


Parent Centers & Educational Rights of Children with Disabilities

CFS Advisory Committee Presentation



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Children with CFS and Education

▶ Section 504 of the Rehabilitation Act of 1973

- ▶ Students eligible for accommodations and services under Section 504 must
 - ▶ have a physical or mental impairment that substantially limits one or more major life activities; or
 - ▶ have a record of such an impairment; or
 - ▶ be regarded as having such an impairment

▶ Individuals with Disabilities Education Act 2004 Reauthorization

- ▶ Students eligible for special education services under Section IDEA must
 - ▶ Meet criteria in statute to be considered a child with a disability

Section 504 Impairment

- ▶ What is a physical or mental impairment that substantially limits a major life activity?
 - ▶ The determination of whether a student has a physical or mental impairment that substantially limits a major life activity must be **made on the basis of an individual inquiry**. The Section 504 regulatory provision...defines a physical or mental impairment as **any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; and endocrine; or any mental or psychological disorder, such as intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disabilities**. The regulatory provision **does not set forth an exhaustive list** of specific diseases and conditions that may constitute physical or mental impairments because of the difficulty of ensuring the comprehensiveness of such a list.

Office for Civil Rights

Protecting Students With Disabilities: Frequently Asked Questions About Section 504 and the Education of Children with Disabilities

<http://www2.ed.gov/about/offices/list/ocr/504faq.html>

Section 504 Major Life Activity

- ▶ What is a physical or mental impairment that substantially limits a major life activity?
 - ▶ **Major life activities**, as defined in the Section 504 regulations...include functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. This list is not exhaustive. Other functions can be major life activities for purposes of Section 504. In the Amendments Act...Congress provided **additional examples of general activities** that are major life activities, including **eating, sleeping, standing, lifting, bending, reading, concentrating, thinking, and communicating**. Congress also provided a non-exhaustive list of examples of “major bodily functions” that are major life activities, such as the functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions... the Section 504 regulatory provision's **list of examples of major life activities is not exclusive**, and an activity or function not specifically listed in the Section 504 regulatory provision can nonetheless be a major life activity.

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IDEA Child with a Disability

- ▶ Section 602(3) of IDEA defines the term “child with a disability” as a child
 - ▶ with mental retardation, hearing impairments (including deafness), speech or language impairments, visual impairments (including blindness), serious emotional disturbance (referred to in this title as ‘emotional disturbance’), orthopedic impairments, autism, traumatic brain injury, **other health impairments**, or specific learning disabilities; and
 - ▶ who, by reason thereof, **needs special education and related services**.

Section 504 and IDEA

- ▶ Section 504 is a civil rights law that applies to all programs receiving federal funding, including public schools and charter schools and prohibits discrimination on the basis of disability
- ▶ IDEA is a law meant to assure that children with disabilities have access to a free and appropriate public education and improve their educational results.
- ▶ Children eligible to receive IDEA services are usually also covered under Section 504
- ▶ State and local educational agencies have policies and procedures for complying with Section 504 and IDEA

Section 504 and IDEA Differences

- ▶ Section 504 requires the development of a plan for access, accommodations, and services for eligible children.
- ▶ IDEA requires the development of an Individualized Education Program (IEP) for eligible children.
- ▶ Section 504 does not require the development of a separate plan for children with IEPs.
- ▶ Each has different due process procedures.
- ▶ The Department of Education's Office for Civil Rights monitors compliance with Section 504 while the Office of Special Education Programs monitors compliance with IDEA.

Helping Families Navigate Systems

- ▶ IDEA provides funding to States to provide special education services.
- ▶ IDEA also provides discretionary funding to States, institutions of higher education, and non-profits to support the provision of special education services.
- ▶ IDEA institutes a system of parent training and information centers and community parent resource centers (collectively “parent centers”) to help families navigate systems.
- ▶ IDEA also institutes parent technical assistance centers (PTACs) to support parent centers in doing their job.

