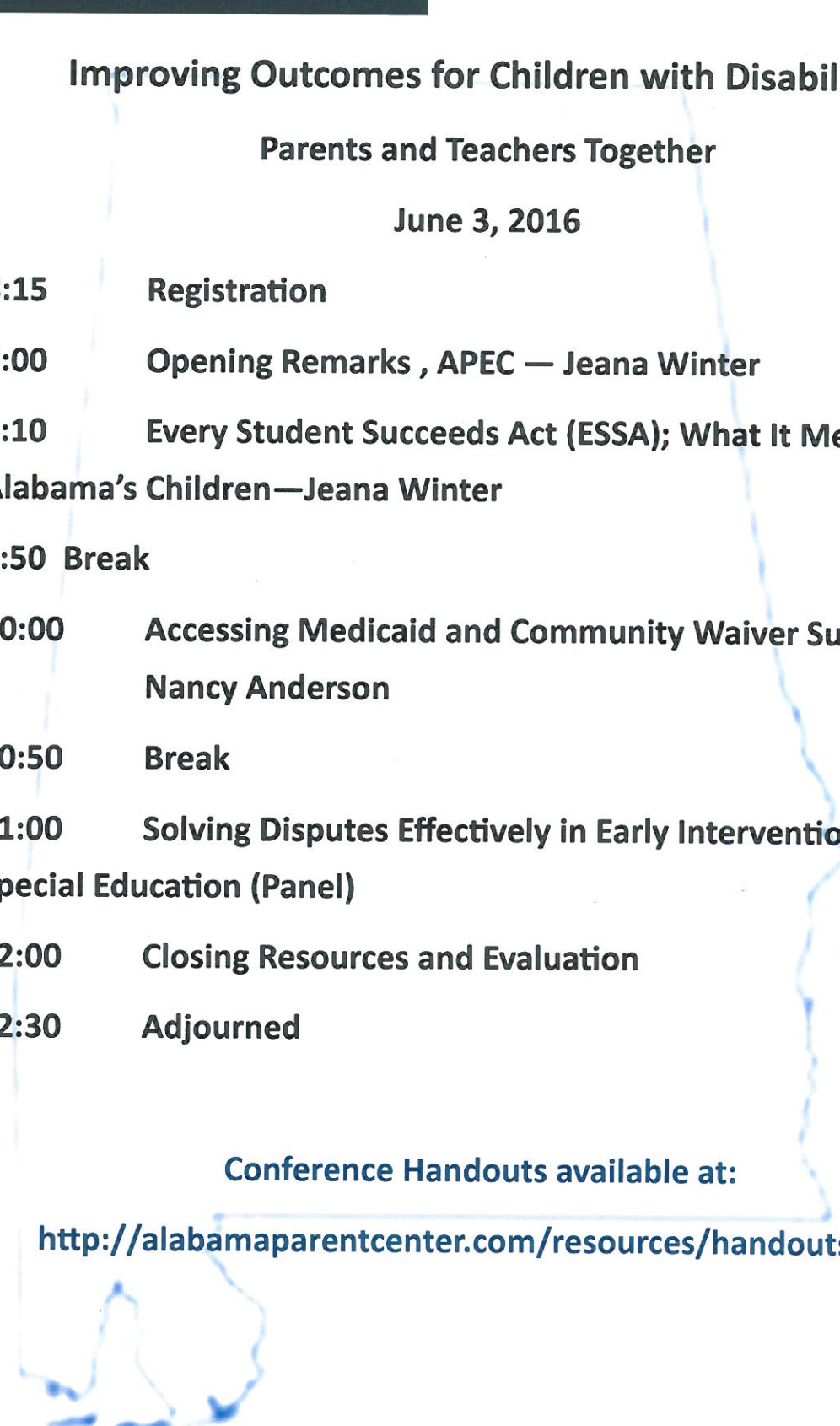


Improving Outcomes for Children with Disabilities

Parents and Teachers Together

June 3, 2016

- 
- 8:15 Registration**
- 9:00 Opening Remarks , APEC — Jeana Winter**
- 9:10 Every Student Succeeds Act (ESSA); What It Means for Alabama's Children—Jeana Winter**
- 9:50 Break**
- 10:00 Accessing Medicaid and Community Waiver Supports—
Nancy Anderson**
- 10:50 Break**
- 11:00 Solving Disputes Effectively in Early Intervention and
Special Education (Panel)**
- 12:00 Closing Resources and Evaluation**
- 12:30 Adjourned**

Conference Handouts available at:

<http://alabamaparentcenter.com/resources/handouts.php>



Raising the Standards

Special Thanks to All Conference Sponsors and Collaborators

**Alabama State Department of Education
Alabama Public Library Service
Alabama Disabilities Advocacy Program University of Alabama
Mobile County Board of Education
Madison City Board of Education
Blue Ridge Mountain Water, Montgomery
Auburn University at Montgomery Center for Disability Services
Learning Disability Association of Alabama**

Conference Handouts available at:

<http://alabamaparentcenter.com/resources/handouts.php>

A video recording of this conference will be available July 6, 2016 by request from the AL PTI at 334-567-2252 or 866-532-7660

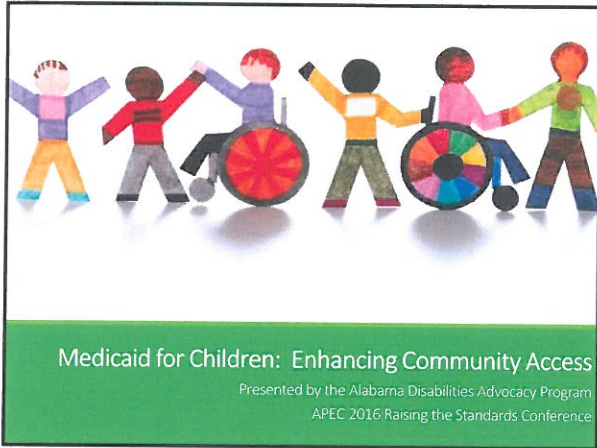


Alabama Parent Training and Information Center
PO Box 118
Wetumpka, AL 36092
Phone 335-567-2252, Toll Free 866-532-7660
www.alabamaparentcenter.com



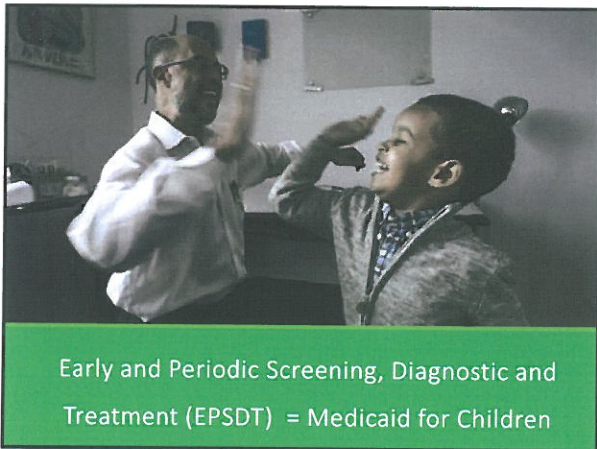
Alabama Parent Education Center





At end of session, you will . . .

- Understand Medicaid basics
- Know how Medicaid can support your child in school
- Be able to apply and/or use Medicaid waivers for your child



Medicaid

MANDATORY (EXAMPLES)	OPTIONAL (EXAMPLES)
Inpatient hospital services	Optometrists and eyeglasses
Physician services	Private duty nursing
Rural health clinic services	Dental services
Federally qualified health center services	PT and OT
Laboratory and X-ray services	Speech, hearing and language therapy
EPSDT	Personal Care Services
	Rehabilitative Services
	Transportation Assistance

The right
care to the
right child at
the right
time in the
right setting



Is a service necessary to
“correct or ameliorate
defects, and physical or
mental illnesses and
conditions”?

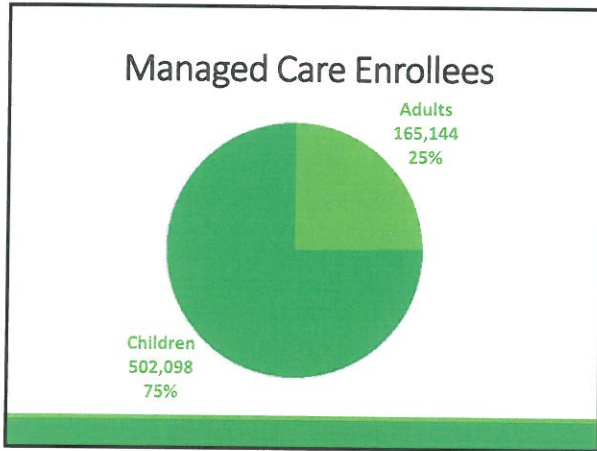


All necessary treatment described in the Medicaid Act even if the service is not in the State Plan.

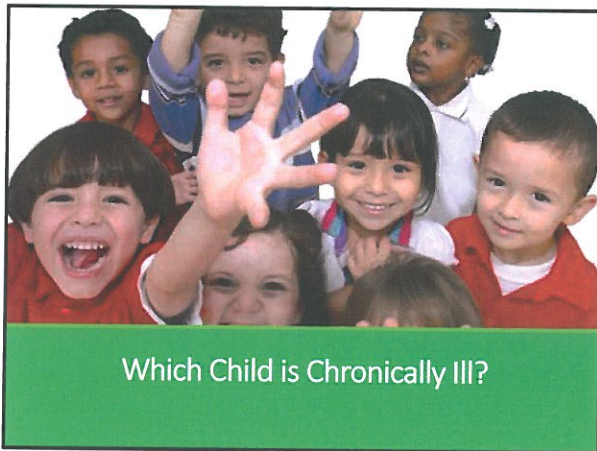
- EPSDT services cannot be capped. Coverage limitations (e.g., limits on visits, monetary limits) applied to adults cannot be applied to EPSDT recipients.
- Families can't be charged for EPSDT services
- Utilization controls consistent with EPSDT "preventive thrust"



Challenges Ahead: EPSDT and Managed Care







Examples

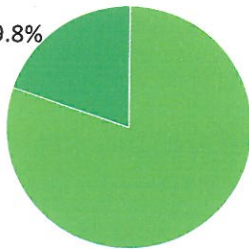
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|---------------------|----------------|
| Asthma | Cerebral palsy |
| Diabetes | ADHD |
| Cystic fibrosis | Autism |
| Cancer | Spina bifida |
| Sickle cell Disease | Down Syndrome |
| | Depression |

Children and Youth with Special Health Care Needs (CYSHCN)

Have or are at increased risk for a chronic physical, developmental, behavioral, or emotional condition and who also require health and related services of a type or amount beyond that required by children generally

CYSHCN (0-17 yo)

CYSHCN – 19.8%



Childhealthdata.org

CRS Statewide Five-Year Maternal & Child Health Needs Assessment

“I’m almost scared of the [IEP] process because you have to fight....It scares me to think that they’re pushing back.”

“Your child doesn’t need that when I just felt like it’s going to be an uphill battle.”


- Family focus group

CRS Statewide Five-Year Maternal & Child Health Needs Assessment

Education Issues

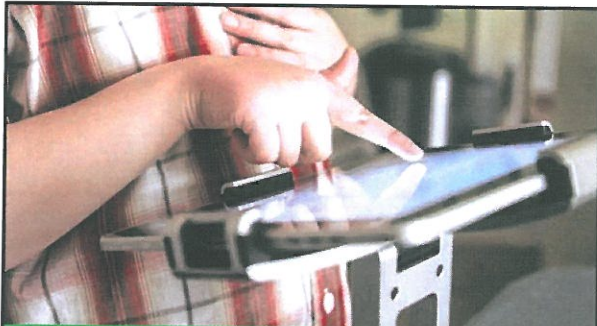
- Special education services was 3rd on the list of most frequently reported unmet needs for community-based services.
- Family focus group participants expressed dissatisfaction with the individualized education plan (IEP) process and with receipt of allied health therapies in school.
- Hispanic family focus group participants indicated a need for school personnel with whom they can communicate.

What impact does chronic illness have on a child’s education?



Addressing Chronic Illness in School

- Identify barriers to learning
- Requires communication, planning and evaluation
- Develop a plan (Individual Education Plan (IEP) or 504 Plan)



Using Medicaid Waivers to Support Community Access

WHAT IS A MEDICAID WAIVER?

Provides services not usually covered by Medicaid to keep individuals from being institutionalized in nursing homes or intermediate care facilities for persons with "mental retardation" (ICF-MRs).

Preserves independence and ties to the community, families, and friends.

