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The National Center for Learning Disabilities’ (NCLD) mission is to ensure success for all individuals with learning disabilities in school, at work and in life. We:

• Connect parents and others with resources, guidance, and support so they can advocate effectively for their children.
• Deliver evidence-based tools, resources, and professional development to educators to improve student outcomes.
• Develop policies and engage advocates to strengthen educational rights and opportunities.
A Message from NCLD

Dear Fellow Advocates:

Welcome! The fact that you are connecting with us here tells me that you want to take action in support of individuals with learning disabilities (LD)—and that you want to learn about ways to do so effectively. We’re delighted to have you onboard and work with us.

Now, more than ever, it’s imperative that parents’ voices are raised and heard—there is so much at stake. It all begins with advocacy, to:

• Ensure that all children have the opportunity to achieve their potential
• Increase the number of teachers and school leaders who understand and are prepared to provide the instructional support and accommodations that students with LD may require
• Increase awareness of the realities and the challenges of those faced with LD, and
• Build the public will to invest the time and money necessary to make sure all children and adults receive the educational and lifelong opportunities they deserve and to which they are entitled.

To help further these advocacy efforts, NCLD has developed this LD Advocates Guide to explain how to engage policymakers and the media on issues affecting families and individuals with LD.

Since 1990, NCLD has mobilized tens of thousands of parents, teachers and individuals with LD to speak in a powerful voice in Washington, D.C. With this support, we are actively involved in strengthening the individual rights of those with LD.

The educational opportunities and rights that a child with learning disabilities enjoys have primarily been shaped by Federal policies and laws, such as the landmark Individuals with Disabilities Education Act (IDEA), the Elementary and Secondary Education Act (ESEA), Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act (as amended in 2008). NCLD works to improve these Federal laws with the overarching goal to ensure that all students with LD have the same access and necessary support to achieve a high school diploma and be prepared to successfully transition to post-secondary education or career training.

We promote accountability for educational outcomes for all students, earlier identification of LD, more effective early intervention programs, better teacher preparation, and increased education funding. With more decisions for student achievement shifting to the states, our children need us to stand up and speak out for them. We must work together to ensure that hard-won access to effective instruction, appropriate assessment, support services and access to accommodations are not lost.

Again, welcome, and my sincere thanks for joining with NCLD in this important work!

Sincerely,

James H. Wendorf
Executive Director
National Center for Learning Disabilities
New York, New York
Getting Started

Do learning disabilities (LD) affect your life? Whether you are a parent of a child with LD, an adult with LD, an educator, or an LD professional, there’s a place for you in the world of LD advocacy. There are many aspects to advocacy, which you can learn about in this guide, but all are intended to ensure that lawmakers and the general public respect and protect the rights of individuals with LD.

Advocacy can be hard work, fun, exhilarating, and sometimes frustrating, but it is essential to improving the lives of people with LD. So, let’s get started.

Being an advocate does not mean you have to quit your job, write big checks to politicians, or rush to Washington D.C. It also doesn’t mean you have to know everything there is to know about learning disabilities or every law ever written on the subject.

Being an advocate does require that you use your voice to make a difference for children and adults with LD. You have an important story to tell and experiences to share.

Under both education and civil rights law, individuals with learning disabilities are entitled to rights and services. It seems simple, but as you know, it is complex and often people with other agendas are pushing lawmakers to make decisions that may not take people with LD into proper consideration. That’s where you come in. Your voice is critical—it’s the foundation of democracy. You can (and should) tell your elected officials how to vote for laws, budgets and policies that work.

Becoming an LD advocate is not a new job or a special title saved for the chosen few, but rather a mindset. If you want the problems in your school district, state, or at the federal level to be fixed or at least improved, you’re going to have to get involved. Parents have been stepping into this role for years and you can make a difference—not only for your child—but for all children with LD.

Even if you only have five minutes per week to spare, these tips will get you started on the road to effective advocacy:

1. **Become familiar with the state and federal laws that pertain to learning disabilities.** There is no need to go to law school, because this information is available on [www.LD.org](http://www.LD.org), through your state office of education, and your state’s Parent Training and Information Center. A directory of centers by state is available at [www.parentcenternetwork.org](http://www.parentcenternetwork.org). To get started, also check the “Talking about LD” section of this guide.

2. **Get on the mailing lists of advocacy organizations.** NCLD’s own Legislative Action Center is a great way to become familiar with what’s happening in Washington, D.C. related to learning disabilities. Sign up at [www.LD.org](http://www.LD.org).

3. **Call your legislators.** Politicians are people with their own experiences. If LD is not a part of their lives, they can’t possibly understand the implications of their votes the way you do. Your local, state, and federal legislators are listed in the blue section of your phone book, can be found in a quick Internet search, or at [www.contactingthecongress.org](http://www.contactingthecongress.org). They want to hear from you; they have a staff for just that purpose. And if there is a bill you are interested in discussing, they’d rather receive your call before a big vote than get an angry call afterwards. More tips on working with policymakers are presented later in this guide.
4. **Write a letter or an email to a policymaker.** Your elected officials welcome hearing from you. Tell them how a particular piece of legislation will affect you and others who are affected by LD. First hand and personal stories from their constituents are always helpful to policymakers. In return, you can usually expect to get a reply explaining the issue more fully and what they intend to do about it.

5. **Talk about what you know.** Tell your story, talk about your LD concerns, and offer ideas about what can be done about them. Politicians want to be asked to do something, so seize the moment and ask them to be proactive on the issues that matter to you.

6. **Go public.** Call a radio station, blog on issues you care about, or write a letter to the editor of your local newspaper. Explain why disability legislation is an important issue and how things can be changed for the better. Email your friends, schedule a meetup or other meeting to discuss LD policies. As an advocate you don’t have to go it alone. To the contrary, you should try to get as many people excited and active about learning disabilities as possible.

7. **Vote.** It seems basic, but it is vital that you exercise this right. You can even go one step further by helping candidates who support learning disabilities issues with their campaigns. The knowledge you have can help a candidate clarify his or her position on an issue that is important to so many people.
Talking about LD

The first step to being an effective LD advocate is understanding the issue and how to talk about it. Your personal experiences may be motivating you, but it is important to educate yourself about the facts and figures and broaden your understanding of LD beyond what you’ve learned through those experiences. Knowing some of the “hot button” issues and how to deal with them is essential because it conveys a sense of credibility and adds to your authority as a spokesperson for the cause. Regardless of whether these issues are of interest to you, one or more is likely to come up in discussions with policymakers and the media.

There continues to be substantial misconceptions about learning disabilities and how to best support children who struggle to learn. Learning how to frame messages so that they have the greatest impact should be your priority. Why? Because understanding what you are talking about and choosing the right words can have a major impact on your work. Misconceptions cannot simply be overturned by confronting them with statistics, no matter how powerful those statistics may be. Both policymakers and the general public have preconceived ideas about what learning disabilities are, and it is your job to speak clearly and effectively to those concerns while persuasively explaining that it is in everyone’s best interest to respect and support the rights of individuals with LD so they can become successful adults.

Describing Learning Disabilities

For many people, it is difficult to understand these commonplace, but hidden, disabilities. This is made more difficult by misinformation and the deliberate distortions of those who claim that learning disabilities are an excuse for poor academic performance. The term “learning disabilities” is frequently used as an umbrella term for all types of disabilities, which only serves to further confuse the public and perpetuate misunderstanding.

