Increasing Parental Involvement of Special Education Students: The Creation of Smartphone-Friendly, Web-Based Legal and Procedural Resources

Steven Brown Thatcher
Utah State University

Follow this and additional works at: https://digitalcommons.usu.edu/gradreports

Part of the Special Education and Teaching Commons

Recommended Citation
Thatcher, Steven Brown, "Increasing Parental Involvement of Special Education Students: The Creation of Smartphone-Friendly, Web-Based Legal and Procedural Resources" (2012). All Graduate Plan B and other Reports. 147.
https://digitalcommons.usu.edu/gradreports/147

This Report is brought to you for free and open access by the Graduate Studies at DigitalCommons@USU. It has been accepted for inclusion in All Graduate Plan B and other Reports by an authorized administrator of DigitalCommons@USU. For more information, please contact digitalcommons@usu.edu.
INCREASING PARENTAL INVOLVEMENT OF SPECIAL EDUCATION STUDENTS:
THE CREATION OF SMARTPHONE-FRIENDLY, WEB-BASED LEGAL AND
PROCEDURAL RESOURCES

by

Steven Brown Thatcher

A Plan B report submitted in partial fulfillment of the requirements for the degree of Masters of Education in Special Education.

UTAH STATE UNIVERSITY

Logan, Utah

2012
ABSTRACT

More than one out of every eight students in America is classified as having a disability under the provisions of IDEA (National Center for Education Statistics, 2010). Yet nearly every metric used to measure post-high school success (employment, independent living, post-high school education/training) shows the majority of students with disabilities do not succeed (NCES, 2010). The chief safeguard for special education students are their parents, who are explicitly written into nearly every aspect of the special education process. Research shows as parents become more involved and empowered in the special education process outcomes for students improve (Stoner et al., 2005), which underscores the importance of collaboration between parents and educators (Fish, 2006). Goodall and Bruder (1986) emphasized that educators seek and use parental knowledge because no one knows a child better than his or her parent. Unfortunately, parents in many cases do not possess the confidence with legal and procedural knowledge they need to assert their role in the special education process.

The result of this creative project was the creation and evaluation of a smartphone-friendly, special education law and procedure website for the parents of special education students. The text of the website outlines the broad aspects of Utah special education law and procedure (i.e. child find, referral for evaluation, testing and eligibility process, the 13 disability classes, the IEP process, and manifestation determination) and has an 8.2 readability level as measured by the Flesch-Kincaid readability measure. First round feedback was provided by three special education evaluators on the text’s clarity, accuracy, and completeness. Revisions were made and a second round of three special education evaluators reviewed the text and found it to be clear, accurate, and complete. Six parent evaluators found the website easy to use and the text to be clear.
**Introduction**

In the 2008-09 school year, 6,483,000 students in US schools were classified as having a disability under IDEA. This body of students represent 13.2% of the nation’s entire student body, meaning more than one out of every eight students in the US receives accommodations or modifications through an IEP (National Center for Education Statistics, 2010). And yet 24.5% of this group dropped out before graduating from high school in 2007-2008, compared to 8.0% of the general school population that same year (and note that 8.0% figure includes the special education students). Data from 2009 shows that only 59.2% of special education students who have been out of high school up to 8 years have attended any type of postsecondary training or schooling. Only 44.7% are living independently. And only 53.1% are employed. Outcomes like these for a large portion of our disabled students are unacceptable. The question then becomes how can this situation be improved.

Of course it this is a multi-faceted problem with no simple solution. Nevertheless, research has already demonstrated one avenue that is shown to improve outcomes for special education students: parental involvement in the special education process. Spann et al. (2003) strung together a list of the salutary effects parental involvement was found to have on special education student outcomes:

Research indicates that parent participation leads to a host of positive outcomes for children with special needs, including greater generalization and maintenance of treatment gains (Koegel et al., 1991), greater continuity in intervention programs (Bailey & Wolery, 1989), higher levels of parent satisfaction (Stancin, Reuter, Dunn, & Bickett, 1984), and more effective strategies for resolving problems (Newmann & Wehlage, 1995). (p.228)

Ferguson (2008) found similar positive effects from parental involvement in Special Education, with his international research showing ‘...students achieve more, stay in school longer and
engage in school more completely’ (p.116). Parental participation in IEP meetings facilitates quality programming, strategies for resolving problems, parents' satisfaction, and positive outcomes (Fish, 2008, 9). Combine all of this with the fact that IDEA itself mandates parental involvement and you have the potential to move the needle for the special education students who are dropping out and falling sort of independence.

If increasing parental involvement in the special education process was a simple matter surely in the 36 years since the passage of Public Law 94-142 as a nation we would have learned how to deeply engage parents. This introduction will examine parental engagement in special education through the lens of cultural and social capital. A discussion of cultural capital as it applies to the parents of special education students will be focus on how a parent’s knowledge of and disposition towards special education law and procedure affects their involvement in the special education process. This will be followed by a application of the concept of social capital in the experience of special education parents, or this instance the relationships between parents, school personnel, and other experts (Trainor, 2010).

The state of parental understanding of Special Education law and procedure is discouraging and has been for years. In 1994, Van Reusen and Bos noted “that many parents are minimally involved in providing information, making decisions, and advocating for their children's needs” and that “parent involvement in the initial placement/IEP process [could be] characterized... as one of decision [listening], not decision making.” Ryndak et. al. (1996) reported that several parents in their study had a ‘feeling of powerlessness when decisions were being made’ (p. 112) and one parent described her position as deferring to the opinions of experts. Both Byrne (2010) and Male (1998) suggest that parents of students with more severe needs often simply accept a more severe placement rather than actively selecting it.
In contrast, Spann (2003) found a majority of parents felt involved in the IEP process. Spann (2003) discovered a majority of parents (78%) believed that they had high to moderate knowledge of their child’s own unique IEP document. One third (33%) of parents reported high levels of involvement with the IEP process (i.e. developing the document, participating in meetings, and contributing to planning and problem solving), more than half (56%) of parents reported moderate levels of IEP involvement, and 11% indicated low IEP involvement. The age of the students seemed to influence the parents’ sense of involvement: Parents whose children were 5-10 years of age reported greater involvement in the IEP process, whereas parents whose children were in the 10- to 18-years-old age range indicated less involvement. Finally, 73% of parents reported moderate levels of satisfaction with the IEP process, and a comparable percentage (13%-14%) expressed high and low satisfaction with this process (Spann et al 2003).

Why the discrepancy? A more careful reading of the research suggests that parents are satisfied with the logistics of the IEP process, such as the time allotted for the IEP itself, giving enough time for parents to express concerns, ask questions, and offer input regarding educational programming (Fish 2008). They viewed the overall process as positive, with 47% agreeing the IEP process was positive (Fish 2008). But while they felt positive about the overall process and the time they were given, they also identified some significant concerns about their ability to be a vigorous and active participant in the team. Fish (2006) found parents self-identified their knowledge of special education law and policy as a weakness.

Research from Britain illuminated these connections. British parents who had “heard of” England’s DDA (similar to the US’s IDEA) were significantly more likely to have asked the school to change something about the student’s educational program than those that had not heard of the legislation (60% vs. 47% respectively). Parsons et. al. (2009) notes that:
Thus, whilst general awareness of legislation and policy may help parents by providing a basis on which to challenge provision (‘the needs of my disabled child matter’) this did not equip them with specific knowledge about schools’ responsibilities and nor did it confer any benefit on parents’ feelings of autonomy...there is a need for future awareness raising to convey the specifics of how disability legislation applies to children in schools, including up-to-date information about what parents could or should be asking schools and how to go about this. (pg. 21)

The situation is familiar for school personnel who, “access specialized knowledge and associated jargon through the course of daily work and through established collegial relationships, thereby acquiring cultural and social capital (Murtadha-Watts & Stoughton 2004)” (pg. 247) This infuses the school’s and teacher’s position with a great deal of cultural capital, or the knowledge and confidence needed to assure their position and understanding. Parents often lack this specialized knowledge which limits both their understanding of their rights and that of their student, but also simply the capacity to address aspects of the special education process that are in effect “hidden” because they are accessible only by using the specialized language needed to reference it. Couple this with the unfortunate reality that the identification of high incidence disabilities (i.e. specific learning disabilities, speech language impairment, etc.) is often a subjective process, requiring, as Trainor (2010) puts it, “decision makers to employ cultural capital (i.e. definitions and constructs) to determine eligibility for special education.” (p. 253) One parent interviewed by Trainor (2010) was only able to secure the necessary placement for her child “by engaging in the powerful act of securing outside expert opinions and applying insider knowledge of school programs, she [the parent had] utilized cultural capital to augment her position during eligibility processes.” (pg. 253)
Some parents are able to “capitalize” themselves culturally and researchers have documented how some of these parents were able to accomplish it. Fish (2008) interviewed dozens of parents, several of whom achieved a state in which they felt knowledgeable enough to assert themselves effectively in the special education process:

Adopting the language of disability, professional jargon, or both often helped parents develop and access complex resources of cultural and social capital tied to the acquisition of special education services and accommodations, as illustrated by Calli, Jillian, and Jackie’s usage of technical terms such as Lovaas methods or applied behavior analysis. These parents studied specific interventions, attended national conferences, and connected with experts in the field, later securing interventions by incorporating into IEP documents what they learned. Home–school interactions, however, were not easy for parents who understood and adapted such language (i.e., cultural capital). Calli said, “I did not work [in a paid position] for eight years because I had to make “appropriate” happen for my kid. No one else was going to make it happen.” Calli’s use of the term appropriate reveals knowledge of IDEA discourse, and understanding that school personnel’s interpretations of guidelines may vary (pg. 256).

Note the lengths to which these mothers went to invest in and capitalize themselves of the knowledge needed to obtain the desired outcomes for their children with disabilities: study, attending conferences, and discussion with experts. Fish (2008) found that the majority of parents want more influence in IEP meetings with 22% indicating that they would like to have had significantly more influence and 35% of participants desired more influence in the meetings. It is not surprising that no parent desired to have less influence in the IEP meetings.
Additionally, the interviews with these parents of students with disabilities provided several insights into parents’ experience and techniques. Most parents indicated that the information they were consuming came from websites rather than from books (the website for the Learning Disability Association was noted), and that parent support groups and informal sharing provided to be critical resources. As one mother said, “you’ve got to be knowledgeable because it’s a complex area.” (Duquette et.al., 2011, p.6) One mother, who was also a board trustee explained, “Information does not come willingly from the school personnel ...the process is not parent friendly; [it’s] very passive aggressive.” (Duquette et.al., 2011, p.6) Hence, the parents in this study devoted time to doing their own research to find the information they needed to argue for the needs of their children. Parents in the UK described the process obtaining special education services for their children as a process of moving from ignorance to knowledge, from fear and pleading to assertiveness based on a conviction of their child’s rights. These findings confirm previous research documenting the learning process for parents in gaining access to mainstream placement for their children (Cuckle, 1997; Egan, 2001; Watt et al., 2000). For those parents unable to obtain the information and knowledge they need, disenfranchisement becomes the norm as their children progressed through the education system (Carpenter, 1997; Quinn, 2001).

