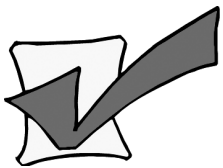




RE-EVALUATION RE-CAP

by Connie B. Fanselow, Transition Training Coordinator, ASK Resource Center



Re-evaluations for students in special education are conducted periodically throughout the educational process for

the same purpose as initial evaluations—to determine if the student continues to be an eligible child with a disability as defined by IDEA 2004 (the Individuals with Disabilities Education Act) and if so, to gather the most current information about the student’s needs and abilities to be used for the development of an appropriate IEP.

FAQs: From the parent perspective, some of the most frequently asked questions about re-evaluations include:

- How do re-evaluations differ from initial evaluations?
- What is the difference between an evaluation and a comprehensive evaluation?
- How often are re-evaluations required?
- Can I request a re-evaluation when I feel new information is needed?
- What is my role in the re-evaluation process?
- Is a re-evaluation required before special education services to a student are ended?

As you advocate for your child’s changing special education needs, knowing the answers to these questions can equip you with a clearer understanding of how peri-

odic re-evaluations fit into the IEP planning process. This knowledge will also help you define the role you play in initiating a re-evaluation and determining what information the re-eval should provide.

How do re-evaluations differ from initial evaluations?

The IDEA contains specific requirements for conducting evaluations. Most of those requirements are the same, or very similar, for initial evals and for re-evaluations. Both follow the same basic procedures, both rely on the same types of data gathered from a variety of sources, both require the informed consent of the parents, and both have the dual purpose of determining eligibility for special education and providing information to guide the team in developing an appropriate IEP for the student.

The IDEA specifies that a re-evaluation must be conducted whenever:

- the school district and the AEA determines that the student’s needs, including “improved academic achievement and functional performance,” warrant a re-evaluation, OR
- “if the child’s parents or teacher requests a re-evaluation.”

A parental request, followed by parental consent, should be sufficient to start the process for either an initial evaluation or a re-evaluation. Once an evaluation has been requested, it must be conducted by the school and/or AEA within 60 (calen-

dar) days of receiving parental consent for the evaluation.

When an evaluation takes place, the student must be “assessed in all areas of suspected disability.” So if you have concerns about an aspect of your child’s educational needs or your child’s needs for related services (services such as transportation, speech or audiology, physical therapy, occupational therapy, counseling, or health care, for example) any reasonable concern you raise should be discussed by the IEP team and included in planning the evaluation process. Educational evaluations can cover more than academic areas. If your child’s disability indicates that his or her education is being affected by behavioral, social, communication, assistive technology, or other identified or suspected needs, the evaluation should include data or testing to address those needs.

Parents are always intended to be vital members of the IEP team and, as such, are included in the process of determining what kind of information the evaluation needs to provide. Once that determination is made, educational professionals then have the responsibility for choosing the best methods and instruments to gather that information about the student. It is perfectly acceptable for a parent to request that an evaluation measure a particular aspect of your child’s abilities, for example, reading comprehension, but it is the role of the educators on the team to determine what particular testing instrument or body of testing is needed to accomplish that.

continued on page 2

The Parent Training and Information Center of Iowa exists to serve families of children with disabilities. The PTI of Iowa is a statewide service of ASK (Access for Special Kids) Resource Center, a nonprofit organization dedicated to helping families of children with disabilities.

The contents of this newsletter were developed under a grant from the U.S. Department of Education, Office of Special Education Programs. The contents do not necessarily represent the policy of the Department of Education, and you should not assume endorsement by the federal government. Products and services described herein are not endorsed by ASK or the U.S. Department of Education.

continued from page 1

What is the difference between an evaluation and a comprehensive evaluation?