Clear, consistent and concise language should be used to describe LD. When working with policymakers, using alternative phrases that exclude the word “disability” such as “learning disorder,” or “learning difference” does little to change the perceptions. If anything, alternative descriptions like “learning difficulties” or “learning differences” can soften the intensity of concern and make the issue seem insignificant.

Because the term “specific learning disability” is used in the federal law that provides special education services (Individuals with Disabilities Education Act), advocates should use this term in their communications with policymakers and the media.

The definition of “specific learning disability” in the Individuals with Disabilities Education Act (IDEA) is as follows:

- The term ‘specific learning disability’ means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, which disorder may manifest itself in imperfect ability to listen, think, speak, read, write, spell, or do mathematical calculations.
The term includes such conditions as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia due to LD.

The term does not include a learning problem that is primarily the result of visual, hearing, or motor disabilities, of intellectual disabilities [formerly known as mental retardation], of emotional disturbance, or of environmental, cultural, or economic disadvantage. [34 CFR 300.8(c)(10)]

**Important points to remember when describing LD:**

- Learning disabilities are real. Scientists have proven the neurological basis of LD through the use of brain scans and other techniques. There also is proof that learning disabilities can be genetic.

- Learning disabilities occur often. Most scientific experts agree (and school data confirm) that at least five percent— and likely more—of our school-age children have severe problems with learning.

- Learning disabilities are not the same as autism intellectual disabilities (previously known as mental retardation) or Attention Deficit/Hyperactivity Disorder. People with LD have average to above average intelligence, which is not the case for people with intellectual disabilities. And while there are a significant number of people with LD who also have ADHD, ADHD is not a learning disability. (If ADHD and LD are confused during your conversations, it can often help to distinguish between them by stating that ADHD is a disorder that causes inappropriate impulsivity, attention, and in some cases, hyperactivity and can often be treated with medication. LD is a neurological disorder that affects the brain’s ability to receive, process, store and respond to information and cannot be treated with medication.)

- Learning disabilities are lifelong. Many children can be taught to compensate for them with early diagnosis and appropriate instruction.

**Legal Protections**

People with learning disabilities have legal protections available to them through several federal laws. Being familiar with these laws is essential to your success as an advocate.

- **Individuals with Disabilities Education Act (IDEA2004)**
  The Individuals with Disabilities Education Act (IDEA2004) is the federal law that provides for special education and related services for eligible children ages three through 21 with disabilities. IDEA ensures that a free and appropriate public education (FAPE) based on the individual needs of students with disabilities is available. The law also guarantees rights for children with disabilities and their parents. More information on IDEA is available in the Appendices of this publication.

- **Section 504 of the Rehabilitation Act of 1973**
  Section 504 of the Rehabilitation Act of 1973 is a civil rights law that prohibits discrimination on the basis of disability in programs and activities, public or private, that receive federal financial assistance. The law does not provide funding for special education or related services, but it does permit the federal government to take funding away from programs that do not comply with the law. More information on Section 504 is available in the Appendices of this publication.

- **Americans with Disabilities Act of 1990 (ADA)**
  The Americans with Disabilities Act of 1990 (ADA), as amended by the ADA Amendments Act of 2008, is a civil rights law that protects individuals with disabilities from discrimination in the workplace, as well as school and other settings. ADA does not provide funding for services or accommodations. More information on the ADA is available in the Appendices of this publication.

Note: For more information on these laws and the rights of individuals with LD, please visit [www.ld.org](http://www.ld.org) for parent guides, articles, toolkits and other resources.
Prevalence of LD

The prevalence of learning disabilities is frequently addressed by the media and is often brought up in discussions with policymakers—so it’s important to know the facts on this issue. While there is not a sure-fire way to capture the exact data regarding the total number of Americans who have learning disabilities, it is conservatively estimated that 3%-5% of the general population are affected.

Fortunately, there is reliable data on the number of children served in the LD category under IDEA, which is often the group singled out for discussion. While there has been substantial growth in the LD category during the 30 years since enactment of IDEA, the number of students in the LD category has increased less than the total number of all students served under IDEA for 15 consecutive years. In fact, there has been a decline in the number of students identified as having LD in each of the years between 2000 and 2010.

Some important numbers:

• 2,415,564 students (ages 6-21) are being served in the LD category of IDEA today, according to the most recent data available. This is 41.4% of the total number of students served under IDEA and 3.5% of the U.S. resident population of students in that age group.

• While the number of school-age children identified with LD grew rapidly during the late 1980s and 1990s, the number of children identified with LD has declined by 19% over the last decade (2001-2010). In 2001 students in the LD category represented 49% of all special education students, while in 2010 the category represented 41%.

• Males comprise almost two-thirds of school-age students with LD who receive special education services.

• The percentage of students served in the LD category varies significantly from state to state. To learn about the specifics for your state, see The State of Learning Disabilities at www.LD.org/stateofld.

Over-Identification

With less than 4% of the school-age population currently receiving special education services in the LD category, there appears to be little evidence supporting the persistent claim that students are over-identified as LD. In fact, Congressional testimony by Dr. G. Reid Lyon, former Chief of the Child Development and Behavior Branch of the National Institute of Child Health and Human Development at the National Institutes of Health, indicated that approximately 6 percent of school-age children will experience learning difficulty, particularly in the area of reading, even when provided with early and intensive interventions. It is these children who should be served by special education as students with LD.

Another frequent issue raised by both media and policymakers is that of overrepresentation of minority populations in special education. While there is reason for concern about over-identification of minorities, the disability categories and race/ethnic groups of greatest concern are those of emotional disturbance and intellectual disability (previously mental retardation) as it relates to Black and Hispanic students.

As with the overall rate of identification of students as LD, the disproportionality of race/ethnic groups varies among the states. The determination of disproportionality is generally made by comparing the race/ethnic distribution of students served within each disability category of IDEA with the distribution of those groups within the resident population for a state or school district. Additional information on disproportionality by race and disability is available from your state’s department of education.
Cost of Special Education

The cost of delivering special education services to students with disabilities is a frequent area of interest for the media and policymakers alike. Federally-funded studies have helped identify the true costs associated with IDEA services, most notably the Special Education Expenditures Project (SEEP) (http://csef.air.org/).

Report #5 of the SEEP found that per pupil expenditures for students in special education ranged from a low of $10,558 for students with learning disabilities to a high of $20,095 for students with multiple disabilities in the 1999-2000 school year. The average per pupil expenditure for a typical regular education student who receives no special education services was $6,556. Therefore, the average expenditure for students with LD is 1.6 times the expenditure for a regular education student.

These expenditures included spending on all regular and special education services used to educate students with LD. The majority of students with LD spend more than 80 percent of their instructional time in general education.

Outcomes and Expectations

The difficulties faced by people with LD can often be best communicated by providing data on the outcomes being experienced by those served by special education. While there is frequent reporting on the remarkable achievements of a few notables with LD, in general, people with LD are experiencing poor outcomes in important areas such as high school graduation, postsecondary education and average earnings. Overall, learning disabilities compromise abilities and aspirations and can lead to problems such as unemployment, underemployment, substance abuse and poor mental health.

Graduation: Graduation from high school with a standard diploma for students with LD covered under IDEA in 2009-2010 was 67%. This was up from 54% a decade earlier (2000-2001).

Dropout: The dropout rate for students with LD was 20% in the 2009-2010 school year, versus 39% in 2000-2001. Dropout rates vary greatly by racial/ethnic groups for both general and special education population.

