

7 SERVICES FOR CHILDREN WITH DISABILITIES

Special education and early intervention

Assistance and support for parents



www.refugees.org

*Protecting Refugees, Serving Immigrants,
Upholding Freedom since 1911*

SPECIAL EDUCATION

Preface: This section is written for those serving refugee families with children with disabilities and is intended to assist service providers in making the initial referral for services. While some laws related to special education are federal, many rules and regulations vary by state and even among local communities. This guide is by no means a comprehensive look at special education. For more detailed information, please go to the website for the National Dissemination Center for Children with Disabilities (NICHCY): <http://www.nichcy.org> or contact your local district.

The U.S. education system offers numerous programs and services for children with disabilities below the age of 21. Some refugee parents of children with disabilities may be unaware of their rights or opportunities for educating their children or how to get started with the process. They may be unaccustomed to receiving help for their child and unfamiliar with the special education system in the U.S.

For service providers assisting refugees with disabilities, this section will:

- Explain the process, including where to start, early intervention services, what disabilities qualify for special education services, and what services are provided through special education
- Provide information on how to identify when a child is experiencing developmental delays and may need assistance
- Explain how to make a referral for special education
- List resources for assisting families in accessing special education.

Refugee experience with special education:

“My husband and I have five children...Our eldest son is 19 and was born with a mental handicap. I was surprised when he was accepted into the 11th grade here. In Russia, he stayed at home and never went to school. He was eligible for in-home tutoring, but after two years the program staff decided that he was not performing well enough and they discontinued services. I was also surprised that mentally handicapped children attend the same school as other children, since in Russia they are sent to separate schools. His teachers say that he is picking up English words every day, and he is very happy to be going to school. It is also unusual to be able to attend school until age 21. In Russia, children can only attend school until age 18... People told me that it would be hard to move here, but it has been wonderful for my disabled son to go to school. It is a gift. I am surprised at the patience of the teaching staff. I thought they would get tired of him, but I am impressed with the staff. They have even made an effort for him to find work. Two job possibilities did not work out, but one job—packaging things—is still a possibility.”¹

Individuals with Disabilities Educational Act (IDEA) (Services for Children 3 – 21)

IDEA is the first special education law, initially passed in 1975, defining the right of children with disabilities to receive a fair, appropriate public education. The law defines who is eligible for services, procedures for assessments, education plans and timelines. Children with disabilities may have the right to special education services starting from birth until age 21, if it is determined that a child would benefit from more time in school in order to acquire necessary life skills. Accessing services may require advocacy skills and persistence on the part of parents. There are specific timelines for schools to follow and procedures for parents and school staff to follow to ensure a determination is made as soon as possible.

Step 1: Initial Referral:

For some refugee children, their disability may have been identified prior to arrival and/or may be visible, such as a child with Down’s syndrome or cerebral palsy. If either you, or the parents, are

1. Bridging Refugee Youth and Children’s Services (BRYCS) (2007). BRYCS Parenting Conversations: Anna, a Russian Mother. Washington, DC: Author (Available for free download from http://www.brycs.org/Russian_interview.htm)

concerned about the child’s development, contact the local school district to request an evaluation. If a child is already in school and displays signs of learning or behavior problems, the school may request permission from the parents to do an evaluation.

Step 2: Evaluation:

The evaluation will inform the parents and the school if the child meets the criteria for having a disability and what type of help or support they will need in their school placement. **Whether an evaluation is initiated at the parents’ request or the school’s request, the evaluation will be done at no cost to the parents.**

Before the school can start the evaluation, parents must provide informed, written consent. An interpreter should be enlisted to provide the information in the family’s first language to ensure understanding.

A note on cultural mediation and interpretation:

The school is responsible for providing interpreters for meetings. Resettlement agencies may have a list of language interpreters available in the community; however, it is the school’s responsibility to pay for interpretive services provided. Special education teams heavily rely on Interpreters/Cultural Mediators (CM) in serving children with disability. The role of an Interpreter/Cultural Mediator in the special education meetings is to accurately and truthfully convey the message intended, adjusting for cultural considerations.

Q: What is the difference between a cultural liaison and an advocate?

