

# ASSISTIVE TECHNOLOGY IN EDUCATION

Nebraska's Guide for the Delivery of  
Assistive Technology Services for  
Students with Disabilities



ASSISTIVE TECHNOLOGY  
*Partnership*

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# I. INTRODUCTION

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As the result of the Individuals with Disabilities Education Act (IDEA), first enacted in 1975, and the subsequent re-authorizations of the Act, assistive technology is increasingly providing new opportunities for students with disabilities. Emphasis has been placed on addressing the need for assistive technology as a part of special education, as a related service, or as a supplementary aid for students with disabilities. In fact, assistive technology must be considered as a part of the Individual Education Program (IEP) process for every student.

*"Almost 30 years of research and experience has demonstrated that the education of children with disabilities can be made more effective by...supporting the development and use of technology, including assistive technology devices and assistive technology services, to maximize accessibility for children with disabilities."*

*Source: Preamble to IDEA 2004*

The information contained within this guide is designed to provide guidance for educators, parents, advocates, and agency personnel regarding the delivery of assistive technology services for students with disabilities. The intent is to help ensure consistent policies and practices among school districts and to provide stakeholders with a clear understanding of assistive technology and related policies.

Note that this guide is an updated version of the earlier document published by the Assistive Technology Partnership, "A Guide for the Delivery of Assistive Technology Services for Students with Disabilities, 2008."

# II. LEGAL REQUIREMENTS AND DEFINITIONS

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## A. LEGAL REQUIREMENTS

The Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act of 1973 have created significant changes in available services and educational opportunities for students with disabilities. The legal requirements and responsibilities regarding special education and related services for students with disabilities are addressed in three key sets of regulations.

### IDEA

- Federal regulations regarding the Individuals with Disabilities Education Improvement Act of 2004 are located at 34 Code of Federal Regulations (CFR) Parts 300 and 301.

### Section 504

- Regulations pertaining to Section 504 of the Rehabilitation Act are located at 34 CFR Part 104.

### Rule 51

- Nebraska’s State Regulations for Special Education Programs (also referred to as Rule 51) are found at Title 92, Nebraska Administrative Code (NAC) Chapter 51.

## B. DEFINITIONS

Two key terms are essential to understanding our discussion of the role of assistive technology in special education. To set the stage for this discussion, it is important to share the definition of the following terms, as specified in state and federal regulations.

- Assistive Technology Device
- Assistive Technology Service

### **Assistive Technology Device**

Assistive technology device means any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve the functional capabilities of a child with a disability. The term does not include a medical device that is surgically implanted, or the replacement of such device.

*Source: 34 CFR 300.5; 92 NAC 51-003.04*

### **Assistive Technology Service**

Assistive technology service means any service that directly assists a child with a disability in the selection, acquisition, or use of an assistive technology device. The term includes:

- a. the evaluation of the needs of a child with a disability, including a functional evaluation of the child in the child's customary environment;
- b. purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices by children with disabilities;
- c. selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing assistive technology devices;
- d. coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing education and rehabilitation plans and programs;
- e. training or technical assistance for a child with a disability or, if appropriate, that child's family; and,
- f. training or technical assistance for professionals (including individuals providing education or rehabilitation services), employers, or other individuals who provide services to, employ, or are otherwise substantially involved in the major life functions of the child with a disability.

*Source: 34 CFR 300.6; 92 NAC 51-003.05*

## **Appendix Note**

Additional definitions are located in Appendix A. Further information regarding key federal policies is located in Appendix B.

# III. PLANNING FOR ASSISTIVE TECHNOLOGY

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The Individual Education Program (IEP) and the Individual Family Service Plan (IFSP) are powerful tools for assisting educators, students, and parents in developing effective ways to incorporate assistive technology solutions into the educational programs of students with disabilities. The following information details how assistive technology can be made a part of special education and related services in conjunction with the Multidisciplinary Evaluation Team, the IEP process, and parental involvement.