Postsecondary Education: Among high school graduates who had enrolled in postsecondary education within 8 years of leaving high school, just 21% had enrolled in a 4-year college. Fifty percent had enrolled in a 2-year or community college and 36% had enrolled in a vocational, business or training school.

Parental Expectations: Based on a 2001 survey, 59% of parents expect their student with LD to graduate from high school with a standard diploma. Regarding postsecondary education, 14% of parents expect their students with LD to graduate from a two-year college, while just 10% expect graduation from a four-year college. A majority of parents — 64% — reported that they expect their students with LD definitely or probably won’t graduate from a 4-year college.

More information on the secondary school and post-high school experiences of students with LD is available at www.NLTS2.org.

Cost of Procedural Safeguards in Special Education

There are many reports about the high cost of litigation in special education; however this is difficult to substantiate. Recent studies of due process hearings, such as those conducted by the Project Forum at the National Association of State Directors of Special Education, indicate that the number of due process hearings held in the U.S. is declining. Much of this can be attributed to the requirement that all states make mediation and other dispute resolution strategies available to schools and parents in conflict.

A report by the Special Education Expenditure Project (Report #4) indicated that total expenditures on special education mediation, due process, and litigation during the 1999-2000 school year was approximately $146.5 million for all K-12 special education students in public schools (6.2 million students). This breaks down to an expenditure of approximately $24 per special education pupil and accounts for only .3% of total special education expenditures.
Working with Policymakers

All politics are local—every piece of legislation that exists has local implications and is also based on local needs. It seems obvious, but it’s important to remember. It means that laws exist because people like you worked to make them happen. Most of our current laws that assist and protect people with LD came from the grassroots efforts of advocates like you. Both the Americans with Disabilities Act (ADA) and the Individuals with Disabilities Education Act (IDEA) came to be because advocates (not Senators, or highly paid lobbyists) took action and educated policymakers as to why these laws needed to exist.

You, too, can make laws happen. How? By understanding how government works and how you can most effectively get involved. There are lots of different ways to get to policymakers and communicate your thoughts on an issue, but before you pick up your pen or your phone, you need to keep several things in mind in order to be most effective.

Before you approach policymakers:

1. Familiarize yourself with what your elected officials have to say — both in the policies they support and in the media. Keep track of where your local officials stand on learning disabilities, education and special education issues. Starting with the legislators who represent you directly (your Senators and Congressperson) is important because they are the ones with whom you will have the most influence. You are one of their constituents. You can contact their offices to ask about their participation on Congressional committees, request a position statement, or see if they have sponsored legislation important to people with LD.

   If neither your Senators nor House Representative sit on the committees with jurisdiction over education and special education laws then learn about the legislators who do. When you are ready to get in touch with policymakers, it will be useful to communicate with both your own representatives, as well as those who are in the more influential positions on LD issues.

2. Become familiar with all the existing laws, as well as bills that are pending, that affect individuals with disabilities. Know their names and bill numbers — it is important to be able to refer to these existing and draft laws when you are communicating with your representatives. Our legislators can’t be experts on every issue, so it’s up to you to help them understand intricate issues such as the laws impacting people with LD. This isn’t as daunting as it sounds. NCLD and other organizations keep track of these laws, and even send out email alerts to notify advocates about legislative news. Go to www.LD.org to get the basics and sign up for email alerts about ways to add your voice on important decisions on Capitol Hill.
3. **Clarify your focus.** What exactly are you trying to accomplish? Being as specific as possible about the issue you are presenting to a policymaker is key to being effective. “Getting children with learning disabilities a decent education” is too broad. “Working to get IDEA reauthorized and change the language in the law to make it possible for children with learning disabilities to be identified early and on a path to graduation with a regular diploma” are specific goals to bring to legislators.

4. **Stay open-minded and respectful.** You will encounter policymakers who don’t agree with what you are trying to accomplish; they may have agendas that completely oppose yours. Don’t dismiss them. Understanding opposing points of view will help you craft a strong position that takes diverse interests into account. Also, don’t be hostile towards them. Remaining respectful, calm and personable, even with those whose views might offend you, is the key to being an effective advocate.

5. **Be prepared to “double deck.”** If you want to be sure that you are reaching policymakers and having an impact on their policy decisions, you are going to have to use many of the available methods to communicate your message. Just sending an email isn’t enough. These days, in order to be heard, you will most likely have to pick up the phone, send a fax, send an email, and even stop by the office if you can. Make it impossible for the people you are trying to reach to ignore you.

**Who to Approach**

Constituents have the greatest chance of being heard by their legislative representatives. On the federal level, Congress consists of the Senate and the House of Representatives. Every state has two Senators and at least one Representative (approximately one Representative for every 650,000 people). Each member of Congress has a large staff dedicated to finding out where voters stand on important issues. On the state level, there is also a Senate and a House of Representatives. Locally, county and city councils represent their citizens, and in some states there are also regional legislatures.

Everyone in the United States is represented by two U.S. Senators, one U.S. Representative; one State Senator, one or more State Representatives (except for those who reside in the District of Columbia); as well as county and city council members. You elect these people, so they are all very interested in what you have to say.

**When to Approach Policymakers**

It’s never too early to begin establishing relationships with your Representatives. Policymakers are people like you — they don’t like being approached only when you want something. If there is a bill up for consideration or a vote about to take place, they have already been working on the issue for some time. To be an effective advocate, you should cultivate a relationship with your representatives over time, so they know to turn to you when they need guidance on the topics you know and care about. And they will turn to you. Make it your business to establish yourself as an LD expert in the eyes of your elected officials and their staff members. Keep in regular contact with them — via a letter or email updating them on learning disabilities issues every month or so, regular phone calls, a visit now and then. Over time, they will come to know and trust you as a source of information they can count on. It takes persistence, but Representatives have to make decisions with or without you. Your input can help them make good decisions for people with LD.

**Writing Letters and Emails**

Policymakers pay attention to letters. Since September 11, 2001, regular mail can take up to 30 days to reach a legislator, because of the inspection process. But if you use more than one method of delivery (regular mail, fax and email), your message will get through. If you want to be sure your message lands in the right hands, call your Representative’s office, and ask how they prefer to get constituent feedback. Personal letters and emails from constituents are always the most effective, and it doesn’t take hundreds of them to get a legislator to take notice. Here are a few things to keep in mind when you write:
• **Personalize your message.** Mass, computer-generated messaging is common these days, and policymakers will pay more attention to a letter or email they know comes from a real person. Share any personal experiences that directly illustrate the point you are trying to make (i.e., “My son, Jason, is a bright, curious child who does well in math and science, but because of his reading scores, his school, P.S. 123, wants him to repeat third grade. Retention is not the answer. ...”).

• **Include your name, address and other contact information.** Legislators need to know that you are one of their constituents. If you are sending an email, be sure to use your real name, not a username like “LD mom.” Anonymous mail will be ignored.

• **Be brief, specific and courteous.** Keep your communications as short as possible and be sure to politely state your specific request in the first few sentences. Avoid jargon; the language of your message should be as simple as possible.

• **Mention any affiliation you have with the policymaker.** If you know someone in the office or worked on the Representative’s election campaign, remind him or her. Having a personal association gives you even more influence than only being a constituent.

• **Enclose any recent articles or reports that are relevant to your message.** Never assume policymakers read everything you do. They might, but it is always helpful to bring good information to their attention.