Not are parents are able financially, socially, or culturally capitalize themselves, and as a result maybe disenfranchised in the special education process. This does not mean that special education parents in general are blind to the power they are forfeiting through their lack of knowledge. When a broad swath of special education parents was asked by Fish (2006) to identify their own greatest weakness in the IEP process they answered “preparation before IEP meetings by self-education of special education law and the IEP process.” Fish (2006) found that
parents suggested this was a major reason for being afraid to ask questions and make suggestions. Indeed, as he continued to interview and follow parents through this process he found that “through persistence and becoming knowledgeable on special education law, these parents were able to properly assist their children in acquiring the services and IEP implementation necessary for them to succeed.”

But the complexity of the special education process and the knowledge needed to navigate it were overwhelming to parents on both sides of the Atlantic, and the similarities are instructive. In Britain, parents described the process as “overly bureaucratic and time consuming.” This sentiment is echoed by the National Autistic Society which described the British state of special education as “a lumbering administrative sequence rather than a genuine attempt to meet the needs of the child.” (Tissot, 2011, p.8) Tissot graphed the data received from numerous parent questionnaires about the most stressful factors in the special education process as rated by parents (see figure 1), and noted that discussions with school staff and the complexity of the process being #1 and #3 on the list of stresses. Although parents are expected to participate in special education decision making with

![Figure 1](image)

school personnel, communication and interaction are not neutral because parties have varying
degrees of access to important capital resources.

Understanding and confidence in relation to special education law and procedure
(cultural capital) is not the only factor found to affect parental involvement. Degrees of social
capital, or the ability to form the professional relationships needed to achieve positive outcomes
for students, is affected by economic, ethnic, and social factors. Trainor (2010) noted that parents
of students who receive free- and reduced-cost lunch (FRCL) self-identified as particularly
feeling empowered by obtaining special education knowledge. She noted: “predominantly
among parents who were ineligible for FRCL, independently ‘studying up’ (i.e., looking for
disability and education-related information) outside school contexts was a key strategy.” (pg.
255) They used libraries and bookstores to seek out disability-specific characteristics and
interventions. Many low-income parents reported being confused about their children’s
disability placement and classifications. Very few respondents referred to the type of special
education placement that their offspring were provided, and despite probing, were unable to give
the classification assigned their child. Low-income parents seemed generally unaware of the
variety of services that might be available to their children. They did not know the terms "due
process," "least restrictive environment," or "mainstreaming" and appeared not to recognize these
concepts even when they were expressed in more understandable terms. Many, however, did
remember that they had received a booklet for parents at an IEP meeting. Some claimed that they
had read it, but they knew no more about the procedural concepts than those who claimed never
to have received a copy. Parents did not know the difference between a resource and a self-
contained class. They did not know the extent of time their children were being educated in
regular classes or even if they were integrated with non-handicapped children for part of the day.
Most appeared to passively accept the school's placement ideas for their children and did not challenge the wisdom or motives of the school in placing their children in special education classes.

Parents from a minority cultural or ethnic background may also find themselves lacking in needed social capital. For many minority families the language barrier is a source of uncertainty and frustration. Additionally, long hours work hours spent to raise their household income out of poverty and a cultural timidity over developing a relationship with teachers exacerbate the problem (Gutman and McLoyd 2000; Lewis and Forman 2002; Rao 2000). Then mix in an inability or unwillingness to communicate their current situation and struggles with school personnel and you have a complex knot to untie (Ferguson, 2008). Minority parents are particularly unversed and uninvolved with this special education knowledge set which is a critical concern as they are “over-represented in low-ability groups, special education programs, and among the expelled.” (Rolon, 2003, p. 40) Parents of minority students were found by Trainor (2010) to view their anecdotal knowledge of their child’s preferences, strengths, and weaknesses as more important than classroom data or special education procedure. This prioritization by the parent of anecdotal knowledge is often not appreciated by teachers; as Trainor (2010) notes, “most [teachers] are European American and from middle-class backgrounds, [and] lack culturally responsive ways of working with families, thus creating barriers for parents whose backgrounds differ from their own.” (pg. 247)

Unfortunately, the parents of special education students are statistically more likely to be struggling learners themselves. Figures from 2002 show that 22% of adults in the US read at what is termed Level 1 literacy, which means, “difficulty using reading, writing, and computational skills that are considered necessary for everyday functioning” (Reder, 1999). Add
to that the next most proficient group of adults in America, the 27% that read at Level 2 meaning that they are able to locate a single piece of information in a short text containing several distracters and make low-level inferences, and you have nearly half of the US adult population unable to comprehend complex text (Fitzgerald 2006). While 49% of Americans hold a high school degree or less (U.S. Department of Education, 2003), the percentage is even lower among parents of children identified as at-risk for special education (Ciuett & Mulvihill, 1997). Genetic links have been found for learning disabilities, mental retardation, dyslexia, and other disabilities (Grigorenko, 2001; Muir, 2000; Raskind, 2001; Shalev et al., 2001). Therefore, if a child is found to have a reading disability, at least one parent might also have a learning problem (Raskind, 2001). Thus, the potential for parent empowerment may diminish because of complex interactions between race, ethnicity, language, socioeconomic background, and school experience (Trainor 2010).

This is especially pertinent as Section 615 of the IDEA 2004 requires that Parents' Rights be "written in an easily understandable manner" and Section 300.503 of the proposed implementing regulations (IDEA Proposed Rule, 2005) specifies that they be "written in language understandable to the general public." (pg. 507) In light of these facts, the Department of Health and Human Services defined documents designed for the general public as falling within eighth- to ninth-grade reading level (Office of Inspector General, 2002). Doak and Doak (1987) found that an estimated 50% of patients seeking health care could not read at a fifth-grade level. Accordingly, a fifth- to sixth-grade reading level is the accepted standard for health care education materials (Albright, de Guzman, Acebo, Paiva, Faulkner, & Swanson, 1996).

The situation grows a little bleaker when one looks at the material we are currently providing parents to educate them of their rights. Twenty years ago the average special education
documents were written at a sixth-grade reading level (Fitzgerald 2006). Fitzgerald ran
procedural safeguards from all 50 states through a readability measure and discovered the
following:

The results from this study indicated that only 4% to 8% of the documents were at or
below the recommended 7th- to 8th-grade reading level. The vast majority of the
documents, 92% to 96%, were at a 9th- to 10th-grade reading level or higher.

Furthermore, the New Dale-Chall scores indicated that 20% of Parents' Rights documents
were written at the college reading level or higher. The Flesch Grade Level scores
showed that more than 50% of the documents were written at the college level or higher.

(p. 506)

The readability of Utah’s documents are among the very worst with a reading level of 16.1, or
college graduate level difficulty and complexity. Additionally, Utah’s documentation is 25
pages long. The number of acronyms contained in each document was examined with common
acronyms used in Parents' Rights being IEP, FAPE, and FERPA with, the total number of
acronyms ranged from 0 to 47 (Fitzgerald 2006). Similarly, the use of pictures, illustrations,
samples, and examples was minimal, and most Parents' Rights documents contained none of
these items. Only a small percentage of the documents used a question-and-answer format
(Fitzgerald 2006). Fitzgerald and Watkins uncovered studies showing that even when
information is provided by the school parents often do not understand it (Cranwell & Miller,
1987; Shriver & Kramer, 1993; Brantlinger, 1987) found that many parents were confused about
the classification system, placement and service options, and concepts such as due process, least
restrictive environment, and mainstreaming.
Improving Parent Access to Special Education Law and Procedures

In light of the proceeding data, the goal of this creative project became providing parents of special education students with information on special education law and procedures in an easily accessible and highly readable (seventh- or eighth-grade level text) format. The website does not seek to simply restate Utah’s Procedural Safeguard document because most Utah school districts already provide a simplified, single-page summary of the Procedural. Also, the website more thoroughly addresses aspects of the special education law and procedure that the Procedural Safeguards does not, such as the 13 disability classifications and the IEP process. A sea change is underway in how that the public accesses and consumes information, and it can be found in our pockets: the smartphone. Pew surveyed 2,277 US adults between April and May of 2011 and found that 83 percent have some kind of cell phone. From that group, 42 percent (35 percent of the total sample) reported owning smartphones (Cheng, 2011). “Smart” features are not required to access the internet on these devices, as comScore (February 2011) estimates that 90 percent of mobile subscribers in US and Western Europe have a phone that can access the portions of internet optimized for cellular devices. Even among those with a household income of $30,000 or less, smartphone ownership rates for those ages 18-29 are equal to the national average. 44% of blacks and Latinos are smartphone users. When asked what device they normally use to access the internet, 25% of smartphone owners say that they mostly go online using their phone, rather than with a computer. While many of these individuals have other sources of online access at home, roughly one third of these "cell-mostly" internet users lack a high-speed home broadband connection (Smith, 2011). Cell phone, especially smartphone, ownership is particularly high among minority groups - 44% of blacks and Latinos are
smartphone users (see figure 2). The fact that smartphone ownership is higher among blacks and Hispanics suggests that the “digital divide” that has been described with respect to computer ownership and residential access to broadband services does not disadvantage these traditionally underserved groups when it comes to smartphones (Smith, 2011).

The International Telecommunications Union (February 2010) expects mobile Web access – via laptops and smart mobile devices – to overtake desktop Web within the next five years (mobiThinking, 2012). This makes smartphone the tool that a majority public will be using to access data in the near future. The optimization of the internet for mobile consumption can reasonably be expected to proceed at a rapid pace as, according to Pew, 28 percent of smartphone owners access the Internet this way most of the time, which amounts to 10 percent of all cell owners or 8 percent of all adults in the US. Cisco recently predicted that there will be 788 million mobile-only Internet users globally by 2015 while mobile data traffic will increase by a factor of 26 between now and then (Cheng, 2011).
This project aimed to provide parents with high-quality, simple, and direct information through a smartphone format. It allows parents to have readily available information with them, to be able to show it to the IEP team rather than simply saying “I read about” or “A friend told me that”. Additionally, students and teachers, now have access to this same resource. Now that parents, teachers, and students all able to access one common text they may be better able to address concerns and collaborate. In interviews and research with mothers’ of Special Education students, Duquette et. al (2011) found that that the Internet became “their most important source of information about learning disabilities and special education policies and procedures” (p. 7).

Methods

This project addressed several factors, the first of which is that special education texts given to parents, especially Utah’s Procedural Safeguards, are typically difficult to read and score in high school or beyond on readability measures. So the text of this project’s website needed to use short words and sentences (Chall & Dale, 1995; Young et al., 1990). Terminology was carefully considered and simplified so as to retain as much nuance and precision as possible while it was brought into line with reasonable expectations of the users’ reading level. The default font size when the website loads is 12-point and is user controllable, so that it is discernible for older readers and those with vision limitations. The website utilizes several text tools to increase the clarity and ease of use of the website: (a) a simple table of contents greets users when first loading the website and an always-accessible drop down menu provides immediate access to all of the pages on the website; (b) a glossary, which contains definitions of technical terms and acronyms, is automatically overlaid on any instance of the term throughout
the website, as well as in a concluding glossary that is accessible from both the table of contents and the drop down navigation menu; (c) a question-and-answer format is used in most section headings to personalize the information and to guide parents to the answers for specific questions; (d) the website also includes example forms from the USOE of the all basic special education documents that a parent will encounter. The hypertext foundation of the website allows a parent to retrieve the definition of an acronym at any point with a simple click (Fitzgerald 2006).

