

NORTH CAROLINA

Working Together for Children: *A Guide for Parents and Teachers*

A problem-solving process has been developed for use in North Carolina schools in order to meet the needs of students. This process assists parents and teachers who need help with developing educational solutions for problems that arise in schools. Four questions will be answered through this process:

What is the problem and why is it happening?
What are we going to do about the problem?
Are we implementing our plan as intended?
Did our plan work as we had expected?

In a problem-solving process, student difficulties are specifically defined, possible solutions are determined, and targeted instruction is provided within the general education classroom. The impact of this instruction is carefully monitored and evaluated to determine if the instructional plan selected has made the desired difference for the student.

TIERS OF PROBLEM-SOLVING

The severity or intensity of the problem will determine which school support staff will work with parents and teachers to try to solve the problem. The consideration of the level of difficulty a student is experiencing, along with a specific match between area of difficulty and the necessary resources, will often be referred to as “tiers” within the problem-solving approach. Problem-solving occurs at one of four different tiers:

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| Tier One | Student concerns are addressed by informal parent and teacher conferences. |
| Tier Two | There are times when additional building staff are needed to address concerns. These concerns are addressed through informal consultation with additional professionals, to elicit their support, services, and/or recommendations for an instructional plan. |
| Tier Three | If the problem requires more specialized assessment and input, formal consultation with a “Problem-Solving Team” may be warranted. The planning, documentation, and data collection is very specific. |

The schools Problem-Solving Team will be primarily responsible for directing activities at this tier.

Tier Four

Through the process of problem-solving, it may become clear that additional resources and services are needed to address the student concern. In this case, special education services may be considered at this level. Parents will be asked to sign for permission to evaluate their child to determine the eligibility and need for special education services.

It is not necessary for all student concerns to go through each tier of the problem solving process. Instead, school staff and parents will look at the individual issues of each child to determine the appropriate services (and to what extent these services are needed) to resolve the problem.

GENERAL EDUCATION INSTRUCTIONAL PLANS

A general education instructional plan is a planned set of procedures and strategies provided through general education designed to improve student performance. As a parent or teacher you will frequently hear the term "general education instructional plan." General education instructional plan describes the part of the problem-solving process where individuals have looked at a specific concern and, based on informed judgment, put a plan of action in place. The intent of the instructional plan is to reduce the student's difficulty in the general education setting and learn more about what would be needed to successfully address the concerns. Instructional plans can be provided at different levels of intensity and can involve more or fewer professional staff depending on the degree of the problem and the number of resources needed.

ONGOING PROGRESS MONITORING

Perhaps the most critical component in the process is "monitoring" or keeping track of the difference the instructional plan is making in the student's performance. This regular, ongoing collection of information about the effect of the instruction is important to the team's decision making as they follow-up on the plan. If information is not collected, it will be difficult, if not impossible, to determine the instructional plan's effect on student performance.

EARLY INTERVENTION WITHOUT LABELING

The problem-solving process allows school staff and parents to work together to solve student problems without labeling students as being disabled. Instruction is provided in the general education classroom. In that way, students continue to be exposed to the day-to-day lessons in their general education classes. Because students do not have to be

labeled in order to receive this instruction, school staff can put their time and energy into analyzing specific student difficulties. Additionally, staff can focus on finding reasonable solutions to reduce those concerns and help carry out and evaluate the success of instructional plans.

SPECIAL EDUCATION SERVICES

If general education instructional plans are successful there will be no need to consider special education services. Students whose difficulties are not resolved through the problem-solving process using general education instructional plans may be in need of special education services. Some students will need special education services because of the degree of difficulty they are having. Some students will need special education services because the degree of instruction they need is more than what can be continually provided in the general education classroom. In either case, parent permission will be requested to consider existing information and to gather further specific assessment data to determine eligibility for special education services. Additional information may need to be gathered and a meeting will be scheduled to discuss the need for these services. It is important to remember that all of the information which is generated as a result of the problem-solving process, particularly the implementation of the specific instructional plan, will be used in making any further decisions about the need for special education, should that become necessary.