IDEA and Parent Centers

- ▶ Section 670 of IDEA includes the purposes of the discretionary grants
 - ▶ The purposes of this subpart are to **ensure that**—
 - (1) children with disabilities and their **parents receive training and information** designed to assist the children in **meeting developmental and functional goals and challenging academic achievement goals, and in preparing to lead productive independent adult lives;**
 - (2) children with disabilities and their **parents receive training and information on their rights, responsibilities, and protections** under this title, in order to develop the skills necessary to **cooperatively and effectively participate in planning and decision making** relating to early intervention, educational, and transitional services;

Parent Centers Serve

- ▶ Parents of children with disabilities living in the area served by the center
 - ▶ Parents of infant, toddlers, and children with the full range of disabilities
- ▶ Parents of children who may be inappropriately identified
- ▶ Underserved Parents
 - ▶ Low income parents
 - ▶ Parents of limited English proficient children
- ▶ Teachers and other professionals

(IDEA Sec. 671, (b) and (c))

Parent Training and Information Centers & Community Parent Resource Centers

- ▶ **Provide training and assistance to help parents:**
 - ▶ Understand their children's disabilities and their educational needs
 - ▶ Understand their rights and responsibilities under IDEA
 - ▶ Communicate effectively and work collaboratively with educators
 - ▶ Participate in their children's education
 - ▶ Resolve disputes with schools
 - ▶ Participate in activities at the school level that benefit their children
 - ▶ Participate in school reform activities
- ▶ **Variety of services including one-on-one assistance, workshops, publications, and Web sites**

(IDEA Sec. 671, (b))

Parent Centers (PTIs, CPRCs)

- ▶ 63 PTIs serve states or areas within states, the District of Columbia, Puerto Rico, and the Virgin Islands (IDEA Sec. 671)
- ▶ 23 CPRCs serve targeted, underserved communities (IDEA Sec. 672)
 - ▶ Examples include Hispanic and Chinese families in Los Angeles; Native American families in Albuquerque, New Mexico; Hispanic families in St. Paul; families in Cidra, Puerto Rico; adoptive and foster families in Northern Virginia; and low-income white families in Erie, Pennsylvania
- ▶ 5-year competitive grants

Colorado's Federally Funded PTI



PEAK Parent Center

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About PEAK Parent Center

Welcome! PEAK Parent Center is a nonprofit that works every day to ensure that all people with disabilities are fully included in their neighborhood schools, communities, employment, and all walks of life.

A Parent Center founded in 1986, PEAK offers an array of free and low-cost services to families of children with disabilities and self-advocates across Colorado and beyond. Each year, PEAK directly reaches more than 45,000 families, youth with disabilities/self-advocates, and educators.

www.peakparent.org

Federally Funded CPRC for Denver Area

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About the THRIVE Center

Why We Got Started

The THRIVE Center exists to provide parents

with information and training about disabilities;

parent and children's rights under the IDEA (Individuals with Disabilities Education Act)
and other relevant laws;

and resources in the Denver Metro area.

- **THRIVE Center** staff provide information and skills by educating parents through advising calls, trainings, workshops, collaborating with other agencies, a comprehensive offering of resources through our website and bi-monthly e-blasts.

