

EDUCATING STUDENTS WITH DISABILITIES . . .

WHAT ARE THE RESPONSIBILITIES OF CAREER AND TECHNOLOGY EDUCATION PERSONNEL?

OKLAHOMA DEPARTMENT OF CAREER AND TECHNOLOGY EDUCATION

1. Can a technology center limit the enrollment of students with disabilities to certain programs?

No. To comply with federal and state laws and regulations, a technology center must allow individuals with disabilities to enroll in any program. However, individual needs, abilities, preferences, and interests will determine the program in which the student ultimately enrolls. After considering all of this information, a student's IEP team may conclude that a certain program is not appropriate for the student.

OPEN-DOOR ENROLLMENT OF



ALL PROGRAMS

If the student or parents disagree with this decision, they are encouraged to request mediation or they may request an administrative due process hearing to resolve the issue.

2. Can a technology center refuse to enroll a student with a disability in a particular program because the student will be unable to master all of the program competencies and/or obtain paid employment in the field?

No. A program may be deemed appropriate for a student by an administrative hearing officer if the student can obtain even slight educational benefit. A technology center can expect to lose any case in which its only arguments against enrollment are that the student will not master all or even most program competencies and will be unable to obtain paid employment in that occupation.

ACRONYM KEY

- IEP—Individualized Education Program
- IDEA—Individuals with Disabilities Education Act
- ADA—Americans with Disabilities Act

3. If personnel from the technology center and the local school district have different opinions concerning the enrollment of a student in the technology center, who resolves the dispute?

The student's IEP team will initially decide this issue by team consensus. If the career and technology education representative disagrees with the decision, he or she should sign paperwork to document his or her attendance at the meeting, such as a Record of Access to the student's file. Then during or promptly after the meeting, the career and technology representative should give the local school district a written statement identifying the points of disagreement. If the team consensus favors placement in a career and technology education program or some other issue with which the career and technology education program representative disagrees, the technology center must decide whether to implement the IEP despite its disagreement or request mediation or an administrative due process hearing to challenge the team's decision.

4. What happens when the local school district fails to notify the technology center that an enrolling student has an identified disability? What happens when the local school district fails to invite the technology center representative to attend the IEP team meeting at which the team intends to discuss enrollment, programming, or placement at a technology center?

Poor communication between the local school district and the technology center causes problems for both schools and for the student. The Standards for Accreditation of Oklahoma Schools provide that, for a student to be legally enrolled, the technology center must receive a copy of the student's IEP before he or she arrives on campus. Furthermore, the technology center instructor must have access to a copy of the student's IEP before the student enters the program. When the local school district fails to timely notify the technology center that a student has a

disability, it is not complying with federal and state laws and regulations. When the technology center becomes aware of the situation, it should ask the local school district to promptly schedule an IEP team meeting to discuss the student's enrollment, programming, and placement. If the local school district fails to do so, the technology center should document its request in writing and may take the position that such decisions made without its involvement are void and unenforceable. If the local school district still fails to schedule an IEP team meeting, the technology center has an obligation to follow the process required under Section 504 of the Rehabilitation Act and should convene a team meeting to discuss the matter. This group should include, among others, the student, the student's parent, and at least one representative from the local school district. See Question 8 for additional information concerning meetings convened by the technology center.

State and federal laws and regulations require the local school district to obtain parental permission to invite any transition service provider (such as a technology center) that is likely to be responsible for providing or paying for transition services for a student with a disability to attend any IEP team meeting at which such services are to be discussed. If invited, the technology center should send a representative. The local school district's failure to invite a technology center representative when the team determines career and technology education enrollment, programming, or placement can lead to a void IEP that the technology center has no obligation to implement. Technology centers and local school districts