A comprehensive evaluation is just what it sounds like—an evaluation that is intended to identify all of the educational and related needs of a child with respect to all areas of suspected disability. One definition of the word “comprehensive” is “showing extensive understanding.” A comprehensive evaluation should provide data that shows “extensive understanding” of your child’s abilities and needs. In general, a new evaluation should be comprehensive in nature unless the IEP team determines that new data is not needed in certain areas. For example, if a student has recently had a comprehensive evaluation and a new concern arises, the team might decide they have sufficient information about most of the child’s needs, but want to conduct a limited evaluation in that new area only.

The following quotations from the federal IDEA regulations should serve as a guide to the scope of special education evaluation requirements:

“Each public agency must ensure that... [t]he child is assessed in *all areas related to the suspected disability*, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status ...and motor abilities.

... In evaluating each child with a disability under [the IDEA regulations], the evaluation is *sufficiently comprehensive to identify all of the child’s special education and related services needs*, whether or not commonly linked to the disability category in which the child has been classified.”

Federal IDEA Regulations at 34 C.F.R. Section 300.304(c)(4) & (6).

How often are re-evaluations required?

The IDEA calls for re-evaluations to be conducted:

- not more than once a year, unless the parent and the public educational agency agree otherwise, and
- at least once every 3 years, unless the parent and the local educational agency agree that a re-evaluation is unnecessary

Take particular note that these provisions give parents an essential role in determining when a re-evaluation is needed. While the first provision limits a parental request for a new evaluation

to no more than once a year (unless the school and AEA voluntarily agree to it), the second provision clearly gives parents the right to ask for and expect a comprehensive re-evaluation every 3 years if they desire one. Parents may also secure a re-evaluation at any time after one year and prior to three years if they have reason to believe it is necessary.

Can I request a re-evaluation when I feel new information is needed?

Following the rules we just outlined, parents are entitled to request a re-evaluation at any time they feel new information is needed, with the limitation that it is no more than once a year. Obviously, the evaluation process requires planning, time, and resources, and as a practical matter conducting an evaluation more often than once a year would in most cases be unnecessarily expensive and unlikely to reveal new information that would benefit the student.

In the unusual circumstance that a drastic change in the student’s academic performance, health, or other circumstances would make a new evaluation useful to the IEP team, a re-evaluation can be conducted less than a year after the previous evaluation if the school and AEA also agree with the parent that it is needed.

What is my role in the re-evaluation process?

Parents must be a part of the IEP team decision to determine when a re-evaluation is needed and what information is to be gathered. Parents must also give their informed consent to proceed with the evaluation process. The only exception to this full parental involvement and consent in the evaluation process is if the school and AEA can demonstrate that they took reasonable steps to involve the parents and obtain their consent but the parents failed to respond to their efforts.



Do You Need Information on...

- disabilities
- special education
- related services
- behavioral interventions
- IDEA 04
- IEPs
- Transition

National Dissemination
Center for Children
with Disabilities

1-800-695-0285
www.nichcy.org

Is a re-evaluation required before special education services to a student are ended?

This question requires a two-part answer. In general, if there is a question about whether a student currently receiving special education services continues to be an eligible “child with a disability” under the IDEA definition, the student must be evaluated before special education services can be ended. Again, parents would be part of the determination and must be fully informed and receive written notice from the school or AEA of any decision to “exit” their child from special education—that is, to end special education and related services that have been provided to the child under an IEP.

An evaluation is not required, however, before a student exits special education under two particular circumstances:

- no evaluation is required before a special education student graduates from a secondary (high) school with a regular diploma, and
- no evaluation is required when a student “ages out” of special education by exceeding the age eligibility under State law (age 21 in Iowa)



No evaluation is required in these circumstances because IDEA evaluations are conducted for the purposes of determining continuing eligibility and appropriate services, and neither of those purposes continues to apply when the student has earned a regular diploma or no longer qualifies for special education entitlement due to age.