## **A. MULTIDISCIPLINARY EVALUATION TEAM (MDT)**

The multidisciplinary evaluation team is a group of persons whose responsibility is to evaluate the abilities and needs of the student and to determine eligibility for special education services. The MDT evaluation is to include a review of existing evaluation data on the student, including evaluations and information provided by the student's parents, current classroom-based, local, or state assessments, and classroom-based observations and observations by teachers and related service providers.<sup>1</sup>

The MDT is to involve educators and therapists who are knowledgeable about the school curriculum and, where applicable, assistive technology. For example, for a student with language and motor impairments due to cerebral palsy, the MDT evaluation team might include a teacher, a physical therapist, an occupational therapist, a speech/language pathologist, an administrator, and the parent(s), with at least one of these members having knowledge of assistive technology. MDT evaluation results provide important information for the IEP team in developing the student's IEP, including addressing the need for assistive technology.

## **B. THE INDIVIDUAL EDUCATION PROGRAM (IEP)**

IDEA requires that IEP teams consider whether the student requires assistive technology devices and services in order to benefit from a free appropriate public education (FAPE). The team also needs to determine the type of device(s) and/or service(s) required to derive educational benefit from the instruction provided. Some students will not require technology to meet the goals on their IEP, but many students will benefit from the use of assistive technology.

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<sup>1</sup> 20 U.S.C. 1414 (c)(1)



*The IEP team must consider whether assistive technology is necessary for the student to:*

- *achieve educational or social goals;*
- *gain meaningful benefit from the education; or*
- *make reasonable progress in the least restrictive environment.*

Mastery of certain prerequisite skills or typical developmental milestones is generally not necessary in order for students to make use of assistive technology. Many students benefit from assistive technology even though they do not have the prerequisite skills. For example, students may benefit from an augmentative communication device even though they have limited verbal ability. Likewise, students with little to no use of their hands could benefit from a word processor or computer even though they might be unable to pass a keyboarding test.

The team should analyze what is required of students without disabilities of the same age and determine how many of these requirements could be completely or partially fulfilled by the student with a disability, if that student had access to appropriate assistive technology. As with other

kinds of special education services, cost should not be a consideration when making a decision about whether a particular assistive device should be provided, but it may be a consideration when choosing between several equally appropriate options.

## **C. PARENTS**

Parents of students with disabilities are valuable members of the team. They can supply information about the technology solutions that have been helpful in the home. They know their child and have insight into what has worked effectively over the years. Parents can often make suggestions about how their child functions best and what assistive technology the child responds to and will use. Parental involvement in the process will increase the likelihood that the appropriate technology will be selected for the student and that he or she will use it effectively in school and at home.

### **Appendix Note**

The "Assistive Technology Quick Guide" (Appendix C) outlines a process for the IEP team to use when considering assistive technology for a student.

# IV. ADDRESSING ASSISTIVE TECHNOLOGY IN THE INDIVIDUAL EDUCATION PROGRAM

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While there are no specific requirements as to where assistive technology must be addressed in the IEP, there are three places where it commonly appears.

## **FOR EXAMPLE**

*An example of an annual goal addressing assistive technology:*

*"The student will follow the teacher's directions in science class, using an FM auditory trainer 9 of 10 times, with 100% accuracy."*

## **A. ANNUAL INDIVIDUAL EDUCATION PROGRAM GOALS**

Assistive technology may be included in the annual goals and benchmarks established in an IEP. How assistive technology will contribute to achieving the goal must be clearly stated. The inclusion of assistive technology in the IEP requires an explanation of how and why the technology will be used to accomplish a particular goal. A goal which includes assistive technology should indicate that the device will be part of conditions needed to acquire the specific skill.

## **B. LIST OF SUPPLEMENTARY AIDS AND SERVICES**

Supplementary aids and devices or modifications to the regular education program must be identified in the student's IEP. Students with disabilities are guaranteed the right to placement in the educational setting which is the least restrictive environment. In order to be successful in the least restrictive environment, students are to be afforded whatever supplementary aids and services are necessary. Among the supplementary aids which may allow a student to remain in a less restrictive environment are a variety of assistive devices that compensate for the disability and allow the student to perform educational and social tasks.

Assistive technology is necessary as a supplementary aid if its presence (along with other necessary aids) supports the student sufficiently to maintain the placement and, the absence of the aid would require the student's removal to a more restrictive setting.

For example, if a student with multiple physical disabilities can make independent, educational progress on his or her IEP goals in the regular classroom with the use of a computer and an augmentative communication device, and cannot make such progress in that setting without the devices, those devices are necessary supplementary aids.

### **C. LIST OF RELATED SERVICES**

Training on assistive technology devices can be written into the IEP as a related service. The law states that the list of related services is not exhaustive and may include other developmental, corrective, or support services. It is through this provision in the law that many school districts are providing assistive technology devices and services for students with disabilities.