The development of the text began with a thorough reading of the Utah State Special Education Rules. It became apparent that there were many sections that needed to be included (i.e. child find, referral for evaluation, the testing and eligibility process, the 13 disability classes, the IEP process, and manifestation determination) to ensure that the website provided a thorough explanation of the special education law and procedure that most readily applied to them. Figure 3 below lists the sections and subsection of the Utah State Special Education Rules that were included in the text. If the bulk of a subsection was included but specific elements were left out, those missing elements are listed beneath the subsection. So, for example, in section II. A. everything in the Utah State Special Education Rules under “Child Find System” is included in the website’s text except for the rule’s “statements in the law about technical assistance from USOE to LEAs and the statewide data collection system.”

<table>
<thead>
<tr>
<th>I. GENERAL PROVISIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Purposes (1)</td>
</tr>
<tr>
<td>C. Applicability (2)</td>
</tr>
<tr>
<td>D. Definitions (2)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>II. IDENTIFICATION, LOCATION, AND EVALUATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Child Find System (19)</td>
</tr>
<tr>
<td>(Left out statements about technical assistance from USOE to LEAs, statewide data collection system)</td>
</tr>
<tr>
<td>B. Referral (20)</td>
</tr>
<tr>
<td>C. Parental Consent For Evaluation (20)</td>
</tr>
<tr>
<td>(Left out statements about award of the state provisions)</td>
</tr>
<tr>
<td>D. Initial Evaluation (21)</td>
</tr>
<tr>
<td>(Left out statements about the 45-day testing window being waiving if the student fails to show or refuses)</td>
</tr>
<tr>
<td>E. Screening For Instructional Purposes (22)</td>
</tr>
</tbody>
</table>
F. Evaluation Procedures (22)
G. Reevaluation Procedures (24)
H. Additional Requirements For Initial Evaluations And Reevaluation Procedures (25)
I. Determination Of Eligibility (27)
J. Categorical Definitions, Criteria, And Assessments (28)

1. Autism (28)
   (Left out examples of negative reactions to changed furniture or rough textures).

2. Deaf-blindness (31)
   (Left out the detail of functional blindness/hearing. Functional blindness, where the physical structures of the eye may be functioning, but the student does not attend to, examine, utilize, or accurately process visual information. This may include cortical visual impairment or central visual impairment. Functional hearing loss (abnormal auditory perception), where parts of the auditory system may be functioning, but the student does not attend to, respond, localize, utilize, or accurately process auditory information. This may include cortical hearing impairment, auditory processing disorders, or auditory neuropathy/dys-synchrony.)

3. Developmental Delay (34)
4. Emotional Disturbance (36)
   (Left out the statements of externalizing and internalizing behavior)

5. Hearing Impairment/Deafness (38)
   (Left out the statements about determining whether the type of deafness or hearing loss is conductive, sensorineural, or mixed; and threshold results; aided threshold evaluations yielding aided threshold results; speech audiometric tests, yielding speech discrimination scores and speech reception thresholds; and proper)

6. Intellectual Disability (41)
   (Left out statements about if verbal performance scores are significantly discrepant from each other, further evaluation must be conducted to determine the reason)

7. Multiple Disabilities (42)
   (Shortened this list: a-Abnormal tactile or joint sensation; b-Abnormal muscle tone and movement; c-Lack of integration of primitive reflexes; d-Lack of balance or coordination; e-Organization of sequential motor movement; f-Motor skills; g-A combination of any of the above.)

8. Orthopedic Impairment (44)
   (Left out statements about fractures or burns that cause contractures.)

9. Other Health Impairment (45)
   (Left out statements about hypoxic event, encephalitis, meningitis, brain tumor, or stroke being possible causes of other health impairment)

10. Specific Learning Disabilities (46)
    (Removed duplicate statements that are repeated elsewhere such as: Team members. (§300.308) The determination of whether a student suspected of having a specific learning disability is a student with a disability must be made by the student’s parents and a team of qualified professionals. The LEA must promptly request parental consent to evaluate the student to determine if the student needs special education and related services, and must adhere to the forty-five (45) school day evaluation timeframe, unless extended by mutual written agreement of the student’s parents and a group of qualified professionals)

11. Speech/Language Impairment (52)
    (Left out statements that some students with mild hearing impairments may be classified as having a speech or language impairment, if the manifestation of the disability is only as a speech or language impairment and the services of a teacher of the hearing impaired are not required. Should consider the potential relationship of such an impairment to phonological processing and phonemic awareness)

12. Traumatic Brain Injury (54)
13. Visual Impairment (Including Blindness) (55)

III. IEP DEVELOPMENT AND SERVICE DELIVERY
A. Individualized Education Program (IEP) (57)
B. When IEPs Must Be In Effect (57)
C. Transfer Students (57)
D. Lea Responsibility For IEP Meetings (59)
E. IEP Team Membership (59)
F. IEP Team Attendance (60)
G. Parent Participation (60)
H. Notice Of Meeting (62)
I. Development, Review, And Revision Of The IEP (62)
   (Left out statements that opportunities for direct communications with peers and professional personnel in the student’s language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the student’s language and communication mode. If a participating
agency, other than the LEA, fails to provide the transition services described in the IEP, the LEA must reconvene the IEP team to identify alternative strategies to meet the transition objectives for the student set out in the IEP. Nothing in this part relieves any participating agency, including a State vocational rehabilitation agency, of the responsibility to provide or pay for any transition service that the agency would otherwise provide to students with disabilities who meet the eligibility criteria of that agency.}

J. Definition Of The Individualized Education Program (IEP) (66)

(Left out statements about transferring of rights at age of majority. Beginning not later than one (1) year before the student reaches the age of majority, age 18 in Utah, the IEP must include a statement that the student has been informed of the student’s rights under Part B of the IDEA that will transfer to the student on reaching the age of majority.)

K. IEP And Services For Preschool Students Ages 3 Through 5 (69)
L. Physical Education (70)
M. Assistive Technology (70)
N. Extended School Year (Esy) Services (71)
O. Charter Schools And Their Students (71)
P. Least Restrictive Environment (Lre) (72)
Q. Continuum Of Alternative Placements (73)
R. Placements (73)
S. Parental Involvement In Placement Decisions (74)

IV. PROCEDURAL SAFEGUARDS

A. Parental Opportunity To Examine Records And Participate In Meetings (77)
B. Parent Participation In Meetings (77)
C. Independent Educational Evaluation (78)
D. Written Prior Notice (79)
E. Procedural Safeguards Notice (81)
F. Parental Consent (82)
H. Mediation (87)
J. Due Process Complaint (89)
K. Model Forms (91)

V. DISCIPLINE PROCEDURES

M. Manifestation Determination (111)
N. Procedural Safeguards Notice (113)

VI. STUDENTS WITH DISABILITIES IN OTHER SETTINGS

D. Students With Disabilities Enrolled In Home School (130)

VII. TRANSITIONS

A. Transition From Part C To Part B Of The Idea.
B. Transition Services—School To Post-School.
C. Graduation.

Figure 3. Sections and subsections of the Utah Special Education Rules included in the final version of the website. Page numbers from the Utah State Special Education Rules are included in parenthesis. Specific topics that were not addressed in the text are listed beneath the subsection.

Some sections and subsections were not included to maintain the simplicity and readability of the text. Figure 4 lists the sections and subsection of the Utah State Special Education Rules that were not addressed in the text. Examples of these types of omissions include a detailed listing of the tests that may be considered when determining a student’s classification under IDEA Multiple Disabilities. Additionally, there were subsections that simply
are not relevant to the vast majority of parents and students. Examples of these types of
omissions include the fiscal auditing procedures of the Utah State Office of Education.

<table>
<thead>
<tr>
<th>I. GENERAL PROVISIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>B. AUTHORITY (1)</td>
</tr>
<tr>
<td>IV. PROCEDURAL SAFEGUARDS</td>
</tr>
<tr>
<td>G. State Complaint Procedures (84)</td>
</tr>
<tr>
<td>I. Filing A Due Process Complaint (89)</td>
</tr>
<tr>
<td>L. Resolution Process (92)</td>
</tr>
<tr>
<td>M. Impartial Due Process Hearing (93)</td>
</tr>
<tr>
<td>N. Hearing Rights (94)</td>
</tr>
<tr>
<td>O. Hearing Decisions (95)</td>
</tr>
<tr>
<td>P. Finality Of Decision (96)</td>
</tr>
<tr>
<td>Q. State Enforcement Mechanisms (96)</td>
</tr>
<tr>
<td>R. Timelines And Convenience Of Hearings (96)</td>
</tr>
<tr>
<td>S. Civil Action (96)</td>
</tr>
<tr>
<td>T. Attorneys’ Fees (97)</td>
</tr>
<tr>
<td>U. Student’s Status During Proceedings (99)</td>
</tr>
<tr>
<td>V. Surrogate Parents (99)</td>
</tr>
<tr>
<td>W. Transfer Of Parental Rights At Age Of Majority (101)</td>
</tr>
<tr>
<td>X. Confidentiality (101)</td>
</tr>
</tbody>
</table>

| V. DISCIPLINE PROCEDURES |
| A. Discipline Procedures For Students With Disabilities (109) |
| B. Authority Of School Personnel (109) |
| C. Services (109) |
| D. Change Of Placement Due To Disciplinary Removals (110) |
| G. Determination Of Setting (113) |
| H. Appeals By Parent Or Lea (113) |
| I. Placement During Appeals (114) |
| J. Protections For Students Not Determined Eligible For Special Education And Related Services (115) |
| K. Referral To And Action By Law Enforcement And Judicial Authorities (116) |

| VI. STUDENTS WITH DISABILITIES IN OTHER SETTINGS |
| A. Private School Placements By Leas (117) |
| B. Students With Disabilities Enrolled By Their Parents In Private Schools When FAPE Is Not At Issue (Unilateral Placement) (118) |
| C. Students With Disabilities Enrolled By Their Parents In Private Schools When FAPE Is At Issue (129) |
| E. Applicability Of Part B Of The Idea To State And Local Agencies (131) |
| E. USOE Responsibilities For Students With Disabilities In Private Institutions And Facilities (132) |
| F. Methods And Payment For FAPE In Residential Facilities (133) |
| G. Students With Disabilities Convicted As Adults And Incarcerated In Adult Prisons (133) |

| VII. TRANSITIONS |
| D. Utah Special Education Advisory Panel (USEAP) |
| E. USOE Use Of Part B Funds. |

| VIII. RESPONSIBILITIES OF THE UTAH STATE OFFICE OF EDUCATION |
| A. General Supervisory Authority (143) |
| B. State Eligibility (145) |
| C. State Monitoring And Enforcement (147) |
| D. USOE Program Monitoring (148) |
| E. State Performance Plans And Data Collection (149) |
| F. Performance Goals And Indicators (150) |
| G. Secretary’s Review And Determination Regarding State Performance (151) |
| H. State Enforcement (155) |
| I. Sea Reporting Requirements (155) |
| J. Provision Of Technical Assistance (158) |
| K. Personnel Qualifications (159) |
| L. Interagency Collaboration (160) |
| M. Reporting On Suspension And Expulsion Rates (165) |
| N. Public Participation (166) |
O. Utah State Advisory Panel On Special Education (166)
P. Authorization, Allotment, Use Of Funds, And Authorization Of Appropriations (168)
Q. Preschool For Students With Disabilities (176)
R. Sea Responsibilities (179)
S. Records Retention Requirements (181)
T. Private School Approval (182)
U. Dissemination Of Information (182)
V. Fiscal Auditing Procedures (182)
W. Access To Instructional Materials (183)
X. Prohibition On Mandatory Medication (184)
Y. State Administration (184)
Z. Notification Of Lea Or State Agency In Case Of Ineligibility (185)