Keep in mind that if you have concerns about your child’s education that you think a new evaluation data might address, you should raise those concerns well be-

fore your child nears graduation or age 21 when eligibility for special education ends under Iowa law. If additional evaluation data is needed as part of the transition process, it should be gathered early enough for the information to be incorporated into the student’s IEP. Evaluation data gathered during the final years of high school may coincidentally prove useful to post-secondary educators, but the IDEA does not require schools and AEAs to conduct student evaluations specifically for post-secondary purposes.

How do I decide when and what to ask for?

If it has been more than one year since your child’s educational needs were evaluated and you believe that new information is needed to address areas of concern and to improve your child’s IEP, the provisions of the IDEA empower you to request an evaluation that covers all areas of the child’s suspected disability.

Keep in mind that evaluation is only beneficial if it is needed to gather new information that can be used to improve your child’s educational program. You will want do your best to work with the other members of the IEP team to focus on just what is needed to accomplish that. While having comprehensive evaluation data that gives an accurate picture of your child’s needs and abilities is important, that doesn’t necessarily mean it all has to be gathered at the same time. Repeating testing or data gathering for an area in which the information is still valid is a waste of resources and may also be frustrating for your child.

Think of each test or bit of evaluation data as a piece in a jigsaw puzzle that, when complete, forms a clear and comprehensive picture of your child’s strengths and needs. When considering a re-evaluation request, review the pieces you already have in place and focus your request on

any “gaps” remaining in your child’s educational “big picture.”

If you need to review the whole evaluation process and the requirements of the 60-day timeline, please refer to the June 2007 edition of the PTI Press, “How to Push the IDEA Evaluation Button and Start the 60-Day Timeline.” This issue, as well as other past issues of the PTI Press are available on our website at www.askresource.org.

For further information: The evaluation provisions of the IDEA can be found at 20 U.S.C. Section 1414(a), (b) & (c). The federal regulations for those provisions can be found at 34 C.F.R. Section 300.301 through 300.311.

TASH Award



Curt L. Sytsma, parent attorney, was the 2007 recipient of the Leadership in Legal Advocacy Award from TASH, a prominent national organization promoting the rights of individuals with disabilities. The award was presented to Sytsma and his client, Doug Loeffler, at the national TASH conference in Seattle on December 7, 2007.

Congratulations Curt!

THE IEE: WHEN IS AN INDEPENDENT EDUCATIONAL EVALUATION APPROPRIATE?

by Connie B. Fanselow,
Transition Training Coordinator,
ASK Resource Center

In Iowa, evaluations for special education eligibility are usually conducted by Area Education Agency personnel, with the cooperation of local educators.

Among the basic procedural safeguards granted to parents by the Individuals with Disabilities Education Act (IDEA) is a right "to obtain an independent educational evaluation of the child." The IDEA regulations define an independent educational evaluation to mean "an evaluation conducted by a qualified examiner who is not employed by the public agency responsible for the education of the child in question." In Iowa, that clearly means someone other than an employee of the local school district or the Area Education Agency serving the child.

Parents always have the option of seeking a private evaluation by any qualified professional of their choice at their own expense. If they do so, they also have a right to expect the school district and AEA members of their child's IEP team to review and fairly consider the information in designing the student's educational plan.

Educators are not obliged to accept and follow the recommendations of outside professionals if they disagree with them, but they are expected to give them full and fair consideration. You will probably find that educators will be most receptive to independent information brought into team meetings for their consideration if you openly share any concerns you have about the existing evaluation process or data with them first, and if you discuss with the team your intentions to seek a private opinion prior to doing so. It is also important to make sure that the person or organization you seek to conduct the evaluation has the necessary credentials to do the type of testing your child needs and to ensure the results will be scientifically valid for educational purposes.

It is also very important that you be willing to share the full report or findings of any independent evaluator with the team. If you are willing to share only selected information, the team will have a much more difficult time accepting and acting on any recommendations because they don't have any way of knowing what other information might be missing.