In order for students to be successful with assistive technology devices, they need to receive proper training on the use of the equipment. Training to use a computer, an augmentative communication device, or large print viewer can occur as a related service which supports the student's educational program. Preparation for the use of assistive technology devices can be worked into other related services. Examples of this include situations where occupational therapy is needed prior to being able to access assistive technology devices or exercises are needed to prepare the student to use a computer keyboard or a communication board.

Under the IDEA, a student must be receiving special education in order to be considered eligible for related services. However, under Section 504 of the Rehabilitation Act of 1973, the student may be eligible for related services without eligibility for special education.

#### **FOR EXAMPLE**

*The following statements are examples of those that may be documented in an IEP to address a student's use of supplementary aids and services:*

- *"Within the regular classroom, the student will utilize word processing or other applicable software to complete written assignments, when appropriate."*
- *"Within the regular classroom, the student will use an augmentative communication device to communicate."*

## **Appendix Note**

"Assistive Technology Examples" (Appendix D) and the "Checklist" (Appendix E) are helpful resources for teams to utilize in identifying services and devices for individual students.

# V. EVALUATION AND ASSESSMENT

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## A. EVALUATIONS

The definition of “assistive technology service” clearly states that evaluations include assessing the individual’s need for and potential to benefit from assistive technology. The IEP team must assess “the student’s functional capabilities and whether they may be increased, maintained, or improved through the use of (AT) devices or services.”<sup>2</sup>

### **Additional Members**

In some instances, school personnel will not have the skills necessary to select and acquire the appropriate assistive technology services and devices for the student. School districts will need to identify individuals or agencies to assist them in evaluating the needs of the student and to help with the selection, design, customization, adaptation, application, and/or repair of assistive technology devices. Districts may contract for evaluations with other school systems or agencies. School districts may also establish written agreements with outside resources to provide staff development, mentoring, and/or consultation in order to expand their skills, thus developing a broader base of school personnel with expertise in assistive technology.

### **Independent Evaluations**

If the parents disagree with an evaluation obtained by the district, they may request an independent evaluation at the district’s expense. At the time of the request, the district will provide information to parents about where an independent educational evaluation may be obtained. If the district believes that its evaluation is appropriate, it may initiate a hearing to determine the appropriateness of the evaluation. If the final hearing decision is that the district’s evaluation is appropriate, the parents still have the right to an independent educational evaluation, but not at public expense.<sup>3</sup>

## B. PARTICIPATION IN ASSESSMENTS

States are required to include children with disabilities, with accommodations when necessary, in state and district-wide assessment programs. For children who cannot participate in regular assessments, states must develop alternate assessments. According to the U.S. Department of Education, not all students with disabilities must participate in assessments, but the decision as to which students will not participate must be made by each individual student’s IEP team. The IEP must include a statement of why the student will not participate in the assessment and also indicate the alternate methods by which the student will be assessed.

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<sup>2</sup> OSEP Letter December 4, 1995

<sup>3</sup> 34 CFR 300.502

For students who require accommodations, some which may be assistive technology, the appropriate accommodations should be listed in the student's IEP or Section 504 accommodation plan. Examples of possible accommodations in test presentation, response mode and setting are the following:

- oral administration;
- large print;
- Braille version;
- administration in an individual or separate room;
- extended time; and/or
- multiple test sessions.

### **Accommodations vs. Modifications**

**Accommodations** are specific processes or tools that help a student access and complete the same school work and activities as his or her peers. This often involves the use of assistive technology devices or services. While they do not reduce learning expectations or alter the content of the material to be mastered, accommodations provide access to receiving information and demonstrating what has been learned. If chosen appropriately, accommodations will not provide too much or too little help to the student who receives them. An example of an accommodation utilizing assistive technology would include taking a test using a computer with magnification.

**Modifications** refer to practices that change or reduce learning expectations and academic content. Modifications generally increase the achievement gap between students with disabilities and expectations for proficiency at a particular grade level. Examples of a modification include requiring a student to learn less material or fewer standards at a grade level or providing out-of-grade level materials.

IEP teams should carefully evaluate the impact of providing modifications to students during instruction. Modifications to content may have the unintended consequence of reducing their opportunity to learn grade-level academic standards.

