

Students needing Behavioral-Related Supports:

Whether eligible for IDEA or a 504 Plan, students who have behavior-related needs cannot be denied support services designed to continue academic instruction, FAPE, and educational progress because the disability impacts behavior;

Behavior Intervention Plan (BIP) is designed to prevent unwanted behaviors before they occur and is appropriate for students with disabilities to protect their legal rights. A teacher, caregiver or surrogate can request a Functional Behavioral Assessment (FBA) be conducted to examine the problematic behaviors and create a plan to support the student in the classroom (a BIP); and

The BIP should address the most problematic and/or frequent problem behaviors. Often, the BIP must be revised and reexamined. If a student experiences in-school or out-of-school suspension, restraint, or loss of academic instruction, that is a sign that the behavior support plan is lacking and ineffective. Call an IEP or 504 Plan meeting to re-examine the support plan and make necessary changes.

Child-Find and Evaluation for Special Education Eligibility:

The law mandates that the school seek out and support students with many types of disabilities that may need accommodation, modification, or specialized instruction. This legal obligation is called the Child Find mandate and applies to every school district. The first step in this process is a full evaluation of all areas of suspected disability;

Many people can trigger the Child Find mandate (34 C.F.R. § 300.111) for a student to see if they are eligible for services. The parent/caregiver can request (in writing) for the student to be evaluated in all areas of suspected disability. Additionally, school staff may initiate this process;

IDEA: To qualify for special education and related services under one of the 13 eligibility categories of the IDEA (except for speech and language), the student must have a disability that adversely affects the student's educational performance. (13 categories: <https://www.gadoe.org/Curriculum-Instruction-and-Assessment/Special-Education-Services/Pages/Eligibility-Categories.aspx>); and

504 Plan: A student is considered to have a disability if that individual: - has a physical or mental impairment that substantially limits one or more of the person's major life activities (learning, behaviors, etc.).