The school district and AEA always have the primary obligation to provide an appropriate evaluation when it is requested by the parents. Under certain circumstances, however, parents also have the right to obtain an independent evaluation paid for by the school and/or the AEA. If the parents disagree with the results of the evaluation conducted by the public agencies,

The IDEA gives them "the right to an independent evaluation at public expense." Notice that the right to an independent evaluation is prefaced on parental disagreement with the results of the public agency evaluation, so parents are expected to

give the school and AEA an opportunity to conduct their own evaluation and give it their full and fair consideration before requesting an independent evaluation.

The Iowa Rules of Special Education provide that . . . "if a parent obtains an independent educational evaluation at public or private expense and the evaluation meets agency criteria, the results of the evaluation must be considered by the agency in any decision made with respect to the provision of FAPE to the individual and may be presented as evidence at a hearing regarding the individual." This rule is another indicator that information gathered through an independent evaluation must be accorded reasonable consideration, and if a disagreement about the child's education is not resolved cooperatively the parent may use the results of their independent evaluation in a due process hearing to challenge the school and AEA's provision of appropriate services.

If you are thinking about asking for or obtaining an independent evaluation, consider carefully why it is that you feel another opinion is needed. If you are willing and able to pay for an independent evaluation, you still need to be prepared to fully present the results to your local educators and work with them to come to an agreement about how to incorporate those results into your child's educational plan.

If you want the school and AEA to provide an independent evaluation at public expense, then you need to be prepared to explain why you disagree with the results of their evaluation and what new or more accurate information you believe the independent evaluation will bring to the IEP team for the benefit of your child.

For further information see IDEA 2004 at 20 U.S.C. Section 1415(b)(1); the federal IDEA Regulations at 34 C.F.R. Section 300.502; the Iowa Rules of Special Education at Rule 281-41.54.

OUT OF IDEAS?

Attention! Parents and Educators!

If you're having TROUBLE resolving DIFFERENCES over educational services and issues, try using a RESOLUTION FACILITATOR to get things going again.

An OBJECTIVE third party can help SMOOTH out the rough spots and SPEED you towards a SUCCESSFUL outcome for all involved.

CALL the ASK Family Resource Center for more INFORMATION

(515) 243-1713



EVALUATION: THE LD PERSPECTIVE

by Professor Richard T. Owens,
Chairman, Learning Disabilities
Association of Iowa

Advocates for students with learning disabilities have special concerns about the IDEA evaluation process and how struggling students are identified for referral and eligibility for services. The IDEA 2004 Regulations provide the specific criteria that must be followed when evaluating a student suspected of having a **specific learning disability (SLD)**. These criteria still include the same subject areas as the previous IDEA regulations, but some changes were made in the membership of the team making the evaluation decision:

The decision must be made by the child's parent & a team of qualified professionals, which must include a teacher (appropriate to teach at the age of the child) and one person qualified to conduct individual diagnostic examinations.

The new IDEA regulations now include the statement that States "must permit the use of a process based on a child's response to scientific, research-based intervention" (otherwise known as Response to Intervention or RTI).

The advocacy groups serving individuals who have a specific learning disability support the RTI requirement IF the implementation includes the following elements:

- the intervention selected is truly research based
- the intervention selected is provided consistently by highly trained educators
- the intervention selected includes continuous monitoring of progress to

determine gains, and

- the intervention selected has guidelines to determine success or to determine when to change interventions or refer the student for possible special education interventions.

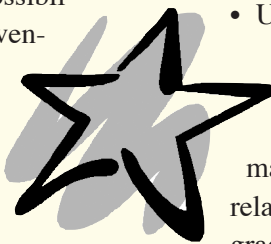
Data collected as a result of RTI can be a valuable tool when it has become apparent that the student is not making appropriate gains from the interventions, leading to the decision to pursue the possibility of special education intervention. **The principal concern of the advocacy community is when RTI becomes the primary or the ONLY means of SLD identification.** A Specific Learning Disability should never be equated exclusively with low achievement. This practice is a major problem for LD advocacy groups who believe that multiple measures are needed to appropriately identify a student with SLD.