• **If your message is about a specific bill, budget item, or policy be sure to mention the name or number, if you know it.** Also state whether you support or oppose it, and ask for the policymaker’s views. Provide facts that back up your opinion, and share any personal experiences that pertain to the issue.

### Using Email

Members of Congress receive millions of emails each year. To cut down on email volume, most members of Congress are now using filtering systems that allow only emails from constituents to reach their inbox. Be sure to follow the instructions of the Webform — typically used by most Members’ sites — to ensure that your message is received. Whenever possible, be sure to refer to a specific piece of legislation in the subject line (i.e., re: Support Early Intervention for Children with Reading Difficulties), and include your mailing address, so the reader knows you are a constituent. Individualize your email by sharing those personal experiences that pertain to your argument. Some email campaigns generated by Legislative Action Centers, such as those on [www.LD.org](http://www.LD.org), allow you to edit the text you are sending, so use that option to make your email letter stand out. Again, the best policy is to use all forms of communication — write a letter, fax it, and also send an email.

### Making Phone Calls

Picking up the phone is an easy way to reach out to policy makers, and it is immensely effective. Your Federal Representatives should have their phone numbers listed on their website, in the blue pages of the local phone book, or you can always get this information through the U.S. Capitol switchboard at (202) 224-3121, or visit [www.contactingthecongress.org](http://www.contactingthecongress.org) where you can enter your address and get complete contact information for your elected officials.

When calling, ask to speak to the aide who is responsible for education and disability issues. Speaking to an aide is as effective as speaking to an actual legislator; their staffs exist to be their experts on what voters care about. Use the same guidelines for a phone call as when you write. Before you dial, be sure to:

• **Prepare what you are going to say.** Write down a few concise talking points, so that you don’t have to remember everything in the heat of the moment.

• **Mention your name and address, so they know you are in their state or district.**
• **Call the office.** Whether it’s voicemail or a receptionist, spell out your name and address and leave a short message outlining what you are calling about (“I’m calling about the pending reauthorization of the Individuals with Disabilities Education Act and the need for early intervention for struggling readers.”).

• **Follow up any phone call with a written note, sent via email or fax.** This way the legislator has a written record of your call, and you have another opportunity to reinforce your message. The note should clearly include your name, address, phone number and when you called. If you were able to speak to someone, be sure to thank him or her.

**Meeting with Policymakers**

It may seem daunting, but the best way to ensure policymakers get your message is telling them, or their staff, in person. Visiting a legislator is easy. All you have to do is make an appointment in advance. You can visit them at their district offices when they are home (typically on Monday and Friday), or go to see them on Capitol Hill (if they are federal legislators).

Before you go, think about the following:

• **Consider bringing a delegation.** It’s less intimidating for you if you are part of a group (i.e., a group of parents of children with learning disabilities, or a diverse group of educators, parents and psychologists), and your message will be even stronger because of your numbers. If you are a team, be sure there is a leader who will do most of the talking.

• **Why are you going?** You should rehearse what you are going to say and how you are going to say it before you go. Be able to give a 90-second version of your presentation. It should include your name, where you live, what pertinent groups you are a part of, a synopsis of the issue you are addressing, and a clear request (please support bill x, or oppose the passing of resolution y). Your appointment will probably be very short (10-15 minutes), so start with the summary and then expand as time permits.

• **Know where the policymaker stands.** You’ll be able to prepare your strategy during the meeting if you know exactly where the person you are meeting with stands on the issue you are addressing. Call the office or check out Project Vote Smart at [www.vote-smart.org](http://www.vote-smart.org). You can also call the office before you go and ask what his or her position is.

• **Prepare something in writing.** Whether it is a one-page summary of your presentation or a folder with articles and statistics supporting your request, you should always have something to hand the person you meet with. Also, be sure that whatever you hand over has your name, address, phone number and email address on it. Getting in touch with you should be effortless.

• **Follow up with a thank-you note.** Once the staff member can connect a face with your name, don’t let him or her forget. Your note should be short and should briefly summarize what you discussed at the meeting, include any information you promised to provide and as always, include all your contact information.

If you’ve stated clearly and concisely why you are there, and there’s some time to spare, explain who this issue will affect and how. If the legislator with whom you are meeting (or whose aide you are meeting) has done something you are pleased about, let him or her know that. Policymakers hear lots of criticism; genuine praise is always welcome. You may spend a lot of time listening to what the policymaker’s views on your issue are, or you may have to educate them on some basics—be prepared for either scenario. Also let him or her know that you will share what happens at the meeting with a wider audience back home (such as your local learning disabilities advocacy group). This is a relationship you are building, and even if you don’t see eye to eye, it’s important to keep the door open to continued communications.
Think of the media as a tool. Getting media coverage can help you draw attention to specific issues regarding learning disabilities, educate the public, and influence policymakers by drawing attention to their actions. The media wields a lot of power in society today, but behind all the newsprint and sound waves, reporters are people like you who want to inform the public. With a good angle and the right timing, you can bring a lot of attention to the needs and rights of children with learning disabilities.

Working with the media can take a few different forms:

◆ Writing letters to the editor
◆ Writing op-ed pieces
◆ Approaching editorial boards
◆ Calling a radio show
◆ Preparing press releases

Keep these basic principles in mind when working with your local newspaper, radio station or even a television program:

◆ Know exactly what it is you want to say and how to say it. Be concise, and keep your message to two or three strong points that you can express in a few different ways.

◆ Whenever you contact any media outlet or specific reporter, be sure you find out who is in charge of education and/or disability issues, and get that person’s direct phone number, fax number and email address.

◆ Use the simplest, plainest language possible. Reporters may or may not know as much as you do about learning disabilities, but your words are for the public the reporter is reaching, whom you should assume are not at all familiar with the issues you are discussing. On the other hand, don’t be condescending, either.

◆ Become thoroughly familiar with any newspaper, radio show, or television program with which you will be communicating. Be sure that you understand the style and general angle of the outlet, and that you are familiar with the work of any particular editor, reporter, or producer with whom you might be in contact. This way you’ll know how to approach them or, perhaps to push back when he or she writes something with which you disagree. Frequently, you will find that reporters are drawn to the issue of learning disabilities because of some personal

If you are a parent advocate, you are also an activist. Working with the media is a powerful and enduring tool in my special education toolbox. Remember, the media is there to tell the news or a story. My voice and pen are my greatest obligation and opportunity. When I have something to say or want to educate the public I am relentless in my pursuit to be heard on behalf of our children. I write blogs, letters to the editor, guest columns and call/email the education editorial staff and staff-writers to pitch an idea for a story or pass along important news about legislative action and special education policy.

Believe in your heart that your child’s school experience is a story waiting to be told. The media is nothing to be intimidated by. I am a recognized and reliable resource whether I am the writer or the source of information. Write a letter to the editor or contact an education staff-writer with a story. I promise the media is waiting for you.

Marcie Lipsitt, parent advocate, Michigan
connection, such as a child or relative who has a learning disability such as dyslexia. Just as often, the reporter might ask about LD when in fact they are seeking information about other disabilities such as ADHD or autism spectrum disorders. Be prepared to use those kinds of connections to your advantage—you can build a relationship by offering yourself as a resource.

**• Never assume that anything is “off the record.”** It’s a reporter’s job to take what you say and turn it into a story that sells papers. The only way you can make sure they are telling your story is by sticking to it. Don’t throw in little commentaries, even if you think you’re just lightening up the conversation, unless you are prepared to see them in print.