IX. LEA ELIGIBILITY AND RESPONSIBILITIES
A. Lea Eligibility For Idea-B Funds (187)
B. Use Of Part B Funds By The Lea (189)
C. Early Intervening Services (193)
D. Personnel Development (194)
E. Funded Prevalence Of Disabling Conditions (194)
F. Lea Provision Of FAPE, §300.101
G. Routine Checking Of Hearing Aids And External Components Of Surgically Implanted Medical Devices (195)
H. Educator License Requirements.
I. Purchase Of Instructional Materials In Accessible Formats (197)

X. FUNDING
A. Allocation Of State Revenues For Programs For Students With Disabilities (199)
B. Administrative Procedures For Determining Aggregate Days Of Membership (204)
C. Correlation Of Reports (204)
D. Recovery Of Funds For Misclassified Students (204)

Figure 4. Sections and subsections of the Utah Special Education Rules not included in the final version of the website. Page numbers from the Utah State Special Education Rules are included in parenthesis.

The product needed to be within a 7th- to 8th-grade readability level while conveying the law and state rules. The first objective, readability, was accomplished by frequently testing the text using the Flesch-Kincaid Grade Readability Level which was the measure used by Fitzgerald (2006). This measure uses a combination of the average number of syllables per word and words per sentence. A benefit of generating this text in hypertext is that it allows the reader to click on a word or acronym for further clarification without leaving the text. Also, font size can be adjusted to meet the reader’s needs. As many adults have limited literacy skills, it was important to have robust audio resources embedded in the text to support it. For example, a reading of the text can be started and stopped from media control buttons at the top of each webpage.
Two rounds of evaluation by special education specialists measured the validity of the text, as compared to the original state rules. Six special education specialists (two each from the Alpine, Granite, and Murray school districts) evaluated with the text, with three specialists first evaluating the text. Revisions were made based on their feedback before the remaining three specialists completed a second round of evaluation. The results of this process of content validation are described below. Once the content of the website was validated by six special education evaluators the clarity of the text and usability of the website were evaluated by six parent evaluators, the results of which are also described below. All six of the Special Education evaluators hold masters degrees and have an combined total of service at the district level in Special Education of 57 schools years with the average number of years of district Special Education service being 9.5 per evaluator.

Having developed websites for desktops before, I was familiar with HTML, Javascript, and the other protocols and languages needed to build website. That being said, developing a mobile website a very unstandardized process and presented some unique challenges. Expert web developers currently recommend building mobile websites with a fluid design, meaning webpage elements are not set to a particular fixed width, but instead can reformat and flow as needed based on the size and capability of the mobile phone and its web browser (Zeldman, 2011). In North America the screen resolutions of cell phones range from 240x320 pixels on the HTC Tattoo to the 1280 x 720 on the Galaxy Nexus which is a difference nearing a factor of 10.

However, there are several trends that make it possible to reach a majority of smartphones users and portend a growing audience who will be able to comfortably access the website. The first is the rapid turnover and adoption of new handsets. As newer handsets come onto the market, they invariably contain high-resolution screens and greater capabilities. Also
new handsets increasingly utilize newer, and often more standardized, web browsers. As evidenced in Figure 5, in Nov 2011 a full 90% of the North American mobile web browsers can be reached by focusing on just 4 browsers (Android, iOS, Blackberry, and Opera).


Being able to focus on these 4 browsers simplified the process. Additionally, all 4 browsers have desktop-based simulators, which meant I was able to test the webpage on a simulated version of all four browsers without making an excessive number of trips to mobile phone stores to test the webpage on actual phones. Ultimately, I did go to a mobile phone store that had several models right next to each other to make sure success on the simulators matched up with real world performance.
In addition to providing a flat webpage with simple text, there needed to be a couple additional features. First, text size needed to be user-adjustable to meet accessibility standards. A user-controlled selection tool was needed to allow this type of font-customization. Additionally, JavaScript and CSS was needed to create definitions that appear and disappear as the user requests without taking the user off the current page. So, for example, the user is able to stay on the IEP text page while, at the same time, tapping on or selecting “Written Prior Notice” and seeing a definition or explanation of that term. I also provided a simple audio playback console that allows the user to hear the text read aloud to them if his or her silent reading comprehension is lower than 7th- or 8th-grade or if users are visually impaired. Audio playback will ultimately depend on the discovery of a simple and cross-platform compatible plugin that works on 90% of browsers reliably. Also, the website needed a clean home page that could act as a guide to the website or simple table of contents.

Once the website was completed, I needed a domain name that was both short and easy to remember. Shorter is better because typing on smartphones is more difficult and less precise than on a full keyboard in front of a desktop or laptop computer. It also needed to be memorable because I hope this website will be a comfortable and frequent resource for parents, teachers, and students. The third constraint was most short, memorable, and obvious domain names were already purchased.

Once the writing and technical hurdles were addressed two questions remained to be answered: 1) Was the text an accurate summary and explanation of IDEA and Utah Special education law and rules? 2) Could parents, teachers, and students easily find answers and understand the content of the website?
Validation of the Accuracy of Content

This project would be of no worth if the material it delivered was inaccurate. To that end, the text was given to six Special Education specialists (two each in the district offices of the Alpine, Granite, and Murray school districts). Clearance for participating in this project was obtained from the special education director in each of these districts. The evaluators were selected by contacting the secretary for the Special Education office in each district and asking for several names of specialists in their department that regularly train on and provide guidance about special education law and procedure. I then alphabetized those names and contacted them beginning at the first. I asked them if they would be willing to assist in evaluating a concise and readable text explaining Utah Special Education law and procedure by filling out a rating scale on its clarity, accuracy, and completeness. The first three individuals who accepted were sent an electronic copy of text from the website with an embedded survey. Corrections were made from the feedback they provided and the revised version was sent out to the next three special education experts who responded, for a total of six evaluators.

The special education evaluators marked, highlighted, and underlined sections of the text they found inaccurate or unclear. Also, embedded at the top of each section of the text was a survey scale requesting feedback about the text’s clarity, accuracy, and completeness. They were asked to rate the text on its clarity (i.e. Was the language of the text readable and understandable for a 7th- to 8th-grade reader, regardless of content?), accuracy (Did the text accurately and concisely reflect Utah Special Education Law and Procedure?) and completeness (Does the text sufficiently cover the core ideas of a given topic?). The clarity, accuracy, and completeness results were quantified separately, with a score of zero assigned to responses of “unclear” or “wrong”, a score of one assigned to answers of “moderate” or “partial”, and a score of two
assigned to responses of “clear” or “accurate”. Both rounds of feedback generated three clarity, accuracy, and completeness scores for each item that were then averaged. Any items that scored below an average of 1.5 on any characteristic (clarity, accuracy, and/or completeness) were rewritten based on the feedback provided from the evaluator(s). Corrections in the readability and accuracy of the text were made before continuing to the next phase of parent evaluation to ensure that the parents evaluated the most readable and accurate resource possible.

Field Test of Usability and Effectiveness of the System

Participants.

Parents who were already smartphone owners were selected to help answer whether 1) the website was user-friendly and easy to navigate and 2) whether the information was understandable to potential users. Since confidentiality was a concern, and having taught several years in Jordan and Granite School district as a Special Education teacher, contact seeking parents volunteers and their children was made by Special Education teaching colleagues. I requested that my colleagues identify six parents (four parents with special education students and two with general education students) who were interested in and they feel would benefit from this legal and procedural resource. After this initial contact and screening, I formally requested informed consent for their participation in the project.

Procedures.

I emailed the parents the website address and the survey (Appendix 2). I called them to ensure the address and survey was received and to setup a 30-minute block of time for them to review the website and complete the survey. At the end of the 30 minutes and completion of the survey I called them again, asked about their experience, and recorded any anecdotal feedback
they had that may or may not have been captured in the survey. These comments were included in the final analysis of this project. An incentive of a $10 Café Rio gift card was given to each participant at the completion of the 30 minutes and survey response.

The survey results were tallied with the same three-point scale with separate scores for ease of use and usefulness. A response of “hard” or “confused” was quantified as zero, “okay and “not sure” as 1, and “easy” and “I understand” as 2. An average score was calculated for each item’s clarity or ease of use. Any item, whether it is a website usability item or a clarity item, that scored below 1.5 was revised based on the feedback.

**Analysis.**

Results from the Special Education evaluators and the parents were compiled into a several summary tables so average responses from each group on each item can be easily reviewed. Each of webpage of the website are represented in rows of the table. Examples of revisions to the original text made because of low scores or constructive feedback are detailed to show the before and after improvements. I also include any particularly strong or interesting comments from their annotation of the text. Interview comments and feedback from the specialists and parents are included in the final analysis.

**Results**

**The Development and Evaluation of the Text**

The most critical piece of this creative project was the creation of a clear, complete, and accurate text explaining the aspects of special education law and procedure. The creation of the text started with the Utah State Special Education Rules as my foundation as I created the first version of the text. This text was created by reading through the Utah State
Special Education Rules line by line and cutting and pasting any section or sentence that, from my experience as a special educator, administrator, and special education graduate student I knew was foundational or often misunderstood by parents. I then took this document comprised of verbatim snippets and rewrote and reworked them into the first version of the text. This first version of the text scored 8.9 on the Flesch-Kincaid readability measure.

Version 1 of the text was provided to the first 3 Special Education district office evaluators by placing each section of the text (IEP, Evaluation, and the 13 Disability classifications) in its own table in text document so, for example, each subsection of the IEP section was in a column next to its other subsections. They were tasked with reviewing the text and rating it based on its clarity, accuracy, and completeness. The feedback received from the first three special education evaluators was on the whole negative. They all commented on several passages that they felt were incomplete in their coverage of the law. Figure 7 is a summary of the results of their evaluation. Each section of the text was scored 0, 1, or 2 on each of three attributes (accuracy, clarity, and completeness). The count of scores that each evaluator gave a section is given for each section in the row labeled “count”; each section’s average score is given in the row labeled “average”. If a section had an average score below 1.5 on any attribute it is highlighted in red as an area requiring revision. As noted in Figure 6, most of their serious concerns were in the IEP and Evaluation sections with the disability sections getting, on average, higher marks.
Figure 6. Results of Round #1 Evaluations from three Special Education Specialists. Sections that had an average score below 1.5 are highlighted in red. Alternating blue and white lines are provided for readability of the chart.
The negative comments on the IEP and Evaluation section were chiefly concerned with the completeness and accuracy of the text and for the most part the reviewers indicated that they felt the text was clear in its attempt to address an audience reading at a 7th- or 8th grade reading level. Examples of feedback from the reviewer are summarized below:

- The core IEP team designated need to be designated
- Placement form is only needed for the placement if initial or changing
- At-risk interventions need to be done prior to referral
- Add that if a student is proficient in English that test does not need to be given in the native language

These are concerns about the completeness of the text: that important aspects of the law were not included in this initial draft. And, again, completeness was the area that scored the lowest on this initial draft. To ensure that these concerns were addressed I not only revisited the omissions that they highlighted, I revisited every section with my text on one half of the screen and the Utah State Rules on the other half to ensure that every point intended for inclusion was adequately covered.