A: Cultural liaisons provide information to parents and to licensed special education staff so that both can make good decisions. They are not expected to serve as advocates. Ideally, cultural liaisons will not be forced to take sides with parents or schools. If an adversarial situation does arise, however, the cultural liaison will generally be considered a school employee and someone who represents the school’s interests.

“An advocate is a person who speaks on behalf of someone else; that is, a person who tries to influence the outcome. All parents have the right to involve an advocate at any point during special education referral, evaluation or placement. If parents are in conflict with the district, they should seek the support of an outside advocate. Similarly, school administrators should not expect a cultural liaison to put pressure on a family to follow a certain course of action.

In any team meeting, parents always have the right to bring someone with them. Encourage families to bring a relative or friend or an advocate if they feel the need for support in the meeting. The cultural liaison generally works for the district and therefore cannot serve as an independent advocate for the family. Contact your local Parent Assistance Program in this section if you need assistance with advocacy.”²

Evaluation “Musts”

(according to NICHCY website):

- Using the native language.** The evaluation must be conducted in the child’s native language (for example, Spanish) or other means of communication (for example, sign language, if the child is deaf), unless it clearly isn’t possible to do so.
- No discrimination.** Tests must be given in a way that does not discriminate against the child because he or she has a disability or is from a different racial or cultural background.
- Trained evaluators.** The people who test the child must know how to give the tests they decide to use. They must give each test according to the instructions that came with the test.
- More than one procedure.** Evaluation results will be used to decide if the child is a “child with a disability” and to determine what kind of educational program your child needs. These decisions cannot be made based on only one procedure such as only one test.”³

² ELL Companion Guide. http://children.state.mn.us/MDE/Learning_Support/Special_Education/Evaluation_Program_Planning_Supports/Cultural_Linguistic_Diversity/ELL_Companion_Manual/index.html

³ NICHCY

What information is included in an evaluation:

- 1) “the observations and opinions of professionals who have worked with the child;
- 2) the child’s medical history, when it is relevant to his or her performance in school; and
- 3) parents ideas about their child’s experiences, abilities, needs, and behavior in school and outside of school, and his or her feelings about school.”⁴

After reviewing what is already known about the child, the evaluation team will want to gather additional information. Those contributing to the evaluation are generally school personnel, the parents, the child, a school psychologist, special education teachers and more. Parents have the right to include community members who may know the child well.

Professionals evaluating the child will want to know more about:

- how well the child speaks and understands language;
- how the child thinks and behaves;
- how well the child adapts to change;
- what the child has achieved in school;
- what the child’s potential or aptitude (intelligence) is;
- how well the child functions in areas such as movement, thinking, learning, seeing, and hearing; and
- what job-related and other post-school interests and abilities the child has.

This information, in addition to helping determine if the child has a disability, will also help the school develop a plan for instruction. Families may be uncomfortable providing so much information about their child however, the more information provided the better informed the team will be which will then increase the chance of better services provided to the child.

Parent involvement:

Parent input is key to the process of evaluating

⁴ NICHCY find citation

a child for special education and implementing educational strategies. To learn more about how to engage parents in the education process, BRYCS has developed two resources available on-line:

1. Bridging Refugee Youth and Children’s Services (BRYCS) (2007). Spring 2007 Spotlight: Involving Refugee Parents in their Children’s Education. Washington, DC: Author (Available for free download: <http://www.brycs.org/brycsspotspring2007.htm>).
2. Bridging Refugee Youth and Children’s Services (BRYCS) (2005). Raising Children in a New Country: A Toolkit for Working with Newcomer Parents. Washington, DC: Author (Available for free download: http://www.brycs.org/documents/raisingchildreninnewcountry_web.pdf)

Step 3: Eligibility:

After the evaluation is completed, a meeting will be held to discuss whether the child meets the criteria for having a disability. Several things are considered in determining eligibility. First, IDEA has 13 categories of disabilities under which a child may be eligible for services. Second, the disability must affect the child’s educational performance. Lastly,

“a child may not be identified as having a disability just because he or she speaks a language other than English and does not speak or understand English well. A child may not be identified as having a disability just because he or she has not had enough instruction in math or reading.”⁵



⁵ NICHCY find citation

IDEA'S CATEGORIES OF DISABILITY

- Specific learning disability
- Traumatic brain injury
- Visual impairment, including blindness
- Hearing impairment
- Other health impairment (i.e., having limited strength, vitality, or alertness that affects a child's educational performance)
- Speech or language impairment
- Autism
- Deaf-blindness
- Deafness
- Mental retardation
- Multiple disabilities
- Orthopedic impairment
- Serious emotional disturbance

A note on culture and child development...

