

NCLB AND IDEA: STUDENT ACHIEVEMENT

Note: The following information can be used as one workshop or two, depending on time constraints. There is a built-in break between the presentations of the two laws: the No Child Left Behind Act (NCLB) and the Individuals with Disabilities Education Act (IDEA). If you decide to conclude your workshop after the NCLB presentation, you may wish to re-use the energizer from the NCLB presentation as the energizer when hosting the IDEA portion of the workshop.

INTRODUCTION

The No Child Left Behind (NCLB) Act of 2002 has had a far-reaching effect on our nation's public schools and on every child in public school. National PTA is very proud to have been a driving force behind the law's numerous parent involvement provisions, which require that parents be informed about what's happening in school and be actively included there.

The Individuals with Disabilities Education Act (IDEA) was reauthorized and signed into law in December 2004. This law provides parents with support and resources to assist children with disabilities. Like NCLB, parent involvement is a fundamental principle of IDEA. Together these two national laws combine to empower parents and support student achievement.

Parents should be familiar with these laws and how they can benefit their child. The following workshop is intended for parents to learn more about their opportunities and

rights under the laws, and what PTA can do to help them and their children benefit from the laws' implementation. The workshop kit contains

- The workshop activities
- An overview of each law to review prior to conducting the workshop. (The overviews are included as workshop handouts.)
- Workshop handouts for NCLB
 - H1: NCLB & IDEA—The next steps
 - H2: No Child Left Behind Act—An Overview
 - H3: National Standards for Parent/Family Involvement Programs
 - H4: Definition of Parent Involvement in the No Child Left Behind Act
- Workshop handouts for IDEA
 - H1: The Individuals with Disabilities Education Act—A brief overview
 - H2: Five Principles of IDEA at-a-Glance
 - H3: IDEA & FAPE—Free Appropriate Public Education
 - H4: IDEA & Appropriate Evaluation
 - H5: IDEA & IEP—Individualized Education Program
 - H6: IDEA & LRE—Least Restrictive Environment
 - H7: IDEA & Procedural Safeguards
- A PowerPoint® presentation on NCLB (a bonus item)

CONDUCTING THE WORKSHOP

Materials Needed

- A dry-erase board, chalkboard, or large chart paper that can be seen by all attendees.
- Markers
- Handouts (provided on this CD-ROM)

Step One —Get Organized

- **Select a time that is convenient** for a majority of parents. Don't forget to invite community members, such as the district superintendent, board of education members, and local policy makers.
- **Choose who will conduct the workshop.** Consider asking the principal and a parent familiar with the laws to co-present. National PTA recommends inviting a presenter/facilitator who is an expert on Title I and how your state implements the Title I provisions in the NCLB Act, as well as someone familiar with special education services and parents' rights under IDEA and its implementation at the state and local levels.
- **Determine the location.** The school is an obvious choice, but also consider locations that might be more convenient during non-school hours, especially if parents have limited access to transportation. New locations can also build bridges to other community groups.
- **Publicize the meeting** in the school and community (fliers at community centers, grocery stores, and other community businesses; and listings in the community calendars of the local newspapers and school cable-TV channel).

Step Two—Host the Workshop

Have the PTA president welcome attendees to the meeting. The president should thank whoever is hosting the location, and introduce the presenter(s)/facilitator(s).

Part One—NCLB

Workshop energizer: Choose a fun activity to get the audience engaged. For example, play an abbreviation game. Call out the following abbreviations, and ask audience members to tell you what the letters stand for. Write the answers on the board or paper as they're identified.

PTA----- Parent Teacher Association

NYC ----- New York City

NFL ----- National Football League

NBC ----- National Broadcasting Corporation

NEA ----- National Education Association

FYI----- For Your Information

CIA ----- Central Intelligence Agency

NAACP----- National Association for the Advancement of Colored People

NOW ----- National Organization of Women

NCLB----- No Child Left Behind

ESEA ----- Elementary and Secondary Education Act

IDEA ----- Individuals with Disabilities Education Act

Ask the audience to volunteer others. Write those down on the board or paper.

Conclude the energizer by asking if anyone knows which two abbreviations refer to the same thing. (**Answer:** NCLB and ESEA refer to the 2002 reauthorized Elementary and Secondary Education Act.)

Core workshop activity

Facilitator asks, “Does anyone know why there are two names for the same law?”

Answer: “NCLB is the most recent name of a law passed in 1965—the Elementary and Secondary Education Act, or ESEA. Every few years, this law is updated and the president has a chance to rename it. In 1994 it was titled Improving America’s Schools Act. In 2002, President Bush named the bill the No Child Left Behind Act.

“National PTA has been involved with all of the updates, called reauthorizations, but it is especially proud of the parent involvement provisions included in the most recent reauthorization.

