



Advocate's Corner

We all pull together to help your family with school issues! Hope, Ricki and Kim continue to support HFA families and advocate for your kids! And now Phoenix HFA has a regular monthly column just from them to you!

October Question: Can you explain why a child, who is on the spectrum (high functioning) would not be eligible for the autism related special education services and its related funding for school? The school is saying no also to an IEP. HELP!

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Hope says:

"Needs – not labels -- drive services. Services, in turn, drive placement. Eligibility for special education and related services is driven by an individual's needs to access the general curriculum. Having a disability is only the first prong of the analysis to determine if a child is entitled to special education and related services, rather than just 504 accommodations. A child with ADHD, for instance, might need nothing more than accommodations such as extended time for completion of assignments, a quiet space for test taking, and study notes or a study guide in advance. With accommodations, the content of the curriculum is the same, but the environment is adjusted. (Think, ramps for students in wheelchairs as the most basic example.) Once a disability is identified, then the second prong requires an analysis of whether, because of the disability, the child "needs" special education and related services to access (understand, for instance) the general education curriculum. Does the child need to be taught in a special way, different from typical peers? Does the curriculum need to be modified? As child functioning on the high end of the autism spectrum disorders does not automatically require special education. A child can have a medical diagnosis of autism and not be eligible for special education. Likewise, a school can find a child eligible under the autism category without having a medical diagnosis. (Some disabilities require a medical diagnosis, such as orthopedic impairment and traumatic brain injury), but autism does not. So simply having a developmental pediatrician diagnose autism does not automatically entitle a child to special education and related services, along with an IEP, under the IDEA. A parent who disagrees with a school's findings has several legal options available, and it is important to know whether the school complied with its procedural obligations to reach its conclusion."

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Ricki Light, M.Ed.
Educational Advocate and Strategist

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Ricki says:

“Provision of Special Education services through an IEP or Section 504 Accommodation Plan is not automatic for a child with a medical/clinical diagnosis. It is important that the educational team identify the areas of the student’s strengths and need. If a student is successfully progressing through grade level curriculum without requiring additional support or differentiated instruction then he/she may not be in need of special education support services through an IEP or Section 504 Accommodation Plan.

It is the responsibility of all members of the educational team (including parents) to meet, review outside evaluations and consider the student’s current present level of educational performance to determine if there is any need for additional supports. If the team is in agreement that the student is progressing well in school then it may not be recommended that additional special education support services are required at that time.

Although a student on the Autism Spectrum may be successful academically the team needs to closely scrutinize how the student navigates through social situations presented throughout the school day. This includes the student’s capacity to interact with peers while in the classroom, in the cafeteria, on the schoolyard and in all other school environs. The team also needs to ensure that the student understands how to work collaboratively in small group situations, sharing materials and information, considering suggestions presented by others and engage in reciprocal conversations. If the student has deficits with any of these skills then the team should consider providing support and instruction either through an IEP or Section 504 Accommodation Plan.

In summary, while a medical diagnosis of Autism Spectrum Disorder is in place, it is up the entire educational team to carefully monitor the student’s progress to ensure that he/she is progressing through the curriculum, making expected grade level advancement and is able to navigate through school based social situations, before denying special education support services. “

Kim Yamamoto
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Kim says:

“Just because your child or teen has ASD does not mean they qualify for the special education category of Autism. A diagnosis of ASD is different than a qualification for special education. To qualify for special education you must have a disability and the need for specialized instruction to access the curriculum, both pieces.

Some kids may qualify under Autism, Other Health Impairment (OHI) or Emotional Disability (ED) depending on their symptoms in the educational day.

The Symptoms for Autism are a significant problem with verbal and nonverbal communication, social interaction, repetitive activities and stereotyped movements, resistant to environmental changes or daily routines, unusual responses to sensory experiences, and the student does not have an Emotional Disturbance.

The other categories, OHI or ED, can be used if your child does not meet the full criteria above and need specialized instruction to access the curriculum. OHI is for those students with anxiety, impulsivity, behavioral problems of shutting down or acting out. Personally I try to avoid ED because typically the interventions used for students with ED do not work for someone on the spectrum. But ED is better than nothing in some situations. Students using ED typically are showing signs of depression. Caution never review the qualification of ED prior to Autism or OHI. All the symptoms of ED happen to kids with ASD when the school is not meeting their needs.

Some students with ASD have progressed to a level where they don't need assistance with specialized instruction to access the curriculum this is good. Often scary but good. These students should be accessing a 504 plan to get accommodations to level the playing field.

It does not matter which category your child qualifies under the autism, aspergers or PDD should be stated and described in the present level in detail. And a Individual Education Plan (IEP) will be written on your students individual needs.”