The second lowest scoring attribute, after completeness, was accuracy. Below are summaries of several of the concerns about the accuracy of the text, particularly the IEP and Evaluation sections:

- The term PLAAFP be used
- Clarify that not every student has functional goals
- Didn’t like “a parent must be allowed to give input about the date and time” instead wanted a statement about giving parents adequate time to arrange their schedule (2 weeks)
•Wants “school” changed to “team” when discussing who is responsible to make sure the IEP is carried out

These are concerns that information on certain points was included but was inaccurate. This was precisely the reason I wanted special education experts to review the text because I knew there were going to be errors as I attempted to simplify the text. I made all the corrections they pointed out and found several more myself while completing a second split-screen, line-by-line review of the law with my text.

Clarity, the third attribute of each section, was scored much higher, on the whole, than completeness and accuracy on this first draft. In addition to the ratings of “clear” throughout the text there were several handwritten comments of “clear” found in the developmental delay, speech language, other health impairment sections and other sections of the document.

An example of the evolution of the text based on this feedback can be found in Table 1 below. One of the comments I received in the IEP section was I had neglected to mention the present levels of performance section of the IEP and you will note the correction of the omission in the second version. You will also note the improvement of the accuracy in the statement on transition planning: the more nebulous “if the student will be 16” becomes “when the student is 15”. Similar steps to refine and complete the text occurred on the entire document, with particular emphasis on the lower scoring IEP and Evaluation sections of the text.
Table 1

Progression of the “What Goes Into An IEP?” Section of the Text

<table>
<thead>
<tr>
<th>Version Number</th>
<th>Website Text</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Version</td>
<td>What goes into an IEP?</td>
</tr>
<tr>
<td></td>
<td>This document has information about the student, including the type of disability the student has. It records data about how the student is doing in reading, writing, math, or any area the student's disability affects in school. The IEP has goals set for each area the student struggles in because of a disability. It explained the type of help the student will receive in non-Special Education classes and on tests. If the student will be 16, it will have data about the student's goals after high school.</td>
</tr>
<tr>
<td>Second Version</td>
<td>What goes into an IEP?</td>
</tr>
<tr>
<td></td>
<td>An IEP has lots of information about the student. It includes &quot;present levels of performance&quot; which is data about the student's current learning and disability. It includes the type of disability the student has. It records data about how the student is doing in reading, writing, math, or any area affected by the student's disability in school (click for form). The IEP sets goals for each area the student struggles in because of the disability. It explains the type of help the student will receive in non-special education classes and on tests. If the student is 15, it will have data about the student's plans and goals after high school.</td>
</tr>
</tbody>
</table>

I also improved the readability of the text by reducing the length of sentences, for example cutting the first sentence in the first version into two sentences in the latter. This resulted in an improvement in the readability of the text, with this particular paragraph dropped from a readability score of 9.6 in the first version to a readability score of 8.5 in the second version.
Once this round of comprehensive editing was completed, this newer second version of the text was given to a second set of three Special Education district office evaluators. These evaluators were asked to rate the text on the same three attributes of clarity, accuracy, and completeness. Figure 9 compares the tallies of the ratings each attribute was given on the first (yellow) and second (blue) rounds of revision. Figure 10 compares how the average score each section of the text received changed from round 1 to round 2 of the revision process. Sections that scored below an average score of 1.5 are highlighted in red; those that scored above an average of 1.5 are in green.

<table>
<thead>
<tr>
<th>Round of Revision</th>
<th>Clarity</th>
<th>Accuracy</th>
<th>Completeness</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Unclear</td>
<td>Moderate</td>
<td>Clear</td>
</tr>
<tr>
<td>The IEP</td>
<td>R1</td>
<td>R2</td>
<td>R1</td>
</tr>
<tr>
<td>IEP Meeting is Scheduled and Held</td>
<td>0</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>The IEP is written</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>IEP Services provided, reported, reviewed</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Evaluation/Re-Evaluation</td>
<td>0</td>
<td>0</td>
<td>3</td>
</tr>
<tr>
<td>Child Find or Referral</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Child is Evaluated</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Eligibility is Decided</td>
<td>0</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Child is Re-Evaluated</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Autism</td>
<td>0</td>
<td>0</td>
<td>3</td>
</tr>
<tr>
<td>Deaf-Blindness</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Developmental Delay</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Emotional Disturbance</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Hearing Impairment</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Intellectual Disability</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Multiple Disabilities</td>
<td>0</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Orthopedic Impairment</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Other Health Impairment</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Specific Learning Disability</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Speech Language</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Traumatic Brain Injury</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Visual Impairment</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

Figure 7. Comparison of the tally count of the rating of each section of the text from version 1 (yellow) to version 2 (blue).
The general feedback I received from this second set of three special education evaluators can be summarized in the following comment: “I think this will be a very informative and useful tool for people. Nice Job!” Every section scored an average above 1.5. The disability sections that scored lowest were typically the most nebulous or difficult classifications, like autism and emotional disturbance. One evaluator in particular felt these two sections were too “dummied down”. This tension between completeness and simplicity played out time and again, but the overall result was one that received positive feedback.

As noted in figure 10 above, the sections covering the IEP meeting and eligibility decision in particular made significant improvements, scoring around 1 in the first round and scoring 2 in the second. The readability of the document improved as well, with the difficulty dropping from 8.9 to 8.2 overall, so not only did the document become more complete and accurate but clarity improved as well.
As noted above, the readability goal for the text was a 7th- to 8th-grade reading level (Fitzgerald, 2006), with the ideal falling in the 5th- to 6th-grade level (Office of Inspector General, 2002). The final version of the text, which can be found at http://spedlaw.us scores 8.2 on the Flesch-Kincaid readability measure. I had hoped to bring my text into the more ideal 5th- to 6th-grade range when beginning the project, but one consideration in particular made that goal ultimately a lower priority: the inclusion of the 13 disability classifications. The readability measures completed by Fitzgerald (2006) in which Utah scored 16.1 and Wisconsin and Connecticut scored 7.2 were applied the state’s Procedural Safeguards documents. These documents cover significantly less material than the text I produced because in additional to the rights and procedures guaranteed in the IEP and Evaluation process my text includes description and evaluation information about the 13 disability classifications. This not only more than doubles the length of the document, many technical words and phrases are found in the disability section that have no acceptable way to simplify (i.e. Otoacoustic Emission Testing is a very specific term). This raised the overall readability score of the document (see table 2 below), but I still fell within the maximum readability range of 7th- or 8th-grade reading level.
After this second round of revision some additional revisions were made during the recording of the audio for the website. Reading the entirely of the text out loud while recording it revealed several rough spots that needed to be revised. None of the revisions were major.

**Developing the Website**

The process of coding the website moved along quickly. There are great cross platform blogging tools that made the creation of a smartphone friendly website that is compatible with iOS, Android, Opera, and Blackberry browsers fairly straight forward as they are all based on the
WebKit browser rendering engine. This means they all use the same basic core to interpret the code of the website. There were several critical steps to developing the website, the first being the purchase of a domain name. No one likes to type long or complex web addresses (or domain names) but it becomes doubly difficult on a smartphone with a virtual or tiny physical keyboard.

I was pleased to discover that http://spedlaw.us was available which provides a simple, short handle for the website.

It is possible to code a website from scratch, but even Fortune 500 companies today often depend on a content management system. A content management system is a piece of software you install on an internet server that aids in the arrangement, management, and presentation of the content of a website. I chose to use Wordpres, a free content management system, which not only provides a simple system for developing the text, but offers an extension or plugin system which can add specific features to the website (see Table 3 below). For example, I was able to locate a free plugin that made the insertion of audio onto a given page from the site a simple one-line command. This plugin also provides a nice, simple unobtrusive player interface for the user.

Another plugin was used to help the website adapt on the fly to the various screen resolutions of the devices visiting it. It allowed the text of the website to reflow as needed while fixing the font size tool and audio player at the top of each webpage. The reality was I was not be able to develop a website that is comfortable on every possible smartphone and every mobile web browser, but 90% of the browsers found on smartphones will comfortably render the website. This plugin also dynamically created the drop-down, navigation menu based on how I ordered and organized the various sections and webpages. This allowed me to focus on the creation of the text and its presentation rather than spending time fiddling with code every time I changed the title of a webpage or shuffled the organization of the pages. This greatly enhanced
the speed at which the website could be developed and helped me focus my attention on the content of the website.

The one difficulty was trying to overlay the definitions on top of special education words. I wanted an interface that allowed a user to get an immediate definition or explanation of the word without having to leave the webpage, but doing this on a touchscreen-dependent smartphone proved a little difficult. I found a plugin for Wordpress that provided the definition overlays, but depended on a mouse pointer “rolling over” the word to trigger the definition. On a smartphone there is no mouse pointer, so I had to find a solution that would allow the definition to fade automatically. I found several lines of code I could simply copy and paste into the plugin to provide a better touch screen experience. Now, when a word is tapped on a touchscreen the definition will appear for 7 seconds and then fade. This is enough time for the definition to be read and does not require a mouse pointer to “roll off” the word to cause the definition to disappear; the definition simply disappears on its own.

Table 3

*Detail of Website Technical Functionality*

<table>
<thead>
<tr>
<th>Website Feature</th>
<th>Functionality Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>User Adjustable Font Size</td>
<td>Located at the top of every page, the font size (which defaults to 12-point) can be adjusted larger and smaller by the user.</td>
</tr>
<tr>
<td>Audio Player</td>
<td>Located at the top of every page, the audio player provides a simple interfaces for listening to a recording of the text of the webpage.</td>
</tr>
</tbody>
</table>
Drop Down Navigation Menu
Always available at the top of the website, the drop down navigation menu provides a hierarchical menu of the website and its pages.

Website-Wide Search
Available in the drop down menu, a simple website-wide search box is available.

Free-Flowing Text Layout
The website’s site automatically reformats and flows and needed to adjust to the various resolution and screen constraints of any given device that views it.

Overlaid Term Definitions
Terms and acronyms appears as links and when clicked will overlay a simple definition.

Automatic Word Definitions
Term and acronyms in the glossary are automatically discovered and defined by the website, greatly reducing the time spent coding the overlays for the definitions.