The Learning Disabilities Association of Iowa's position on this issue can best be summarized by the following concepts from the **LDA Position Statement on Response to Intervention** (published October 27, 2006 by the national LDA Board of Directors), which LDA-IA strongly supports:

"When conducting an evaluation of children suspected of having Specific Learning Disabilities, LDA supports the safeguards provided by IDEA 2004 and emphasizes the following:

- Specific Learning Disabilities are not synonymous with difficulty in learning how to read or with low achievement.
- To differentiate SLD from low achievement the LEA (Local Education Agency, or school district) shall "use technically sound instruments that may assess the relative

contribution of cognitive factors..." (IDEA Sec. 614(b)(2)(C)) as part of the comprehensive individual evaluation by IDEA to isolate the exclusion factors. Cognitive measures provide information about the student's intra-individual differences, the student's own pattern of strengths and weaknesses, as well as diagnostic data necessary in developing appropriate individualized intervention strategies.



- Use of evaluation techniques that permit consideration of "a pattern of strengths or weaknesses in performance, achievement, or both, relative to age, State approved grade level standards or Intellectual development..." 34 C.F.R. Sec. 300.309(a)(2)(ii)

- Learning disabilities must not be equated with low achievement alone. The RTI low achievement criterion may exclude some high-ability students with SLD from special education despite the fact that IDEA regulations (Sec 300.301) state: "FAPE (free appropriate public education) is available to any individual child with a disability who needs special education and related services even though the child has not failed or been retained in a course or grade and is advancing from grade to grade."
- A single measure or assessment may not be used as the sole criterion for determining whether a child is a child with a disability and for determining an appropriate education program for the child."

For more information on LDA-IA and the LD Perspective, contact:

Kathy Specketer

☎ 515-280-8558

✉ Kathylda@askresource.org

A BILL OF RIGHTS FOR CHILDREN WITH LEARNING DISABILITIES

By Curt Sytsma, Attorney at Law

Note: The author of this article cautions that it represents his legal opinion concerning the rights of children with learning disabilities and their parents. Counsel for school district may have an entirely different perspective on the issues. Efforts are currently underway to have these rights declared officially.

From the perspective of those of us who are advocates for the parents of children with learning disabilities, one of the most important changes in the Individuals with Disabilities Improvement Act of 2004 was the revision of the statute governing the evaluation of children suspected of having a specific learning disability. Federal law now states that “a local educational agency may use a process that determines if the child responds to scientific, research-based intervention (RTI) as a part of the evaluation procedures.”

As an attorney for parents of children with disabilities, I have been actively concerned with the implementation of the RTI model, as well as the expansion of that model across the state since 2004. My response to the RTI process centers on three critical observations:

- **First**, our experience in Iowa demonstrates that fundamental parental rights must be clearly recognized and rigorously enforced as an integral part of the RTI process.
- **Second**, without informed parental advocates, there is a danger that the RTI model may sometimes produce seeming success, not by meeting the needs of children with disabilities, but by (unintentionally) disenfranchising

those children from the IDEA’s assurances and protections.

- **Third**, the protections that are needed to check and balance the RTI process are firmly grounded in the final regulations issued by the U.S. Department of Education.

Iowa’s experience with RTI has demonstrated that the process requires a system of parental checks and balances to insure that the approach works for children. These checks and balances depend upon an intentional method of insuring informed and meaningful participation by both parents and teachers in the RTI process, from the very beginning of its use for a student.

I view the following protections to be a vital Bill of Rights for Children with Learning Disabilities:

1. The Right to a Full and Individual Evaluation within 60 Calendar Days

Parents and guardians are sometimes told that the completion of months (or even years) of interventions (or RTI) is needed before a student qualifies for a full and individual evaluation under the IDEA. I believe that such an interpretation is a violation of the governing federal law. More specifically, the interpretation violates the right to a full and individual evaluation within 60 days of a parent’s request, guaranteed by 20 U.S.C. § 1414(a)(1)(B).