“PTA has been encouraging, and has provided opportunities for, parents to be involved in their children’s education since 1897. Undoubtedly its work in the area of parent involvement has had a positive effect. NCLB provides more opportunities for parents to become involved in their children’s education than any other education law in history.

“The law focuses on student achievement and holding schools accountable for student learning. As the first step, states had to create statewide tests that would be used to measure student progress. Almost all public school students (95 percent) must take and pass these tests or the school misses what is called Adequate Yearly Progress (usually referred to as AYP). Additionally, to ensure that *all* children are achieving, the results must be broken down (or separated) into subgroups, including major racial and ethnic groups, income groups, students with limited English proficiency (abbreviated as LEP), students with disabilities, and migrant students.

“Each state has the opportunity to create its own tests and set its own standards for achievement.

“This is the chart of progress moving forward.”

Beginning in 2005–2006	Public school students in grades 3–8 must take the state-approved math and reading tests each year and once in high school.
Beginning in 2007–2008	In addition to yearly reading and math tests, students must take a state-approved science test at least once in grades 3–5, again in grades 6–9, and a final test in grades 10–12.
2013–2014	All students in the state must meet or exceed a proficient level of achievement as defined by the state.

Note to Facilitator: Make sure you know which schools in your district have Title 1 programs and which are Title 1 schools. Your school district office can provide this information.

“The first part of the No Child Left Behind Act is called Title I, Improving Academic Achievement of the Disadvantaged. Title I status is determined by the local school district or local education agency (LEA for short), which is most likely the school district. LEAs assign the Title I funds they receive to public schools with the highest percentages of children from low-income families. A school qualifies for Title I funding based on the percentage of students who receive free or reduced-price lunch.

“These schools must focus Title I services on children who are failing, or most at-risk of failing, to meet state academic standards. If, however, at least 40 percent of students in the school are eligible for Title I funds, the school may use those funds for a program that serves all students in the school.

“If a child attends a school receiving Title I funding, and if the students in the school do not meet the minimum proficiency requirements as defined by the state (that is, AYP), children within the school have additional options to help them achieve, with each year a new option is added. The first option for children not making progress on the state tests is for those children (provided financial considerations that the district may need to make) to be allowed to attend another public school in the school district. A second option available to students within the school who continue to fall short of the state’s AYP definitions, is that they are eligible to receive supplemental services, such as tutoring. If students continue to fall short of AYP goals for several years, the schools are subject to state takeover.

“Although parent involvement provisions are woven throughout the law, Title I includes the most extensive provisions detailing opportunities for parents. Title I highlights

- A parent’s right to be informed about the progress of students within the school (while always maintaining individual student privacy),
- A parent’s right to work with school administrators and other individuals focused on the child’s education to develop school and community policies benefiting the child. Examples include developing school parent involvement policies and compacts as well as participating on other school decision-making committees.

- Each school that receives Title I funds must have as part of its Title I plan a parent involvement policy that is jointly developed with, approved by, and distributed to parents.
- Each school district (except the smallest ones) is required to spend at least 1 percent of its Title I funds on a training/education program for parents. Parents must be involved in decisions about what constitutes that training/education.

“Whether or not a school is considered a Title I school under NCLB, parents are guaranteed to receive more information on their child’s educational progress than ever before. Schools, school districts, and states must issue report cards detailing the progress of children within a school and school district, and comparing student achievement between the school district and the state as a whole. If a school is failing to make AYP, the information will be included in this report card.

State report cards also must show graduation rates, the professional qualifications of teachers, and the percent of teachers with provisional credentials.

“Another victory for parents is the inclusion of a parent involvement definition. The law uses the definition provided by PTA, which is based on National PTA’s National Standards for Parent/Family Involvement Programs. Beyond its involvement in the wording, PTA believes this definition is important because it strengthens a parent’s right to be involved and to be an active partner in his or her child’s education.”

Note to Facilitator: Divides the audience into groups according to function (parents, school staff, etc.)

Ask each group to take five minutes to define parent involvement. Have the groups write down their definitions, but ask them not to share the definitions until you call on them.

After five minutes call on each group, asking a representative to share the group's definition and what it envisions as ideal parent involvement.

Reveal the NCLB definition of parent involvement* and discuss it. Are there similarities and differences compared to what the groups wrote? What does "regular," "two-way," and "meaningful" communication mean? Ask attendees to write down their answers.

Brainstorm about how parents, the school, and the community can work together to improve student achievement and meet the goals of the definition.

Write down the ideas that can be implemented in the participants' school. Ask for volunteers to work on a committee to develop a parent involvement implementation plan for the school. Take the names and pertinent information of those interested in serving on the committee, and provide a timeline for completing the plan and reporting back to the school community.