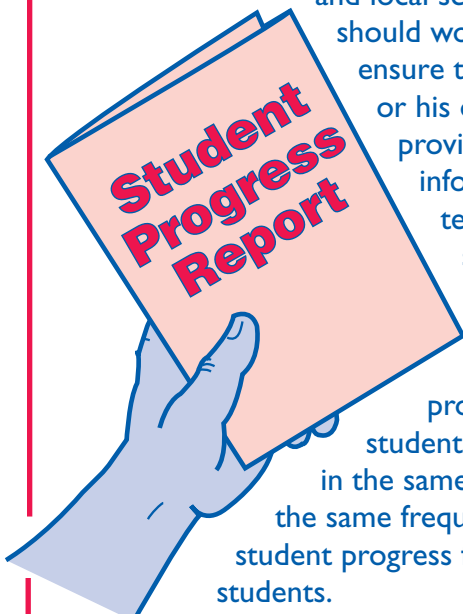
should work closely together to establish efficient communication concerning IEP team meetings and the implementation of student IEPs.

5. What obligation does the technology center have to report student progress toward achieving IEP goals?

Federal and state laws and regulations require local school districts to regularly inform the parents of a child with a disability of the child's progress toward his or her annual IEP goals as often as parents are informed of their nondisabled children's progress. A standard report card probably will not reflect the specific information necessary to explain the child's progress toward annual IEP goals. If the technology center serves a student with a disability who has one or more annual IEP goals related to career and technology education, the technology center should discuss with the local school district who will take this responsibility and how it will be accomplished. The technology center



and local school district should work together to ensure that the student or his or her parents are provided the required information. The technology center should also report student progress via report card and/or progress report for students with disabilities in the same manner and with the same frequency it reports student progress for nondisabled students.



6. What responsibilities does the technology center have for a student's licensure? Must the technology center arrange accommodations for any licensing examinations the student takes?

The technology center should offer the same support for all students in the licensure process. It should also develop information for students with disabilities and their parents concerning potential accommodations for licensing examinations and a list of resources they can contact for assistance.

7. Who has the responsibility to pay for support services (i.e., classroom modifications, instructional aids and devices, curriculum modifications, equipment modifications, or supportive personnel) if a student's IEP team determines that such support is necessary for the student to participate in a technology center program?

There is no definitive answer to this question. The IEP team should discuss and attempt to resolve this issue. If it cannot do so or if one person or group disagrees with the consensus of the team, mediation or an administrative due process hearing may be requested to resolve the dispute.

8. In educating children with disabilities, when must a technology center take extra measures to comply with Section 504 of the Rehabilitation Act or Title II of the Americans with Disabilities Act?

Generally, the local school district's compliance with the IEP requirements of the Individuals with Disabilities Education Act (IDEA) satisfies all requirements the technology center would have concerning that process. The technology center should always ask the local school district to schedule IEP team meetings or, for students on 504 accommodation plans, 504 team meetings. The technology center schedules a team meeting only if the local school district fails or refuses to do so. If this happens, the technology center should take steps to comply with Section 504, including the requirement that its team include persons who are knowledgeable about the student, the meaning of the student's evaluation data, and the placement options. The technology center must also provide the student's parents or the student, if age 18, a copy of their rights under Section 504. The technology center must comply with the antidiscrimination requirements of Section 504 and the ADA in all aspects of its educational programs.



9. How might the IDEA assessment requirements affect the responsibilities of technology centers?

The IDEA requires that the IEP team state in each student's IEP whether the student will be participating in "regular" or alternative assessment and, if alternate, how the student will be assessed. The IEP team must also specify the state-approved accommodations used in each test administration. These provisions may have implications for career and technology education competency testing. A student's IEP team should identify any individual accommodations the student needs in the administration of competency testing. If the team determines that the student will not participate in standard competency testing, it should identify the type(s) of alternative assessment(s) that will be used. When deciding whether to make accommodations for the student in any licensure examinations and what kind of accommodations to make, the licensing entity will most likely consider the accommodations identified in the student's IEP for state and district-wide assessments and competency testing.

For more information, please contact:

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