ALABAMA'S WAIVERS

1. Elderly and Disabled (E&D) Waiver
2. Intellectual Disabilities (ID) Waiver (3 yo†)
3. Living At Home (LAH) Waiver (3 yo†)
4. State of Alabama Independent Living (SAIL) Waiver (18 yo†)
5. HIV/AIDS Waiver (21 yo†)
6. Technology Assisted (TA) Waiver for Adults (21 yo†)
7. Alabama Community Transition (ACT) Waiver

WHO HANDLES THE WAIVERS?

Collaboration between the Alabama Medicaid Agency as the administering agency and various other state departments acting as operating agencies, including:

- Alabama Dept. of Mental Health
- Alabama Dept. of Rehabilitation Services
- Alabama Dept. of Public Health
- Alabama Dept. of Senior Services



SOME RULES RE WAIVER SERVICES

- Finite number of people served (slots)
- If all waiver slots are filled, the State is permitted to have a waiting list for persons
- Medical and financial eligibility requirements

SOME RULES RE WAIVER SERVICES

- Some waivers have a "cost cap"
- Children < 21 on Waivers are provided EPSDT services too
- "All in" - waiver services are available as required

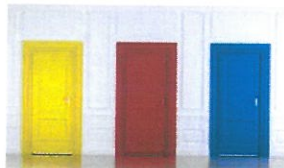
HOW DO I APPLY FOR A MEDICAID WAIVER?

1. Review information on Alabama Medicaid's website:

<http://www.medicaid.alabama.gov/CONTENT/4.0 Programs/4.3.0 LTC/4.3.1 Home Comm Based Waiver.aspx>



2. Think about which waiver meets your child's needs. There may be more than one. Carefully examine the services available under each waiver.



3. Review your child's income and resources. For children 18 yo and younger, institutional deeming rules provide that only your child's income and resources will be considered for eligibility purposes.

4. Contact each appropriate local agency to apply for desired waivers.

5. Collect and hold onto medical and school records for your child.

6. If told by local agency that you cannot apply, contact the Alabama Medicaid agency's long-term care division at 1-800-362-1504.

7. Don't pull any punches when completing the application; be thorough and frank in describing abilities and needs.

HAS YOUR CHILD BEEN FOUND INELIGIBLE FOR A PARTICULAR WAIVER?

DO NOT GET DISCOURAGED.

You have appeal rights, including a right to a fair hearing.

Act quickly. Time limit to appeal is limited. 60 Days!

Try to find a lawyer. Contact ADAP, legal services, or private counsel.

WAITING LISTS



Across all of Alabama's seven (7) waivers, there are ~ 16,000 slots available for many, many applicants.

The ID Waiver alone has a waiting list of ~ 2,600 people.

HELPFUL WEBSITES

Alabama Medicaid Agency: www.medicaid.alabama.gov/

Alabama Dept. of Mental Health: www.mh.alabama.gov/

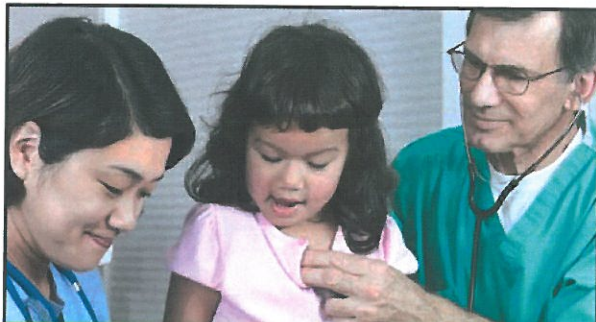
Alabama Dept. of Public Health: www.adph.alabama.gov/

Alabama Dept. of Senior Services: www.adss.alabama.gov/

Alabama Dept. of Rehabilitation Services: www.adrs.alabama.gov/

Alabama Administrative Code:
www.alabamaadministrativecode.state.al.us/alabama.html

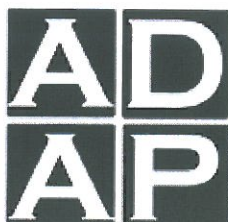
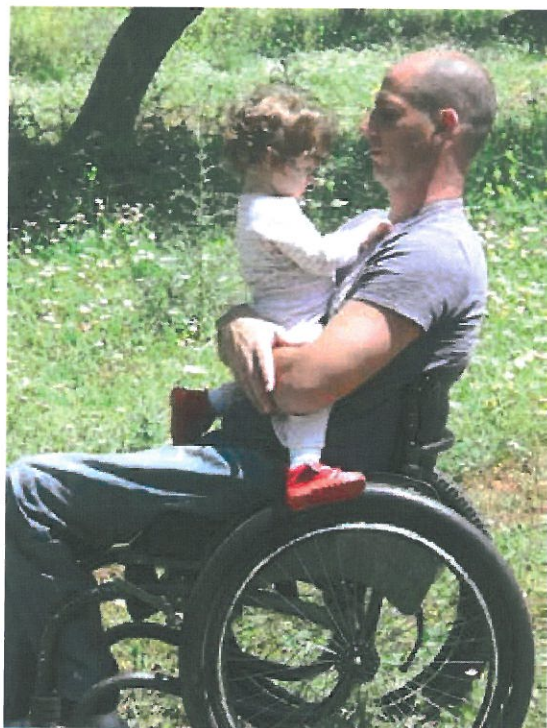
ADAP: adap.ua.edu



QUESTIONS?



Alabama's Home & Community-Based Medicaid Waivers



**Alabama Disabilities
Advocacy Program**

Box 870395

Tuscaloosa, AL 35487-0395

(205) 348-4928 (V/TDD)

(205) 348-3909 (Fax)

(800)-826-1675 (Toll-free)

Email: adap@adap.ua.edu

Website: <http://www.adap.net>



WHAT IS A HOME AND COMMUNITY-BASED MEDICAID WAIVER?

Alabama's Home and Community-Based Medicaid Waivers provide services to support persons with intellectual or significant physical and medical disabilities so they can live at home or in other community-based settings like group homes.

The services can include things like personal care, skilled nursing, behavioral supports, respite services, supported employment services, assistive technology, and homemaker services.

Alabama runs seven waiver programs, each with its own eligibility requirements and menu of services.

WHY ARE THEY CALLED "WAIVERS"?

Upon request of a state, the federal government will waive certain federal Medicaid rules so a state can put together a set of services that better meets the needs of its citizens. In

putting together its Medicaid waiver program for persons with disabilities, Alabama is able to fashion a menu of services to support the unique needs of these individuals.

WHO RUNS ALABAMA'S WAIVERS?

Alabama's seven waiver programs are administered by the Alabama Medicaid Agency and its state partners:

- Alabama Department of Mental Health (ADMH)
- Alabama Department of Senior Services (ADSS)
- Alabama Department of Rehabilitation Services (ADRS)

AM I (OR A FAMILY MEMBER) ELIGIBLE FOR A WAIVER?

To be eligible for any of Alabama's waivers, you must have a low income and few resources.

There are slight differences in the financial requirements for each of the waivers but anyone receiving, for example, Supplemental Security

Income (SSI) meets the financial eligibility requirement for every waiver.

In addition to being financial eligible, you also must fit into the target population served by the waiver you are seeking.

Each waiver has a certain number of enrollee "slots" – the maximum number of enrollees, determined by the state, who can receive services at any one time under a particular waiver.

If you have been made eligible for a waiver, you can be awarded one of these slots (and start receiving services) only when a present enrollee leaves that particular waiver and your level of need justifies placing you into one of these slots. The Alabama Medicaid Agency and the state partner which administers the waiver you are seeking determine your level of need.

SO NOT EVERY ELIGIBLE ALABAMIAN WITH A DISABILITY GETS A WAIVER SLOT AND IS PROVIDED WAIVER SERVICES?

No. Federal law allows a state to limit the number of persons enrolled in its waiver programs. As of 2015, Alabama has approximately 3,000 eligible individuals waiting to be placed into one of the slots so they can start receiving services. Most of these people are waiting for slots in the waivers run by DMH. Some of the waivers have a much shorter (or no) waiting list.

Unless Alabama chooses to invest more money in its waiver programs, it's unlikely that the existing waiting lists will decrease in any substantial way.

WHY SHOULD I BOTHER APPLYING IF THE WAITING LISTS ARE SO LONG?

The waiting lists shouldn't discourage you from applying for waiver services. At any time, your needs may suddenly change, increasing the likelihood that the state will decide you need to receive services and move you up the waiting list and into one of the waiver slots.

HOW DO I APPLY FOR A WAIVER?

Each of the agencies which partners with Medicaid to administer Alabama's waiver programs has its own application process. Contact the appropriate agency to learn more. When you apply for waiver services, you should be assigned a case manager by that agency.

WHAT ARE SOME GENERAL TIPS I SHOULD FOLLOW WHEN APPLYING FOR ANY OF THE WAIVERS?

- Keep copies of your waiver application and any related documents.
- Keep a record of any conversations you have with your waiver case manager or other state or local agency staff about your waiver application.
- Some waivers require medical

documentation. Only provide medical documentation or records that are requested.

- Follow up with waiver application staff and/or your case manager as needed, but at least monthly.

HOW DOES MY POSITION ON THE WAITING LIST GET DETERMINED?

That partly depends on where you live and which waiting list you are on. For waivers run by DMH a "criticality score" determines where you are on the waiting list. What this means is that persons with the highest need for services are placed higher on the DMH waiting list.

Other waiting lists may be run slightly differently but, in general, each should serve those with the most need first. Some waiting lists are also operated by county, with slots

being designated to particular counties based on population. If you think you have an immediate need for waiver services, you should contact ADAP.

HOW WILL I KNOW MY POSITION ON THE WAITING LIST?

Your case manager should contact you at least once a year and ask you if you want to remain on the waiting list and about your present needs.

While you may not be told your exact spot on the waiting list (it can fluctuate almost daily), your case manager should be able to provide you with your approximate place on the waiting list.



IF I'M ON THE WAITING LIST, HOW LONG WILL I HAVE TO WAIT TO FINALLY GET A SLOT?

This varies greatly depending on the waiting list, your need for services, and the needs of others on the waiting list.

Be sure to update your case manager when there are significant changes

in your (or your family's) circumstances. For example, the long-term illness or death of a caretaker for a person with a disability will likely change that person's need for services.

EACH WAIVER OFFERS A LONG LIST OF SERVICES; WHICH OF THE SERVICES CAN I GET IF I BECOME ELIGIBLE FOR A WAIVER SLOT?

Under federal law, you are entitled to all waiver services that you need. While the operating agency has some say in your need for services, you should advocate for any and all needed waiver services. You should review the menu of offered services and discuss with your case manager your need for a particular service.

HOW CAN I PARTICIPATE IN PLANNING FOR THE SERVICES I GET UNDER THE WAIVER?

You are the key person in the planning process. Once approved for a waiver slot, you and your case manager should call a planning team meeting to discuss what you need. You can invite anyone you want to attend this meeting with you. At this meeting, you and the planning team will develop a treatment plan that will describe the services you will receive. Your plan should be updated at



least annually or whenever a major life event occurs. Keep a copy of the treatment plan in your records.

IF I'M ON A WAITING LIST, WHERE CAN I GET HELP IN THE MEANTIME?

Unfortunately, there are not a lot of options for services for persons on the waiting lists. Some

providers may offer private pay arrangements. Some churches or other community entities may have programs that offer limited services for persons needing assistance. You should discuss the availability of other services with your case manager.

CAN I BE ON MORE THAN ONE WAIVER AT A TIME?

No. You can only receive services under one waiver. You can, however, apply and be on the waiting list for multiple waivers. You should apply for ALL waivers for which you think you are eligible.

WHERE CAN I GO FOR HELP IF I HAVE A COMPLAINT ABOUT THE WAIVERS OR IF I HAVE BEEN DENIED SERVICES?

Contact ADAP as soon as possible. Some issues, like whether you're eligible for a waiver in the first place, have strict timelines that must be followed if you want to appeal the state's decision. If you delay acting, you may lose your right to appeal. ADAP can help you understand your rights under the state's waiver programs. ADAP can represent you on a waiver issue if you meet its case eligibility guidelines.

ADAP vigorously advocates for the expansion of Home and Community-based Medicaid Waivers to promote the meaningful inclusion of persons with disabilities in the community.

