Students' Weaknesses and Needs Associated with an Identified Disability for Section 504 or Special Education

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Presentation Outcomes

This session will cover some of the disabilities identified for Section 504 or Special Education (e.g., ADHD, Autism, and intellectual disability). The participants will learn what student needs should be considered and addressed in order to provide students with disabilities an appropriate educational experience.

Essential Questions

- Do I understand the purpose of the programming being considered for the student – Section 504 plan v. Special Education Individualized Education Program (IEP)?
- Do I understand the disability with which the student has been medically diagnosed and/or identified through a school district evaluation process?
- What supports can be put in place for a student with an identified disability?
Section 504 plan v. Special Education IEP

SECTION 504 AND IDEA
Students with disabilities may be eligible for special education, accommodations, and related services in schools under the Individuals with Disabilities Education Improvement Act (IDEA 2004) and/or Section 504. The primary purpose of IDEA is to guide assessment, planning, and the provision of education and related services to students with disabilities and to provide funding to states for this purpose. If you suspect that a child has a disability, it is most important to make a referral to the school’s child study team so it can be determined if the child has a disability and needs services and supports under IDEA. The primary purpose of Section 504 is to prevent discriminatory practices against children with disabilities in public schools, but it does not provide any type of federal funding for this purpose. Three major differences between these two laws exist:

- Need for special education and specialized instruction due to a disability. IDEA recognizes that some students, because of their disabilities, will require special education and related services in order to benefit from a free appropriate public education (FAPE). One purpose of the statute is to identify students with disabilities who have this level of instructional need.
- Age and settings for the population served. IDEA addresses the special education needs of children birth through 21 years of age or the completion of a high school diploma, whichever comes first. Section 504 protections extend for a lifetime and apply to schools and the full scope of community environments receiving federal funding (such as work and access to public facilities).
- Procedural regulation. IDEA is much more specific about the rules and requirements for determining eligibility, designing and implementing programming, rights to due process, and the specific procedures that must be followed by schools. Section 504 is more general in its application and is not highly regulated, as it is not designed for programming purposes but to prevent discrimination.

Children who qualify for IDEA will also be protected by Section 504. However, it is possible for children to qualify for accommodations in schools under Section 504 but not be eligible for special education and related services as delineated in IDEA.
Section 504 plan v. Special Education IEP

- Both require an evaluation process and a meeting to discuss the information gathered that will guide eligibility and help the team to understand the student’s needs.

- The resulting documents – a Section 504 plan or an IEP – are both legally binding and need to be fully understood and followed by all individuals of the student’s educational team to which the documents pertain. If you do not understand what is written... ASK for clarification.
  - Who do you ask? For 504? For IEP?

- Failure to follow the Section 504 plan or IEP can result in legal actions against the school district and/or individual members of the student’s educational team. Understand your role. Do not end up in court!!

Accommodations and Modifications,

- Accommodations
  - Alterations in environment or in the way tasks are presented that allow children with disabilities to complete the same assignments as other students.
  - Are found in both Section 504 plans and IEPs.

- Modifications
  - Alter the content of assignments or change what a test measures. A student that needs modifications is learning at a significantly slower pace or with much less depth as compared to other students.
  - Are found only in IEPs.
Attention-Deficit / Hyperactivity Disorder (ADHD)  
What is it... exactly?

- is characterized by one or more of the three core symptoms of inattention, impulsivity, and hyperactivity.
  - ADHD, predominately inattentive subtype (commonly referred to as “ADD”)
  - ADHD, predominately hyperactive/impulsive
  - ADHD, combined type

- symptoms tend to interfere with the child’s behavior at home, in school, and among peers.

For the purposes of special education eligibility, a student with ADHD is most commonly identified as a student with an Other Health Impairment. However, some students with ADHD may be identified as a student with a Specific Learning Disability.

ADHD  
What supports work?

- Psychostimulant medications work, but ultimately the parent must contact a physician to explore this option. Be careful in what you say to parents. It is best to let the school administration team, school counselors, or school psychologists talk with parents.