**• “No comment” is a comment.** It doesn’t imply that you don’t know; it implies you know, but don’t want to talk about it because it might be a weakness in your argument or go against your point.

**• It’s okay to say, “I don’t know.”** The best thing to say is, “I don’t know, but I can get back to you on that.” Then, find out quickly, and contact the reporter promptly.

**• Don’t let a reporter get to you.** It’s a reporter’s job to ask questions and sometimes even play devil’s advocate. Always be polite, calm and collected, and make sure you stay on topic.

**• Don’t let reporters put words in your mouth.** It’s dangerous to agree with a statement they make for you (i.e., “So would you say that...”) The quotes should come from you, not them. If you’re not sure he or she got it right, it’s okay to ask a reporter to read back what you just said.

**• Preparation is the best way to ensure that you come away from any one-on-one situation having clearly and effectively communicated your message.**

**• Always thank the person with whom you are dealing, and follow up to make sure your messages are being used.**

**• Ask when the story will run and request notification when it goes live.**

## Letters to the Editor

The Letters to the Editor section is always one of the most popular sections of any paper or magazine. This section is an easy way for you to let policymakers know your opinions and to educate readers about issues that concern you. Letters can be used to correct or respond to the facts in an article, to praise or criticize opinions expressed in the publication, or to simply bring attention to the issue you want to address.

Study the publication you’re writing to before you begin. Know the name of the appropriate editor to write to, and become familiar with the format that published letters take. Some newspapers have written guidelines for their letters. Following these guidelines closely is the best chance you have of getting published.

Here are a few more tips to help you get your message across in a letter to the editor:

**• Timing is everything.** Respond to an article or news item right after it happens; or even better, if you know a bill is passing or an article is being printed, send your letter to the editor before readers know anything about it.

**• Short and sweet.** Just as when writing to a legislator, keep your letter clear and concise. Make one strong point and leave it at that. It’s a good idea to write a draft of your letter, take a break, and then look at it again. That way you can make sure that you are saying exactly what you intend.

**• Check your facts.** Both your credibility and that of the publication hang on the accuracy of your letter, and credibility is everything. If it turns out you didn’t have your facts straight, it’s unlikely your letters will be published again.
• **Make it relevant.** If you are writing to a small, local paper, explain how your issue affects the community (i.e., “If Councilman Who’s resolution passes, one in every four third graders at Whoville Elementary School will be ...”). If you are writing to a larger publication, adapt your tone and scope to its audience. Local connections for papers based in metropolitan areas are still important, even for large papers.

• **Name names.** Don’t be afraid to mention policymaker’s names — this is an easy way to make a letter relevant to a local area. If you are addressing a specific person’s policies or intentions, be sure to send a copy of the letter to that person. Politicians need to know you are paying attention to what they are doing that will have an impact on children with LD.

• **Let them know who you are.** Any letter to the editor should include all your contact information. The publication may not print it, but an editor may need to get in touch with you to verify some information or to ask you questions. Just as with policymakers, one of your goals is to become a source of information for them. Also, if you have any credentials that make you more of an authority, mention them. Your expertise will make it far more likely that your letter will get printed.

• **Follow up.** Call the publication to make sure they received your letter and offer to help them with any stories they have planned on learning disabilities. They might have feedback for you on your letter or might take the opportunity to ask you a few questions about the issue.

• **Keep trying.** Even if your letter doesn’t get published, write another one the next time it’s appropriate. There can be many reasons why a publication doesn’t print any one letter and educating the editorial staff of the publication is an important task, too.

• **Contrary point of view.** Letters to the editor which propose a view contrary to the view in an article are more likely to be published than letters which agree with the paper’s point of view.

**Writing an Op-Ed Piece**

Op-eds are like the upper crust of letters to the editor. They are written by readers, just like letters to the editor, but tend to come from people of authority, such as presidents, CEOs, and even legislators. Op-eds carry a byline, so, in a way, they are articles, but opinionated ones. If you are part of an advocacy organization, it’s a good idea to give the byline to the executive director, or a member of the board (with their permission, of course). When writing an op-ed, use the guidelines for letters to the editor, and also keep in mind:

• The format for an op-ed is very specific. Usually they range from 300-750 words. Make sure you know what the publication’s guidelines are. Op-eds are generally also exclusive, so submit the op-ed to the publication that has the largest circulation and the greatest likelihood of publishing your work. Target publications that publish op-eds on the topic upon which you are writing.

• The strongest op-eds are the ones that make readers understand (1) why an issue is important to them personally and (2) what they should do about it. The tone should not suggest that the issue is about you and your agenda, but rather that yours is of broad concern, and you are offering a suitable call to action.

• Make it simple. Your message should be loud and clear, so a good rule of thumb is to first tell them what you are going to say, say it and then tell them what you said. Your language should be jargon-free and unemotional.

To learn more about how to effectively place your op-ed in the major papers across the country, visit the Communication Consortium Media Center’s site at [www.ccmc.org/node/16170](http://www.ccmc.org/node/16170).
Approaching Editorial Boards

Editorial boards are the editors and staff of a publication who determine what goes into the publication. Going to an editorial board is the behind-the-scenes way to get your message out. Your first goal is to get an editorial — the official opinion of the publication — written about your issue. (Newspaper editorials have been known to sway public opinion strongly — politicians work hard to get a paper to endorse them during elections). Convincing an editorial board is a lot like convincing a legislator. Meeting with an editorial board can also have the added benefit of bringing the focused attention of the editors to your issue, so that learning disabilities may get more coverage in the future.

Prepare for a visit with an editorial board just like you would a visit to a legislator.

• Going as part of a team is a good idea, particularly if you can select a person of authority and influence as the leader.
• Editors are always busy, so be ready to present everything in less than 15 minutes.
• Brainstorm story ideas that relate to your tightly worded message to present to the board.
• When you’re done, ask whether the publication will be able to write an editorial supporting your position, or feature an article on your cause. If not, be polite and gracious, and offer to write an op-ed piece. Then try again next time.

Calling a Radio Show

Advocating for the rights of children with LD on the air is similar to all the other forms of advocacy, with one exception—the sound of your voice. There is a lot of power in hearing an individual’s voice on air and being on a radio program can be a great opportunity for you to humanize the issue you want to bring attention to, but you have to be prepared.

• **Know the program you’ll be on.** When you are on the air, you are on the spot, and there’s no going back to edit what you say. Be sure to learn how the host talks to people and how he or she responds when callers get flustered.

• **Know your message inside and out.** Again, radio is live, so having notes in front of you to make sure you have the words you need to express yourself clearly and simply is key. Talk about a particular bill or a particular legislator by name, and explain precisely what you are trying to achieve.

• **Think about your audience.** When you are talking, think about who is listening. Be specific about how this issue affects your community, and talk about the local legislators and what they can do. The goal is to express that this is an issue about people, people like you and people like your listeners. Don’t use language you’re not comfortable with, and be prepared to answer any questions. Whatever the questions may be, bring the answer back to your message.

• **Practice.** If you’ve never been on the air before, it’s a good idea to practice with a tape recorder and another person asking you questions. Using a tape recorder will allow you to listen to both what you’ve said and how you’ve said it. Long pauses to think may come across as indecisiveness. A nervous laugh may sound patronizing, and “umms” and “ahhs” can detract from your point. Conduct a few rehearsals, and you’ll feel much more confident. Feeling relaxed when calling can only benefit your message.