Alabama Disabilities Advocacy Program

Box 870395 Tuscaloosa, AL 35487-0395

(205) 348 - 4928 (V/TDD) | (205) 348 - 3909 (Fax) | (800) 826 - 1675 (Toll-free)

adap@adap.ua.edu | <http://www.adap.net>

Alabama's Home and Community-Based Medicaid Waivers



ALABAMA DEPARTMENT OF SENIOR SERVICES (ADSS)

Elderly and Disabled (E/D) Waiver

The E/D Waiver serves the elderly and individuals with disabilities who have significant medical, nursing or rehabilitation needs that would otherwise require them to live in a nursing home. The E/D Waiver can serve individuals of any age. Services provided under the E/D Waiver include case management, homemaker services, personal care, adult day health, respite care, adult companion services, and home delivered meals.

HIV/AIDS Waiver

To be eligible for services under the HIV/AIDS Waiver, a person must be at least 21 years old, have a diagnosis of HIV, AIDS and/or related illness, and have significant medical, nursing or rehabilitation needs that would otherwise require them to live in a nursing home. Services provided under the HIV/AIDS Waiver include case management, homemaker services, personal care services, respite care, skilled nursing, and companion services.

For more information about the E/D or HIV/AIDS Waivers or to enroll, contact ADSS at 1-800-AGE-LINE or (800) 243-5463. Further information also can be found on the ADSS website at <http://www.adss.alabama.gov/medicaid.cfm>.



ALABAMA DEPARTMENT OF REHABILITATION SERVICES (ADRS)

State of Alabama Independent Living Waiver (SAIL) WAIVER

The SAIL Waiver serves individuals who have significant medical, nursing or rehabilitation needs that would require them to live in a nursing home. Such individuals include, but are not limited to, individuals with the following diagnoses: quadriplegia, TBI, ALS, MS, MD, spinal muscular atrophy, severe CP, stroke, and other substantial neurological impairments, severely debilitating diseases or rare genetic diseases. The SAIL Waiver serves individuals who are 18 years of age and older. Services provided under the SAIL Waiver include:

- Case Management
- Personal Care
- Personal Assistance Service
- Environmental Accessibility Adaptations
- Personal Emergency Response System
- Medical Supplies
- Minor Assistive Technology
- Assistive Technology
- Evaluation for Assistive Technology
- Assistive Technology Repairs

Alabama Community Transition Waiver (ACT)

The ACT Waiver provides services to individuals with disabilities or long term illnesses who live in nursing homes and want to move to their own home or another community setting. The ACT Waiver has no age requirements. Services provided under the ACT Waiver include:

- Case Management
- Transitional Assistance
- Personal Care
- Homemaker Services
- Adult Day Health
- Home Delivered Meals
- Respite Care
- Skilled Nursing
- Adult Companion Services
- Home Modifications
- Assistive Technology
- Personal Emergency Response Systems
- Medical Equipment Supplies and Appliances

Technology Assisted (TA) Waiver for Adults

The TA Waiver serves individuals who were receiving private duty nursing services under Medicaid as children but are not eligible for such services after the age of 21 and would otherwise need to live in a nursing home. Services provided under the TA Waiver include private duty nursing, personal care/attendant services, medical supplies, and assistive technology.

For more information about the SAIL, ACT or TA Waivers or to enroll, contact ADRS at (800) 441-7607. Further information can also be found at www.rehab.alabama.gov.

Alabama's Home and Community-Based Medicaid Waivers



ALABAMA DEPARTMENT OF MENTAL HEALTH (DMH)

Intellectual Disabilities (ID) Waiver

The ID Waiver serves individuals with intellectual disabilities who have substantial limitations in three or more of the following areas of life: self-care, receptive and expressive language, learning, self-direction, capacity for independent living, and mobility. The ID Waiver serves individuals 3 years of age and older. Services available under the ID Waiver include:

- Residential Habilitation Training
- Residential Habilitation
- Day Habilitation
- Day Habilitation with Transportation
- Prevocational Services
- Supported Employment
- Individual Job Coach
- Individual Job Developer
- Occupational Therapy Services
- Speech and Language Therapy
- Physical Therapy
- Behavior Therapy

- In-Home Respite Care
- Out-of-Home Respite Care
- Institutional Respite Care
- Personal Care
- Personal Care on Worksite
- Personal Care Transportation
- Environmental Accessibility Adaptations
- Specialized Medical Equipment
- Medical Supplies
- Skilled Nursing
- Assistive Technology
- Adult Companion Services
- Crisis Intervention
- Community Specialist

Living at Home (LAH) Waiver

The target population for the LAH Waiver is similar to that of the ID Waiver (above). Services available under the LAH Waiver include:

- Residential Habilitation Training
- Day Habilitation
- Day Habilitation with Transportation
- Prevocational Services
- Supported Employment

- Individual Job Coach
- Individual Job Developer
- Occupational Therapy Services
- Speech and Language Therapy
- Physical Therapy
- Behavior Therapy
- In-Home Respite
- Out-of-Home Respite
- Personal Care
- Personal Care on Worksite
- Personal Care Transportation
- Environmental Accessibility Adaptations
- Specialized Medical Equipment
- Medical Supplies
- Skilled Nursing
- Community Specialist
- Crisis Intervention

DMH administers the ID and LAH Waivers. For more information or to enroll, contact the DMH/ID Call Center at (800) 361-4491. Further information can also be found at <http://www.mh.alabama.gov/ID/?sm=c>

The New No Child Left Behind Act NCLB
Moving Forward for Improved Achievement for all Students

The Every Student Succeeds Act (ESSA)

Learner Objectives

- History of ESSA
- ESSA Components:
 - Standards
 - Accountability
 - Teacher and School Leaders
 - Funding
 - Public Reporting
- ESSA Advocacy and What is Next?
- Resources.

ESSA History

History of ESSA

- 1965 Lyndon B. Johnson signed the Elementary and Secondary Education Act (ESEA) expanding the federal role in K-12 education and introduced Title I to help districts cover the cost of educating disadvantaged students.
 - **War on Poverty.**

History of ESSA

- 1968 Introduced new programs to serve **migrant** children, **neglected or delinquent** children, and passed the **Bilingual Education Act**.
- 1970 Because of misuse of Title I funds, Congress added language that states should **supplement not supplant money**.
- 1978 President Carter signed the reauthorization creating **Title I Schoolwide programs** where 75% of students were low income.

History of ESSA

- 1979-1981 President Carter established the United States Department of Education and President Reagan consolidated many programs of **ESEA into one block grant**, but maintained Title 1 but renamed as **Chapter 1** as a separate program. Many cuts in regulatory requirements for districts and states.

History of ESSA

- 1988 was the beginning of **Accountability** and laid the foundation for future ESSA reauthorizations.
- Districts were required to **examine test scores** annually of Chapter 1 students. Schools that did not see annual improvement in test scores were required to develop **improvement plans**.

History of ESSA

- 1989 President George H.W. Bush and state governors met and set pledge to set national educational goals and help establish a federal-state partnership in standards and accountability.
- 1994 President Clinton's reauthorization called for states to develop **standards and aligned tests** for all students. Districts must identify schools not making "**AYP**" and support them and **Chapter 1 goes back to Title 1**.

History of ESSA

- 2002 President George W. Bush signs the **No Child Left Behind Act** and expands the annual testing in reading and math to students in grades 3-8 and once in high school. States are to also use specific **interventions** namely public school choice and supplemental services with schools that fail to make sufficient progress. Teachers must also be highly qualified.

History of ESSA

- 2009 President Obama **American Recovery and Reinvestment Act** which included major educational provisions and \$100 billion in educational aid supporting creation of grants like Race to the Top and grants to support aligning tests to the Common Core State Standards. (No ESEA reauthorization)
- 2011 President Obama offers state **waivers** easing mandates of NCLB. To receive a waiver the states must embrace standards that will prepare students for college and the workforce, teacher evaluation that incorporates student outcomes, and aggressive school turnarounds.

History of ESSA

- 2015 President Obama signed into law the **Every Student Succeeds Act.**

Alabama and The ESSA Waiver

- September 2012 Alabama submitted its first Waiver to the USDOE.
- June 2013 Alabama waiver was approved.
- 2014 Alabama waiver was approved for an extension through 2015.
- August 2015 Current ESEA flexibility waiver was approved for Alabama.
- March 2016 Governor Bentley established a **state implementation committee for the ESSA**. This committee must submit a plan to implement ESSA in Alabama by December 1, 2016.

ESSA Overview

The ESSA Overview

- No law will ever guarantee to close achievement gaps for all. However, the building block components of ESSA:
 - set high expectations for all students,
 - provides the resources necessary for meeting those expectations,
 - Measures and reports progress towards them, and
 - Ensures action when any school or any group of students falls behind or off track.

The ESSA Overview

- ESSA contains many meaningful components that **stakeholders** including education leaders, parents, families, members of the business and civil rights communities, and advocates can use to advance education for all students including:
 - Standards,
 - Assessments,
 - Accountability systems,
 - Public reporting, and
 - Funding.

ESSA Standards

ESSA Standards

- **Academic standards** are shared expectations for what all students need to know and be able to do at each grade level.
- Alabama has to demonstrate that our academic standards provide success for all students in math, reading and language arts, and science. These standards must be **aligned** with the entrance requirements in postsecondary systems and career and technical education standards.

ESSA Standards

- Alabama has to provide **English-Language proficiency standards** for English learners that are aligned with Alabama's academic standards.
- Alabama has to provide **standards for students with the most significant cognitive disabilities** but still must be rigorous enough to prepare students for postsecondary education or employment.

ESSA Assessments

ESSA Assessments

- **Assessments aligned to standards** are an effective way to measure student progress consistently across classrooms, schools, and school districts.
- They provide parents with **objective information** about the educational progress their child is making.
- They help educators **benchmark** the performance of their students.
- They provide parents and the public an objective **measure of how schools are doing** at improving learning for all groups of students.

ESSA Assessments

- Alabama has to test all students on statewide assessments in the following areas:
 - Reading and Language Arts and Math annually in grades 3rd through 8th and once in high school
 - Science once between grades 3rd through 5th, once between grades 6th through 9th, and once between 10th through 12th grades.
- These assessments must provide valid, reliable, and comparable information on whether students are meeting state standards.
- ESSA provides funding to states to reduce low-quality or duplicative testing.

ESSA Assessments English Learners

- Alabama has to measure English learner's progress toward English proficiency annually.
- English proficiency and Math must be tested in the first year in U.S. Schools.
- 2nd year of Alabama school enrollment all English learners have to participate in all assessments;
 - Reading and language arts may be administered in their native language for up to five years.

ESSA Assessments Students with Disabilities

- Alabama may develop alternate assessments aligned with alternate achievement standards for students with the most significant cognitive disabilities.
- Alternate assessments may be administered to no more than 1% of all students.

ESSA Assessments High School

- Alabama may use a nationally recognized assessment like the ACT in place of a statewide assessment.
- The assessment substituted must be:
 - Aligned to state standards,
 - Meets technical quality requirements,
 - Information must be comparable to the information generated by the state test, and
 - Can be used in the state accountability test.

ESSA Accountability

ESSA Accountability

- Accountability systems are the set of policies and practices that Alabama will use to measure how schools are performing for students and will include:
 - Prompt improvement in schools that are underperforming,
 - Ensuring progress for all students,
 - Focusing resources on all students.

ESSA Accountability

- Under ESSA Alabama must:
 - Set goals for increasing the percentage of students who reach state standards in reading and math and.
 - Raise graduation rates.
 - Set goals for all students including:
 - Low income,
 - Students from major racial and ethnic backgrounds,
 - English learners, and
 - Students with disabilities.

ESSA Accountability

- Accountability goals must require improvement for all groups of students.
- Goals must require faster improvement for groups that have been behind.
- Alabama must rate schools based on how they perform on these goals and other indicators.
 - If any group of students is consistently underperforming the school rating must reflect it.

ESSA Accountability

- Required Indicators
 - **Academic Achievement**
 - School proficiency rates in reading/language arts and math for all and each student group compare to state-set goals.
 - **Another Academic Indicator**
 - High school graduation rates for all students and student groups compared to state set goals.
 - Elementary and Middle schools measure student learning growth.

ESSA Accountability

- Required Indicators Continued:
 - **English Learners** progress towards English proficiency (EL subgroup only)
 - **School Quality Measurements** for subgroups and all students can include:
 - Postsecondary readiness,
 - Student engagement, or
 - School climate.

ESSA Accountability

- Indicators
 - **English Language Proficiency:** English Learners progress towards English proficiency (EL subgroup only)
 - **Additional indicator of School Quality Measurements** for subgroups and all students can include:
 - Postsecondary readiness,
 - Student engagement, or
 - School climate.

ESSA Accountability Indicator Weight

- Alabama will determine how much each **indicator will count in school accountability ratings**, but the first three, Academic Achievement, Another Academic Achievement, and English Language Proficiency must carry **substantial weight**, and together carry more than School Quality measurements.

