

**SAFETY ATTACHMENT FOR STUDENT WHO IS DEAF/HARD OF HEARING OR DEAF-BLIND**

The IFSP/IEP/504 team has considered the need for a child's safety within the home/academic setting in order to comply with FAPE. Research suggests that students who have special needs experience three-four times higher risk of maltreatment. Addressing the development of protective factors can decrease the child's risk for maltreatment. Characteristics are given below for developing "safety" from most common incidences of maltreatment. Consideration should be given for goals, services, accommodations/modifications, or staff training to further develop protective factors. The educational team understands that the purpose of special education is : "to ensure that all children with disabilities have available to them a free and appropriate public education that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living." Services and goals directed at improving a student's personal safety meet a critical unique need for students.

**1. Knowledge of Protective Factors for Parents Parent Counseling and Training (34 CFR 300.34(c)(8))**

- My child's educators and caregivers have had background checks and training to recognize and report signs and symptoms of maltreatment.
- I know who my child's caregivers are. (Concepts of "grooming," open door policies, training for all involved with child.)  Understanding how a child's hearing loss may contribute to maltreatment without targeted support to learn self-advocacy, proactive communication skills, and the ability to set boundaries with adults and strangers appropriate to age and developmental level.

*Example: The student will give clear nonverbal, signed or spoken "no" to uncomfortable interaction through role play and real life activities followed by appropriate parent response to that "no." including an explanation when interaction is necessary for health or safety of child (e.g., medical visits, hygiene).*

Action Plan if needed:

**2. IEP/504: Addressing communication and self-advocacy: Special Considerations 'full range of needs' (34 CFR 300.324(a)(2)(iv))**

IEP: A "safe" student is noted to communicate frequently and well with parents and teachers. **Goal could be linked to typical educational standard of "Student communicates effectively with a variety of audiences."** Can the student share effectively in these areas?

- Basic needs
- Reactions and thoughts about the school day
- Pragmatic social language skills (taking turns, seeking clarification, sharing personal information, using humor appropriately)

*Examples: a. Goal added to IEP: The student will communicate effectively with 1-2 trusted adults and peers within a circle of support, including making friends, using appropriate pragmatic language skills (e.g. taking turns, seeking clarification, sharing personal information appropriately and using humor appropriately).*

*b. A student will learn to describe their particular hearing loss, how they learn best, and how to ask for accommodations (preferential seating, note taking, clarification of assignments, etc) in preparation for entering the adult world and using ADA laws to ensure equal access through a self-advocacy workshop series.*

Action Plan if needed:

**3. IEP: Addressing Knowledge of Protective Factors for Students:** Related Services –'mobilizing school & community resources'; 34 CFR 300.34(c)(14)(iv, v) and 'independent living skills'[34 CFR §300.320(b)]

- The student recognizes risky situations for themselves or others (unhealthy relationships, safety issues, sharing personal information)
- The student demonstrates an appropriate response to boundary crossing behavior of others.
- The student demonstrates how and who to tell if they or another student has faced an inappropriate behavior by a peer or adult.
- School and community resources have been mobilized to increase knowledge and safety for student

*Example: Given a variety of scenarios, the student can identify elements of healthy and unhealthy relationships of peers or children/ adult pairs, recognizing red flags of unequal or inappropriate relationships and describing first steps to change the balance of power (Methods: role plays, stories in film and literature).*

Legal Name of Student

State Student ID (SASID)

Date of Birth

Date

Action Plan if needed:

12/19/12: "Parent's right to attach documents to an IEP"

By Janet DesGeorges/Executive Director of Hands & Voices

Reference Source: WrightsLaw Web site – ["The school won't let me add input to my child's IEP. Can they do this? How should I deal with this?"](#)

"I wrote a "parent IEP attachment" and asked that it be included with my child's IEP. The special education coordinator refused. She said my input could not be attached to the IEP because of school policy.

Can they do this? Is this written in the law? How can I deal with this?"

From Wrightslaw

Of course not. Nothing in the statute or regulations prevents you from adding input to your child's IEP. Just the opposite. Before we devise a strategy to help you handle this, we're going to give you a quick legal lesson.

Legal Lesson:

What is the Purpose of the Law?