Evaluation of the Text By Parents
With the text receiving high marks from the second round of special education evaluators and the website was ready for feedback from my target audience: parents. The feedback I received from parents was, on the whole, very positive. All areas averaged at or above 1.5. The technical aspects of the website were all scored highly (see table 4), with nearly every element of the website scoring at in the “easy to use” level. The two technical areas that did receive one “Okay” rather than “Easy” rating were “Find the topic you are looking for” and “Moving forward and backward through the webpage”. In speaking with the parent who gave those feedback scores this mother stated that she initially navigated to the website and saw the bulleted
links on the homepage and used those to navigate to the first section she was asked to look for (Child Find) but once she read through that section she was unsure how to select another area of the website to review. She ultimately typed in the website home address again and this time saw the statement about the drop down menu available at the top of the website and when then able to use this menu to find what she was looking for and navigate around the website.

Table 4

*Summary of Tallies and Average for Parents’ Scoring of the Website’s Ease of Use*

<table>
<thead>
<tr>
<th>Feature</th>
<th>How Easy to Use</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Hard</td>
</tr>
<tr>
<td>Scrolling</td>
<td>6</td>
</tr>
<tr>
<td>Locating a special education word’s meaning</td>
<td>6</td>
</tr>
<tr>
<td>Find the topic you are looking for</td>
<td>1</td>
</tr>
<tr>
<td>Searching the website</td>
<td>6</td>
</tr>
<tr>
<td>Adjusting font size</td>
<td>6</td>
</tr>
<tr>
<td>Moving forward and backward through the webpage</td>
<td>1</td>
</tr>
</tbody>
</table>

In terms of clarity (see table 5 below), every section scored above the goal average of 1.5. The sections involving evaluation or referral did receive a rating of “confused” from one general education parent. This is an interesting outcome because these sections had a higher readability score (i.e., more difficult) than the others. This general education parent, on the other hand, who was the only parent out of the six who said she truly had had no exposure to special education before reading this document, was not aware or concerned about how nuanced or complete the text was, she was attempting to understand an utterly foreign process.
Table 5

Summary of Tallies and Average for Parents’ Scoring of the Content’s Clarity

<table>
<thead>
<tr>
<th>Section of Utah State SpEd Rule</th>
<th>Confused</th>
<th>Not Sure</th>
<th>I Understand</th>
<th>AVERAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Child Find Services</td>
<td>1</td>
<td>5</td>
<td>1.67</td>
<td></td>
</tr>
<tr>
<td>The Pre-Referral Process</td>
<td>1</td>
<td>5</td>
<td>1.67</td>
<td></td>
</tr>
<tr>
<td>Referral (including consent to evaluate)</td>
<td>1</td>
<td>1</td>
<td>4</td>
<td>1.5</td>
</tr>
<tr>
<td>Determining a student’s eligibility &amp; disability</td>
<td>1</td>
<td>1</td>
<td>4</td>
<td>1.5</td>
</tr>
<tr>
<td>Parental Rights (Written Prior Notice, etc.)</td>
<td>1</td>
<td>5</td>
<td>1.67</td>
<td></td>
</tr>
<tr>
<td>The IEP and IEP Team</td>
<td>1</td>
<td>5</td>
<td>1.83</td>
<td></td>
</tr>
<tr>
<td>3-Year Re-Evaluation</td>
<td>1</td>
<td>1</td>
<td>4</td>
<td>1.5</td>
</tr>
<tr>
<td>Terms and Definitions</td>
<td>6</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Overall</td>
<td>1</td>
<td>5</td>
<td>1.83</td>
<td></td>
</tr>
</tbody>
</table>

Overall the clarity of the website was rated 1.83, a score which I am very pleased with.

One the overall comments I received from a parent was as follows:

“This is a great resource presented in a very user-friendly format. I think individuals from all different levels of familiarity could benefit from it. I only noticed one item that would have been useful but did find the answer myself elsewhere on the site. In the glossary, the words which create the acronym for IDEA was not provided.”

The technical glitch causing the IDEA definition to not appear has been fixed.
Discussion

I discovered that developing a text which attempts to summarize and simplify Special Education Law while retaining accuracy and clarity is very difficult - but it is particularly difficult when you divorce the text from the website. The first round evaluators from Alpine, Granite, and Murray districts were frustrated by the format of the text in columns on a printed page. Without ability to hyperlink and dynamically provide definitions in-line they seemed to feel the text was either far too simplistic (because they were unable to see the rich resources and links that could be connected with simplified explanations) or complex (again, they were unable to see the links and definitions that would help simplify and make the text accessible).

This first round of evaluators, who found problems in the completeness and accuracy of the IEP and Evaluation sections, commented that they already had summaries of the Procedural Safeguards on their website. I realized I had not adequately explained to them that I was not attempting to recreate Utah’s Procedural Safeguards but to create a similar, but more comprehensive resource that included details the Procedural Safeguards did not, like the 13 disability classifications. I improved my introduction of the purpose of the website to the second round of evaluators and they immediately saw the useful of this resource in addition to their current offerings to parents. The reality is schools and districts are still legally bound to provide parents a copy of the newsprint, 16.1 reading level procedural safeguards to parents, my website could only be supplement, not a replacement.

I found in composing and editing the text that the Utah State Rules are very repetitious. For example, the law repeats the definition of the IEP team several times throughout the various sections. Employing the definition overlay plugin allowed my website to provide a dynamic explanation of “team” every time the word “team” appeared on the website. By virtue of that fact
alone I was able to cut down the text. The length of sentences and passages is one of the major contributing factors to the difficulty of a text. The content which I simplified and included on the website are chiefly comprised of the first half of the Utah State Rules, which in its original form is nearly 12,000 words. My version of the text has close to 6000 words. Additionally, using definition overlays it was possible to insert a simpler word like “help” and provide the legal term “intervention” on demand. This allows the reader to supplement the basic text to their reading level.

Ultimately I consider the project a success: a new resource has been created for parents to help them understand special education law and procedure. The overall feedback score from parents was 1.83, an outcome that I am very pleased with. The text of the website contains information that the parent will not find in the Procedural Safeguards, particularly the 13 disability classifications. It provides an important addition to the body of parent-friendly resources available.

The ultimate limitation of the project hangs on the tension between completeness versus simplicity. Five out of six of the parent respondents rated the website as clear and the website did reach the target of a 7\textsuperscript{th} or 8\textsuperscript{th}-grade reading level. That being said, there was one parent who was uncomfortable with the evaluation portion of the website, which means there will be others who will find it less than clear. I interpret high clarity marks from the second round of special education evaluators with this one set of low clarity marks in several sections of the text from a single general education parent as the result of disparities between the special education and parent evaluators. Even if the readability of the text were at a college level the special education evaluators would have likely been comfortable with its clarity, so this result underscores the tension between completeness and accuracy versus clarity. For the special education evaluators
to feel comfortable with the text they wanted a high level of nuance and detail. The majority of the additions to the text between the first and second round of special education evaluations were in this Evaluation section. I speculate that the general education parent, on the other hand, were not as comfortable with the 8.4 average readability of the evaluation section of the text and therefore scored it as more confusing.

I can imagine a future version of this website which has a user-selectable complexity setting. A user in this scenario could dial down the complexity of the website with a disclaimer that the user is receiving a less-than-complete picture of the original law and rules. Likewise, a user in this scenario could dial up the comprehensive nature of the text if they were comfortable with creator complexity in the text. Additionally, there are obvious limits to the technical skill of writing which I am able to bring to bear on this project: a trained technical writer would likely be able to create a text that is both more readable and accurate to the original law. Ultimately my skills with writing allowed me to stretch words only so far before specificity was lost.

The rapid increase in the adoption of smartphones by the public, and the increasing screen size and improved resolution of the devices provides tantalizing options for the future. The use of smartphones is growing rapidly, so the target audience for this smartphone-optimized website will only continue to grow over the coming years.
References


Appendix 1

<table>
<thead>
<tr>
<th>The IEP Clarity</th>
<th>IEP Meeting is Scheduled and Held Clarity</th>
<th>The IEP is Written Clarity</th>
<th>IEP Services Provided, Reported, Reviewed Clarity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unclear/Moderate</td>
<td>Unclear/Moderate</td>
<td>Unclear/Moderate</td>
<td>Unclear/Moderate</td>
</tr>
<tr>
<td>Clear</td>
<td>Clear</td>
<td>Clear</td>
<td>Clear</td>
</tr>
<tr>
<td>Accuracy</td>
<td>Accuracy</td>
<td>Accuracy</td>
<td>Accuracy</td>
</tr>
<tr>
<td>Wrong/Partial/Correct</td>
<td>Wrong/Partial/Correct</td>
<td>Wrong/Partial/Correct</td>
<td>Wrong/Partial/Correct</td>
</tr>
<tr>
<td>Completeness</td>
<td>Completeness</td>
<td>Completeness</td>
<td>Completeness</td>
</tr>
<tr>
<td>Incomplete/Mostly</td>
<td>Incomplete/Mostly</td>
<td>Incomplete/Mostly</td>
<td>Incomplete/Mostly</td>
</tr>
<tr>
<td>Complete</td>
<td>Complete</td>
<td>Complete</td>
<td>Complete</td>
</tr>
</tbody>
</table>

All students who receive special education services have an IEP. An IEP is an individualized education program. It must be reviewed every year. So if an IEP was signed on July 2, 2008 it would need to be reviewed and updated on or before July 1, 2009.

What goes into an IEP?
This document had information about the student, including the type of disability the student has. It records data about how the student is doing in reading, writing, math, or

A parent must be allowed to give input about the date and time of the IEP meeting. Written notice must also be given to the parent of the meeting's date, time, location, and team members. Telephone or video conferencing can be used with the parent's

At the beginning of an IEP meeting the IEP is considered a draft, meaning it is not finished yet. All IEP teams members have the right and responsibility to give input and share their ideas. Always bring up a concern or an idea, the IEP can easily be changed and reprinted. Signing an IEP does not mean you agree to everything it says, it simply means you were at the meeting.

At the meeting the previous IEP will be reviewed. There will be data showing the

The school makes sure that the child’s IEP is being carried out as it was written. Parents are given a copy of the IEP. Each of the child’s teachers and service providers has access to the IEP and knows his or her specific responsibilities for carrying out the IEP. This includes the accommodations, modifications, and supports that must be provided to the child in keeping with the IEP.

The child’s progress toward the annual goals is measured, as stated in the IEP. His or her parents
any area the student's disability affects in school. The IEP has goals set for each area the student struggles in because of a disability. It explained the type of help the student will receive in non-Special Education classes and on tests. If the student will be 16, it will have data about the students goals after high school.

permission. The school can hold a meeting without a parent if they have written records of unsuccessful phone calls, letters, and visits made to setup the meeting.

strengths of the student. There will also be data showing how the student's disability affects the student in general education classes. Goals (both academic and functional) will be reviewed. Some goals may be removed because they were reached or no longer apply. Some goals may stay the same for another year or be updated. Also, new goals may be added. All IEP team members should give input and be allowed to share their ideas. It will be explained how these goals will be measured and how progress will be reported to parents.