*Source: Nebraska Department of Education's "Nebraska Accommodations Guidelines – How to Select, Administer, and Evaluate Accommodations for Instruction of Students with Disabilities, 2011" (see Appendix G)*

# CONSIDER THIS: GUIDELINES FOR DECISION MAKING

## **Use the following guidelines when making decisions regarding assistive technology:**

- ✓ *Look for simple solutions.*
- ✓ *Consider the learning and work style of the student.*
- ✓ *Consider the long-range implications of the student's disability and the device.*
- ✓ *Look at each device for:*
  - *ease of use and maintenance;*
  - *timeliness;*
  - *adaptability;*
  - *portability;*
  - *dependability;*
  - *durability; and*
  - *technical support needed.*
- ✓ *Investigate all options.*
- ✓ *Compare similar devices from different manufacturers.*
- ✓ *Purchase devices only after consulting with a professional.*

Source: Rothstein, R., & Everson, J. (1995). Assistive technology for individuals with sensory impairments. K. Flippo, K. Inge, & J. Barcus (Eds.), *Assistive technology: A resource for school, work, and community* (pp. 105-129). Baltimore, MD: Paul H. Brookes.

# VI. TRANSITION

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Transitions include every type of change that occurs during a child's life. Transition occurs when the child moves from home to school. Transition also occurs within the school environment. There are transitions made when the student changes buildings, classrooms, and/or teachers. Family dynamics also create transitions (e.g., separations, divorce, or death of a family member). All transitions have a direct impact on the use and type of assistive technology. For example, some assistive technology may be appropriate for preschool use, but not for use in a school-aged program. As the child grows and matures, needs and abilities change. Assistive technology needs to keep up with these changes.

The following information focuses on the transition process of preparing students for life after high school. This includes planning for postsecondary education or training, employment, and community living. Transition is defined under the Individuals with Disabilities Education Act (IDEA) and in the Nebraska Department of Education's Rule 51, Regulations and Standards for Special Education Programs.

## **Transition Services**

The term "transition services" means a coordinated set of activities for a child with a disability that –

- is designed to be within a results-oriented process, that is focused on improving the academic and functional achievement of the child with a disability to facilitate the child's movement from school to post-school activities, including post-secondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation;
- is based on the individual child's needs, taking into account the child's strengths, preferences, and interests; and
- includes instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and when appropriate, acquisition of daily living skills and functional vocational evaluation.

Transition services for students with disabilities may be special education, if provided as specially designed instruction, or related services, if required to assist a student with a disability to benefit from special education.

## **A. TRANSITION REQUIREMENTS FOR THE IEP**

IDEA and Rule 51 describe what the Individual Education Program (IEP) must include to meet the transition requirements. These requirements state that, beginning not later than the first IEP to be in effect when the child is 16 and updated annually thereafter, the IEP must include:

- Appropriate measurable postsecondary goals based upon age appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills; and
- The transition services (including courses of study) needed to assist the child in reaching those goals.

## **B. TRANSITION AND ASSISTIVE TECHNOLOGY**

Issues related to students and assistive technology become more complicated as students move from the school environment to the adult world. During the transition years, it is expected that students will programmatically move from school to community as their education becomes increasingly real life-based. Although this provides an excellent educational opportunity, it offers many challenges in providing necessary supports, including assistive technology.

When the team (including the student) begins to develop the student's transition plan, it is important to include team members who are knowledgeable about assistive technology and transition issues. While the school environment (classroom) remains fairly consistent, students often attend multiple work sites while in transition, with each site potentially presenting unique assistive technology needs. Comprehensive planning is necessary in order to meet the student's assistive technology needs, while maximizing resources and avoiding duplication of assistive technology services or devices as the student moves from school to work or other post-secondary environments.



## CONSIDER THIS: ASSISTIVE TECHNOLOGY IN ALL SETTINGS

Often, when a student needs assistive technology in the school, at home, or both, it is also likely to be needed at the work site and in the community. As a part of the transition planning process, it is imperative that the IEP team give consideration to assistive technology needs in ALL settings by asking the following questions:

- ✓ *Is the assistive technology needed in this environment?*
- ✓ *Is there a need to modify the assistive technology?*
- ✓ *How long will the student be in the environment and for what purpose (long-term skill development or employment vs. short-term exploratory work experience)?*
- ✓ *Is there a need for additional assistive technology?*
- ✓ *Are there transportation issues if the assistive technology is to be utilized in both the school and community?*
- ✓ *Are there additional funding sources available for the assistive technology that will be utilized at work or in the community (e.g., residential or post-secondary training/ employment)?*
- ✓ *Is the student able to use short-term loan or demonstration equipment?*

# VII. FUNDING ASSISTIVE TECHNOLOGY

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Assistive technology devices and services are valuable educational tools for students with disabilities. However, locating funding often creates a barrier to acquiring these needed devices and services. The following sources may assist with funding of assistive technology devices and services.