2. The Right to Notice of IDEA Rights before General Education Interventions are Implemented

Our experience in Iowa has demonstrated that the 2004 IDEA has been interpreted by some area education agencies (AEAs) and school districts to allow the use of general education interventions or other processes allegedly measuring “the child’s response to scientific, research-based intervention” without prior notice of paren-

tal rights under the IDEA. A strong case can be made that such a practice is a violation of the governing federal law. Specifically, the practice violates 34 C.F.R. § 300.311(a)(7)(ii), which states that the determination of eligibility for special education services must include:

The documentation that the child’s parents were notified about—

- (A) The State’s policies regarding the amount and nature of student performance data that would be collected and the general education services that would be provided;
- (B) Strategies for increasing the child’s rate of learning; and
- (C) The parents’ right to request an evaluation.

When the RTI process is used to evaluate a student’s need or eligibility for special education services, a notice to parents which fully informs them regarding their rights is an absolutely vital procedural protection. It is a key element of an appropriate system of checks and balances.

Many parents have asked me over the years whether they should continue with the response to intervention process or request a full and individual evaluation under the IDEA. My answer has been consistent: If you are pleased with communications and services under the RTI process, if you are part of the process of testing interventions, and if your child is making satisfactory progress toward reasonable goals, then continue with the system. If you are not receiving appropriate communications, however, or if your child is not receiving promised interventions, or if your child is not making satisfactory progress, then request a full and individual evaluation.

3. The Right to Written Documentation of Whether a Child has a Specific Learning Disability

Some AEA and school districts in Iowa have equated “classification” with “evaluation” and therefore believe that they are not required to complete an evaluation to determine whether a child has a specific learning disability. The IDEA provision states that “[n]othing in the Act requires that children be classified by their disability. . . .” 34 C.F.R. § 300.111(d) is often interpreted to mean that the district or AEA is not required to complete an evaluation to determine if a child has a specific learning disability. I believe that this practice violates 34 C.F.R. § 300.311(a), which states that, “[f]or a child suspected of having a specific learning disability, the documentation of the determination of eligibility, as required in § 300.306(a)(2), must contain a statement of— (1) Whether the child has a specific learning disability; [and] (2) The basis for making the determination”

Closely related to the parental right to written documentation of whether or not his or her child has a specific learning disability, each member of the group making the determination of whether a child has a specific learning disability must certify the results in writing. The requirement is expressly set forth in 34 C.F.R. § 300.311(b): “Each group member must certify in writing whether the report reflects the member’s conclusion.”

4. The Right to Base Identification on Patterns of Strengths and Weaknesses Relative to Intellectual Development

Some AEA and school districts in Iowa believe that the 2004 IDEA law cancels an important right granted to the group that determines whether a child has a specific learning disability. The right to base such a determination on the fact that “[t]he child exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative . . . to intellectual development. . . .” [34 C.F.R. § 300.309(a)(2)(ii)]

This interpretation blocks entitlement to special education services for many children with specific learning disabilities who are of average or above average intelligence. It disenfranchises the very population that organizations such as the Learning Disabilities Association were created to serve.

5. The Right to Appropriate Assessments that Measure Patterns of Strengths and Weaknesses Relative to Intellectual Development

Some AEA and districts in Iowa believe that the 2004 IDEA can use general education interventions or other processes allegedly measuring “the child’s response to scientific, research-based intervention” to measure patterns of strengths and weaknesses relative to intellectual development. These interventions are often accompanied by assessments such as a “records review” or “teacher observation.”