The IEP team
Nearly every decision made about special education services for a student is made by the IEP team. As a team they work for the best results of a student. Most of the time all IEP team members

If an IEP team member is unable to attend they can be excused through written permission from the parent and LEA. If the parents do not agree with the IEP they may discuss their concerns with

The IEP will explain the type of help the student will receive in Special and non-Special Education classes and on tests. It will explain how often a student will receive special education

The child’s IEP is reviewed by the IEP Team at least once a year, or more often if the parents or school ask for a review. If necessary, the IEP is revised. Parents, as Team members, must be invited to attend these meetings.

are regularly informed of the child’s progress and whether that progress is enough for the child to achieve the goals by the end of the year. Progress reports are provided to parents in keeping with the IEP.
agree. If not, there are steps that can be taken to address a disagreement. The IEP team members are:

- The parent(s) of the student
- At least one regular education teacher of the student
- At least one special education teacher of the student
- An LEA (typically a principal or assistant principal)
- A professional who can explain testing results (often a school psychologist)
- Anyone the school or parent invites who has special knowledge about the student
- The student, if appropriate
- A representative of an outside service agency if needed

Other members of the IEP Team and try to work out a solution. If the IEP team still disagrees, parents or school can ask for mediation. Mediation means an someone outside the team, often the school district, will help decide the solution. Parents may also file a complaint with the state education agency and request a due process hearing.

Special education and services must begin as soon as possible after the development of the IEP. The parent must be given a copy of the IEP. The parents must also be giving a copy of a document called "Procedural Safeguards" every year. This document tells parents their legal rights and protections. The IEP must be made available to any teacher or service provider who is responsible for helping the services (for example, 30 minutes daily of reading and 45 minutes daily of math) and where they will receive them (for example, in the special education classroom). If the student will be 16, it will have data about the students goals after high school.

Every year the IEP must review a student’s “placement” or where a student is served. This means both the school the student attends and the amount of each day the student is received special education services. The team needs to discuss if the current placement is still best for the student and not too “restrictive” or separate from a regular generation education experience. A placement form will be signed. This form will either say the placement is staying the same or changing.

Parents can make suggestions for changes, can agree or disagree with the IEP goals, and agree or disagree with the placement.

If parents do not agree with the IEP and placement, they may discuss their concerns with other members of the IEP Team and try to work out an agreement. There are several options, including additional testing, an independent evaluation, or asking for mediation or a due process hearing. They may also file a complaint with the state education agency.
If a change needs to be made to an IEP between annual meetings the parents and school can agree to make the changes without an IEP team meeting. The parents must get a copy of the updated IEP.

When writing an IEP for a student age 3 through 5 with a disability (and in some case 2 years old, ask your LEA) the IEP team must review the Individual Family Service Plan. This is a plan for young children with disabilities to support their family and home.

<table>
<thead>
<tr>
<th>Evaluation/Reevaluation</th>
<th>Child Find or Referral</th>
<th>Child is Evaluated</th>
<th>Eligibility is Decided</th>
<th>Child is Re-evaluated</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clarity = Unclear/Moderate/Clear</td>
<td>Clarity = Unclear/Moderate/Clear</td>
<td>Clarity = Unclear/Moderate/Clear</td>
<td>Clarity = Unclear/Moderate/Clear</td>
<td>Clarity = Unclear/Moderate/Clear</td>
</tr>
<tr>
<td>Accuracy = Wrong/Partial/Correct</td>
<td>Accuracy = Wrong/Partial/Correct</td>
<td>Accuracy = Wrong/Partial/Correct</td>
<td>Accuracy = Wrong/Partial/Correct</td>
<td>Accuracy = Wrong/Partial/Correct</td>
</tr>
<tr>
<td>Completeness = Incomplete/Mostly/Complete</td>
<td>Completeness = Incomplete/Mostly/Complete</td>
<td>Completeness = Incomplete/Mostly/Complete</td>
<td>Completeness = Incomplete/Mostly/Complete</td>
<td>Completeness = Incomplete/Mostly/Complete</td>
</tr>
</tbody>
</table>

Before a student receives special education

There are two ways a child’s need for special education will

Most of the time a child cannot be tested for special

When testing is done the IEP team must decide if the

A review will be done at least every three years for a
Services data must be collected through testing and other means. This process may happen:

1) When a student is first referred for special education

When a student already receiving special education and has a three-year evaluation

When a parent or school requests it.

The testing and data that must be collected depend on the disability and needs of the student. In all cases multiple tests and data must be used.

Child Find System

School districts must find and test every person with a disability who needs special education. This includes:
• Everyone between birth and age 21.
• People with severe disabilities.
• Private or home-schooled students.
• Students who move their home often.
• Students who are suspended or expelled.
• Students who are moving from grade level to grade level.

Early intervention programs for infants and toddlers help find these children. Also schools use screening tests with every student. Schools work

Education unless a parent has given written permission. Signing the written permission paper (called “Written Prior Notice and Consent for Evaluation”) does not mean a student will be in special education. It only means they will be tested for special education. The parents must also be giving a copy of a document called "Procedural Safeguards" every year. This document tells parents their legal rights and protections.

If a school can test a student for special education without parent permission if they use mediation or due process. If a parent does not give permission a school is not

Student 1) has an IDEA disability and 2) needs special education services.

A student’s eligibility for special education cannot be decided using screening tests alone. More than one specialized test must be used.

The IEP team must review any existing data. This includes classroom and parent tests and observations. This also includes the results from the special education testing. All data and observations must be written down.

If a school can test a student for special education without parent permission if they use mediation or due process. If a parent does not give permission a school is not

Student receiving special education services. The IEP team decides if there is enough data showing the student still has an IDEA disability and needs special education. The IEP team can decide there is already enough data to make a decision or that more data needs to be collected. This is called a re-evaluation data review. This meeting can be held in person, but is often held over the phone with the parent.

A reevaluation of the data can be held more often than every three years if a parent or teacher requests it.

If it is decided more data is needed to determine whether a student still has
| with private- and home-schools to screen every child. | allowed to test a home schooled or private schooled student for special education services. | team must also decide if the student's struggles are all because the student is still learning English. 

The IEP team must decide what type of disability the student has (autism, specific learning disability, etc.). | a disability and needs special education services than a new “Written Prior Notice and Consent for Evaluation” would be signed and testing would begin. |
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Written Prior Notice and Consent for Evaluation</strong> This form says the parent is giving permission so testing can be done to decide 1) if the student has an IDEA disability and 2) if the student needs special education.</td>
<td>The form will say which types, or areas, of testing (for example, academic skills, intelligence, communication skills, etc.) will be checked.</td>
<td>A form will be reviewed and signed called “Determination of Eligibility”. It says whether the team has decided a student has a disability. It also says if the student needs special education. It says what type of disability the student has. If this form is signed it means that you agree,</td>
<td></td>
</tr>
<tr>
<td><strong>Referral (Parent or School)</strong> A parent can ask for their student to be tested. This request may be verbal or in writing. An example referral form can be found <a href="#">here</a>. This is called an &quot;initial referral for special education evaluation&quot;. A school</td>
<td>A parent can and should give input on which areas should be tested. Any area thought to be connected to the suspected disability must be tested. This</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
professional may ask that a child be evaluated to see if he or she has a disability. Parental consent is needed before the child may be evaluated. Evaluation needs to be completed 45 days after the parent gives consent.

document is not needed for screening tests given to all students. This document is only needed for special education testing.

Evaluation
When a student is tested for an IDEA disability and special education several rules must be followed:
• The tests must not discriminate based on race or culture
• The tests must be in the student’s native language
• The tests must be used properly
• The tests must be given by trained people
• The tests must be possible with any limitations of the student
• The tests must test all areas of disability

If a parent disagrees with the results of the tests, they have the right to take their child

so be sure you understand it.

Parents must receive a written report of all testing and data considered. Parents must leave with a copy of the Determination of Eligibility. If it is decided that a student is eligible for special education an IEP must be written within 30 calendar days.

If parents disagree with the decision being made they can ask for a hearing to challenge the eligibility decision.

Once the student has been found eligible for services, the IEP must be written within 30 days.
For an Independent Educational Evaluation (IEE). They may ask that the school system pay for this IEE. They may also request a due process hearing to challenge the school’s tests.

(7.8)

<table>
<thead>
<tr>
<th>Autism (10.0)</th>
<th>Deaf-Blindness (9.3)</th>
<th>Developmental Delay (11.8)</th>
<th>Emotional Disturbance (11.0)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clarity = Unclear/Moderate/Clear</td>
<td>Clarity = Unclear/Moderate/Clear</td>
<td>Clarity = Unclear/Moderate/Clear</td>
<td>Clarity = Unclear/Moderate/Clear</td>
</tr>
<tr>
<td>Accuracy = Wrong/Partial/Correct</td>
<td>Accuracy = Wrong/Partial/Correct</td>
<td>Accuracy = Wrong/Partial/Correct</td>
<td>Accuracy = Wrong/Partial/Correct</td>
</tr>
<tr>
<td>Completeness = Incomplete/Mostly/Complete</td>
<td>Completeness = Incomplete/Mostly/Complete</td>
<td>Completeness = Incomplete/Mostly/Complete</td>
<td>Completeness = Incomplete/Mostly/Complete</td>
</tr>
</tbody>
</table>

When a student has problems communicating and interacting socially it could cause trouble at school. If it does, the student might be classified as having autism.

Autism is a developmental disability that can cause serious problems with a student's ability to communicate. This could mean verbal and/or nonverbal communication. It

When a student has problems seeing and hearing it could cause trouble at school. If it does, the student might be classified as having deaf blindness. It does not matter if the student wears glasses or uses hearing assistance or not.

A student who is having visual and hearing impairment tested must have more than one test to measure any

When a 3-7 year old child has problems developing normally it could cause trouble in school. If it does, the student might be classified as having a developmental delay.

There are many areas a student between ages 3 and 7 could be behind in:

- Cognitive development
- Physical/motor development

When a student has very serious problems with emotions over a long period of time it could cause trouble at school. If it does, the student might be classified as having an emotional disturbance.

A student who is having emotional disturbance tested must have more than one test to measure any school problems. There must be test data
SMARTPHONE 56

can also cause serious problems with the student's ability to interact with people and build relationships. Often students with autism do not like change. They also often have unusual responses to sensory experiences and do things repetitively.

An autism checklist or rating scale must be used. Also, a student who is having autism tested must have more than one test to measure any school problems. There must be test data that shows either:

Significant problems in verbal or nonverbal communication. This could mean a student who does not speak and also does not use gestures to communicate.

These include:
- A professional hearing test
- Otoacoustic Emission Testing (OAE).
- Auditory Brainstem Response (ABR) testing.
- Functional assessment of auditory abilities.
- A professional vision test
- Clinical assessment of visual acuity, visual field, fixation and movement, refractive errors, and health of the eye structure.
- Functional assessment of visual abilities.
- Any area of school limited by the disability (including learning, behavior, or physical)

To be serious enough, the delay must be: very serious in one area (2.5 standard deviation below); pretty serious in two areas (2.0 standard deviations below); or serious in three areas (1.5 standard deviations below). Whatever the delay, it must cause problems in the student's education performance to be considered a developmental delay.

that shows:

1. Serious problem behavior over a long period of time that hurts school performance
2. At least three 15-minute observations of the student in a classroom by someone other than the classroom teacher. Specific behavior must be watched and compared to a student without an emotional disturbance in the same classroom at the same time.
4. Behavior checklists or rating scales which provide information about the student past and current behavior at home, at
It could also mean a student who does speak but in unable to start or have a conversation. Also if a student mainly uses unusual language.