One of the most challenging aspects of evaluating a child for a disability is differentiating between what is considered culturally “normal”, what is the result of a child's education being interrupted, the effect of trauma, or adjusting to a new culture versus what is a developmental delay. The reason for an evaluation is to sort through these questions. It is not up to the refugee service provider, interpreter or cultural liaison to determine if the child is eligible for services or if they are disabled. If there is any indication that a child may have a disability that impairs their ability to learn, they should be referred for an evaluation. What is important for service providers to keep in mind is that evaluations can help parents and staff understand the child and the child's educational needs better. The evaluations are also free. For more information on culture and human development, please see the “General Resources” section with the books listed on this topic.

Step 4: Individual Education Plan (IEP):

Once the evaluation is completed, the results are shared with the parents and the team. An Individual Education Plan is then developed outlining the child's needs, the services to be provided to assist the child and accommodations to be made. The IEP states who will provide what service, the frequency, and how it will be measured. It is a working document that is reviewed and updated each year.

The IEP Team may include some of the same people who helped with the evaluation: parents, school psychologist, occupational or physical therapist, speech-language pathologist, special education coordinator, social worker and the child, if appropriate.

Developmental Milestones:

Considering culture, language, family

perception and a family's migration experience, it may be difficult to assess whether a child is developing normally. There are many variables which may be affecting the family such as adjustment to resettlement, diet changes or traumatic experiences. Tools such as checklists have been developed to help assess developmental delays, however, they may be limited in their usefulness due to cultural factors and a lack of exposure to information. Despite this fact, early detection of developmental delays is important so that services may be implemented as early as possible, providing the child as many opportunities to reach their full potential. In your work with refugee families, you may observe children and have concerns about their development. Pediatricians are frequently the first point of contact for assessing a child's development and monitoring a child for delays. If you suspect a child has a developmental delay, explain your concerns to the family and refer them to the pediatrician for an evaluation.

When to worry...

A teacher for the deaf was riding home on a city bus when she noticed a young mother and her child sitting in the seat in front of her. The teacher observed the interaction between the child (about 2 years old) and the mother. The teacher noticed the child did not appear to be responding to the mother's voice or other noises on the bus. At one point, there was a very loud noise that caused other riders to cover their ears. The young child appeared unfazed. The teacher spoke to the young mother about her observations and directed her to a place where the child could have an auditory test. To learn about developmental milestones go to: http://www.cdc.gov/ncbddd/autism/actearly/milestones_3months.html

EARLY INTERVENTION:

(Children Birth Through Two Years Old)

Families with infants and toddlers who show signs of developmental delay or who were born with a disability may be eligible for early intervention services. These services are available under IDEA and vary depending on the state. Similar to the process mentioned for special education, a child must undergo a complete evaluation before determining if they are eligible for early intervention services. Early intervention services are designed to identify and meet children's needs in five developmental areas. These areas are:

- physical development
- communication
- cognitive development
- social or emotional development
- adaptive development

Step 1: Referral for early intervention:

If you are serving a family with a child for whom you have concerns about their development, talk with the parents about early intervention and the opportunity to have an evaluation. Assist the family in finding the local contact person. The person may refer the family to what is known as **Child Find**. The purpose of **Child Find** is to identify children who need early intervention services, conduct screenings to identify children who may need early intervention services and then implement services. *The screenings are provided free of charge.*

To find the state agency responsible for the early intervention system for infants and toddlers with special needs, go to either of these resources:

1. NICHCY: <http://www.nichcy.org/states.htm>. They have a State Resource Sheet under the heading "Programs for Infants and Toddlers: Birth Through 2". Lead agency for early intervention is listed.

2. National Early Childhood Technical Assistance Center: www.nectac.org/search/mapfinder.asp. They provides listing for state programs.



To find out about early intervention services in your community...

- Contact the local elementary school to inquire about special education services for children under age 5.