You may want to conclude the workshop by saying something like the following:

"Parent involvement increases student achievement; therefore, it is vital to the success and survival of our neighborhood public schools that teachers, principals, and other

school professionals, as well as school board members work with parents in making schools vital centers of learning.”

* Parent involvement is defined as the “participation of parents in regular, two-way, and meaningful communication involving student academic learning and other school activities, including ensuring that

- Parents play an integral role in assisting their child’s learning;
- Parents are encouraged to be actively involved in their child’s education at school;
- Parents are full partners in their child’s education and are included, as appropriate, in decision making and on advisory committees to assist in the education of their child...” (Title IX—definition)

Step Three—Take a Break

- Hold an intermission (provide refreshments) before the IDEA portion of the workshop, or
- Conclude the workshop and host the IDEA presentation at another time.

Part Two—IDEA

Workshop energizer

Remind participants of the earlier abbreviation game (energizer) and IDEA. Ask, “Does anyone remember what IDEA stands for?” **Answer:** Individuals with Disabilities Education Act.

Or, if you are hosting only the IDEA portion of the workshop, go back and follow steps one and two—Get Organized and Host the Workshop—under Conducting the Workshop, and present the abbreviation game/workshop energizer in its entirety.

Core Workshop Activity

Facilitator says, “Communication is critical to the parent-school partnership. That is why it is defined in the No Child Left Behind (NCLB) Act. [Restate the definition: Communication between parents and the school must be regular, two-way, and meaningful.] In addition to active and two-way communication, for students who receive special education services, shared decision making by parents and schools is also important. This shared decision making is one of National PTA’s National Standards for Parent/Family Involvement Programs. In a moment we will look at what has been called the cornerstone of IDEA—the Individualized Education Program, referred to as IEP. Communication and shared decision making are critical components of the IEP.

Overview of IDEA

The Education for All Handicapped Children Act, which is now known as the Individuals with Disabilities Education Act (IDEA), was first enacted in 1975. This landmark legislation was needed to ensure that students with disabilities receive free, appropriate public education (FAPE) and the related services and support they need to achieve. IDEA was created to help states and school districts meet their legal obligations to educate children with disabilities, and to pay part of the expenses of doing so.

IDEA was reauthorized in 2004, and provisions from the 1997 law were strengthened. For a complete list of the changes, visit the National Dissemination Center for Children with Disabilities, www.nichcy.org/idealists.htm, for information specific to the 2004 reauthorization and alignment with NCLB.

Currently, approximately 6 million children receive special education services. When children are identified as eligible for special education services, an IEP is developed by a team, which includes the child's parents, teachers, and other school staff. The IEP outlines the specific services and supports the child's needs, within the least-restrictive environment (abbreviated as LRE). While the law has been reauthorized and improved over the years, the IEP and LRE provisions have been protected as basic rights of children with disabilities. Parent involvement also is a fundamental principle of IDEA. Parents must be fully informed of their child's rights, and they can participate in all decisions affecting their child. IDEA also outlines due process provisions, which allow parents to challenge school district decisions related specifically to their child.

Some key information for parents

Determining eligibility —There are many services available for children with disabilities. A parent can ask the school to evaluate his or her child to determine if the child has a disability. If the school agrees to the parent's request, there is no cost to the parent.

However, the school does not have to evaluate a child simply because the parent has asked. The school professionals, however, must let the parent know in writing their reason for declining the request. If the school refuses, a parent can ask the school district or LEA for information about its special education policies and the steps parents can take when they disagree with decisions made by the school.

Evaluating—The evaluation process is very important to designing a plan to best assist a child. For this reason, the process involves more than a test or two. The school must evaluate a child in all the areas where the child may be affected by the possible disability, such as his or her vision, hearing, social and emotional well being, general intelligence, performance in school, and how well the child communicates with others and uses his or her body.

According to Wrightslaw*, the following people will be part of the group evaluating a child:

- The parents
- A regular education teacher, if the child is or may be participating in the regular education environment

- The child’s special education teachers or service providers, if services are already provided in some form
- A school administrator who knows about policies for special education, and about available resources
- Someone to interpret the evaluation results and talk about what instruction may be necessary for the child
- The student, if appropriate
- Representatives from any other agencies that may be responsible for paying for or providing transition services (if a child is 16 years old or, if appropriate, younger and will be planning for life after high school)
- Other qualified professionals, if deemed relevant to the evaluation

This group will help decide if additional information is needed. If so, and tests must be given to the child, the school must have the parents’ written permission. Finally, the parents have the right to receive a copy of the evaluation of their child and his or her eligibility for special education services.