ESSA Accountability

- Alabama is required to put school accountability measures into place if fewer than 95% of all students or any group participate in state assessments.

Accountability Supports and Interventions

- Three categories of schools must receive supports and interventions under ESSA:
 1. **Comprehensive support and improvement schools :**
 - Lowest performing 5% of Title I schools,
 - All high schools with graduation rates <67%,
 - Districts must develop improvement plans for these schools that the state must review and approve and may include school and district budgets,
 - Alabama must set exit criteria for these schools, and
 - Schools must meet improvement criteria within four years of the state has to intervene.

Accountability Supports and Interventions

2. **Targeted Support and Improvement schools:**
 - Have one or more groups of students that are consistently underperforming,
 - These schools must develop improvement plans that are approved by the district,
 - The district must require additional action if the schools do not meet district set criteria within a number of years.

Accountability Supports and Interventions

3. **Additional Targeted Support and Improvement schools:**
 - Have one or more groups of students whose performance would place them in the bottom 5% of Title I schools, and
 - Must put together a district approved improvement plan:
 - Improvement plans must address resource inequities,
 - State must set exit criteria and a number of years for improvement, and
 - If these schools fail to meet improvement goals they become Comprehensive Support and Improvement Schools.

ESSA Teachers and School Leaders

ESSA Teachers and School Leaders

- Alabama and districts must ensure that low income students and students of color are not taught at disproportionate rates by ineffective or inexperienced teachers and report on progress toward eliminating the inequities.
- State and district report cards must show data how high poverty and low poverty schools compare based on the # and % of:
 - Inexperienced teachers, principals, and leaders,
 - Teachers with emergency credentials, and
 - Out of field teachers.

ESSA Teachers and School Leaders

- ESSA Title II program provides grants to states and districts that can be used to improve teachers for low income and students of color in the areas of:
 - Inequities to access of effective teachers,
 - Provide professional development,
 - Improve teacher recruitment and retention,
 - Develop and improve teacher evaluation systems linked to student achievement.

ESSA Funding

- ## ESSA Funding
- Title I formula allocates \$ to the highest poverty districts and schools.
 - Protections to protect education \$ investments:
 - **Maintenance of effort:** No more than a 10% budget cut annually by the state or potential loss of federal \$,
 - **Supplement not supplant:** District must show that they used federal \$ to supplement what they already committed at the local level if no federal \$ was available,
 - **Comparability:** Districts must show that Title I schools got at least as much state and local funding as schools that did not receive Title I \$.

ESSA Public Reporting

ESSA Public Reporting

- ESSA requires both state and local annual report cards that must include:
 - State accountability reports including schools identified for improvement,
 - Disaggregated data on:
 - Indicators,
 - State assessments data,
 - Gradation rates,
 - Access to advanced coursework (AP),
 - Discipline rates,
 - Absences,
 - Graduates enrolling in higher education.
- Educator qualifications,
- Comparisons of high poverty and low poverty schools on all accountability reporting,
- Per pupil expenditures,
- NAEP results compared to national averages.

ESSA Public Reporting

- STATE REPORT CARDS will include:
 - Description of the state's accountability system.
 - Student achievement data by achievement level on the state assessments, in the aggregate and disaggregated by:
 - Each major racial/ethnic group,
 - Economically disadvantaged students compared to non-economically disadvantaged students,
 - Children with disabilities compared to non-disabled children,
 - English proficiency status,
 - Gender,
 - Migrant status,
 - Foster care status,
 - Homeless status, and
 - Status as a student with a parent who is a member of the Armed Forces.

ESSA Advocacy and What's Next in Alabama

Advocacy Areas of Interest

- How will all this data be understood and useable by parents and the community?
- What type of tools, training, or materials will need to be developed and accessible to families to advocate for stronger opportunities for all children to learn and be college and career ready?
- What are the appropriate supports and interventions for the underperforming student groups?
- What are appropriate timelines for improvement?
- How will students with disabilities be provided with appropriate accommodations on assessments?

What is Next in Alabama?

- Governors Committee on ESSA implementation has been formed and is meeting to design a plan for implementation. A website will house all data from the committee.
- Public comment periods will be available prior to finalization (expected December 1, 2016).
- Each district will design their own plans of action in 2016-2017.
- Stakeholders including parents should participate in opportunities for development at the state, district, or local level planning and implementation.

Every Student College and Career Ready in Alabama

- Education is not the sole responsibility of any entity.
- Parents and families and community members are key stakeholders in the ESSA planning and implementation.

ESSA Resources

- ALSDE Implementation Site (Coming Soon)
 - <http://governor.alabama.gov/newsroom/2016/03/governor-bentley-establishes-state-implementation-committee-every-student-succeeds-act/>
 - <https://www.alsde.edu/>
- Federal Site:
 - <http://www2.ed.gov/policy/elsec/leg/essa/index.html>

ACCOUNTABILITY: THEN AND NOW

Issue	No Child Left Behind	Every Student Succeeds Act (with Proposed Regulations)
Expectations for Students	Unrealistic goals and targets created incentives for States to lower standards for students, well below levels needed to succeed after high school.	States must set expectations for all students that will put them on a path to succeed in college or career, with flexibility to design accountability systems that best support this goal.
Goals and Timelines	States were held to a federally-prescribed timeline for all students to achieve proficiency in reading and math.	States set their own ambitious goals and short-term measures of progress that hold high expectations for all students and reflect the progress necessary to close achievement gaps.
Measures of School Quality	School performance was defined and measured narrowly, with a heavy focus on math and reading test scores and high school graduation rates.	Increased state flexibility to take a more holistic view of school performance based on multiple measures including: achievement in reading and math; academic progress in elementary and middle schools; graduation rates in high schools; rates of progress for English learners achieving language proficiency; and a state-determined indicator of school quality or student success.
Transparency around Performance	Schools that did not meet benchmarks were given a "pass/fail" mark and a label (e.g., corrective action) associated with the types of improvement efforts that had to be undertaken in the school - information that was not meaningful or particularly useful to parents and the public.	States create a multi-level rating system that clearly communicates to parents and communities how their schools are doing, taking into account all of the measures of school performance. Information displayed in a timely manner on annual report cards, designed with input from parents.
Interventions	Federally-prescribed interventions for schools and districts identified as "failing."	Locally-tailored, evidenced-based interventions for schools identified for support. Improvement plans designed in collaboration with teachers, principals, parents, and other stakeholders.
Resources	Districts were directed to set-aside substantial amounts of funding for specific federally-prescribed interventions, which were not consistently effective.	Districts no longer forced to set aside funds. State funds are prioritized to a state's lowest-performing five percent of schools, high schools with low graduation rates, and schools with persistent low performance among subgroups of students. Flexibility to use funds for locally-tailored, evidence-based strategies.

U.S. Department of Education

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Every Student Succeeds Act (ESSA)

"With this bill, we reaffirm that fundamentally American ideal—that every child, regardless of race, income, background, the zip code where they live, deserves the chance to make of their lives what they will." —
President Barack Obama

A New Education Law

The Every Student Succeeds Act (ESSA) was signed by President Obama on December 10, 2015, and represents good news for our nation's schools. This bipartisan measure reauthorizes the 50-year-old Elementary and Secondary Education Act (ESEA), the nation's national education law and longstanding commitment to equal opportunity for all students.

The new law builds on key areas of progress in recent years, made possible by the efforts of educators, communities, parents, and students across the country.

For example, today, high school graduation rates are at all-time highs. Dropout rates are at historic lows. And more students are going to college than ever before. These achievements provide a firm foundation for further work to expand educational opportunity and improve student outcomes under ESSA.

The previous version of the law, the No Child Left Behind (NCLB) Act, was enacted in 2002. NCLB represented a significant step forward for our nation's children in many respects, particularly as it shined a light on where students were making progress and where they needed additional support, regardless of race, income, zip code, disability, home language, or background. The law was scheduled for revision in 2007, and, over time, NCLB's prescriptive requirements became increasingly unworkable for schools and educators. Recognizing this fact, in 2010, the Obama administration joined a call from educators and families to create a better law that focused on the clear goal of fully preparing all students for success in college and careers.

Congress has now responded to that call.

The Every Student Succeeds Act reflects many of the priorities of this administration.





Resources

- White House Fact Sheet on House Passage of ESSA (<https://www.whitehouse.gov/the-press-office/2015/12/03/fact-sheet-congress-acts-fix-no-child-left-behind>)
- Read excerpts from U.S. Secretary Arne Duncan's remarks on ESSA (<http://www.ed.gov/news/press->

releases/excerpts-education-secretary-arne-duncan%E2%80%99s-prepared-remarks-learning-forward-conference-today-dec-8)

- Read the Every Student Succeeds Act (<https://www.gpo.gov/fdsys/pkg/BILLS-114s1177enr/pdf/BILLS-114s1177enr.pdf>)
- Sign up for news about ESSA (https://public.govdelivery.com/accounts/USED/subscriber/new?topic_id=USED_5)
- Sign up for email updates about ESSA (https://public.govdelivery.com/accounts/USED/subscriber/new?topic_id=USED_5)
- Send questions to essa.questions@ed.gov (<mailto:mailto:essa.questions@ed.gov>).

Proposed Regulations

-  Notice of Proposed Rulemaking: Accountability, State Plans, and Data Reporting (</policy/elsec/leg/essa/nprmacountabilitystateplans52016.pdf>)
-  Fact Sheet for Notice of Proposed Rulemaking: Accountability, State Plans, and Data Reporting (</policy/elsec/leg/essa/essaaccountabilitynprmssummary52016.pdf>)
-  Chart Comparing Proposed Regulations to NCLB (</policy/elsec/leg/essa/nprmacountabilitychart52016.pdf>)
-  Press Release for Proposed Regulations on Accountability, State Plans, and Data Reporting (<http://www.ed.gov/news/press-releases>)

Public Notice

ESSA Regional Public Meetings:

All public hearings were held from 9:00 a.m. to 5:00 p.m. local time.

- Public Meeting Inquiry (<http://www.regulations.gov/#!documentDetail;D=ED-2015-OESE-0130-0001>)


University of California Los Angeles, Carnesale Commons: (January 19, 2016)

- Speaker List (</policy/elsec/leg/essa/essaspeakerinputmtglist1192016.pdf>)
- Transcript (</policy/elsec/leg/essa/essapublicinputmtg1192016.pdf>)
- Webcast (<https://1sourcevents.adobeconnect.com/p6nbgk9zuxi/>)

U.S. Department of Education:(January 11, 2016)

- Speaker List (</policy/elsec/leg/essa/speakerlistdcm1112016.pdf>)
- Transcript (</policy/elsec/leg/essa/essapublicinputmtg1112016.pdf>)
- Webcast (<http://edstream.ed.gov/webcast/Play/7592f68fb7404eedb2b89ea72032188c1d>)

Negotiated Rulemaking

-  Title I, Part A assessments – Final Consensus-Based Regulatory Language (</policy/elsec/leg/essa/title1a-assessment-consensus-regulatory-lang.pdf>) (April 19, 2016)
- Draft Organizational Protocols for the Negotiated Rulemaking Committee (</policy/elsec/leg/essa/essanrmorgprotocols31716.pdf>) (March 17, 2016)
- List of Non-Federal Negotiators (</policy/elsec/leg/essa/nonfed-negotiators-20160304.pdf>) (March 4,

2016)

- Sessions 1 Materials (</policy/elsec/leg/essa/session.html#session1>)(March 21-23, 2016)
- Sessions 2 Materials (</policy/elsec/leg/essa/session.html#session2>)(April 6-8, 2016)
- Sessions 3 Materials (</policy/elsec/leg/essa/session.html#session3>)(April 18-19, 2016)
- Negotiator Nomination FAQs (</policy/elsec/leg/essa/negreg2-19-16.pdf>) (February 22, 2016)
- Rulemaking Webinar (</policy/elsec/leg/essa/essarulemaking2-17-2016.pdf>) / Audio (</policy/elsec/leg/essa/essarulemaking217.mp3>) (February 17, 2016)
- Federal Register Notice (</policy/elsec/leg/essa/2016-02224essanegregs.pdf>)(February 4, 2016)
- FAQs (</policy/elsec/leg/essa/essanegregnoticefaqs02022016.pdf>) (February 3, 2016)

Guidance and Regulatory Information

new Separate from our previous request for comments on potential areas for regulation under Title I of the Every Student Succeeds Act (ESSA), the U.S. Department of Education (ED) is seeking your input on areas of the law on which we could provide non-regulatory guidance to assist States, districts and other grantees in understanding and implementing the new law. As you may know, non-regulatory guidance is not binding and does not impose any new requirements beyond those in the law and regulations; rather, it is intended to help the public understand the law, how ED is interpreting the law, and to provide clarification and examples of best practices. We invite you to share your thoughts, comments, and suggestions on areas or specific new requirements of the ESSA that you think would benefit from such guidance. For example, ED seeks input on: ways to expand early learning, strategies to recruit, develop, and retain teachers and leaders (Title II), clarification of fiscal requirements, student support services (Title IV), and other areas where state and local agencies could benefit from additional guidance. In addition, ED plans on developing guidance regarding students in foster care, homeless children and youth, and English Learners (Title III).