- **First**, 34 C.F.R. § 300.309(a)(2)(ii) states that the determination of whether a child exhibits a pattern of strengths and weaknesses relative to intellectual development must be based upon “appropriate assessments, consistent with §§ 300.304 and 300.305. . . .” I contend that general education interventions and other RTI processes are not valid and reliable measures of patterns of strengths and weaknesses relative to intellectual development.
- **Second**, as currently designed and implemented in the State of Iowa, general education interventions and other RTI processes do not adequately identify the educational needs of children who exhibit patterns of strengths and weaknesses relative to intellectual development. Relying exclusively upon general education RTI to evaluate a student’s need for special education services violates the rule that the evaluation of each child with a dis-

ability must be “sufficiently comprehensive to identify all of the child’s special education and related services needs.” 34 C.F.R. § 300.304(c)(6). As the U.S. Department of Education has observed in issuing its final regulations on the subject, “[a]n RTI process does not replace the need for a comprehensive evaluation.” 71 Fed. Reg. 46648.

- **Third**, in the context of measuring patterns of strengths and weaknesses relative to intellectual development, the general education interventions and other RTI processes currently being used in Iowa do not constitute “scientific, research-based intervention.” No peer-reviewed journal and no comparable panel of independent experts have validated the use of RTI processes to measure patterns of strengths and weaknesses relative to intellectual development. The U.S. Department of Education “does not support the use of identification procedures that are not based on scientific research. Models or procedures that claim to assist in identifying a child with an SLD, but which are not based on sound scientific research, are not appropriate and should not be adopted by LEAs or States.” 71 Fed. Reg. 46648.

6. The Right to Clear, Statewide Criteria for Identification Based on Patterns of Strengths and Weaknesses Relative to Intellectual Development

Federal regulations say that the State Educational Agency must adopt, consistent with § 300.309, “criteria for determining whether a child has a specific learning disability” 34 C.F.R. § 300.307(a). I believe that the Iowa Department of Education must adopt clear and specific criteria regarding when a child with a pattern of strengths and weaknesses relative to intellectual development is deemed to have

Parent Training and Information Center of Iowa



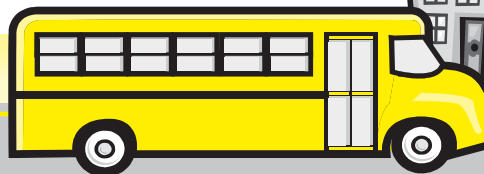
Education begins with a good IDEA.

Disability Information, Advocacy and Technical Assistance

Ph: (515) 243-1713 • Toll Free: (800) 450-8667

Fax: (515) 243-1902 • TDD: (800) 735-2942

info@askresource.org -- <http://www.askresource.org>



continued from page 7

a specific learning disability. The process of adopting those criteria should include input and advice from parents and other advocates for children with learning disabilities.

Conclusion

The RTI system promises much, including the hope that many children will receive earlier and better assistance as a consequence of its implementation.

We succeed with our students when their needs can be sufficiently met in the general education setting, so that they are then equipped for success in their school career.

Fortunately, as I have documented above, the rights that are essential to parents, to children, and to the proper functioning of the RTI process itself are firmly grounded in the regulations issued by the U.S. Department of Educa-

tion pursuant to the 2004 IDEA.

* Curt L. Sytsma secured his Juris Doctor in 1974 from the Northwestern University School of Law. For the past fourteen years, he has represented parents of children with disabilities across the State of Iowa. He has received two awards for his work to protect parental rights as a vital part of the RTI process: the Helping Hands Award from the Learning Disabilities Association of Iowa and the Distinguished Service Award from the Iowa Association of School Psychologists.

BOARD OF DIRECTORS: Mark Monson, Paul Johnson, Andy Lawler, Al Takemoto, Roberta Van De Walker, Kim Whiting, Cindy Zortman

Presorted
Standard
U.S. Postage Paid
Des Moines, IA
Permit NO. 5153



**Parent Training and
Information Center of Iowa**
321 East 6th Street
Des Moines, IA 50309