## A. SCHOOL DISTRICTS

IDEA places the responsibility for funding of assistive technology devices and services required for a free appropriate public education (FAPE) on the school district. A further explanation of district responsibilities follows.

### **Accessing Other Funding Sources**

The school district may pay for the assistive technology devices and services, or they may access other funding sources such as parents, private health insurance, Medicaid, or Vocational Rehabilitation.

### **Locating Funding**

When seeking funding, there are some important policy issues to keep in mind. If the IEP team determines that assistive technology should be provided, the district cannot require the student's parents to be responsible for locating funding sources. The district can request the involvement of the parents in the funding search, but it is the responsibility of the district to find funding for the device. Due to limited funding, the school district may be unable to find other funding sources. When this happens, the district still has the responsibility to provide the device or service needed for the student's free appropriate public education.

### **Denial of Funding**

It is not acceptable for a school district to deny assistive technology for the following reasons:

- a) the school district does not have the funds;
- b) the school board overruled the IEP team's decision; or
- c) it is the policy of the school district not to purchase assistive technology devices.

Based on federal law and court decisions, the lack of funds is not an excuse for a school district's failure to provide FAPE. Secondly, a school board cannot overrule a decision made by a local school's IEP team. The failure to purchase educationally necessary devices and services noted on the IEP can cause a burden to staff and result in a due process action. This approach of refusing to provide assistive technology listed on the IEP is a violation of law.

### **Timeliness**

The amount of time required for a district to locate outside sources of funding for a device can become an issue of dispute. It is expected that the special education and/or related services set out in a child's IEP will be provided by the school district beginning immediately after the IEP is finalized. While there are some circumstances that require a short delay (i.e., when the IEP meeting occurs during the summer or other vacation period), generally the intent of the law and regulations is clear. In order to prevent delays in the implementation of the IEP, the school district should consider obtaining the device on loan, renting or leasing the device while other funding is located.

### **Enrollment Poverty Funding**

Every public school district in Nebraska has the opportunity to receive Enrollment Poverty Funding through the Department of Education. As per federal regulations, these IDEA Part B allocations are figured on the basis of number of children enrolled in public and non-public schools within the jurisdiction of the district and in accordance with the number of children living in poverty within the jurisdiction of the district as determined by the Department of Education.<sup>4</sup>

The Enrollment Poverty funds may only be used to supplement other funding provided. Assistive technology may be purchased with these funds. For more information on Enrollment Poverty funding, contact the Nebraska Department of Education's Special Education Office.

### **District Liability**

While it is conceivable that some assistive technology devices could increase the risk of liability for school districts and their individual staff members, it is not likely. Negligent use by a staff member of a technological device that causes injury to a student is one area of potential liability. School officials should consult their attorneys and insurance carriers regarding potential liability and insurance coverage limits. Involving the team of parents and staff to determine the appropriate device for a child and documenting any training of staff regarding the use of particular assistive devices will lessen the risk of liability and damages for school districts. Staff not covered under school district liability insurance (for claims made against them as individuals) should consider obtaining personal liability insurance.

## **B. INSURANCE**

Private health insurance is a permissible source of funds to cover the cost of special education and related services. In 1993, OSEP issued a policy letter addressing a school district's request to use the parent's insurance to pay for assistive

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<sup>4</sup> 92 NAC 51-012.06A1-2

technology. The letter clarified that school districts cannot compel parents to file an insurance claim when filing the claim would cause a financial loss. Financial loss would include, but is not limited to:

- a) depleting available lifetime coverage and any other benefits;
- b) affecting future insurability;
- c) increasing out-of-pocket premiums or discontinuance of policy;
- d) increasing out-of-pocket expenses such as payment of the deductible amount incurred in filing a claim; or
- e) creating pre-existing condition exclusions.