Preparing Press Releases

Press or news releases are concise announcements of time-sensitive information regarding an important situation or event. Generally, press releases are issued by organizations, but individual advocates can benefit from knowing how and when a press release is sent to the media.

The most effective press releases follow a standard format and provide newsworthy, interesting information to journalists in a concise manner. A good press release can be the backbone of an article, and reporters are grateful for condensed copy to help them make a news item more relevant. On the other hand, if an individual or organization sends out a press release for no better reason than sending out another press release, they all become irrelevant. In the media, credibility is extremely important, and sending out irrelevant press releases is a lot like crying “wolf.”
Using Social Media

The explosion of online media tools has created a whole new way to get your message out. Be sure to take full advantage of these increasingly popular avenues of communicating.

Set up a blog to promote your issues. Using tools such as Wordpress (www.wordpress.com) or Movable Type (www.movabletype.com) you can quickly create a blog for free. Blogs allow readers to post comments, generating more interest and interaction. Also, be sure to visit other blogs about your issues, such as education, special education and disability blogs, where you can post relevant comments that keep your issues at the forefront.

Establishing a presence on social networking sites such as Facebook (www.facebook.com) is a great way to get out information and messages that support your advocacy efforts. These sites offer a variety of tools that allow you to create blogs, conduct forums and polls, add photos, audio and video features, and more.

Increase the impact of your blog and social media presence by using a real-time information network like Twitter (www.twitter.com) to communicate quick updates about what’s happening with your issues. Don’t forget to use #hashtags to connect your tweets to others on the same topic. Encourage others to stay informed about your work by using Really Simple Syndication (RSS) — a popular means of sharing content across the Internet.

Remember to keep your online presence up to date with new and interesting information, opportunities to get involved, and ways those who support your issues can help.

Lastly, consider using other online communication tools such as webinars, podcasts and videos to provide information about your issues and tell others how to get involved and take action.
Glossary of Terms

**Legislative Terms**

**act:** A bill or measure after it passes one or both chambers of Congress; also used to describe a law that is in place.

**adjournment:** The end of a legislative day and any business of that day; different from recess, which does not end the day.

**adjournment sine die:** Adjournment without formally setting the next meeting time; used to call the end of the Congressional session.

**advice and consent:** The constitutional power Senate has to weigh in on and confirm any Presidential appointments or international treaties.

**amendment:** A proposal by a member of Congress to change the language, provisions or stipulations in a bill, resolution, motion, treaty or in another amendment. The House Rules Committee pre-determines the number and type of amendments that are relevant to a particular bill when it goes to the House floor. In the Senate, any senator may offer an amendment on the Senate floor.

**appropriation:** Legislation that provides funds for a specific purpose.

**authorization:** The legislative action that establishes a program and the general amount of money to fund that program; the program is not given funds until there is an appropriation.

**bill:** A proposed law.

**conferees:** The House and Senate appoint conferees to a conference committee to resolve differences between House and Senate passed versions of the same legislation.

**discretionary funds:** Funds that a federal or state agency can award without publishing annual funding priorities.

**majority leader:** The leader of the majority party in the Senate is called the majority leader. The majority leader in the House is second in command of the majority party, after the speaker.

**markup:** The process by which congressional committees and subcommittees debate, amend, and rewrite proposed legislation.

**minority leader:** The leader of the minority party in the House or Senate.

**ranking member:** The member of the majority party who ranks first in seniority after the chair on a committee or subcommittee.

**ranking minority member:** The highest ranking (and usually longest serving) minority member of a committee or subcommittee.

**recess:** A temporary interruption of business; unlike adjournment. Generally, the Senate recesses (rather than adjourns) at the end of each calendar day. The House usually adjourns from day to day. The Senate often recesses, thus meeting on the same legislative day for several calendar days or even weeks at a time.
**resolution:** A formal statement of a decision or opinion by the House or Senate or both. A simple resolution is made by one chamber and generally deals with that chamber’s rules or prerogatives. A concurrent resolution is presented in both chambers and usually expresses a Congressional view on a matter not within Congressional jurisdiction. A joint resolution also requires approval in both chambers and goes to the president for approval. Simple and concurrent resolutions do not go to the president.

**rider:** A added to a bill so it may “ride” to approval on the strength of the bill. Generally, riders are placed on appropriations bills. Also known as “pork barrel” legislation.

**speaker of the house:** Presides over the House of Representatives. Elected, in effect, by the majority party in the House; next in the line of succession to the presidency after the vice president.

**table a bill:** A proposal to remove a bill from immediate consideration; often used to kill a measure.

**unanimous consent:** A time-saving procedure for non-controversial measures whereby measures are adopted without a vote. A member simply says “I ask unanimous consent for ...” and states the proposal.

**whip:** A legislator who is chosen to be assistant to the leader of the party. Whips are chosen in both the House and the Senate.

(The following documents were gratefully consulted to compile this document:
The Association for Supervision and Curriculum Development Glossary of Legislative Terms
The American Academy of Adolescent & Child Psychology Glossary of Legislative Terms
The Capitol.net Glossary of Congressional and Legislative Terms)

**Media Terms**

**assignment editor:** Staff member of a television or radio news team who judges which stories ideas are appropriate for reporters to cover.

**audience:** A group of spectators, listeners, viewers, or readers of a performance, program, or work — the people you want to reach.

**boilerplate:** A brief paragraph describing who you are, what you do, and how you do it — can be used as the first paragraph in a biography or last paragraph in a news release.

**booker:** The staff person at a TV, radio, or cable program who arranges guest appearances.

**byline:** The name printed below the title of a newspaper or magazine article, crediting the author.

**circulation:** The distribution and/or the rate of distribution of newspapers, magazines, and other print publications.

**“client pays” wire service:** A service that distributes news or feature stories that are provided and paid for by clients to the print and broadcast media.

**clip or clipping:** A story cut from a publication or a segment cut from a video or audiotape.

**contributing reporter or writer:** A freelance or non-staff writer.

**copy editor:** The last person to see and approve written material before it goes out to its audience; the person responsible for its accuracy, grammar, and length.
editing: The act of reading, viewing, listening, rewriting and cutting print publications, video, or audio in order to focus the story.

director: The person who edits stories for writers and producers.

directorial: A statement of opinion from an editor or publisher; an article or segment where the news staff openly expresses a bias.

directorial calendar: The planning guide for when a publication will focus on specific topics or special sections.

directorial calendar: A list of events, articles, or features that a publication will be focusing on in the near future.

exclusive: A news item or feature article printed or broadcast by only one newspaper, magazine, or television station.

freelancer: A writer who sells writing services and is not tied to any individual publication or organization.

directorial: The planning guide for when a publication will focus on specific topics or special sections.

directorial calendar: The planning guide for when a publication will focus on specific topics or special sections.

letter to the editor: An open letter written by readers to a newspaper or magazine to congratulate, discuss, or criticize a previous article.

masthead: The list of editors, publishers, and senior reporters in each publication’s issue; magazines will sometimes also publish an advertising masthead listing the advertising staff.

media: All the means of communication — such as newspapers, magazines, television, radio, online publications — that provide the public with news and entertainment.

media outlet: A publication or broadcast program that distributes news and feature stories to the public.

network: A group of broadcast or radio stations operating as a unit; often network affiliates will use the same editorial material.

news: Reports of recent events, especially those distributed transmitted through the media.

news feature: A special story or article in a print publication that elaborates on the ideas and concepts of a news item.

op-ed page: The page opposite the editorial page of a newspaper, used for columns and opinion articles written by staff members or experts in the topic; different from letters to the editor.

periodical: A publication that appears at regular intervals, i.e., weekly or monthly.

pitch letter: A letter written to a member of the media (i.e., editor, reporter, producer) suggesting a story idea or source.

producer: The person in charge of the coordination of all details, including editorial content, pertaining to a television or radio program, or of an online publication.

publication: The general term for a newspaper, magazine, or newsletter with information, news, and feature stories; usually for sale.

reach: The geographic area of the audience a media outlet can access; usually quantified as a number of readers, listeners, or viewers.
**reporter:** A person who gathers information and writes reports for publication in a newspaper, magazine, newsletter, or television and radio broadcast.

