

ROBINSON

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Exceptional
Children
Options

WWW.ALT789.COM

Cristal Robinson, JD & MBA

- ▶ Attorney in Texas and North Carolina
 - ▶ Special Education Law
 - ▶ Business & Asset Protection
- ▶ Mother to a 9-year-old
 - ▶ Weddington Elementary
 - ▶ ASD, ADHD, anxiety, etc.
 - ▶ Oral Motor therapy – 4 months old,
 - ▶ Early Childhood Program – 18 months,
 - ▶ Counseling – 4 years old,
 - ▶ IEP – 6 years old in 1st grade
- ▶ Myself: ASD, anxiety, etc.



Son's Experience over Covid

- ▶ Son has an IEP for ASD, ADHD, anxiety, etc.
- ▶ March 11, 2020 came home and was out for sewage with ecoli
- ▶ Has NOT returned to the school building since 2nd grade
- ▶ 3rd grade: Plan D – Virtual Option
 - ▶ Between General Education and Special Education – 22 Zooms a week
 - ▶ Canvas and online testing works for him (NOT ALL KIDS)
- ▶ 4th grade: Homebound
 - ▶ Virtual would be the best under these circumstances
 - ▶ Only has 6 hours of instruction and therapies a week

Special Education Philosophy

- ▶ Your child has valuable time at each stage of their life that must NOT be wasted. I am not one to push for lawsuits, because your kid will be at the next stage before the court get to it.
 - ▶ Pre-school: Talking, Walking, and other life skills to get ready for school
 - ▶ Elementary: Reading and getting to tell others they need something
 - ▶ Middle School: Understanding they may think differently or have different physical needs, but they need to keep on the plan or change it
 - ▶ High School: Polishing whatever they will do next and learning what to do then
 - ▶ Transitioning: Finding future homes or other services if needed
 - ▶ College or Trade: Understanding that they still have rights and needs

Today's assumption

Child has an
IEP

Child has a 504

Child needs a
504 for medical
or emotional
needs

Homebound or out of school building

- ▶ Homebound instruction is instruction provided in a setting outside of school for students with disabilities who are unable to attend school.
 - ▶ Instruction is provided by certified staff from the local education agency (LEA).
- ▶ A homebound setting may be used in several distinct situations for students with or without disabilities.
 - ▶ Long-term illness like COVID or even Cancer
 - ▶ Pregnancy
 - ▶ Anxiety and other non-educational medical or mental health conditions

Steps to get Homebound

1

Go to Doctor

- See if the child's medical or mental health condition meets the need to be out of the school building
- Doctor MUST sign the Homebound Packet from UCPS
- Get ALL medical records from the doctor about the condition

2

Complete the Homebound Packet

3

Deliver it to the 504 Coordinator at your school in a way you can track it

4

Request a meeting – especially if you already have an IEP or 504

- Taking an Attorney requires the School's Attorney to attend

WARNINGS: IF Child Leaves the School District with an IEP

Homeschool

Your child loses many services like education, but some services like therapies are required based on their needs.

Charter School, another District, or State Virtual

Your child is covered under their IEP. The money may follow to that school.

Private School

The school district MAY BE REQUIRED to pay for tuition IF YOU leave correctly and if you can show the school is unable to provide the services under their IEP.

How to Leave Correctly

Request an IEP Meeting (Goes for 504, but not as many rights)

- To change their current IEP/ 504 meeting
- Taking an Attorney requires the School's Attorney to attend

If the meeting is not addressing your child's needs, you tell them at the meeting you are NOT accepting the IEP.

Send the 10 NOTICE LETTER

- Use www.wrightslaw.com or help of an attorney to write it
- Include all your steps and concerns
- This will be used in the future process for mediation, complaints, or due process.

Next Steps

Mediation

- No COSTS
- 3RD party tries to help you and school district
- Same as Meeting - Taking an Attorney requires the School's Attorney to attend.

Complaints

- State – Online for Parent to Access for any reason
- Federal - Online for Parent to Access for any reason

Due Process

- A legal action in court
- Recommend an Attorney

Resources

- ▶ Parent Rights & Responsibilities in Special Education
- ▶ A Parent's Guide to Special Education in North Carolina
- ▶ Parents Together
- ▶ Guidance for Homebound and Modified Day Placements
- ▶ CMS Section 504 Homebound Procedures
- ▶ UCPS Notice of Parent & Student Rights
- ▶ www.wrightslaw.com
- ▶ www.cristalrobinson.com

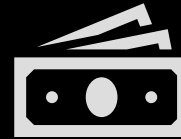
Robinson Law: Ways to Help



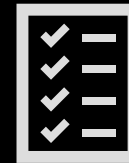
On-going legal
representation –
monthly or yearly fee



Specific Meetings like
IEP meetings or Issues



Flat fee for certain
actions



Hourly for Due Process
actions

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Website

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