IDEA 2004 states that “each time the public agency proposes to access the parents’ private insurance proceeds, the agency must obtain parental consent...and inform the parents that their refusal to permit the public agency to access their private insurance does not relieve the public agency of its responsibility to ensure that all required services are provided at no cost to the parents.”

### **Voluntary Use of the Parent’s Insurance**

School districts interested in using the parent’s insurance must seek voluntary and informed consent from the parents before billing private insurance. School districts cannot require parents to file with their private insurance to pay for devices needed to implement the student’s FAPE, as these devices and services must be provided at no cost to the parent. The term “free” is interpreted broadly and goes far beyond simply paying the deductible and co-payment. It is a violation of a free appropriate public education to require parents of a student with a disability to use their private insurance or make it a condition for receipt of educational services.

### **Coverage Issues**

If the parents are willing to use their private health insurance for the purchase of assistive technology, they should be encouraged to carefully review their written policy to ensure that the device being requested is covered under their policy. Each insurance policy is an individual contract between the parents and the insurance company and coverage of devices and services will vary. Devices and/or services must be medically necessary to be considered for reimbursement by the insurance company.

### **Insurance Denials**

Insurance companies may deny the request for reimbursement the first time around. The success of getting funding from an insurance company is often tied to the parents’ willingness and persistence to appeal the insurance denial(s). Often the manner in which the evaluation is worded is critical to obtaining funding from an insurance company. It is important that the evaluation indicates that the device is needed for “medical” reasons. Some insurance companies will deny the funding of the device if the evaluation indicates that the device is needed for other than medical reasons (i.e., educational or vocational reasons).

## **C. MEDICAID**

Medicaid is a state and federal program, administered by the Nebraska Department of Health and Human Services (DHHS), for the coverage of “medically necessary” devices for low income individuals. To be eligible for Medicaid, students must be eligible for specific programs and/or have incomes below specified guidelines. Students may be eligible to receive assistance for some medical and remedial services from this program.

The Medicaid program can provide payment for medical services even though they are listed in the student’s IEP. In addition to those services covered in the Medicaid State Plan, the following Medicaid programs are possible sources of funding for assistive technology.

### **Home and Community Based Waivers**

One possible source of funding for assistive technology in Nebraska is through the Medicaid Home and Community-Based Waiver programs. Depending upon the eligibility and circumstances of the individual, waiver funding may be available for certain assistive technology devices or services. The DHHS, including the Division of Medicaid and Long-Term Care Home and Community Services Unit and the Division of Developmental Disabilities, works with the Assistive Technology Partnership to provide certain devices or services to persons who have been determined eligible.

### **HEALTH CHECK**

This program, known as HEALTH CHECK, is intended for children age 18 or younger who are eligible for Medicaid. HEALTH CHECK provides complete check-ups on a regular basis and diagnosis and treatment services for any health problems found at a check-up. With prior approval from Medicaid, HEALTH CHECK may provide funding for medically necessary services even though they may not be covered by the state Medicaid plan.

## **D. ASSISTIVE TECHNOLOGY PARTNERSHIP**

The Assistive Technology Partnership (ATP) provides statewide services to individuals with disabilities. ATP provides services for all ages, with the educational offices focusing on services for individuals from birth to age 21.

While ATP does not directly fund the purchase of devices, it is a resource for school staff, service providers, counselors, family members, and others to:

- Obtain information about assistive technology devices and appropriate funding sources;
- Borrow equipment on a trial basis (or while equipment is being repaired);
- Purchase selected equipment or software at discount prices;
- Consult with Assistive Technology Specialists regarding accessibility issues;
- Receive training; and
- Receive on-site support in schools and communities across Nebraska.

### **Assistive Technology Educational Specialists**

ATP's Educational Specialists help facilitate a smooth transition for students moving from high school to the work place or higher education. The Educational Specialist helps to coordinate assistive technology solutions by working with Vocational Rehabilitation (VR) and the schools. The Specialist helps in finding resources and determining appropriate technology to help individuals:

- Accomplish activities of daily living;
- Resolve transportation issues;
- Gain equal access to the school, campus, or work environment;
- Increase independence with the use of assistive technology devices that are no cost to low cost;
- Increase education and career opportunities; and,
- Maximize ability to perform in reading, writing, math, communication, language, organizational and critical thinking skills with the use of no cost to low cost assistive technology devices.

