

Knowledge is Power

Educate Yourself So You Can Advocate for Your Child's Educational Needs

By Suzanne D'Amico

I have yet to find a parent who looks forward to meeting with school administrators to discuss accommodations for their child who has a hearing loss. Educating yourself prior to the meeting can help alleviate some of the stress and frustration. You have probably heard of an "IEP" and "Section 504," but what do they mean?

What is an IEP?

An Individualized Education Program, or IEP, is a document that is developed for any school-age child who by federal law is eligible for a special education. To be eligible, a child must have a disability or require special education or related services in order to benefit from a general education program.

Once your child qualifies, an IEP will be developed by a team to meet your child's needs. This team can include you, a general education teacher, a coordinator for your school's committee for special education, a speech professional, a teacher of the Deaf, a lawyer or advocate, and your child when appropriate. Including your child in any advocacy meeting serves two purposes: they learn how to become an advocate for themselves by following your example, and by being part of the process they have input, thus holding them accountable for fulfilling the responsibilities in their IEP.

An IEP will contain important information about your child including strengths and weaknesses, test scores, and any other areas of concern beyond their academic needs, such as social or behavioral issues. It will also have realistic goals that can be measured and accomplished within one year. These goals could address their academic, speech and language, social, or behavioral expectations throughout the year. Your child's IEP will be reviewed once a year.

What is Section 504?

Section 504 is a part of the Rehabilitation Act of 1973. It is an anti-discrimination, civil rights statute that requires the needs of students with disabilities to be met as adequately as the needs of the non-disabled students. Students covered under Section 504 are usually between the ages of three and 22 and must be "qualified." To be qualified they must have a disability such as hearing loss, a long-term illness such as diabetes, or other disorder that substantially reduces their ability to access learning despite their intelligence. These students are unable to acquire the educational benefits equal to that of a non-disabled student.

Under Section 504, anyone can refer a child for evaluation, including a parent or doctor, but the school district must also believe the student is in need of services

before they will be evaluated. If the school district refuses to evaluate the child they must provide the proper documentation as to why.

As with an IEP, a team of multi-disciplinary professionals will determine the needs of your child by evaluating their grades, state assessments, health records, reports from teachers, and information from parents. A child will not be evaluated or placed under Section 504 without parental knowledge. But unlike an IEP, parents are not required to participate and their participation is at the discretion of the school district. It is expected that the school district's decisions will result in the appropriate steps necessary for the education of your child.

Differences between an IEP and Section 504

Both an IEP and Section 504 will provide accommodations for your child with hearing loss but it is important that you understand the differences between them.

1. You cannot have an IEP in college but you can have accommodations under Section 504. IEPs are limited to students from school-age through high school.
2. As a parent, you have more input on an IEP than Section 504. Under Section 504 the school determines the appropriate

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accommodations for your child and your level of participation is left to their discretion.

3. Related services are not included under Section 504 but can be included in an IEP. For instance, if your child needs speech therapy or a teacher of the Deaf then Section 504 might not be right for them.

Accommodations in College

Sending your child to college is scary enough without having to think about accommodations for their hearing loss.

It is important that you teach your child advocacy skills from an early age to give them a head start on getting the assistance they need in college. Once a child turns 18 they are considered an adult and parents are no longer privy to academic information. Therefore, students must self-advocate in college. In order for parents to have access to a college student's academic records, the student must sign a release form.

Although a student might continue to receive accommodations under Section 504 in college, there is no longer a committee of professionals working to identify those who have special needs. A student requiring assistance must work with the disabilities office on campus to identify accommodations that fit their academic needs. While disclosure of a disability is voluntary, it is necessary for a student to qualify for additional support. Students are also responsible for disclosing their accommodations to each of their professors.

Advocating for your child can be difficult but equally rewarding when you see them benefit from your efforts. It is important that you take the time to gather as much

Bibliography and Helpful Resources

Accommodations for Students with Hearing Loss

Supporting Success for Children with Hearing Loss

successforkidswithhearingloss.com/relationship-hl-listen-learn/accommodations

Advocacy and Legal Help

National Disability Rights Network

ndrn.org

IEP Information

GreatKids: What is an IEP?

greatschools.org/gk/articles/what-is-an-iep

Section 504 Information

GreatKids: A Parent's Guide to Section 504 in Public Schools

greatschools.org/gk/articles/section-504-2

IEP vs. Section 504

Disability Rights Center-NH

drcnh.org/IDEA504.pdf

College Information

College Guide for Deaf and Hard of Hearing Students

bestcolleges.com/resources/college-planning-for-deaf-and-hard-of-hearing-students

information as possible and remain calm and positive. Confidence comes through repetition and each time you advocate for your child you will get better and better at it. Here are a few helpful tips that I have learned along the way. Good luck!

- **Don't get emotional.** I know this sounds hard, but you can cry when you get home. During the meeting try not think of yourself as a parent but as your child's advocate. You wouldn't want your lawyer crying at the table so neither should you. You must be confident and show no signs of weakness.

- **Be professional.** As much as you might want to scream in

frustration during your meeting do not let things become personal. By remaining professional in light of a disagreement you will keep the respect of the other parties in the room. It is important that everyone maintains a good working relationship because your child will be interacting with members of the special education committee during their regular school day.

- **Stand your ground.** You will always know what is best for your child. Do not compromise on something that you truly feel is in your child's best interest.

- **Don't sign anything.** Do not feel pressured to sign off on any

accommodation unless you fully understand and agree with what is being offered.

- **The school's deadlines are not your problem.** The administrators at the school are under pressure to meet certain deadlines prior to the end of the school year. It may take longer to resolve your issues. Do not feel obligated to compromise in order to meet their deadlines.
- **Be prepared to get up and leave (politely).** If the talks are going south or are at a standstill be prepared to adjourn the meeting and reschedule for a later date. Members of the committee might lack the authority to make final decisions. Reschedule the meeting and insist that the decision maker be present.
- **Seek legal counsel.** When all else fails you might need to seek the advice of a lawyer. Sometimes having a third party present is just what it takes to get things back on track. **HLM**

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What Accommodations are Available?

Here are just some of the accommodations your child could receive from their IEP, under Section 504, or in college.

Accommodation	IEP	Section 504	College
1:1 or small-group testing	✓	✓	✓
Captioning/C-Print	✓	✓	✓
Disability counselors			✓
Extended time on tests	✓	✓	✓
FM unit	✓	✓	✓
Hearing education services or teacher of the Deaf	✓		
Interpreter	✓	✓	✓
Modified course instruction			✓
Notetaker	✓	✓	✓
On-campus support centers			✓
Preferential seating	✓	✓	✓
Questions read aloud	✓	✓	✓
Resource room	✓		
Speech therapy	✓		
Testing in a quiet environment	✓	✓	✓
Textbook and supplemental materials provided during the summer to facilitate pre-learning	✓	✓	



abilityJOBS.com
ADA - Affirmative Disability Action