision of services to students with disabilities (SWD) by LEAs in the state. The SEA is responsible for monitoring and overseeing the performance of LEAs in meeting SSP standards.



Resources

Online Resources

Florida Department of Education, Bureau of Exceptional Education and Student Services, <http://www.fldoe.org/ese/ese-home.asp>

Exceptional Student Education Compliance Self-Assessment: Processes and Procedures Manual 2007-08, Florida Department of Education, Bureau of Exceptional Education and Student Services, <http://www.fldoe.org/ese/pdf/m-compli.pdf>

Primer on Implementing Special Education in Charter Schools: http://www.uscharterschools.org/cs/spedp/print/uscs_docs/spedp/operators.htm

Recent changes in state regulations: <http://www.fcim.org/ESERules07>

U.S. Department of Education: <http://idea.ed.gov>

Office for Civil Rights, <http://www.ed.gov/about/offices/list/ocr/index.html>

ERIC Clearinghouse on Assessment and Evaluation, <http://ericae.net>

American Academy of Pediatrics, www.aap.org

Americans with Disabilities Act, www.usdoj.gov/crt/ada

National Attention Deficit Disorder Association, www.add.org

Internet Resources for Special Children, <http://irsc.org>

Books and Publications

Differentiating Instruction for Students with Learning Disabilities: A Multimedia Kit for Professional Development, William Bender, Corwin Press

District Guide for Meeting the Needs of Students-Section 504 of the Rehabilitation Act of 1973, 2005 Florida Department of Education K12 Public Schools Bureau of Exceptional Education and Student Services

Don't Smile until December and Other Myths about Classroom Teaching, Peggy Redman, Corwin Press

Engaging Every Learner, Blankstein, Cole, and Houston, Editors, Corwin Press



Emotionally Handicapped and Severely Emotionally Disturbed Programs Manual,
Miami–Dade County Public Schools-Division of Special Education

How to Grade for Learning: Linking Grades to Standards, Ken O'Connor, Corwin Press

Inclusion Strategies That Work!: Research-Based Methods for the Classroom, Toby Karten, Corwin Press

Principal Talk: The Art of Effective Communication in Successful School Leadership,
Cheli Cerra and Dr. Ruth Jacoby, Jossey-Bass a division of Wiley Publishers

Succeeding with Struggling Students: A Planning Resource for Raising Achievement,
Marti Richardson, Corwin Press

Teacher Talk: The Art of Effective Communication, Cheli Cerra and Dr. R. Jacoby,
Jossey- Bass a division of Wiley Publishers, www.josseybass.com

The Teacher's Encyclopedia of Behavior Management: 100 Problems/500 Plans, Randy Sprick and Lisa Howard, Sopris West, www.sopriswest.com,

What Successful Teachers Do in Inclusive Classrooms: 60 Research-Based Teaching Strategies that Help Special Learners Succeed, McNary, Glasgow and Hicks, Corwin Press 1-800-818-7243, www.corwinpress.com