**round-up story:** An article or feature intended to review a subject or on-going issue over a past period of time, i.e. the last month or year.

**sidebar:** A column of copy and/or graphics which appears next to a print article to communicate information that relates to or complements the story.

**social media:** The tool set (including blogs) used to publish content to the web, including audio, video, photos, text, files, etc.

**spin:** A particular point of view or slant given to a story to make it more appealing or to make something appear favorable.

**specialized publication:** Industry-specific trade or professional publication.

**syndicated:** A report or article that appears in more than one media outlet.

**syndicated columnist:** A person hired by publications or broadcast organizations to produce written or spoken commentary about specific feature subjects. A syndicated print column is usually published in a wide variety of newspapers, magazines, or on many local networks.

**wire service:** A subscription service that provides news stories, features, etc. directly to media outlets.
Additional Resources

General Advocacy Resources

Tips for Effective Activism from SpeakOut.com
Top ten advocacy tips from SpeakOut.com, the place to go to make a difference.
speakout.com/activism/tips

The Advocacy Guru
Free tipsheets, tutorials and newsletters from a Washington lobbyist and former congressional aide.
www.advocacyguru.com

Policy Resources

Congress.org
Nonpartisan news and information website devoted to encouraging civic participation.
www.congress.org

Thomas
Federal legislative information freely available via the Internet. Check bill status, roll call votes, floor actions and more.
http://thomas.loc.gov

Joseph P. Kennedy, Jr. Foundation Federal Policy Guide
Guide to public policy work with and on behalf of individuals with intellectual, developmental and other disabilities and their families.
www.jpkf.org/JPKF-Policy-Guide

Media Resources

Communications Consortium Media Center
Tips on placing op-eds and letters to the editor, assembling a press kit, setting up a blog, and more.
www.ccmc.org/blog/tips-tools-training-trends

Association for Supervision and Curriculum Development
Advocacy Guide
Statistics and Data Resources

State of Learning Disabilities
Comprehensive report on the status of children, adolescents, and adults with learning disabilities (LD) in the United States by the National Center for Learning Disabilities.
www.LD.org/stateofld

Office of Special Education Programs at the U.S. Department of Education
Products and Publications
Annual reports on the implementation of IDEA.
www2.ed.gov/about/reports/annual/osep/index.html

IDEA Data Website
Provides public access to the most recent data about children with disabilities served under the Individuals with Disabilities Education Act (IDEA).
www.ideadata.org

National Center for Education Statistics
Provides statistics related to education including annual reports such as the Condition of Education and the Digest of Education Statistics.
www.nces.ed.gov
Individuals with Disabilities Education Act (IDEA 2004)

An Overview

What is IDEA?
The Individuals with Disabilities Education Act (IDEA) is the federal law that provides for special education and related services for children, ages three through 21, with disabilities. IDEA, which is based on the Education of All Handicapped Children Act of 1975, was last reauthorized in 2004. IDEA ensures that a free and appropriate public education (FAPE) based on the individual needs of students with disabilities is available. The law also guarantees rights for children with disabilities and their parents.

How does a child qualify for services under IDEA?
To be eligible for special education services under IDEA, a child must meet two requirements:

1. The child must have one or more of the following disabilities:
   - Autism
   - Deafness
   - Deaf-blindness
   - Hearing impairment
   - Intellectual disability*
   - Multiple disabilities
   - Orthopedic impairment
   - Other health impairment
   - Serious emotional disturbance
   - Specific learning disability
   - Speech or language impairment
   - Traumatic brain injury
   - Visual impairment (including blindness)

   * Formerly known as Mental Retardation.

2. The child’s disability must affect how he or she child does in school.

If parents (or guardians) believe that a child meets both these requirements, they should request in writing that the child’s school evaluate the child. If a school thinks a child should be evaluated, they may initiate an evaluation also. In either case, parental permission is required for an evaluation to take place, and the school must evaluate the child at no cost to the parents. If a child’s school refuses to evaluate the child, it must provide an explanation in writing. In this explanation, the school must also give information about parental rights under IDEA, including what steps to take to challenge the refusal.

A child may not be found eligible for special education services solely because of:

- limited English proficiency
- lack of instruction

What does an evaluation involve?
An evaluation is not just a simple test. When a child is evaluated, the school must consider a variety of information such as the child’s health, social and emotional well being, general intelligence, performance in school, and how the child communicates with others. Information regarding how the child responds to scientific, research-based instructional and/or behavioral interventions may also be part of the evaluation information.
The evaluation should include interviews with parents, the child’s teachers and others who are close to the child. The evaluation team may include the following people:

- Parents (or guardians)
- The child’s regular teachers
- Special education teachers
- School administrators
- Someone who can interpret the evaluation results and talk about what instruction may be necessary
- Representatives from any agencies that may be paying for or providing transition services
- Other qualified professionals

Once all the interview and testing information is gathered, the team will meet to decide if the child has a learning disability and, if so, what kind of special services would be most helpful. Parents have a right to be a part of every step of the evaluation process, including deciding the child’s eligibility for special education services.

**What happens if a child is eligible for special education services?**

Within 30 school days of a child being determined eligible for special education services, a meeting must be held to develop an Individualized Education Program (IEP). Creating an IEP has two general goals:

- To set reasonable learning goals for the child,
- To outline the services that the school district will provide and where they will take place.

The IEP must include a transition plan if the plan will be in effect when the child is 16 (or earlier if appropriate). The plan will address what services the child may need to move from grade to grade, and eventually what agencies may be involved in providing services once the child is out of the school system.

Again, it is important that parents are a part of this process, as it is their right. The child also has a right to be present, and can benefit greatly from being part of the team that designs his or her education strategy.

IDEA requires that a child be taught in the least restrictive environment (LRE) possible. This means that when developing an IEP, keeping the child in general education classrooms with children in his or her grade and age group is a priority. If appropriate, it is preferable for a child to be in a regular class with in-class services and accommodations than in a separate special education class.

Your child’s IEP must be reviewed at least once a year. Meetings can be requested by either parents or the school at any time to discuss if and how the child’s needs are being met. A child must also be re-evaluated prior to termination of special education services.

**What related services does IDEA provide for?**

Under IDEA, a child may be eligible for certain related services. Which services should be received is determined by the IEP team. Possible services include:

- Transportation
- Speech-language therapy
- Audiology services
- Psychological services
- Physical and occupational therapy
- Rehabilitation counseling
- Orientation & mobility services
- Medical services for diagnostic or evaluation purposes
- In-school social work services
- Parent counseling & training

A child may also be eligible for assistive technology devices, such as computers or voice recognition software that can help the child learn more effectively. If the IEP team decides the child would benefit from any of these services, the school is responsible for costs including any devices and the training required to use them.
What if a parent wants to put a child in private school?
IDEA requires public school districts to provide special education and related services for all students with disabilities. If public schools cannot provide an appropriate education within the district, they must provide educational services outside the district. If the school district fails to provide an appropriate education to a student with a disability and the parent must place the child in a private school, the school may be required to reimburse parents for costs. If a free and appropriate education is available, but parents choose to enroll their child in private school, the district is not responsible for any costs.

