

# Advocating for Unique Educational Needs

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*DISCLAIMER: Nothing in this presentation should be interpreted as legal advice and is intended to help a person to understand the area of law to help ask the right questions with the attorney of their choice. Your time to act may be very limited and this could substantially reduce your rights and options. YOU CAN NOT rely on anything contained herein. The information is not intended to substitute for professional legal advice and does not create an attorney-client relationship. You should accept legal advice only from a licensed legal professional with whom you have an attorney-client relationship. You should contact a lawyer in your area immediately, to assist you in any of these matters.*



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EHDI Planning Committee and Family Advisory Committee

Colorado Department of Education

Educational Interpreter Advisory Committee, 2012-present

Early Dispute Resolution Program Developer,

Policy Specialist, and IDEA State Complaints Officer, 2014-19

Colorado Commission of the Deaf and Hard of Hearing, 2010-14

CLEAR Facilitator, NCSA

Education Policy Consultant, Illuminate Colorado

Colorado Lawyers Committee Special Education Task Force

We must ensure that our children have access to the most level playing field possible

- modes of communication
- education
- technology
- identity
- community roles
- Relationships
- Social skills
- IEPs and 504 plans and public accommodations

## ACCESS IS THE KEY



“ALONE, WE  
CAN DO SO  
LITTLE;  
TOGETHER,  
WE CAN DO  
SO MUCH”

HELEN KELLER



# Definitions

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Related Services – Audiology, Teacher of the Deaf/HOH, Transportation, OT, PT, Speech

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Mode of Communication

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Parents are the most influential language models

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IDEA Procedural Safeguards and Dispute Resolution Processes

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Types of Educational Placement

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Fair and Reasonable Accommodations

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Effective Communication Access

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# Why is the IEP so important?

*“All kids get to go to school and get a fair chance to learn.”*

*Randy Chapman*

## Required Members

Parents

General Education Teacher (unless the student will not be receiving services in a general education classroom)

Special Education Teacher/provider(s)

Special Education Director or Designee

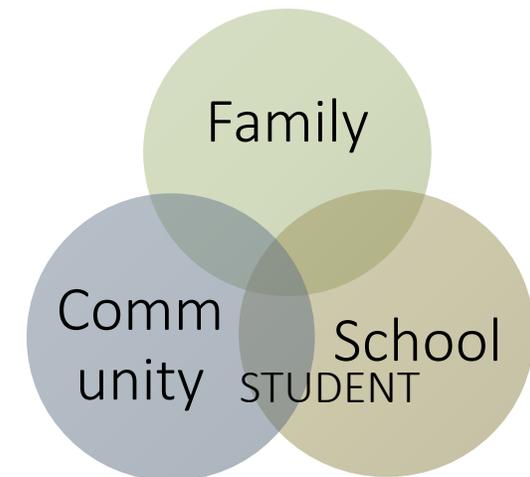
Student 15 years or older (optional if younger)

## Optional Members

Other school staff

Outside agencies who may serve the student

Anyone invited by the parents





# What is >>>



A Classroom Aide



Language Facilitator



An educational interpreter



1. Understand that each has a different role



2. Age, grade and level of maturity make a difference in the service and what you ask for.

CUE CO

## Baseline Testing

Needs to be completed in a way that is accessible to the child. ie, if the child knows ASL, then it must be with ASL; if the child understands cueing, then it needs to be cued.

Baseline Testing lets you and the IEP team know exactly where the child is in terms of receptive and expressive language and physical development.

Annual testing helps you as a parent know how much progress is being made each year. The information can be used to determine if strategies need to be adjusted or changed.

# IDEA Procedural Safeguards: Student and Family Rights

## FAPE

Parent participation must be meaningful

Prior Written Notice and Notice of Meeting

Predetermination and meaningful consideration

Child Find obligation

Evaluation and Eligibility

Least Restrictive Environment and  
Accommodations

Progress Monitoring



# How to prepare

Regularly check in with your child and teachers

Request a draft IEP and other documentation ahead of time

Keep documentation organized and review the previous IEP

Talk to teachers and other service providers

Focus on the child and their strengths and needs

Make an outline

Include others and ask for support from family and friends

Bring a notetaker or record the meeting

Take your time

Listen and ask questions

Consider what services really look like

Prepare to provide input

Consult with an advocate

## Communication Plan/Special Factors

The IDEA requires the IEP Team to address “special considerations”, including the *communication needs of the child*.

- Consider the student’s Receptive and Expressive Language
- Identify the student’s Receptive and Expressive *Primary Communication* modes
- Supporting family members in communicating with the student
- Deaf/Hard of Hearing Adult Role Models
- Deaf/Hard of Hearing Peers
- Consideration of all of the educational options available to the student
- Proficiency of Teachers, interpreters and other specialists in student’s primary communication mode or language
- Consider entire school day, transition times and full communication access in all activities



Supporting a Kendall Demonstration Elementary School  
cap, this boy wears a sign expressing the feeling of many  
- that Deaf children need Deaf role models. A Deaf  
president symbolized a life without barriers.



# Personal Examples of Advocacy

# Resources

AGBell Association

American Academy  
of Pediatrics

American Society of  
Deaf Children

ASHA

Center for Appropriate  
Dispute Resolution in  
Education

Center for Parent  
Information and  
Resources - PTIs

CueSign, Inc.

Hands and Voices

Hearingloss.org

Infanthearing.org

National Cued Speech  
Association

National Association of  
the Deaf

National Center for Law  
and the Deaf

National Disability Rights  
Network – P&As

Office for Civil Rights,  
U.S. Department of  
Education

Office of Special  
Education Programs  
website

Understood.org

U.S. Department of  
Education IDEA website

# National Cued Speech Association

- [www.cuedspeech.org](http://www.cuedspeech.org)
- [info@cuedspeech.org](mailto:info@cuedspeech.org)
- 800-459-3529
- Free first-year membership to parents
- Packets of information sent to parents upon request
- Newsletter, *On Cue*
- Network of parent/professional support
- Follow us on [facebook.com/cuedspeech](https://facebook.com/cuedspeech)