Please provide your input by sending an email message ESSA.guidance@ed.gov (mailto:ESSA.guidance@ed.gov), noting the topic area(s) in the subject line. Also, please include within the body of your email message, your name and, if applicable, the organization on behalf of which you are submitting comments. In order for your feedback to have the most impact, we encourage you to submit your comments by May 25, 2016.

- **new** ESSA Transition FAQs (</policy/elsec/leg/essa/faq/essatransitionfaqs050316.pdf>) (May 4, 2016)
- ESSA Dear Colleague Letter (</policy/elsec/leg/essa/transitionsy1617-dcl.pdf>) (January 28, 2016)
- ESSA Webinar Powerpoint (<http://www2.ed.gov/policy/elsec/leg/essa/essastwebinar12222015.pdf>) (December 22, 2015)
 - ESSA Webinar Audio Recording (</policy/elsec/leg/essa/essastwebinar12222015.wav>) (December 22, 2016)
- Dear Colleague Letter on the Transition to ESSA (<http://www2.ed.gov/policy/elsec/leg/essa/transition-dcl.pdf>) (December 18, 2015)
- Dear Colleague Letter on the New ESSA Law (<http://www2.ed.gov/policy/elsec/guid/secletter/151210.html>) (December 10, 2015)

Other Links

- NCLB Legislation (</about/offices/list/oese/legislation.html#res>)

- ESSA (<http://www.ed.gov/essa?src=rn>)

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Last Modified: 05/26/2016

Parent Tips for.....

Conflict & Dispute Resolution

of Special Education Issues



What can I do if the services my child is receiving are not satisfactory?

The *Individuals with Disabilities Education Act* (IDEA) establishes that children with disabilities are entitled to a free appropriate public education (FAPE). Sometimes families are not satisfied with the identification, evaluation, educational placement, related services, or provision of specially designed instruction for their child. If you are concerned about your child's special education services, there are some proactive actions that you can take. This parent tip sheet is designed to give you an overview of these actions. One set of actions for consideration are informal methods to resolve a conflict through active communication. In this parent tip sheet these **informal methods** are referred to as "conflict resolution." A second set of actions to consider are formal methods to resolve a dispute. These formal methods for resolving a dispute are indicated in the IDEA. In this parent tip sheet these **formal methods** are referred to as "dispute resolution." There are advantages and disadvantages to each of the different methods. Special Education Services (SES) hopes that this information will be useful in helping you determine which method is best suited to your child's individual situation.

What is conflict resolution and how might it help to satisfactorily resolve my concerns?

In this parent tip sheet conflict resolution describes a series of actions that you can take to actively communicate with individuals and agencies to help resolve disagreements about your child's FAPE. These actions are voluntary. You do not have to participate in any of these informal methods prior to pursuing one of the formal dispute resolution options. Here are some suggestions for your consideration:

- ◆ It is helpful to make a list of specifics about the disagreement and have a description of what you consider to be appropriate solutions to the disagreement;
- ◆ Contact the case manager, principal or administrator at your child's school and request an IEP Team meeting to discuss your disagreement. If a parent has reason to suspect that the IEP needs revision, an IEP Team meeting may be requested at any time. In Alabama, the local education agency (LEA) must conduct the IEP Team meeting within 30 calendar days upon the receipt of the request;
- ◆ Contact the Special Education Coordinator for your child's school district and notify the coordinator of your disagreement. The Special Education Coordinator's contact information can usually be found on the school system's website. You are also welcome to call SES at the Alabama State Department of Education (ALSDE). A receptionist will be glad to give you the name and telephone number for the Special Education Coordinator for your child's school district. The telephone number for SES is **(334) 242-8114**;
- ◆ Contact the SES Regional Specialist at ALSDE. The SES Regional Specialist is the ALSDE contact person who is assigned to work with the schools and the school district personnel in your area. When you call, ask the receptionist to connect you to the SES Regional Specialist for your child's school district. The Regional Specialist will gather information about your disagreement and relay this information to the appropriate individual in your child's school district so they may address your concern;
- ◆ Contact a member of the SES dispute resolution team at ALSDE. In addition to relaying information about your disagreement to appropriate individuals, members of the dispute resolution team can provide you additional information about formal options for dispute resolution;
- ◆ Contact an independent advocacy agency. Sometimes parents feel more comfortable discussing their disagreement about their child's FAPE with someone who is not part of the local or state educational agencies. Contact information for advocacy agencies located in Alabama are listed on the following page;
- ◆ While not required it is often helpful to keep a record of who you have contacted about the disagreement, when you contacted them, and any action that resulted from your contact.

What is dispute resolution and how might it help to satisfactorily resolve my concerns?

The IDEA provides three options for formal dispute resolution. The options are **mediation**, a **written state complaint**, and a **due process hearing**. Each option has advantages and disadvantages. Each option has specific requirements that are necessary prior to initiation. Below is a brief description of each of these formal dispute resolution options. You may also telephone one of the dispute resolution contacts at SES/ALSDE and he or she will be glad to mail you additional information or help you find answers to your questions. The telephone number is (334) 242-8114. You may also fax SES/ALSDE at (334) 242-9192. For individuals who are deaf or hearing impaired, our TDD telephone number is (334) 353-1031. Information about formal dispute resolution is also available on the ALSDE website. The web address is: <http://www.alsde.edu/sec/ses>. Select the *Dispute Resolutions* tab on the right. Sample forms and additional information are found under the *Parent Resources* tab.

MEDIATION

Mediation is available as a method to resolve problems or disagreements about a child's special education program. It is a separate procedure from either filing a written state complaint or requesting an impartial due process hearing. When an impartial due process hearing has been requested, mediation may also provide opportunities to reach agreement. An agreement reached through mediation may end the need for a hearing. Either a parent or school official may request mediation. For mediation to take place, both local school officials and the parent have to agree to participate in mediation.

WRITTEN STATE COMPLAINTS

A signed, written complaint may be sent to the State Superintendent of Education, Attention: Special Education Services. When a formal complaint is filed, the Alabama State Department of Education investigates the violations of the IDEA requirements that have been alleged. A specialist will be assigned as complaint contact for each complaint filed.

DUE PROCESS HEARING

An impartial due process hearing is a legal procedure available when a parent or the school system disagrees with any matter relating to the proposal or refusal to initiate or change the identification, evaluation, educational placement of a child, or the provision of FAPE to a child. An independent hearing officer, assigned by the State Superintendent of Education, will conduct the hearing. Both parties in the hearing are usually represented by legal counsel to present their cases, though this is not required by the regulations. A written decision is given by the hearing officer after the impartial due process hearing. If dissatisfied, either party may appeal the decision in civil court.

Are there free or low-cost legal and other relevant services available?

Yes. In this area there are two advocacy programs that you can contact to discuss the options that are available to resolve your disagreement about your child's special education services. These agencies are not affiliated with the local school district or with the ALSDE. Contact information is listed below.

ALABAMA DISABILITIES ADVOCACY PROGRAM (ADAP)
P. O. Box 870395
Tuscaloosa, Alabama 35487-0395
(800) 826-1675
www.adap.net

ALABAMA PARENT EDUCATION CENTER (APEC)
10520 US Highway 231
Wetumpka, AL 36092
(866) 532-7660
www.alabamaparentcenter.com

Additionally, the Alabama State Bar may be contacted to request a referral to an attorney who specializes in Special Education Law. The telephone number for the Alabama State Bar is (800) 392-5660.



PARENTS- *PARTNERS* *IN SPECIAL EDUCATION*

FEBRUARY 2016

INTRODUCTION

Parents-Partners in Special Education is provided to help explain special education services that are available under Part B of the *Individuals with Disabilities Education Act* to students age 3-21 with disabilities. The target audience for this publication is parents and guardians of children with disabilities. We also hope that *Parents-Partners in Special Education* will be helpful to anyone who wants to learn more about special education.

To the greatest extent possible, the information in this publication is presented in parent-friendly language. This publication generally describes special education and is not intended to interpret, modify, or replace any procedural safeguards or requirements of federal or state law.

If you are a parent or guardian of a child who has been referred for or is receiving special education services, you must, at least once a year, be given a copy of the *Special Education Rights* form. This is the document that notifies you of your specific rights within the special education process. A copy of this form is available through your local school system or on our Web site at <http://www.alsde.edu/sec/ses>.

A child's school years are much more successful when there is a partnership effort between the home and school. We hope this publication will help this partnership grow and flourish.

SPECIAL EDUCATION- THE FOUNDATION

Special education, as we know it, began in 1975 with the passage of the *Education for All Handicapped Children Act*. This federal legislation established a right to public education for all children regardless of disability. Over the years the original legislation became what is now known as the *Individuals with Disabilities Education Act*. You will often see or hear this federal legislation referred to as **IDEA**. The IDEA requires public schools to provide special education for children with *qualifying disabilities. There are two sections of IDEA: Part B and Part C. Part C of IDEA is for children from birth to age 2. Part B is for children ages 3-21. *Parents-Partners in Special Education* is about special education for Part B of the IDEA. If you need information about Part C of the IDEA (birth to age 2), contact the Department of Rehabilitation Service's Alabama Early Intervention System at 1-800-543-3098. The regulations that tell how Part B of the IDEA is provided in Alabama are found in the [Alabama Administrative Code](#) at Chapter 290-8-9.

Special education is the individualized instruction and related services that are specially designed to meet the unique needs of a child with a disability and is provided at no cost to the parent or guardian. This is called a free appropriate public education (FAPE). The plan for providing a FAPE for a child is indicated in an Individualized Education Program. This program is called an IEP. The IEP is reviewed and revised at least once a year. Part B of the IDEA also provides the child with a disability certain protections called procedural safeguards. Among these safeguards are access to formal dispute resolution, confidentiality of records, parental (guardian or surrogate) notice and consent, and transfer of rights at the age of 19.

NOTE.....

.....not all children with a disability will qualify for special education under Part B of the IDEA. Section 504 of the *Rehabilitation Act of 1973* (Section 504) and the *Americans with Disabilities Act* (ADA) provide protections against discrimination and equal access for all adults and children with disabilities. These two laws are sometimes confused with IDEA. For questions about Section 504 plans, you will need to talk with someone in the school system about local policies and procedures. If you have a concern about disability-based discrimination, harassment, or retaliation, you can contact the regional Office for Civil Rights at 800-421-3481.

SPECIAL EDUCATION- THE IEP TEAM

A Notice and Invitation to a Meeting/Consent for Agency Participation is the form used to invite you to an IEP Team meeting. In addition to saying when and where the meeting will be held, the invitation also indicates what specific purpose the meeting is for and who has been invited to the meeting. The invitation has three choices regarding your attendance. While it is hoped that it does not happen, if you choose not to attend or do not respond after the school has made two attempts, the IEP Team may meet without you. Depending on your child's age and individual needs, you may also be asked to give (or decline) consent for representatives from outside agencies who are responsible for paying for or providing transition services to attend the meeting. Your participation is important! If you are not sure what a meeting is about or need to reschedule, call your child's school and ask.

SPECIAL EDUCATION- THE IEP TEAM

Special education requires teamwork to be successful. The IEP Team is a group of individuals who work together to make decisions about your child's education. Each IEP Team member has an important role in the process. Sometimes one person may serve in two roles during an IEP Team meeting.

The IEP Team members **MUST** include the following:

The parent(s)*– The parent is an equal partner at the IEP Team meeting and brings important insight about the child's strengths and needs.

A **regular education teacher**– This teacher provides input about the general education classroom and general education curriculum.

A **special education teacher**– This teacher provides input about what your child may need to succeed in the school setting and how instruction may be modified or accommodated based on your child's individual needs.

An **individual who can interpret your child's evaluation results**– Whether the IEP Team meeting is to review eligibility testing or to revise an IEP, someone must be present who has the expertise to explain what test results mean and how the results may impact the decisions being made by the IEP Team.