OR

- Ask your child's pediatrician refer you to the early intervention system in your community or region.

Step 2: Evaluation:

Similar to school age children, infants and toddlers will need to undergo an evaluation to determine if they have a disability and are eligible for early intervention services. Once the evaluation is complete, a service plan is written and implemented.

Q: What types of services are provided through early intervention?

A: Depending on the child's needs, his or her early intervention services may include:

- family training, counseling, and home visits
- special instruction
- speech-language pathology services
- audiology services (hearing impairment services)
- occupational therapy
- physical therapy
- psychological services
- medical services (only for diagnostic or evaluation purposes)
- health services needed to enable your child to benefit from the other services
- social work services
- assistive technology devices and services
- transportation

- nutrition services
- service coordination services

Delivery of early intervention services:

Sometimes services are provided in the child's home with the family receiving additional training. Services may also be provided in other settings, such as a clinic, a neighborhood day care center, hospital, or the local health department.

Q: Will I have to pay for any services?

A: Each state establishes their own policies on what services parents are financially responsible. Some services may be covered by your health insurance or by Medicaid while others may be available to families through sliding fee scales. Under IDEA, the following services must be provided at no cost to families:

- Child Find services
- evaluations and assessments
- the development and review of the Individualized Family Service Plan
- service coordination.

ORGANIZATIONS THAT CAN HELP:

There is a lot to know about disabilities, special education, and parenting a child with a disability. Here are some people who can help parents with their questions and concerns:

- **NICHCY** offers many useful publications. Their information specialists are also available to talk with you personally. Go to their web site: www.nichcy.org
- Your state's **Parent Training and Information (PTI) Center** serves parents of children with disabilities. A PTI can answer questions about special education, help parents work with the school, and put them in touch with parent groups near their home. See the section on assistance to parents for more information.

- The special education director in your school or district can explain the local special education

guidelines to parents. Call the school or your local district office, and ask to speak to the person in charge of special education.

- The State Director of Special Education in your state can tell you about state policies. The names and numbers are provided.

GENERAL RESOURCES:

1. Technical Assistance Alliance for Parent Centers:

<http://www.taalliance.org/centers/index.htm>

- Understanding the Special Education Process
- Understanding the Special Education Process Hmong
- Understanding the Special Education Process - Large Print
- Understanding the Special Education Process Spanish
- Understanding the Special Education Process Somali
- Special Education Evaluation and Re-evaluation
- Special Education Evaluation and Re-evaluation - Hmong
- Special Education Evaluation and Re-evaluation - Large Print
- Special Education Evaluation and Re-evaluation Spanish
- Special Education Evaluation and Re-evaluation - Somali
- Planning Your Child's Individualized Education Program (IEP): Some Suggestions to Consider
- Planning Your Child's Individualized Education Program (IEP): Some Suggestions to Consider Hmong
- Planning Your Child's Individualized Education Program (IEP): Some Suggestions to Consider Somali
- Planning Your Child's Individualized Education Program (IEP): Some Suggestions to Consider Spanish

2. National Early Childhood Technical Assistance Center: <http://www.nectac.org/>

Technical Report #12 (Can be purchased from Sopris

as part of CLAS Collection 3)

“Working with interpreters to plan early childhood services with bilingual and multilingual families by Yoshi Ohtake, Susan A. Fowler and Rosa Milagros Santos.

Technical Report #8 (Can be purchased from Sopris as part of CLAS Collection 1) “Finding children and families in need of services: Increasing public awareness and access” by Shireen Pavri and Susan A. Fowler.

3. National Center for Culturally Responsive Educational Systems:

www.nccrest.org

Addressing Culturally and Linguistically Diverse Student Over Representation in Special Education: Guidelines for Parents http://www.nccrest.org/Briefs/Parent_Brief.pdf?v_document_name=Parent%20Brief

4. The Pacer Center: www.pacer.org
<http://www.pacer.org/translated/translated.htm> &
<http://www.pacer.org/publications/multicultural.htm>

5. Minnesota Department of Education:

For information, contact:

Elizabeth Watkins
ELL & Minority Issues
Special Education Policy Division
651-582-8678 v, 651-582-8729 fax