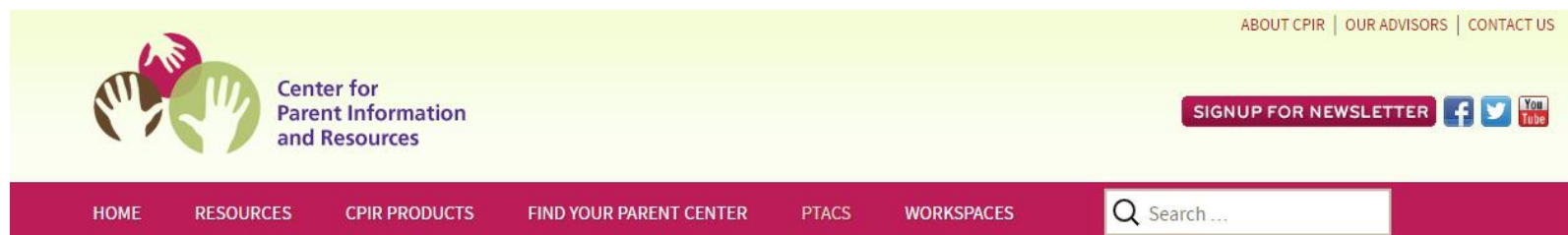
www.thrivectr.org



Parent Technical Assistance Centers

- ▶ **Parent Technical Assistance Centers help parent centers to**
 - ▶ More effectively coordinate their parent training efforts;
 - ▶ Disseminate research and information;
 - ▶ Reach underserved populations, including parents of low-income and limited English proficient children with disabilities; and
 - ▶ Provide many other supports to better serve families
 - ▶ **OSEP currently funds 9 PTACs**
 - ▶ Center for Parent Information and Resources (National)
 - ▶ 6 Regional PTACs
 - ▶ Native American PTAC
 - ▶ Military PTAC
-

PTACs on the Web



Parent Technical Assistance Centers



April 2015

Regional map, courtesy of the Native American PTAC

There are 6 Regional Parent Technical Assistance Centers (also called regional PTACs or RPTACs), one for each region of the country. The PTACs help the Parent Centers in their regions build capacity to provide information and training to families of children with disabilities and to manage the administrative challenges of running a Parent Center.

- The 6 regions at a glance
- Services and supports that regional PTACs provide



Center for Parent Information and Resources

www.parentcenterhub.org



Center for
Parent Information
and Resources

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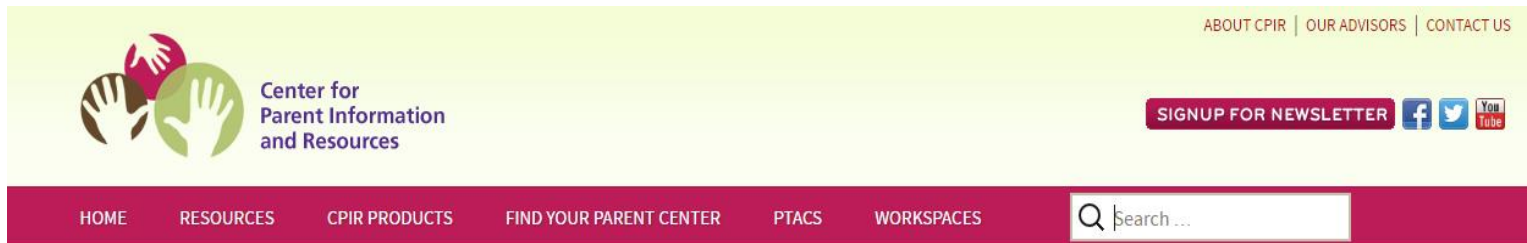


Featured Resource

Guidance on Every Student Succeeds Act (ESSA)

The Every Student Succeeds Act (ESSA) was signed by President Obama on December 10, 2015. The law reauthorizes the Elementary and Secondary Education Act (ESEA) and replaces the more onerous requirements of the No Child Left Behind Act (NCLB). On December 18th, the U.S. Department of Education took the first steps in implementing ESSA by issuing a Dear Colleague letter to states to offer some initial guidance about a few of the most immediate and pressing questions as states, school districts, and schools transition to the ESSA. The Department has also issued a Request for Information (RFI) to seek advice and recommendations for Title I regulations under the ESSA. **Public input is sought!**

Resource on Section 504



Section 504 of the Rehabilitation Act of 1973



[Sobre la Sección 504 en español](#) | [About Section 504 in Spanish](#)

April 2012, Links updated 2016

No otherwise qualified individual with a disability in the United States . . . shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance...



Section 504 of the Rehabilitation Act of 1973

Section 504 of the Rehabilitation Act of 1973, as amended, is a civil rights law that prohibits discrimination on the basis of disability. This law applies

Parent Centers, PTACs, and CFSAC

- ▶ Parent centers can provide information to parents of children with CFS about their educational rights.
- ▶ PTACs can provide parent centers in their regions and nationally information about CFS and how that may impact children's education.
- ▶ CPIR can include a page on CFS on the parentcenterhub website.
- ▶ PTACs and Parent Centers must receive reliable information about CFS.
- ▶ CFS organizations and programs can refer families to parent centers and advertise services.

Questions?

Thank You!

- ▶ Office for Civil Rights just released a [Parent and Educator Guide to Section 504 in Public Elementary and Secondary Schools](#)
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