PARENT REQUESTS FOR EVALUATION

The Individuals with Disabilities Act (IDEA) of 2004 clearly states that a parent of a child having problems in school can request an evaluation at any time to determine if their child has a disability and needs special education services. When parents request an evaluation of their child, a meeting will be held with the parent and selected school staff to discuss this request and determine what is needed for the child. It is not necessary for all student concerns to go through each tier of the problem-solving process. Instead, school staff will look at the individual issues of each child and provide services to the extent needed to resolve the problem. There will be many situations where parents will only be looking for help, information, or support from the school. They are not necessarily asking for an evaluation to determine eligibility for special education services.

When a parent requests that their child be evaluated, the Problem-Solving Team should meet to consider the parents request. If, after reviewing all available information, it is determined that the child is not in need of further assessment to determine special education eligibility, a parent notice must be completed and justification given for the refusal of the

parent's request. A specific instructional plan may be needed even if further assessment for eligibility is not necessary.

If after reviewing all available information it is determined that there is sufficient evidence that the child is in need of further assessment to determine special education eligibility, the problem-solving process will be initiated. An evaluation plan must be completed and parent signatures obtained. The problem-solving process should be carried out without delay. Data collection, problem analysis, instructional planning, and monitoring results should be carefully considered and completed to assure that any needed services are not delayed. Parents must be apprised of the activities that will be undertaken and the feedback they can expect from those actions. This frequent and direct communication keeps parents updated on the status of the request and the progress being made toward determining if their child may receive special education services.

At the end of the problem-solving process, reports will be completed and an IEP team meeting held to make the final determinations of whether the child has a disability and needs special education services or assistance through general education instructional plans. Parents are an integral part of this IEP team. Additionally, parents must provide signed consent before special education services can begin if the IEP team determines the child is eligible for special education services. If the instructional plans are successful, they will be continued even if the child is not determined eligible for special education services.

PLANNING FOR IMMEDIATE NEEDS

There will be rare occasions, such as medical conditions, when students experience difficulty so severe in nature that the problem-solving team in the school might decide to immediately consider the student for special education. In these rare circumstances, parents will be requested to sign permission for an evaluation to take place. An intervention will begin while the evaluation is being conducted. In these types of situations, parents should contact the school principal immediately. This will allow for an early and timely response. These individuals will assure that concerns are addressed as quickly as possible and student needs are met.

ONCE IN SPECIAL EDUCATION

All students who will receive special education services will have an Individualized Education Program (IEP). The IEP is a written document that serves as a guarantee to provide the needed services identified in your child's evaluation. Parents and teachers are expected to participate in the development and revision of a child's IEP.

The decision to place a student into a special education program is an important one and one that should not be taken lightly. An important topic to discuss at IEP meetings is exit from special education services. The purpose of special education services is to provide curricular and instructional opportunities for the student that will enable them to overcome their learning problems and progress to the maximum extent possible. With this in mind, asking how your student is progressing and when they will no longer need special education services are always important questions to ask.

THE INDIVIDUALIZED EDUCATION PROGRAM

When a child is initially staffed for special education services and an IEP is written, parents and teachers should have a very clear understanding of student goals and objectives, what special services will be provided, who will provide those services, and where any services will be provided. In addition, any accommodations or modifications required for the student should be clearly described.

As the parent of a child requiring special education, you should expect that your child's Individualized Education Program (IEP) is reviewed at least annually and that your child's progress is monitored regularly as stated in the IEP. You should expect to receive a progress report describing the student's progress as frequently as you receive the regular school report card.

Students who continue to demonstrate that they are eligible for and need special education services will receive those services until they leave or graduate from high school. All students in special education have reviews of their programs at least once each year. All students in special education are reevaluated every three years if not before. As a parent you may request a meeting to discuss your child's program at any time.

Exit decisions should be considered at every IEP meeting. Sometimes students will have progressed to a point that they can be considered for general education programs without support. For other students, receiving less support from special education is warranted and needs to be considered. Once students have gained skills that allow them to benefit from the general education program, they need to be reintegrated or exited from special education programming. The purpose of this transition is to ensure that students do not become overly-dependent on services, maintain contact with peers, and are exposed, to the maximum extent possible, to instruction in the same learning environment in which general education students receive instruction.

ASSURING STUDENT SUCCESS BY WORKING TOGETHER

Everyone strives for student success. As parents and the school staff work together, it will be critical that we communicate our concerns openly and without reservation. By working collaboratively with one another we can provide the best possible opportunities for our children and youth while assuring that difficulties are resolved in an effective and efficient manner. If concerns arise, contact your child's teacher, school principal, and the central administrative staff.