What if parents disagree with decisions made about their child?
Parents have a right to disagree with the school’s decisions regarding their child. If they are unable to resolve any disagreement in an informal way, there are formal steps that can be taken under IDEA.

• **Mediation:** Parents and school personnel sit down with an impartial third person (a mediator) and attempt to come to an agreement.

• **Due process:** Parents and the school present evidence to an impartial third person (a hearing officer), and he or she makes a decision on how to resolve the issue. If the issue is not resolved, parents may continue to challenge the school’s decision in court.

For more information on IDEA, visit the IDEA Parent Guide at
Section 504 of the Rehabilitation Act of 1973
An Overview

What is Section 504?
Section 504 of the Rehabilitation Act of 1973 is a civil rights law that prohibits discrimination on the basis of disability in programs and activities, public or private, that receive federal financial assistance. The law does not provide funding for special education or related services, but it does permit the federal government to take funding away from programs that do not comply with the law.

How does an individual qualify as disabled under Section 504?
There is no specific mention of learning disabilities in Section 504, however the law defines a person as disabled if he or she:

• has a physical or mental impairment which substantially limits one or more major life activities,
• has a record of such an impairment, or
• is regarded as having such an impairment.

Under the regulation, learning is considered a major life activity. As a general rule, if a child is eligible for services under IDEA, he or she qualifies for protection under Section 504. However, not all students covered by Section 504 are eligible for IDEA related services. Section 504 has much broader definitions of disability and so it pertains to many more people.

What does an evaluation involve?
For school-age children, if parents (or guardians) believe their child should qualify for protections under Section 504, they should contact their child’s school about an evaluation. The law mandates that an evaluation must include a variety of assessment tools that will accurately demonstrate the child’s specific areas of educational need. The evaluation process should also consider various other factors, such as teacher recommendations, physical condition, social and cultural background, behavior, and any independent evaluations. Evaluation and service decisions are made by a multidisciplinary team of people familiar with the child, who understand the means of evaluation and the special service options. Section 504 requires the use of evaluation procedures that ensure that a child is not misclassified, unnecessarily labeled as having a disability or incorrectly placed. The child must be re-evaluated periodically.

What happens if a child is eligible for services under Section 504?
If a child is considered disabled under Section 504, school district personnel may create a Section 504 plan. If that child is also eligible for services under IDEA, then in most cases the Individualized Education Program (IEP) will take the place of a Section 504 plan. Some school districts use a separate form.

In order to determine what kind of services would be most appropriate for a child, a team of regular and special education teachers, as well as the school principal, will meet to consider the child’s disability, how it affects the child’s education and what services would be most helpful. Parents (or guardians) should be present for all planning sessions regarding their child.

What services are available under Section 504?
Section 504 clearly states that a free and appropriate education must be made available to all qualified students with disabilities. The educational needs of students with disabilities must be met as adequately as the needs of students without disabilities.

A child may be placed in regular education classes with accommodations such as a tape recorder, extended time for test taking, or special services such as after school tutoring. Modifications in academic requirements and expectations may also be considered. In each case, the individual educational needs of the child should be addressed in the least restrictive environment (LRE) possible.
What is the role of a parent under Section 504?
Under Section 504, a child’s school district must receive permission from a parent (or guardian) to evaluate the child. Parents should also ask to participate in all aspects of planning and decision-making for the child’s education.

Once a child has been evaluated, the school must notify the parents (or guardians) about the results and any decisions that are made. If the parents disagree with any decisions the child’s school makes, they have the right to appeal the decision through an impartial hearing.

Note: Significant changes were made to Section 504 through passage of the Americans with Disabilities Act Amendments Act of 2008. For more information, see Understanding the Americans with Disabilities Act Amendments Act and Section 504 at www.ncld.org/publications-a-more/parent-advocacy-guides/understanding-the-americans-with-disabilities-act-amendments-act-and-section-504-of-the-rehabilitation-act
Americans with Disabilities Act (ADA)
An Overview

What is the Americans with Disabilities Act of 1990?
The Americans with Disabilities Act of 1990 (ADA) is a civil rights law that protects individuals with disabilities from discrimination in the workplace, as well as school and other settings. ADA does not provide funding for services or accommodations. The ADA was amended in 2008 when Congress passed the ADA Amendments Act to correct the narrow interpretation of disability by the courts since its passage in 1990.

Who is eligible?
There is no specific mention of learning disabilities in ADA. However, the law defines a person as disabled if he or she:

- has a physical or mental impairment which substantially limits one or more major life activities,
- has a record of such an impairment, or
- is regarded as having such an impairment.

Under the law, learning is considered a major life activity. This applies to learning disabilities that affect work activities, too. If a student is eligible for services under Individuals with Disabilities Education Act of 1997 (IDEA), he or she qualifies for protection under ADA.

ADA and school
ADA mandates that reasonable accommodations must be provided to eligible students “to perform essential functions of the job.” In other words, a school is required to provide a student with disabilities with those accommodations that help him or her learn most effectively. The requirements this law sets for schools are similar to the expectations set in Section 504 of the Rehabilitation Act of 1973.

Unlike Section 504 and IDEA, ADA does not make schools responsible for the free and appropriate education of all children. However, the protections that are guaranteed by ADA apply to public and private schools equally. These protections do not extend to organizations controlled by religious groups.

ADA and the workplace
ADA prohibits discrimination against “qualified individuals with disabilities” in all employment practices, including job application procedures, hiring, firing, advancement, compensation and training. A “qualified individual with disabilities” is an employee or job applicant who meets all legitimate skill, experience, education and other requirements of a position and can perform the essential functions of the position with or without reasonable accommodation.

An employer may not ask about a learning disability, with one exception. If an employer has affirmative action requirements as part of a federal contract, a job applicant may be asked to “self-identify.” However, the employer must keep all information regarding disabilities in a separate, confidential file apart from regular personnel files.

If an employee requires accommodations in order to perform a job, he or she must disclose information about the disability and the need for specific accommodations to the employer. Even after disclosure, an employer is not required to make an accommodation that would prove an “undue hardship.”

The safeguards regarding discrimination against individuals with disabilities are under the same procedures applicable to race, color, sex, national origin and religious discrimination under the Civil Rights Acts of 1964 and 1991. Complaints against employers who violate the ADA should be filed with Equal Employment Opportunity Commission or the designated state human rights agencies.

For more information see Understanding the Americans with Disabilities Act Amendments Act and Section 504 at www.ncld.org/publications-a-more/parent-advocacy-guides/understanding-the-americans-with-disabilities-act-amendments-act-and-section-504-of-the-rehabilitation-act
The National Center for Learning Disabilities’ (NCLD) mission is to ensure success for all individuals with learning disabilities in school, at work and in life. We:

- Connect parents and others with resources, guidance, and support so they can advocate effectively for their children.
- Deliver evidence-based tools, resources, and professional development to educators to improve student outcomes.
- Develop policies and engage advocates to strengthen educational rights and opportunities.

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