A **school system representative**– This individual is usually an administrator who can commit resources to ensure that IEP services will be provided. This person is often referred to as the "LEA representative."

The following IEP Team members **MAY** sometimes be required:

Other individuals who have knowledge or special expertise regarding your child– Some examples would be a nurse, a physical or behavioral therapist, or a classroom assistant. There are many other people who might be needed to provide special expertise and are invited to participate as a team member by either the parent or the school.

The student– When your child turns 16 he/she is expected to be a part of the IEP Team. Prior to age 16, the IEP Team may invite a student to participate whenever the team determines it is appropriate.

Career/technical, secondary transition services, and early intervention representatives– Depending on your child's age and individual needs, one or more of these representatives may be invited or required to attend the IEP Team meeting.

NOTE.....

.....you may also want to bring a family member, friend, or advocate to an IEP Team meeting. While not required, it is a courtesy to let the school know about any additional people you anticipate coming to the meeting with you.

.....As defined in the federal law, “the term parent means a parent, a guardian, a person acting as a parent of the child, or a surrogate parent. The term does not include the State if the child is a ward of the State.” First and foremost is the birth or adoptive parent(s) but a parent under IDEA may also include persons acting in the place of the birth or adoptive parent(s), such as a grandmother or stepparent with whom a child lives, as well as persons who are legally responsible for a child’s welfare.

THE PROCESS- CHILD FIND

What Is Child Find?

Child Find is a statewide effort by the Alabama State Department of Education and the Alabama Department of Rehabilitation Services to locate, identify, and evaluate children with disabilities from birth to age 21. School systems have an affirmative obligation to locate, identify, and evaluate children who have or may have a disability. School systems use the referral process to fulfill this obligation.

How Does Child Find Work?

Early Intervention and Special Education Services work closely with community service agencies, parents, and local school systems to locate children with disabilities. For parents or other persons interested in information about referring a child from birth to age 2, the toll-free telephone number is 1-800-543-3098. For parents or other persons interested in information about referring a child ages 3-21, the local school system or Special Education Services Section at the Alabama State Department of Education should be contacted.

Why Is Child Find Important?

Child Find helps the child, the family, and the provider to plan appropriate services and link families to services for students who may meet special education eligibility requirements.

THE PROCESS- REFERRAL

A referral for a special education evaluation is begun when it is suspected that a child may have a disability. A parent, teacher, or school employee may request that a referral be started. Sometimes a Problem Solving Team (PST) from the school will use intervention strategies in the general education setting before beginning the referral process. However, PST intervention strategies may be implemented at the same time as the evaluation process. Once a referral has been made an IEP Team meeting will be scheduled. The IEP Team will then review instructional and behavioral concerns; available information about educational history and health; and environmental, cultural, and/or economic concerns. After reviewing and discussing this information, the IEP Team will decide whether (or not) the student is accepted for a special education eligibility evaluation. If the IEP Team decides to accept the child for evaluation, the parent may either give his/her permission for the evaluation or not give his/her permission for the evaluation. If a parent decides not to give permission for the initial evaluation and the school system does not pursue an evaluation through the override procedures of mediation and/or due process, the referral process stops and the child will not be evaluated. Additional information about referrals that may be helpful follows:

- PST interventions in the general education class are not required if a child has severe problems requiring immediate attention.
- PST interventions in the general education class are not required for 3-5 year olds who have not been in kindergarten.
- PST interventions in the general education class are not required for children with articulation, voice, or fluency speech problems.
- PST interventions in the general education class are not required for children with a medical diagnosis of traumatic brain injury.
- PST interventions in the general education class are not required for a child who has been referred by his/her parents.
- A parent may request a referral for a special education evaluation either verbally or in writing.
- The IEP Team must meet to consider the referral when a parent makes a request for a special education evaluation.
- A school system may not limit the number, per year, of referral requests.
- A school system may not limit referrals to specific times of the year.

THE PROCESS- EVALUATION

INITIAL EVALUATION

The purpose of an initial evaluation is to determine if a child meets the eligibility requirements to receive special education services. After the IEP Team has accepted a referral for a special education evaluation, the parent is provided notice about the proposed evaluation and asked to give his/her consent for the evaluation to begin. The notice of the evaluation indicates the reasons why the evaluation is proposed, what information was used to make the decision to evaluate, and the assessment areas that may be included in the evaluation. If the parent does not give permission for the evaluation to begin and the school system does not pursue an evaluation through the override procedures of mediation and/or due process, the referral process stops. Also, if after two documented attempts to obtain permission, the parent does not indicate if he/she does or does not give permission, the referral process stops. An evaluation must consist of more than one assessment, come from a variety of sources, and be given by qualified personnel. Once parental permission for the evaluation has been received, the school system has 60 calendar days to conduct the evaluation. Following completion of the evaluation, the school system has 30 calendar days to convene a meeting to report the results of the evaluation to the parent and determine if the student meets eligibility criteria.

REEVALUATION

A child who has been previously determined to be eligible for special education services must be reevaluated every three years to determine if he or she continues to meet eligibility criteria for special education services. An IEP Team meeting is held to determine if any additional data are needed to determine the child's eligibility status. If additional data are needed, the parent is provided notice about the proposed evaluation and asked to give his/her permission to conduct the evaluation. If the parent does not respond to this notice, the school system may, after two documented attempts, proceed with the reevaluation. If a parent indicates that he/she does not give permission for the reevaluation to proceed, the IEP Team may meet to reconsider the need for additional data or the school system may pursue the reevaluation by using the consent override procedures of mediation and/or due process to fulfill its legal obligation to complete a reevaluation every three years. The IEP Team may also request additional data from a reevaluation to determine if changes need to be made to the child's Individualized Education Program.

INDEPENDENT EDUCATIONAL EVALUATIONS

If a parent disagrees with an individual evaluation he/she has the right to an independent educational evaluation (IEE) at no cost. However, the school system may request a due process hearing to show that the school system's evaluation is appropriate and no additional evaluation is required. A parent may also acquire an independent educational evaluation at his/her own expense and ask that this evaluation, as long as it meets criteria, be considered by the IEP Team.

THE PROCESS- ELIGIBILITY

Either the IEP Team or an Eligibility Committee that includes the parent meets to review and discuss the results of the evaluation. At this meeting a determination is made about whether (or not) the student meets eligibility criteria for special education services in one or more of the thirteen defined *disability areas. If the child is not determined eligible for special education services, he or she is referred to the school- based Problem Solving Team which will explore other intervention options outside of special education. If the child is determined eligible for special education services, the parent decides whether (or not) to give permission for special education services to be provided to the child. If the parent does not give permission for special education services to begin, the process stops. If the parent does not respond to the request for permission to evaluate, the school system must document at least two attempts to obtain parental permission. Once parental permission for the provision of special education services has been received, the school system has 30 calendar days to convene an IEP Team meeting to develop an Individualized Education Program for the child.

*DISABILITY AREAS

Children may be eligible for special education and related services in one or more of the following areas of disability:

Autism (AUT)	Intellectual Disability (ID)	Orthopedic Impairment (OI)
Deaf/Blindness (DB)	Multiple Disabilities (MD)	Traumatic Brain Injury (TBI)
Developmental Delay (DD)	Other Health Impairment (OHI)	Visual Impairment (VI)
Emotional Disability (ED)	Speech or Language Impairment (SLI)	
Hearing Impairment (HI)	Specific Learning Disabilities (SLD)	

THE PROCESS- THE IEP

At the center of special education is the Individualized Education Program (IEP). The IEP indicates the specially designed instruction that is appropriate for your child and the additional supports required to provide the specially designed instruction. Your child must have an IEP before any special education services can be provided. Unless the IEP Team specifies otherwise, the IEP must be in place for at least the length of the regular school term and school day. The IEP must be reviewed annually and cannot have a duration of more than 365 days. You should be given a copy of your child's IEP. The school is responsible for informing personnel about their responsibilities in providing the special education services indicated in the IEP. Below are brief descriptions of the required parts of an IEP.

THE PROCESS- THE IEP

Student Profile

The student profile is where the IEP Team paints a word picture of the child. The information in the student's profile will directly link to other elements of the IEP. The profile includes information about the child's strengths, preferences, and interests. The parent's concerns for enhancing the education of his/her child are included along with other relevant information. A description of relevant evaluation results, which is written in meaningful and clear terms, is provided so that the IEP Team shares an understanding of the evaluations. Finally, information about the academic, developmental, and functional needs of the child are included to help the IEP Team understand how the child's disability affects participation in the general education curriculum or with age-appropriate peers. Sometimes a teacher may send home a parent questionnaire prior to the IEP Team meeting to get input from the parents about the information required in the student profile. While use of and completion of these types of questionnaires are entirely voluntary, doing such can be a very good way for the school and family to open communication about the educational needs of the child.

THE PROCESS- THE IEP

Transportation

This section of the IEP identifies how the student will be transported to and from school and if transportation is needed as a related service. If transportation is needed as a related service, this section also indicates the specific supports, services, or equipment that are needed to provide transportation.

Nonacademic and Extracurricular Activities

This section of the IEP indicates the extent to which the child will have an opportunity to participate in nonacademic and extracurricular activities with his/her nondisabled peers. If supports are required for participation, they are described here. If the student does not have the opportunity to participate in these activities, an explanation must be provided.

Method/Frequency for Reporting Progress of Attaining Goals to Parents

This section of the IEP indicates how often and by what means the school will report to you about his/her progress on IEP annual goals.

THE PROCESS- THE IEP

Measurable Annual Goals

The annual goal is a statement describing the academic or functional skill and specially designed instruction that will enable the child to achieve within the duration of the IEP. The annual goal must identify the academic or functional content area that is targeted. The annual goal should be directly linked to needs identified in the child's profile or special instructional factors. The annual goal must contain a statement about the child's present level of academic achievement and functional performance. The annual goal must be objectively measurable and contain a specific criteria that will demonstrate mastery.

The annual goal will indicate how mastery will be evaluated. Any annual goal may include additional benchmarks that indicate intermediate steps towards annual goal achievement but benchmarks are only required for a child who is working on alternate achievement standards, also known as the Alabama Extended Standards.

Transition

Measurable postsecondary goals and transition services must be addressed in the child's IEP no later than the first IEP to be in effect when the child turns 16. This section of the IEP indicates the transition assessments that will be used to determine postsecondary transition goals and states the long-term goal for the areas of Postsecondary Education/Training; Employment/Occupation/Career; and Community/Independent Living. Transition service(s), activity(s), and the persons involved are indicated for each of the long-term goals. This section also indicates what pathway has been selected for the child to obtain the Alabama High School Diploma and what program credits are required to complete the selected pathway.

THE PROCESS- THE IEP

Special Education and Related Services

This section indicates the special education services, related services, and supplementary aids and services that your child requires to make progress toward attaining his/her annual goal(s), participate in school activities, and be educated with his/her peers. It also indicates the program modifications and supports for school personnel that are required to provide special education services for the child. This section will list the frequency, time, duration, and location of these services.

State Testing

Alabama requires that all students in specific grades participate in standardized testing. If your child requires accommodations to participate in this testing or requires an alternate test, this section of the IEP will indicate what those specific testing conditions will be. For more information on what standardized tests are currently required and the allowable accommodations for these tests, you should contact the test coordinator at your child's school, school system, or contact the Student Assessment Section at the ALSDE.

Extended School Year (ESY) Services

The IEP Team must consider the need for ESY services. ESY services are different than summer enrichment or summer remediation programs. In Alabama, ESY services are provided based on a demonstration that the child has significantly regressed, during a break in services, on one or more critical skills. A discussion of ESY services should identify the skills the IEP Team considers critical and how skill regression will be measured following a service break (e.g., summer, holiday).

THE PROCESS- THE IEP

Least Restrictive Environment (LRE)

The LRE indicates the amount of time the child will receive educational services with his/her nondisabled peers. A child with a disability should only be removed from the regular education environment if the nature and severity of his/her disability is such that meaningful educational benefit cannot be satisfactorily achieved in the regular education environment. In these cases, the IEP Team must consider a variety of options to educate the child, to the greatest extent possible, with his/her nondisabled peers. If the child does not receive all of his/her special education services with nondisabled peers, the IEP Team must provide an explanation for this decision.

Signatures

At the conclusion of the IEP Team meeting all members in attendance are asked to sign the IEP indicating they participated in the IEP development. If you decline to sign, a notation of your attendance will be made. You may request that another IEP Team meeting be held, within 30 days, for the IEP Team to review any concerns or additional input you may have at that time.