COMMONLY ASKED QUESTIONS FROM PARENTS AND TEACHERS:

How long will an instructional plan be tried at each tier of the problem-solving process?

This is perhaps the most common question asked in using the problem-solving approach. Unfortunately, there is no set answer. Some children respond very quickly to the instruction designed to address their specific needs. As a rule, data collection and evaluation of the data are more important in determining the length of the plan. By following the problem-solving approach, everyone involved is given the opportunity to share their concerns with the other members of the problem-solving team. In short, an instructional plan will be tried as long as the team feels it is effective. This length will differ in each case, based on the individual needs and problems exhibited by each child. Some problems will naturally take longer to determine if the plan will make the needed improvements. Throughout the process it is critical to use the information collected to make instructional decisions so that instructional plans are not continued when gains are not being made and changes in the plan should be made.

I want my child in special education, and I don't want to go through this problem solving. What can I do?

By law, parents may request a "full and individual evaluation" for their child at any time during the problem-solving process. When a parent requests that their child be evaluated to determine special education eligibility, the school and Problem-Solving Team should meet to consider the parent's request. If, after reviewing the available evidence it is determined that sufficient evidence exists to suggest that the child is not in need of further assessment to determine eligibility, a parent notice must be completed and justification given for the refusal of the parent's request. An instructional plan may be needed even if further assessment for eligibility is not.

If, after reviewing the available information, it is determined that there is sufficient evidence to suggest the child is in need of further assessment to determine eligibility, an evaluation plan must be completed, assessment questions designed, and a parent signature obtained. Information will be collected to establish the needs of the child and the actions to be taken. The problem-solving process should be carried out without delay. Data collection, problem analysis, instructional planning, and monitoring results should be carefully considered and completed. Throughout the process parents must be apprised of the activities that will be undertaken and the feedback they can expect from those actions. This frequent and direct communication keeps parents updated on the status of their request and the progress being made toward determining if their child may receive special education services.

My child's private psychologist did testing and said that my child is learning disabled. What does this mean for my child at school?

With the proper consent for release of information, the Problem-Solving Team will review the private psychologist's report. A private psychologist's report will not be used to automatically place a child in special education. Rather, it will be used as one piece of additional information in making decisions concerning the child's instructional needs.

I don't want my child in special education, so I don't want to do problem-solving even though my child is having a hard time at school.

The purpose of problem-solving is to solve children's academic and behavior concerns before special education is even a consideration. However, if the problem-solving process leads the team to Tier IV, determination of eligibility, need, and placement in special education will occur on a case-by-case basis. Parents must give permission for their child to be evaluated for special education determination AND for their child to receive special education services if warranted.

A child who is displaying very aggressive behavior moved into my class. I need help. Do I need to start at Tier I of the problem-solving approach?

Parents should be informed first in cases of children with severe behaviors. However, the problem-solving team (consisting of the child's parents, teachers, school administrator and central administrative support staff) could choose to begin at a higher tier of the problem-solving process with many persons involved and with very detailed instructional plans.

A student in my room has been diagnosed by a physician as "ADHD" and is taking medication. Shouldn't she be in special education?

Not necessarily. Federal rules and regulations require the provision of health services for students who have health needs that interfere with learning. ADHD may be considered a special health need under some circumstances but other things need to be considered as well. Although a child has special health needs, educational accommodations are not always required. Accommodations may be all that is needed for educational success in some situations. It is up to the discretion of the problem-solving team, including the parent, to determine whether additional educational resources or accommodations are necessary and how to best support ongoing problem solving for students diagnosed with ADHD.

How long will my child be in special education? How will I know when it is time for services to be discontinued?

Your child's progress will be monitored and you should be able to get information from the special education teacher about three aspects of their progress: 1) how your child's performance compares to other peers in general education, 2) how much progress they have made since they started the program, and 3) how independently they can demonstrate needed skills. When the team determines that sufficient progress has been made, it is time to consider reducing special services for your child, deleting goals, or possibly exiting your child from special education. There should be a discussion of your student's progress, plans for reintegration into general education activities, and steps toward exiting from special education at each IEP meeting. If your child is not making progress toward their goals, it is critical that you request an IEP meeting to discuss and possibly revise the current plan in an effort to maintain positive progress for your child.

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