AND/OR

2. Significant problems in how a student interacts with other people or builds relationships. This could mean a student who cannot make eye contact or use appropriate body language and facial expressions. It could also mean a student unable to develop relationship with peers. An autistic student may also not be interested in sharing information with others that most children would find exciting or interesting.

1. Data about the specific behavior that the referral/IEP team is concerned about.

Emotional disturbance includes schizophrenia. It could include problems building relationships with peers or teacher or inappropriate behavior under normal circumstances.
An autistic student may also:

- Engage in repetitive activities (insist on doing certain things in unique or strange ways, hand flapping, etc.)
- Resistance to change in routines (frustration when people, things, or schedules change)
- Unusual responses to sensory experiences (strange or intense reaction to sudden loud noises, smells, or sensations)

<table>
<thead>
<tr>
<th>Hearing Impairment</th>
<th>Intellectual Disability</th>
<th>Multiple Disabilities</th>
<th>Orthopedic Impairment</th>
<th>Other Health Impairment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clarity = Unclear/Moderate/Clear</td>
<td>Clarity = Unclear/Moderate/Clear</td>
<td>Clarity = Unclear/Moderate/Clear</td>
<td>Clarity = Unclear/Moderate/Clear</td>
<td>Clarity = Unclear/Moderate/Clear</td>
</tr>
<tr>
<td>Accuracy = Wrong/Partial/Correct</td>
<td>Accuracy = Wrong/Partial/Correct</td>
<td>Accuracy = Wrong/Partial/Correct</td>
<td>Accuracy = Wrong/Partial/Correct</td>
<td>Accuracy = Wrong/Partial/Correct</td>
</tr>
<tr>
<td>Completeness = Incomplete/Mostly/Complete</td>
<td>Completeness = Incomplete/Mostly/Complete</td>
<td>Completeness = Incomplete/Mostly/Complete</td>
<td>Completeness = Incomplete/Mostly/Complete</td>
<td>Completeness = Incomplete/Mostly/Complete</td>
</tr>
</tbody>
</table>

Trouble hearing can cause problems with a student's education. A deaf or hard-of-

When a student has problems with intellectual skills and struggles to adapt their

When a student has problems with two or more types of disabilities it could cause

When a student has problems with muscle or bone it could cause trouble at school. If it

When a student has problems with their strength, energy, or alertness, it
<table>
<thead>
<tr>
<th>hearing student might be classified as having hearing impairment or deafness.</th>
<th>behavior to a situation it could cause trouble in school. If it does, the student might be classified as having an intellectual disability.</th>
</tr>
</thead>
<tbody>
<tr>
<td>When testing a student for hearing impairment these tests must be done:</td>
<td>These tests must include:</td>
</tr>
<tr>
<td>•An audiological test</td>
<td>•Intelligence test (typically an IQ of 70 or below)</td>
</tr>
<tr>
<td>•Language growth and development</td>
<td>•Data showing poor classroom achievement on tests and assignments</td>
</tr>
<tr>
<td>•Speech and language evaluation</td>
<td>•Data showing trouble adapting behavior to their situation</td>
</tr>
<tr>
<td>•Academic achievement</td>
<td></td>
</tr>
<tr>
<td>These tests may be done:</td>
<td></td>
</tr>
<tr>
<td>•Intellectual ability</td>
<td></td>
</tr>
<tr>
<td>•Adaptive behavior</td>
<td></td>
</tr>
</tbody>
</table>

| trouble in school. If it does, the student might be classified as having multiple disabilities. | |

If a student has two IDEA disabilities (for example, an intellectual disability and blindness) that cause such serious problems that special education must help both disabilities they may be classified with multiple disabilities. Students who are classified with deaf-blindness are not classified under multiple disabilities.

More than one test must be used to measure any problems. These must include: |
- Vision and hearing |
- Medical records must be reviewed if that does, the student might be classified as having an orthopedic impairment. The disability could be a problem from birth or one caused later by a disease or injury.

Possible examples are bone tuberculosis, cerebral palsy, and amputations.

When testing a student for orthopedic impairment the student’s medical history and records must be reviewed.

Any area of school limited by the disability (including learning, behavior, or physical) must be tested.

| could cause trouble at school. If it does, the student might be classified as having an other health impairment. | |

A student’s other health impairment could be caused by health problems like: |
- asthma |
- attention deficit disorder |
- attention deficit hyperactivity disorder |
- diabetes |
- epilepsy |
- a heart condition |
- hemophilia |
- lead poisoning |
- leukemia |
- nephritis |
- rheumatic fever |
- sickle cell anemia |
- Tourette syndrome |
- HIV/AIDS |
- brain injury (for example stroke or brain tumor) |

More than one test must be used to measure any problems. Any area of school
are any connected with problems affecting school
• IQ, which may be difficult or impossible to test in students with multiple disabilities
• Interviews with people who know the student well
• Observations of the student somewhere familiar to the student
The team must also discuss:
• If any technology is needed to help with communication or movement
• Any physical issues (for example, unusual muscle or joint trouble, problems with basic reflexes, lack of balance, etc.

limited by the disability (including learning, behavior, or physical) must be tested. The student’s medical records must be reviewed.
<table>
<thead>
<tr>
<th>Incomplete/Mostly/Complete</th>
<th>Incomplete/Mostly/Complete</th>
<th>Incomplete/Mostly/Complete</th>
<th>Incomplete/Mostly/Complete</th>
</tr>
</thead>
<tbody>
<tr>
<td>When a student has problems reading, writing, speaking, spelling or do math calculations it could cause trouble in school. If it does, the student might be classified as having a specific learning disability.</td>
<td>When a student has problems speaking it could cause trouble at school. If it does, the student might be classified as having speech or language impairment.</td>
<td>Injury to the brain can cause problems at school for a student. The student could be classified with traumatic brain injury if the brain injury causes problems at school. This brain injury must be caused by an outside injury. It cannot be caused by a birth defect or disease.</td>
<td>When a student has problems seeing it could cause trouble at school. If it does, the student might be classified as having visual impairment or blindness. It does not matter if the student wears glasses or contacts.</td>
</tr>
<tr>
<td>There are many areas a student may have a learning disability. The student could struggle in one or more of the following: Oral expression</td>
<td>A student with a speech or language impairment may stutter or have trouble saying words. The student may have a trouble communicating or have a problem with their voice. Any of these problems could hurt the student’s experience at school.</td>
<td>More than one test must be used to measure any problems. The student’s school performance before being injured must be reviewed. The student’s medical records must be reviewed. All of these areas must also be considered:</td>
<td>A student who is having blindness or visual impairment tested must have more than one test to measure any problems. These include:</td>
</tr>
<tr>
<td>Listening comprehension</td>
<td>Some students do not speak English at home. If they do not speak English at home tests must be done to make sure the student’s speech or language impairment is in their original language. A student must not be labeled disabled because they are learning English.</td>
<td>• Augmentative communication assistive service needs</td>
<td>• A professional vision test</td>
</tr>
<tr>
<td>Written expression</td>
<td>A student who is having a specific learning disability tested must have more than one test</td>
<td>• Rehabilitative team evaluations</td>
<td>• A test to see if the student needs Braille</td>
</tr>
<tr>
<td>Basic reading skills</td>
<td>Mathematics calculation</td>
<td>• Self-help/adaptive behavior</td>
<td>• Any area of school limited by the disability (including learning, behavior, or physical)</td>
</tr>
<tr>
<td>Reading fluency skills</td>
<td>Mathematics problem solving</td>
<td>• Academics</td>
<td>• A test of the student’s ability to recognize where they are located and if they can move around freely and safely (Orientation &amp; Mobility)</td>
</tr>
<tr>
<td>Reading comprehension</td>
<td></td>
<td>• Speech/language</td>
<td></td>
</tr>
</tbody>
</table>
to measure any school problems. There are two ways data is collected to test for a specific learning disability:

1) **Discrepancy Method.** There is a serious gap between the student's IQ and how the student performs in at least one type of academic area (see above).

   AND/OR

2) **Response to Intervention (RtI)** Method. Scientific, research-based specific help, or interventions, are provided to the student. If the student is still not making good progress in one of the areas above, even with these interventions, they may have a specific learning disability.

   A student who struggles because of vision, hearing, movement, or emotional behavior

<table>
<thead>
<tr>
<th>behavior</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Intellectual/cognitive</td>
</tr>
<tr>
<td>• Vocational</td>
</tr>
<tr>
<td>(secondary students)</td>
</tr>
<tr>
<td>• Gross/fine motor skills.</td>
</tr>
</tbody>
</table>
problems cannot be called specific learning disabled. Also, the team must make sure that cultural or economic factors are the main cause of the learning problems.
Appendix 2

Please fill out and return this survey to provide needed feedback about ease of use and clarity of [http://spedlaw.us](http://spedlaw.us)

<table>
<thead>
<tr>
<th>How Easy to Use (Circle One)</th>
<th>Scrolling</th>
<th>Locating a special education word's meaning</th>
<th>Find the topic you are looking for</th>
<th>Searching the website</th>
<th>Adjusting font size</th>
<th>Moving forward and backward through the webpage</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Hard</td>
<td>Hard</td>
<td>Hard</td>
<td>Hard</td>
<td>Hard</td>
<td>Hard</td>
</tr>
<tr>
<td></td>
<td>Okay</td>
<td>Okay</td>
<td>Okay</td>
<td>Okay</td>
<td>Okay</td>
<td>Okay</td>
</tr>
<tr>
<td></td>
<td>Easy</td>
<td>Easy</td>
<td>Easy</td>
<td>Easy</td>
<td>Easy</td>
<td>Easy</td>
</tr>
</tbody>
</table>

Comments on ease of use:

<table>
<thead>
<tr>
<th>Clarity (Circle One)</th>
<th>Child Find Service</th>
<th>The pre-referral process</th>
<th>Referral (Including Consent to Evaluate and Testing)</th>
<th>Determination of Eligibility and Disability Qualifications</th>
<th>Parental Rights (Written Prior Notice, Etc.)</th>
<th>The IEP and IEP Team</th>
<th>3-Year Re-evaluation including (Re-Evaluation Data Review)</th>
<th>Terms and Definitions</th>
<th>Overall</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Confused</td>
<td>Confused</td>
<td>Confused</td>
<td>Confused</td>
<td>Confused</td>
<td>Confused</td>
<td>Confused</td>
<td>Confused</td>
<td>Confused</td>
</tr>
<tr>
<td></td>
<td>Not Sure</td>
<td>Not Sure</td>
<td>Not Sure</td>
<td>Not Sure</td>
<td>Not Sure</td>
<td>Not Sure</td>
<td>Not Sure</td>
<td>Not Sure</td>
<td>Not Sure</td>
</tr>
<tr>
<td></td>
<td>I understand</td>
<td>I understand</td>
<td>I understand</td>
<td>I understand</td>
<td>I understand</td>
<td>I understand</td>
<td>I understand</td>
<td>I understand</td>
<td>I understand</td>
</tr>
</tbody>
</table>

Comments on clarity of information: