Assistant Principal/ Vice Principal Expo
Breakout Session

I & RS Teams
504 Concerns

General Education Supports for All Students

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How are Section 504 and I & RS related?

They are both LAW!

3 primary laws govern Special Ed. in NJ
IDEA & 504 – Federal
N.J. A.C for Education 6A -State
How did we get here?

• **Section 504 of the 1973 Rehabilitation Act** – a civil rights statute that prohibits discrimination based on disability; the needs of students with disabilities to be met as adequately as the needs of non-disabled peers. FEDERAL LAW – Civil Right Protection

• We provide service to prevent discrimination

• **Who is covered?** - A person with a disability that “substantially limits one or more major life activity; has a record of such impairment; or is regarded as having such an impairment” [34 C.F.R 104.3 (j)(1)].

• 1975 – Education of All Handicapped Children Act – renamed IDEA in 1990 (amended in 1997; 2004; most recent amendment – ESSA (2015); Part B ages 3-21]

• N.J. Administrative Code – Education 6A:16 – Programs to Support Student Development

• Parents Rights in Special Education – updated August 2019
I &RS Teams (N.J.A.C. 6A:16-8)
Programs to Support Student Development

• What is it?
  • Intervention & Referral Service Team should include individuals who:
    • Knows the student
    • Understands evaluations data
    • Familiar with placement options

• Do we have to do it?
  • Districts are required to establish & implement a coordinated system in each school building & to choose an appropriate multidisciplinary team approach for planning and delivering the services required under NJAC 6A: 16-8
Function of I & RS

- Identify learning, behavior, and/or health difficulties of students
- Collect information
- Develop & implement action plans
- Provide support, guidance, & PD to school staff who identify difficulties, plan and provide services
- Actively involve parents
- Coordinate access to and delivery of school resources & services
- Coordinate community services- social/ health provider agencies
- Maintain records of all requests for assistance and all I &RS Action Plans in accordance with FERPA (Confidentiality)
- Review & assess effectiveness of each plan – annual reviews (at a minimum)
MTSS: Includes district/school leadership, family/community engagement, climate/culture

RTI
Includes screening, data-based decision making, progress monitoring and multi-level prevention system

I & RS
School-based team; develop, implement, review & assess action plans, coordinate access school & community based resources; supports student and teacher needs; support, guidance & PD; recommend school-wide improvements
What we are currently doing?

• Getting Started with NJTSS
  - Step 1: Establish a district leadership team of various stakeholders to gather and review our resources; and to determine, vision, goals and common language
  - Step 2: Assess the strengths and needs of the district/schools in regards to 9 essential elements; identify needs to enhance family and community engagement; assess use of positive behavior supports
  - Step 3: Develop an Action Plan that includes SMART goals; resources available/ needed; steps, persons responsible; timeframe; evaluation
  - Step 4: Implement the Action Plan
  - Step 5: Evaluate the implementation of Action Plan (make adjustments as necessary)
Teacher

- Teacher notices a student having difficulty.
- Teacher contacts parents and discusses possible solutions.
- Teacher creates a pre-referral intervention plan in Hibstervention.
- Teacher works the plan (3-5 weeks) and rates interventions. If unsuccessful, the teacher refers plan to the Building Coordinator.

Building Coordinator

- The Building Coordinator (BC) receives email notification from Hibstervention to review the submitted plan - this acts as a referral to I&RS.
- BC can accept or reject the plan. Reject plans with insufficient intervention efforts.
- Accept legitimate referrals to I&RS. Assign a Case Manager and invite your I&RS team to meet through Hibstervention.

Case Manager

- Collect data and information about the case.
- Notify parents by letter in Hibstervention.
- The I&RS team (and teacher) create a new plan. This is the I&RS plan. The plan is shared with all teachers who come in contact with this student.
- Observations can be collected. Teacher continues to work the I&RS plan for 4 to 5 weeks. Continue to rate interventions.
- Success! End plan and/or continue interventions.
- Unsuccessful - Revise plan and/or refer to CST.

I&RS team
Should the student have a 504, IHP or an IEP?

• Does the student have a disability?
• Does it **substantially** limit a major life activity?
• 504 = freedom from discrimination with **reasonable** accommodations
• Does the student need an Individual Health Plan (IHP)?
• Does the student require special education?
  • **Changes expectations**; goals & objectives based on identified need
• No single diagnosis automatically entitles one to either. There is no such thing as automatic eligibility.
• We need data to show impact. It’s a good thing when they are no longer eligible!
So what’s the difference?

**Services:** Speech, OT, PT, counseling, nursing, service dog, paraprofessionals, etc.

**Accommodation:** use tools, materials, technology, visual aids and timing to remove barriers – same content – changes how it is learned (presentation, response, setting, timing, scheduling, audio books, small group testing)

**Modification:** changes curriculum expectations; changes what the child learns (ie. Assigned easier text, different homework, tests, less complex material,

**Intervention:** targeted instruction to improve a skill; strategies or techniques used to teach a new skill, build fluency, or encourage application of existing skills to a new situation
What about discipline?

• The “10 day” Rule
• Manifestation Determination?
  • First offense; FBA; BIP
  • Second offense: review & modify plans
  • Not a manifestation = standard school discipline

• Weapons, drugs, serious bodily injury?
Q & A?
Resources

• [http://sites.ed.gov/idea/](http://sites.ed.gov/idea/)
• Special Education Law in NJ – PESI (DVD) – John Comegno II JD (Oct. 5, 2016)
• Worthington, John, Esq. Legal One Consultant Professional Development Workshop: Section 504 Explained (October 23, 2019)