PROCEDURAL SAFEGUARDS

Procedural safeguards describe the rights afforded to parents, students, and schools under Part B of the IDEA. In Alabama the document stating these procedural safeguards is called *Special Education Rights*. The school system is required to provide you a copy of these procedural safeguards once a year. A copy of the *Special Education Rights* should also be provided at the initial referral or when a parent requests an evaluation, when there is a disciplinary action resulting in a change of your child's placement, the first time a state complaint is filed, and the first time a due process hearing is requested. You may also request, at any time, that you be provided an additional copy of the *Special Education Rights*. While the next few slides summarize these procedural safeguards in parent-friendly language, it is important to remember that these summarizations are not intended to interpret, modify, or replace the specific rights granted under federal or state law.

PROCEDURAL SAFEGUARDS- RECORDS

You must be permitted to inspect and review all special education records for your child. Your request to inspect and review the records should be fulfilled without unnecessary delay and should not take more than 45 days. You may make reasonable requests for explanations and interpretations of the records. The school system is permitted to charge a fee for copying the records as long as this fee does not prevent you from inspecting and reviewing the records. The *Family Education Rights and Privacy Act* (FERPA) is the law that provides for the protection of your child's educational records. This law describes when your permission is required before copies of your child's educational records or personal information can be provided to someone else. FERPA also indicates the process to be taken if you want to amend your child's educational record. When special education records and personal information are no longer needed, notification must be made prior to the destruction of those records. In Alabama the rules governing the destruction of governmental records, including educational records, are found in the Functional Analysis & Records Disposition Authority, 2014.

PROCEDURAL SAFEGUARDS- DISCIPLINE & PRIVATE SCHOOLS

DISCIPLINE

If a child who is receiving special education services violates the school system's code of conduct, that child has specific protections before he/she is removed from the current educational placement. These specific protections also apply to a child if the school system had knowledge that the child was a child with a disability prior to the code of conduct violation. If, because of a code of conduct violation(s), a child has been removed from the educational setting for more than 10 school days, an IEP Team meeting must be held to determine if the code of conduct violation(s) were a manifestation of the child's disability. In other words, was the child's misconduct a symptom or in some way the result of his/her disability. If a parent is in disagreement with the IEP Team's determination, he/she may appeal the determination by filing a due process hearing request. Certain special circumstances apply if the code of conduct violation involves weapons, illegal drugs, or inflicting serious bodily injury.

PRIVATE SCHOOL ENROLLMENT

Under Child Find obligations, a child in a private school setting may be referred for a special education evaluation to determine eligibility. A school system is **not** required to pay for the cost of special education and related services for a child at a private school as long as the school system has offered to make the appropriate special education and related services available, at no cost, in a public education setting.

PROCEDURAL SAFEGUARDS- CONSENT & TRANSFER OF RIGHTS

CONSENT

Before conducting an initial evaluation or the initial provision of special education and related services, or obtaining additional data as part of a reevaluation, the school system must obtain your informed written consent. The school system must also take reasonable steps to obtain your consent before it reevaluates your child.

Consent means that:

- You have been fully informed about the activity for which consent is sought, in your native language, or via another way of communicating necessary for you to understand.
- You understand and agree in writing to the activity for which consent is sought, and the consent describes that activity and lists the records (if any) that will be released and who the records will be released to.
- You understand that granting consent is voluntary and may be revoked at any time. If you revoke consent, that revocation is not retroactive (that is, the revocation of consent does not negate an action that has occurred after the consent was given and before the consent was revoked).

TRANSFER OF RIGHTS

Under FERPA, when a student reaches the age of 18 rights regarding educational records and privacy transfer from the parent to the student. Under Alabama law, when a student with a disability reaches the age of 19 all other educational rights transfer to that student. The exception to this is if a court has certified that the student is unable to provide informed consent. At age 19 the school system must notify both the parent and the student of this transfer of rights.

PROCEDURAL SAFEGUARDS- PRIOR WRITTEN NOTICE

The school system must provide you with prior written notice within a reasonable amount of time before it proposes or refuses to act in regards to your child's special education and related services.

What Prior Written Notice is Required for:

- Initial evaluations and reevaluations.
- Identification for special education eligibility in a disability area.
- Placement in the least restrictive environment.
- Provision of a free appropriate public education indicated in the IEP.
- Other reasons; for example, revocation of consent, transfer of rights at the age of majority.

Why Prior Written Notice is Required:

- To ensure that you understand the special education and related services that a school system has proposed or refused to provide to a student.
- To provide comprehensive documentation of the proposed and/or refused actions.
- To make sure the school system and you are "on the same page" about a child's educational program.
- To provide the parents with an opportunity to voice any concerns or suggestions.
- To provide sufficient information to ensure that the parent understands the rationale behind a school system's decision making regarding a particular proposed or refused action.
- To ensure that the necessary informed parental consent is obtained.
- To assist the parent in determining the basis for any disagreement(s) with the proposed and/or refused actions addressed in the prior written notice and whether to seek resolution of any dispute through local dispute resolution procedures, a state complaint, mediation, or a due process hearing.

PROCEDURAL SAFEGUARDS- DISPUTE RESOLUTION

The IDEA provides three options for formal dispute resolution. The options are **mediation**, a **written state complaint**, and a **due process hearing**. Each option has advantages and disadvantages. Each option has specific requirements that are necessary prior to initiation. Below is a brief description of each of these formal dispute resolution options. You may also telephone one of the dispute resolution contacts at the ALSDE/SES who will be glad to mail you additional information or help you find answers to your questions. Information about formal dispute resolution is also available on the ALSDE Web site. The Web address is: <http://www.alsde.edu/sec/ses>. Select the *Dispute Resolutions* tab on the right. Sample forms and additional information are found under the *Parent Resources* tab.

MEDIATION

Mediation is available as a method to resolve problems or disagreements about a child's special education program. It is a separate procedure from either filing a written state complaint or requesting an impartial due process hearing. When an impartial due process hearing has been requested, mediation may also provide opportunities to reach agreement. An agreement reached through mediation may end the need for a hearing. Either a parent or school official may request mediation. For mediation to take place, both local school officials and the parent have to agree to participate in mediation.

WRITTEN STATE COMPLAINT

A signed, written complaint may be sent to the State Superintendent of Education, Attention: Special Education Services. When a formal complaint is filed, the Alabama State Department of Education investigates the violations of the IDEA requirements that have been alleged. A specialist will be assigned as complaint contact for each complaint filed.

DUE PROCESS HEARING

An impartial due process hearing is a legal procedure available when a parent or the school system disagrees with any matter relating to the proposal or refusal to initiate or change the identification, evaluation, or educational placement of a child, or the provision of FAPE to a child. An independent hearing officer assigned by the State Superintendent of Education will conduct the hearing. Both parties in the hearing are usually represented by legal counsel to present their cases, though this is not required by the regulations. A written decision is given by the hearing officer after the impartial due process hearing. If dissatisfied, either party may appeal the decision in civil court.

ADDITIONAL INFORMATION

LAWS & REGULATIONS

Alabama Exceptional Child Education Act (1971, No. 106)(Act 106); Section 504 of the *Rehabilitation Act of 1973* (34CFR Part 104); *Individuals with Disabilities Education Act* (IDEA) (34 CFR Part 300); *Alabama Administrative Code*, Chapter 290-8-9; *Family Education Rights and Privacy Act* (FERPA) (34CFR Part 99); and Education Department's General Administrative Regulations (EDGAR) Uniform Grant Guidance (2CFR Part 200).

ALABAMA STATE DEPARTMENT OF EDUCATION RESOURCES

The following publications can be found in the Special Education Services (SES) Section of the Alabama State Department of Education's (ALSDE) Web site. The Web address is www.alsde.edu/sec/ses:

Alabama Administrative Code (AAC) Chapter 290-8-9- This document contains the state regulations implementing the special education requirements found in Part B of the IDEA and the state regulations implementing the gifted education requirements found in the *Alabama Exceptional Child Act*.

Mastering The Maze, The Special Education Process 2015- This document provides detailed descriptions and specific instructions about how to properly complete Special Education Processes.

Regional In-service Centers Map- This interactive map provides links to contact information for the ALSDE Education Specialists who serve in each of the state's eleven regions. The map also links to contact information for the Special Education Coordinator in each school system and the Performance Profile Reports and Corrective Action Plans for each school system.

ADDITIONAL INFORMATION

COMMON ABBREVIATIONS

AAC Alabama Administrative Code	ADA Americans with Disabilities Act
APE Adapted Physical Education	AT Assistive Technology
BIP Behavioral Intervention Plan	CFR Code of Federal Regulations
DPH Due Process Hearing	DPHO Due Process Hearing Officer
ESY Extended School Year	FAPE Free Appropriate Public Education
FBA Functional Behavior Assessment	IEP Individualized Education Program
IEE Independent Educational Evaluation	IFSP Individual Family Service Plan
LEA Local Education Agency	LRE Least Restrictive Environment
OCR Office for Civil Rights	OT Occupational Therapy
PT Physical Therapist	SEA State Education Agency
SLP Speech Language Pathologist	
FERPA Family Education Rights and Privacy Act	
IDEA Individuals with Disabilities Education Act	
SEAP State Special Education Advisory Panel	
TDD/TTY Telecommunications Device for the Deaf	
PLAAFP Present Level of Academic Achievement and Functional Performance	

ADDITIONAL INFORMATION

OTHER RESOURCES

The following organizations have resources and services that may also be of assistance to parents who have questions about special education. These organizations are **not** affiliated with the ALSDE or local education agencies.

**Alabama Parent Education Center
(APEC)**
10520 US Highway 231
Wetumpka, AL 36092
(866) 532-7660
www.alabamaparentcenter.com

**Alabama Disabilities Advocacy Program
(ADAP)**
P.O. Box 870395
Tuscaloosa, AL 35487-0395
(800) 826-1675
www.adap.net

OTHER STATE AGENCIES THAT MAY BE OF HELP

Division of Rehabilitation Services
602 S. Lawrence Street
Montgomery, Alabama 36104
Phone: (334) 293-7500
Toll-free number: (800) 441-7607

**Alabama Council on Developmental
Disabilities**
Post Office Box 301410
Montgomery, Alabama 36130-1410
Phone: (334) 242-3973
Toll-Free: (800) 232-2158

Alabama Institute for Deaf and Blind
Post Office Box 698
Talladega, Alabama 35161
Phone: (256) 761-3203

Department of Mental Health
Post Office Box 301410
Montgomery, Alabama 36130-1410
Phone: (334) 242-3454
Toll-Free: (800) 367-0955

ADDITIONAL INFORMATION

IF YOU HAVE A QUESTION...

The Alabama State Department of Education, Special Education Services, and other state agencies are committed to the provision of appropriate programs and services for children with disabilities. For additional information, parents or guardians should contact their child's teacher, principal, special education coordinator, superintendent, or:

Alabama State Department of Education

P.O. Box 302101

Special Education Services

50 North Ripley Street

Montgomery, Alabama 36130-2101

Telephone: (334) 242-8114

FAX: (334) 242-9192

EMAIL: speced@alsde.edu

TDD: (334) 353-1031

www.alsde.edu/sec/ses

Child Abuse and Neglect Prevention

WHAT IS CHILD ABUSE?

Child abuse happens when a child's parent or other person in charge harms or neglects a child.

What are the types of child abuse?

In general, there are four major types of child abuse:

- physical abuse
- sexual abuse
- emotional abuse
- neglect

What is physical child abuse?

Physical abuse could result from a parent or person in charge causing physical injury to a child, or failing to adequately supervise a child or from a pattern of neglect of the child. Here are some examples of physical abuse:

- beating
- slapping
- hitting
- pushing
- throwing
- shaking
- burning

A child who is physically abused may:

- have burns, bite marks, cuts, bruises, or welts in the shape of an object
- not want to go home
- be afraid of adults

What is sexual abuse?

Sexual abuse happens when a parent or other person in charge sexually molests or uses a child for sexual purposes or knowingly fails to protect a child from sexual abuse. Here are some examples of sexual abuse:

- any sexual act between an adult and a child, including intercourse
- fondling
- exposing a child to adult sexual activity
- sexual exploitation through child prostitution or child pornography

A child who is sexually abused may:

- have an inappropriate knowledge of sexual acts

- be very compliant or extremely aggressive
- be afraid of a certain person or a family member
- have difficulty walking or sitting

What is emotional abuse?

Emotional abuse occurs when a parent or other person in charge causes emotional harm or fails to protect a child from emotional harm that results from verbal abuse, mental abuse and psychological abuse.