When Congress amended the law in 1997, their "Findings" included these statements about the role of parents:

"(5) Over 20 years of research and experience has demonstrated that the education of children with disabilities can be made more effective by--

(A) having high expectations for such children and ensuring their access in the general curriculum to the maximum extent possible

(B) strengthening the role of parents and ensuring that families of such children have meaningful opportunities to participate in the education of their children at school and at home;"

Why did Congress pass the special ed law? What are the purposes of the law? Here is what Congress wrote:

"(d) Purposes.--The purposes of this title are--

Legal Name of Student

State Student ID (SASID)

Date of Birth

Date

(1) (A) to ensure that all children with disabilities have available to them a free appropriate public education that emphasizes special education and related services designed to meet their unique needs and prepare them for employment and independent living;

(B) to ensure that the rights of children with disabilities and parents of such children are protected; and

(C) to assist States, localities, educational service agencies, and Federal agencies to provide for the education of all children with disabilities;"

As Congress wanted to strengthen the role of parents and ensure that families "have meaningful opportunities to participate in the education of their children," your district's "policy" about barring parent IEP attachments is not consistent with the spirit or the letter of the law.

Use Appendix A as a Tool

Appendix A is an appendix to the regulations that discusses IEP requirements, IEP teams, the parental role, and other issues in Q & A format. Here is what Appendix A says about your role:

## II. Involvement of Parents and Students

"The Congressional Committee Reports on the IDEA Amendments of 1997 express the view that the Amendments provide an opportunity for strengthening the role of parents . . . [IDEA 97] requires that parents have an opportunity to participate in meetings with respect to the identification, evaluation, and educational placement of the child, and the provision of FAPE to the child. (Sec. 300.501(a)(2)). Thus, parents must now be part of: (1) the group that determines what additional data are needed as part of an evaluation of their child (Sec. 300.533(a)(1)); (2) the team that determines their child's eligibility (Sec. 300.534(a)(1)); and (3) the group that makes decisions on the educational placement of their child (Sec. 300.501(c))."

"In addition, the concerns of parents and the information that they provide regarding their children must be considered in developing and reviewing their children's IEPs (Secs. 300.343(c)(iii) and 300.346(a)(1)(i) and (b)); and the requirements for keeping parents informed about the educational progress of their children, particularly as it relates to their progress in the general curriculum, have been strengthened (Sec. 300.347(a)(7))."

## Wrightslaw Game Plan

1. Review what the law, regulations, and Appendix A say about IEPs and the parental role.

Do you have our book, Wrightslaw: Special Education Law? If you don't have the book, you can download the federal regulations and Appendix A from our site (links follow). Wrightslaw: Special Education Law makes things easier because you have the statute and regulations in one place, along with Pete's commentary.

## 2. Get your state special ed regs.

You can probably download your state regs from the state department of education's site. It's good to have a hard copy of the regs too - bound so you can make notes. Your state regs should track the federal regs.

What do the law and regulations say about IEPs and your role as the child's parent? What do your state special ed regs say about IEPs and your role as the child's parent?

## 3. Make notes.

As you read the statute and regulations, make notes that support your position. You can begin with our "Legal Lesson." At this point, you may know more about IEP requirements than anyone else on your child's IEP team.

### Use Tactics & Strategy:

#### Write a Short Businesslike Letter

After you know what the law says, write a short businesslike letter to the director of special ed and /or superintendant. (Writing a short business-like letter is the hardest part of this Game Plan)

Briefly describe your attempt(s) to participate in your child's IEP, that you thought you were a member of your child's IEP team, that you asked to have your input included as an attachment to the IEP, but that INSERT PERSONS NAME advised you that "school policy" does not allow you to provide input.

You are confused. This school policy is not consistent with anything you've read about IEPs and your role as the child's parent. Perhaps there has been a misunderstanding.

Request (very politely) that the district provide you with their written policy that prevents you from adding a parent attachment to your child's IEP. Since Christmas break begins on DATE, you understand that school staff are busy with parties and holiday activities. To save time, you'll be happy to come to the school to pick this information up.

Try to keep your letter to one page. The tone should be polite and businesslike. You want to give school officials a way to change their position without losing face or admitting fault.

Hand-deliver the letter (don't send it by mail or certified). When you deliver your letter, make a note about who you gave it to, what the person said, what the person was wearing, anything else that happened at the time you delivered the letter. (It's quite possible that the school may lose your letter so this detailed information shows that you did deliver it.)

Your next step depends on what happens next. Keep us posted. END Wrightslaw

Legal Name of Student	State Student ID (SASID)	Date of Birth	Date
-----------------------	--------------------------	---------------	------