- Bosnian Parental Rights
- Conducting an IEP Meeting with an Interpreter
An informational brochure.
- English-Hmong Dictionary of Special Education
A glossary of special education terms in the Hmong language.
- This site provides the IEP in various languages and could be used by an Interpreter or Cultural Mediator to prepare a parent for the meeting and the process.
http://children.state.mn.us/MDE/Learning_Support/Special_Education/Evaluation_Program_Planning_Supports/Cultural_Linguistic_Diversity/Due_Process_

[Forms/index.html](#)

- Somali Language Introduction to Special Education (2004) from the Minnesota Dept of Ed.
- Special Education for Liberian Students (2007) from the Minnesota Dept of Ed.
- ELL companion guide: http://children.state.mn.us/MDE/Learning_Support/Special_Education/Evaluation_Program_Planning_Supports/Cultural_Linguistic_Diversity/ELL_Companion_Manual/index.html

Books on Human Development and Culture:

Saraswathi, T. S. (ed.) (2003) Cross-Cultural Perspectives in Human Development: Theory, Research and Applications.

Rogoff, B. (2003). The Cultural Nature of Human Development.

Harry, B & M. Kalyanpur (1999). Cultural Special Education. The Culture in Special Education and Reciprocal Family Relationships

NICHCY: What do parents experience?

www.nichcy.org/newsdig.asp

NICHCY offers a 16-page publication called Parenting a Child with Special Needs. A Spanish version, called *Cómo Criar un Niño con Necesidades Especiales*, is also available. The publication is written primarily for parents new to the disability experience.

Cultural Brokering Resources:

The Institute for Community Inclusion (ICI) in Boston
<http://www.communityinclusion.org/index.php>

Culture brokering workshop
http://www.communityinclusion.org/doc.php?doc_id=24&type=project&id=1

ASSISTANCE AND SUPPORT FOR PARENTS:

Situation: *A refugee child with a physical disability is being evaluated. Parents hesitate to share what they know about their child when they are asked. In their home country, they respect school and the teacher's expertise and never question them. For parents to feel comfortable enough to share what they know and what they want for their child, an advocate who may also be a parent of a child with a disability, may be requested. The advocates role is to inform the parents about the special education process, including their rights and how to participate, and encourage them to share their knowledge of their child with school staff.*

Resource: Parent Training and Information Centers and Community Parent Resource Centers

Benefit: Advocacy and assistance for parents with children with disabilities.

Each state is home to at least one parent center. These centers are funded through the Individuals with Disabilities Education Act of 2004 (IDEA 2004), the federal special education law. It gives specific requirements to ensure that students with disabilities receive the services they need to achieve their educational goals.

Parent centers serve families of children and young adults from birth to age 22 with all disabilities: physical, cognitive, emotional, and learning.

They help families obtain appropriate education and services for their children with disabilities;

- Work to improve education results for all children
- Train and inform parents and professionals on a variety of topics
- Resolve problems between families and schools or other agencies
- Connect children with disabilities to community resources that address their needs.

To find the Parent Training Institute or Assistance Center in your area, go to: <http://www.taalliance.org/>

Resource: Parent 2 Parent Programs:

Benefit: Support from parent with children with

disabilities to other parents.

Parent to Parent-USA (P2P-USA) is a national non-profit organization committed to assuring access and quality in Parent to Parent support across the country. Parent to Parent programs provide emotional and informational support to families of children who have special needs most notably by matching parents seeking support with an experienced, trained 'Supporting Parent'.

To find a program in your state, go to: <http://www.p2pusa.org/>



Resource: Head Start for children with disabilities

Benefit: Provides early education for children from families with low-income.

Head Start is a national program that promotes school readiness. The program offers educational, health, nutritional, social and other services to enrolled children and families. Head Start does not work with your state's Early Intervention Services.

Eligibility:

- Children from families receiving public assistance (TANF or SSI) are eligible for Head Start and Early Head Start services regardless of income
- Children who come from families with slightly higher income may be able to participate in Head Start when space is available.
- 10% of enrollments are offered to children with disabilities.

Services provided by Head Start for children with disabilities:

- individualized educational plans
- service plans
- screening, evaluation, and assessment of children
- will also work with families to find care for their children by recommending local, state, and national services to parents.

To find your local office, call your local helpline (2-1-1)