- Behavioral interventions work and can be implemented in school settings. The key to intervention is making sure it is research-based and can be implemented with fidelity, otherwise it should not be added to a Section 504 plan or an IEP.
ADHD Behavioral Supports

- Accommodations may include:
  - consistent communication between home and school (e.g., home–school notes)
  - using nonverbal cues to redirect the inattentive child (e.g., hand gestures)
  - preferential seating to reduce distractions
  - reducing or chunking assignments
  - extended time to complete assignments and assessments
  - assistive technology to enhance attention to academic instruction

- Intervention supports may include:
  - Check-in-Check-out (CICO)
  - social skills training (e.g., developing skills to wait one’s turn)
  - organizational skill development (e.g., maintaining an agenda)

Autism

Standards for Evaluation and Eligibility Determination (SEED) Criteria:

There is evidence that the child has any of the Pervasive Developmental Disorders, such as Autistic Disorder, Asperger’s Disorder, Pervasive Developmental Disorder – Not Otherwise Specified (PDD-NOS) as indicated in the following diagnostic references:
Autism Diagnostic Features

1. Impairments in communication
   a. Delay in, or total lack of, the development of spoken language (not accompanied by an attempt to compensate through alternative modes of communication such as gesture or mime)
   b. In individuals with adequate speech, marked impairment in the ability to initiate or sustain a conversation with others, stereotyped and repetitive use of language or idiosyncratic language

2. Impairments in social interaction (e.g., poor eye-to-eye gaze or facial expression); fails to develop peer relationships appropriate to developmental level; lacks spontaneous seeking to share enjoyment; or lacks social or emotional reciprocity

3. Restricted repetitive and stereotyped patterns of behavior, interests, and activities that is abnormal either in intensity or focus; apparently inflexible adherence to specific, nonfunctional routines or rituals, and/or stereotyped and repetitive motor mannerisms

Autism: Common Learning Characteristics

- excels in certain areas
- uneven subject performance (skills vs. performance)
- attending to irrelevant stimuli (e.g., font of print on math worksheets)
- “show-me” learners / visual learners
- problems with unstructured times
- over/under generalization
- concrete learners.... BE EXPLICIT
- rote memory
Autism: Special Education Eligibility

Eligibility is not automatic with a diagnosis of ASD

» The needs of the child must demonstrate an inability/impairment regarding “access to the general curriculum.”

» Special education and related services are “designed to meet a child’s unique needs and prepare them for further education, employment, and independent living.”

“High Functioning” individuals with ASD who fare well academically often still meet eligibility requirements for adaptive behavior that merit direct intervention!

Intellectual Impairments

What is average intelligence? Let’s take a look at the normal curve.

A standard score of 90-110 on a standardized assessment of cognitive ability falls within the average range for learning. Scores in this range capture the middle 50% of the population.

A standard score of 85-115 on a standardized assessment of cognitive ability falls within normal limits (±1 standard deviation). Scores in this range capture the middle 68.2% of the population.

A standard score of <70 on a standardized assessment of cognitive ability falls within the very low range. Scores of <70 capture only 2% of the population. This is considered impaired or deficient.
Intellectual Disability (ID)

Intellectual Disability is identified for SpEd in SC when a student exhibits:

1) Significant limitations in intellectual functioning must be evidenced by scores on both verbal and nonverbal scales that are at least two standard deviations below the mean (standard score ≤70) on an individually administered intelligence test.

2) Significant deficits in adaptive behavior must be evidenced by a score at least two standard deviations below the mean (standard score ≤70) in at least two adaptive skill domains.

3) Significant deficits in educational performance (pre-academic, academic and/or functional academic skills) must be evidenced by significant delays in functioning when compared to the child's same aged peers.

The student must meet all 3 criteria in order to found eligible for special education services through an IEP.

What supports work?

- Accommodations may include changes to presentation, response, timing, setting, and test administration. Accommodations selected must match with weaknesses that are documented through evaluation data or present level data.

- Specialized Instruction is offered through and detailed in an IEP. The special education teachers use research-based reading curriculum to address students’ needs.

- These supports help, but typically students do hit a plateau or make very minimal progress past a certain point. So then what? Do we keep on keeping on? Or do we consider modifications?
Intellectual Disability (ID) Modifications

Remember... Modifications alter the content of assignments or change what a test measures. A student that needs modifications is learning at a significantly slower pace or with much less depth as compared to other students. Modifications result in a student not meeting state HS diploma requirements. Modifications are used sparingly in the ACPSD because of this reason. Typically seen in IEPs of students in a self-contained classroom setting.

Modifications typically are introduced after multiple methods of instruction and multiple accommodations are not providing adequate support to make a student successful in gen ed curriculum. How the curriculum is modified must be very specific and individualized for each student.

Revisiting the Presenters Essential Questions

Do I understand the purpose of the programming being considered for the student – Section 504 plan v. Special Education Individualized Education Program (IEP)?

Do I understand the disability with which the student has been identified?

What supports can be put in place for a student with an identified disability?
Additional Resources

FAPE School Accomodations and Modifications.pdf

Section_504_Guide for Parents.pdf

Special_Education_a_Basic_Guide_for_Parents.pdf

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