Here are some examples of emotional abuse:

- yelling at, screaming at, threatening, frightening, or bullying a child
- humiliating the child, name-calling, making negative comparisons to others, or saying things like: "You're no good. You're worthless. You're bad. Having you was a mistake."
- showing little to no physical affection (such as hugs) or words of affection (praise or saying "I love you.")
- saying that everything is the child's fault.
- withdrawing attention, giving the child the "cold shoulder"
- confining a child in a closet or a dark room, or tying the child to a chair for long periods of time
- allowing the child to be present during violent behavior of others, including the physical abuse of others

A child who is emotionally abused may:

- show signs of serious anxiety, depression or withdrawal
- show self-destructive or aggressive behavior
- show delays physical, emotional or mental development

What is neglect?

Neglect happens when a child's parent or other person in charge does not provide for a child's physical, developmental, emotional or psychological needs.

Here are some examples of neglect:

- failing to provide:
 - proper food
 - clothing suitable for the weather
 - supervision
 - a home that is clean and safe



Child Abuse and Neglect Prevention

- medical care, as needed
- failing to provide emotional support, love and affection

- Local or State office of Department of Human Resources
- Local law enforcement agency

A child who is neglected may:

- not wear clothing that's suitable for the weather
- be dirty or unbathed
- be very hungry
- not be properly supervised

WAYS TO PREVENT CHILD ABUSE AND NEGLECT

- Be a nurturing parent.
- Help a friend, neighbor, or relative by watching their children and giving them a break.
- Help yourself by taking time out when you feel overwhelmed.
- Never ever shake a baby as it may result in serious injury or death.
- Get involved to create or grow programs and services in your local community to help families be healthy and supported.
- Monitor your child's television and internet use and exposure to violence as it may harm your children.
- Volunteer at a local child abuse prevention program.
- Report suspected abuse or neglect.

HOW TO REPORT SUSPECTED ABUSE OR NEGLECT

If you suspect that a child may be the victim of abuse or neglect it is your responsibility to report it. You may contact your:

MANDATORY REPORTER

Alabama Law defines that some professionals are required by law to report suspected abuse including but not limited to:

- Hospital and medical staff
- Dentists
- Teachers and school staff
- Law enforcement officers and staff
- Day care workers
- Mental health workers
- Clergy and faith leaders

Mandatory reports are required to report all suspected abuse immediately to the Department of Human Resources or Local Law Enforcement. Failure to report is a misdemeanor punishable by up to six months in jail and a monetary fine. Additional civil liabilities may also be pursued.

APEC IS HERE TO HELP

APEC provides free training, information, and consultation to families. Visit our training calendar for more information about learning opportunities at www.alabamaparentcenter.com or call our center.

The contents of this publication were developed in part under a grant from the **Alabama Department of Child Abuse and Neglect Prevention**. To help support the ADCANP mission visit www.ctf.alabama.gov. Child Abuse V.4



Alabama Parent Education Center 

PO Box 118 * Wetumpka AL, 36092 * 334-567-2252 * 866-532-7660

www.alabamaparentcenter.com

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Protective Factors

The Five Protective Factors are the foundation of the Strengthening Families approach. Extensive evidence supports the common sense notion that when these Protective Factors are present and robust in a family, the likelihood of abuse and neglect diminish. Research also shows that these are the factors that create healthy environments for the optimal development of all children.

PARENT RESILIENCE

No one can eliminate stress from parenting, but building parental resilience can affect how a parent deals with stress. Parental resilience is the ability to constructively cope with and bounce back from all types of challenges. It is about creatively solving problems, building trusting relationships, maintaining a positive attitude, and seeking help when it is needed.

KNOWLEDGE OF PARENTING AND CHILD DEVELOPMENT

Having accurate information about raising young children and appropriate expectations for their behavior help parents better understand and care for children. It is important that information is available when parents need it, that is, when it is relevant to their life and their child. Parents whose own families used harsh discipline techniques or parents of children with developmental or behavior problems or special needs require extra support in building this Protective Factor.

SOCIAL AND EMOTIONAL COMPETENCE OF CHILDREN

A child's ability to interact positively with others, to self-regulate, and to effectively communicate his or her emotions has a great impact on the parent-child relationship. Children with challenging behaviors are more likely to be abused, so early identification and working with them helps keep their development on track and keeps them safe. Also, children who have experienced or witnessed violence need a safe environment that offers opportunities to develop normally.

SOCIAL CONNECTIONS

Friends, family members, neighbors, and other members of a community provide emotional support and concrete assistance to parents. Social connections help parents build networks of support that serve multiple purposes: they can help parents develop and reinforce community norms around childrearing, provide assistance in times of need, and serve as a resource for parenting information or help solving problems. Because isolation is a common risk factor for abuse and neglect, parents who are isolated need support in building positive friendships.

CONCRETE SUPPORTS IN TIMES OF NEED

Parents need access to the types of concrete supports and services that can minimize the stress of difficult situations, such as a family crisis, a condition such as substance abuse, or stress associated with lack of resources. Building this Protective Factor is about helping to ensure the basic needs of a family, such as food, clothing, and shelter, are met. It is about connecting parents and children to services, especially those that have a stigma associated with them, like a domestic violence shelter or substance abuse counseling, in times of crisis.

Information provided by: Strengthening Families, a project of the Center for the Study of Social Policy.

APEC IS HERE TO HELP

APEC provides free training, information, and consultation to families. The contents of this publication were developed in part under a grant from the **Alabama Department of Child Abuse and Neglect Prevention**. To help support the ADCANP mission visit www.ctf.alabama.gov. Child Abuse V.6



Alabama Parent Education Center 

PO Box 118 * Wetumpka AL, 36092 * 334-567-2252 * 866-532-7660

www.alabamaparentcenter.com

AL Parent Training and Information Services

TRAININGS

Community Workshops-We provide group trainings in your local community. Contact our center to schedule a training in your local community for your group or organization.

Webinars-join our staff from your own computer or personal device the 1st Tuesday of every month.



Topical Conference Calls-join us from own phone for interactive discussions on disability and educational related topics.



Advocacy Academy-join us in building your parental advocacy and leadership skills on current educational and disability specific issues.

Annual Conference-AL PTI provides a free annual conference "Raising the Standards" every June to improve the knowledge of parents, educators, and community stakeholders on current issues and policy relevant to the education of children with disabilities.

Youth Advocacy Skill Building Trainings and Youth Advocacy Toolkit; join our center in helping youth with disabilities develop their own voice. Coming 2017.

APEC training calendar houses all the information on current trainings scheduled by our center including event information and registration details.

<http://alabamaparentcenter.com/events/calendar.php>



CONSULTATION

Our center staff provide individual help and consultation regarding your child's IEP, 504, or other early learning, educational, or transition planning questions or concerns. If you have questions just call to speak with a staff member 334-567-2252 or 866-532-7660.

RESOURCES AND INFORMATION

APEC houses a vast **lending library** with over 3500 materials on parenting, education, and disability issues. All materials can be loaned and mailed to you at no charge for 4 weeks.

Annual Digital Resource Library CDs are distributed loaded with information on disability and researched based best practices in the education of students with disabilities.



AL Parent Training and Information Services

Resource Mailings-Our center publishes newsletters and tipsheets on current educational topics, parenting and disability issues. To obtain copies visit our website and easily download materials or contact our staff for ordering multiple copies for distribution at events or in your community.

Our center publishes monthly **email newsletters** that contains information on trainings offered by our center, policy updates, resources for families and so much more. If you would like to receive our email newsletters simply visit:

<http://visitor.r20.constantcontact.com/d.jsp?llr=z44qmveab&p=oi&m=1104524378105&sit=c4gzcyfb&f=0487a5d0-944e-4e60-b241-2c9d409497f1>

Our center hosts a **website** with valuable information on resources, trainings, and information relevant to parents, educators, and community stakeholders. Visit today at www.alabamaparentcenter.com

You can also like and share information through our **Facebook** where you can find information on current events, happenings of the center, and need-to-know information for families and stakeholders. Like and share at:

<https://www.facebook.com/AlabamaParentEducationCenter>



YOUR OPINION MATTERS

Stakeholder opinion is very important to our center. We invite you tell us what you think and make suggestions for trainings and publications. Complete a brief survey, call our center, or join our advisory committee. Your input is always welcome.

<https://www.surveymonkey.com/r/ALPTITrainingEvaluation>



The screenshot shows the Alabama Parent Education Center (APEC) website. At the top, there is a navigation bar with links for 'home', 'about', 'programs & services', 'resources', 'get involved', and 'training & events'. Below the navigation bar, there is a section titled 'supporting Alabama parents' with a sub-header 'Our Mission'. The mission statement reads: 'We believe that parents have the greatest impact on their children's lives. APEC, or other families, with the training, information and support they need to help them ensure that their children become productive, well-adjusted citizens.' There are also images of children and a 'DONATE NOW' button.

APEC IS HERE TO HELP

The contents of this publication were developed in part under a grant from the US Department of Education, #H328M150012. However, those contents do not necessarily represent the policy of the US Department of Education, and you should not assume endorsement by the Federal Government. AL PTI Overview 5.16





Join LDA

The Learning Disabilities Association of America (LDA) believes that every person with learning disabilities can succeed in school, at work, in relationships, and within the community when provided the right supports and the right opportunities. LDA is unique in that our membership is comprised of both parents and professionals in the field who work side by side to advocate for individuals with learning disabilities.

Why LDA?

- LDA is the voice for individuals with learning disabilities of all ages and their families.
- LDA is the leading advocate for laws and policies that create opportunities for individuals with learning disabilities.
- LDA is the only national organization to promote opportunities to meet others in the same situation through state affiliate membership.
- LDA is a leading source for information on learning disabilities, practical solutions, and a comprehensive network of resources at the national, state and local level.
- LDA is a support to individuals with learning disabilities, their families, educators and other professionals who serve the learning disability community.

Benefits of Membership:

- A **Community Forum** available only to members to ask questions and get answers from experts and other individuals who may have had the same experiences.
- An **Advocacy** program that provides legislative updates, advocacy training materials and LDA's position on many LD related topics that affect our members.
- A **Resource** and wealth of information on our website for parents, educators, adults and professionals to help navigate through the LD maze.
- **LDA Today** – A bi-monthly electronic newsletter for members-only with up-to-date information on learning disabilities and topics of interest, including advocacy efforts.
- **News briefings** of the week's top stories on learning disabilities and related topics via **THE LD SOURCE**, a free, opt-in (weekly) e-mail resource
- **News from Washington**– monthly reports on legislative issues via **LDA Legislative News**
- A **Direct Information** line via a toll-free call-in line, (888) 300-6710.

LDA MEMBERSHIP APPLICATION

PLEASE COMPLETE ALL SECTIONS OF THE APPLICATION SO THAT WE CAN PROCESS YOUR MEMBERSHIP- THANK YOU!

Member Name _____

Member Street Address _____

Member City _____ State _____ Zip _____

Member Telephone Number _____

Member Email Address _____

Membership dues as shown by member's state \$ _____

Tax deductible donation to LDA \$ _____

Is this membership a gift? Yes No

If yes, please provide your information:

Name: _____

Address: _____

Email: _____

TOTAL enclosed \$ _____

Note: LDA does not accept Purchase Orders for Membership Dues

All Sales are Final. Membership is Non-Refundable

Method of Payment

Check #: _____ **OR** **VISA** 

C. Card #: _____

CVC Code: _____ Expiration Date: _____

Signature: _____

I want to help but don't need a membership at this time.

Please accept my gift of:

- \$100 \$75 \$50
 \$35 \$25 Other \$ _____

Mail: LDA
4156 Library Rd.
Pittsburgh, PA 15234

Fax: (412) 344-0224

Email: info@ldaamerica.org

Annual membership dues: National, State & Local level:

\$25 Student Membership
**Paper application accepted only and must include verification of age.*

\$30 Alabama
Alaska
Delaware
D.C.
Idaho
Louisiana
Massachusetts
Mississippi
Montana
Nevada
New Mexico
North Dakota
Puerto Rico
Rhode Island
Vermont
Wyoming

\$35 Kentucky
Maine
Ohio
Texas

\$40 Arizona
Connecticut
Florida
Georgia
Iowa
Indiana
Kansas
Nebraska
New Hampshire
Tennessee

\$45 Arkansas
Foreign Member
Minnesota
Missouri
Oklahoma
South Carolina
South Dakota
Utah
Virginia
West Virginia
Wisconsin

\$50 Colorado
Hawaii
Illinois
Maryland
Michigan
New Jersey
New York
North Carolina
Oregon
Pennsylvania
Washington

\$55 California