** Wrightslaw is a website dedicated to providing accurate, up-to-date information about special education law and advocacy for children with disabilities, (see www.fetaweb.com/01/faqs.evals.htm).*

Individualized Education Program (IEP) —If a child is found eligible, the next step is to create an IEP. Every child receiving special education services must have an IEP. This program is one of the cornerstones of IDEA. It is important and necessary that parents,

teachers, and school administrators work together and share in this decision-making process to ensure that the needs of the child are supported.

Remark that parents, teachers, and school personnel work together frequently in special education, and all have expertise to share.

Unfortunately, IEP meetings can often be stressful for parents and teachers if there is any disagreement about what is best for the child. With the help of three volunteers, we are now going to act out a sample IEP meeting.

Note: Have volunteers chosen in advance. The volunteers should not be emotionally connected to a negative IEP situation. One volunteer will play the role of the parent; another will play the teacher, and the third an administrator.

This is the situation: The child (Laura) has been in a special education class since 1st grade. She is now in 3rd grade. Her parent is meeting with the special education teacher and the assistant principal to discuss Laura’s possible transition from a special education classroom to a regular classroom. According to Wrightslaw —Least Restrictive Environment/Inclusion Index Page (www.wrightslaw.com/info/lre.index.htm), “IDEA provides that States must have procedures in place assuring that, ‘to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are not disabled, and that special classes, separate schooling, or other removal of children with disabilities from the regular

educational environment occurs only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.”

Background information for volunteers playing the following roles:

Special education teacher—Your principal has said that Laura is one of several students in special education classes she’d like to move into regular classes to comply with the county’s focus on inclusion and least restrictive environment under IDEA 2004.

Academically, Laura is one of your strongest students. You’ve enjoyed having Laura in your class, but you believe that she not only will benefit from some of the regular class curricula, but that the regular classroom will allow her to develop friendships with peers who do not have disabilities.

Parent—You have been told that the school wants Laura to be in a regular education class. Frankly, this makes you very nervous because you are afraid she will not get the attention she needs and that the other kids will make fun of her. Therefore, you are adamantly against this change.

Assistant principal—This is just one more meeting in a very busy day for you. You haven’t received any background information on this student, but you know your county has a strong policy that states that special education students be included in regular education classes whenever possible.

The action

Have the volunteers play their roles in a confrontational way, each sticking to their points. Stop the role-play after about three minutes or when it is obvious that the discussion is going nowhere.

Audience discussion

Ask the audience for feedback by putting forth the following questions: Where did the three people go wrong? Should others have been involved, and if so who would those “others” be? What could have made this a more productive meeting?

Replay

Choose three new volunteers to re-enact the situation, plus add another volunteer to role play a paraprofessional/classroom aide who would assist Laura in the regular classroom. Here is some new information:

Special education teacher—Discuss how the transition into the regular education class can be done to ensure that Laura and her parents are comfortable. Maybe she transitions during morning classes for a month, and then moves to a full day. Talk about the support she will receive both from you and other school staff. Talk about how you will continue to be involved in her education.

Parent—Ask about the benefits to Laura. Share your concerns, and ask that a follow-up meeting be scheduled before the move to full-day participation to review how the transition is going—what is working and what could be better. Ask that the principal be present at the next meeting in case changes have to be made.

Paraprofessional—(You may want to recruit for this role someone who is a paraprofessional familiar with working with special education students.) Talk about how you will help Laura during the transition, and the support you will be offering. Feel free to add your real-life personal experience to gain the parent’s trust.

Assistant principal—Remind yourself that this is someone’s child and not just another meeting. Help the parent feel comfortable with the transition, and promise to investigate any necessary assistance the teaching staff will need to make the transition work.

The action

Have the four volunteers wrap up the conference on a positive note by developing a mutually agreeable plan to move forward.

Audience discussion

Open up the discussion for audience members to share their successes and questions about the IEP process. Often, one parent will have the information for which another is looking. These discussions often provide valuable information for all parties. Share that

Special Education PTAs (SEPTAs) exist, and how participants can find one near them by calling National PTA’s customer service number at (800) 307-4PTA (4782).

IEPs can be changed. A child must be reevaluated at least every three years and modifications must be made if necessary. If at any point a parent disagrees with the school professionals about the IEP and cannot resolve his or her differences by working directly with them, there are options such as mediation and due process. More information on those topics can be found at the website of the National Dissemination Center for Children with Disabilities, www.nichcy.org.

Step Three— Conclude the Workshop

NCLB and IDEA both recognize the importance of parents in helping children achieve academically, and both laws have strong provisions incorporating parent involvement. A parent is a child’s first and best advocate; however, it is only when parents, teachers, and school administrators collaborate that the best interests of the child are served.

- Distribute the handouts included in this kit.
- Thank everyone for attending.