The Educational Specialists provide information, including lists of vendors and funding sources, to assist students in obtaining assistive technology devices. Specialists advocate for students when working with funding programs and also work with postsecondary education programs to assist students in receiving necessary accommodations. The services of Educational Specialists are provided at no cost to the student or school.

### **E. NEBRASKA ALTERNATIVE FINANCING PROGRAM**

The Nebraska Alternative Financing Program provides low or reduced interest loans to qualified Nebraskans with disabilities for the purchase of assistive technology devices and assistive technology services. This includes, but is not limited to: wheelchairs, motorized scooters, Braille equipment, scanners, hearing aids, augmentative communication systems, environmental control units, adaptive computer peripherals, building modifications for accessibility, motor vehicle modifications for accessibility, and motor vehicles requiring modifications for accessibility (where the value of the vehicle is greater than the cost of the modifications).

Easter Seals Nebraska, as part of a cooperative agreement with the Nebraska Assistive Technology Partnership and First National Bank Omaha, is able to offer alternative financing to qualifying Nebraskans with disabilities.

### **F. VOCATIONAL REHABILITATION**

Nebraska Vocational Rehabilitation (VR) is an employment program for people with disabilities. VR helps eligible individuals make career plans and learn job skills in order to get and keep a job. Students with a disability may be eligible to participate in VR transition services while still in school. Assistive technology

devices and services may be necessary for these students to meet their postsecondary employment goals. VR works closely with the Assistive Technology Partnership in these situations to assist the student in obtaining the needed devices and/or services.

## **G. NEBRASKA COMMISSION FOR THE BLIND & VISUALLY IMPAIRED**

Nebraska Commission for the Blind and Visually Impaired (NCBVI), the state Vocational Rehabilitation agency for the blind, is committed to helping blind and visually impaired Nebraskans achieve full participation in employment and independent living, through services promoting a positive understanding of blindness and the potential abilities of blind people.

The services provided by NCBVI include, but are not limited to, the following:

- Training in non-visual (or “low vision”) skills that allow full participation in life;
- Educational assistance such as tuition, books, equipment and readers;
- Vocational counseling and assistance in securing or maintaining employment;
- Occupational equipment, tools, and supplies;
- Peer support and counseling; and,
- Consultation services for agencies and community organizations that come into contact with blind persons.

## **H. NEBRASKA COMMISSION FOR THE DEAF & HARD OF HEARING**

The mission of the Nebraska Commission for the Deaf and Hard of Hearing (NCDHH) is to improve the quality of life for deaf and hard of hearing people of all ages by providing assistance, advocacy and access to services and information. In addition to other services, the NCDHH offers an Assistive Devices Loan Program to individuals who live in Nebraska. Equipment available for a three month loan includes: amplified phones, personal listening devices, and teletypewriters (TTYs).

## **I. PARENTS**

Education is a shared responsibility between school, family, and community. Schools develop communication with families and, as a part of this communication, parents may be asked what devices or services they could afford to purchase. Devices often serve many purposes (e.g., educational, medical, independence, or recreational). When viewed in this manner, the possibility of joint funding is entirely appropriate as long as parents’ willingness to share the financial responsibility is voluntary. If the need for assistive technology devices and services appears in the IEP, the school is responsible for providing the identified assistive technology. The school district cannot require parents to pay for the assistive technology devices and services needed for a free appropriate public education (FAPE).

If the family does purchase an assistive technology device, the school cannot require that the device be brought to school. Families have the choice to decide if the assistive technology they purchased will or will not be used at school. When the device is written into the IEP, the school is responsible for providing another device if the family does not wish theirs to be used at school.

## **J. PRIVATE FUNDING SOURCES**

There are a number of private organizations and trusts that may provide funding for assistive technology. However, service organizations and charitable groups often have very limited funds. Eligibility requirements of these organizations vary and may include specific income guidelines. These programs are typically considered as the last resort for funding, meaning that consumers must apply to all other state and federal funding sources and obtain written denials before they will consider the request for funding.

## **K. LOAN, RENTAL, AND LEASE**

Loan, rental, and lease options can aid in providing appropriate assistive technology to students with disabilities. Loaner equipment is useful in the selection of the appropriate assistive technology and allows the student an opportunity to try out the equipment before buying. Rental or lease options, at times, offer advantages over the purchase of assistive technology. A discussion of these options follows.

### **Equipment Loan**

Equipment loan is a useful method to determine whether the assistive technology selected is appropriate for the student and to avoid costly errors in purchasing equipment that the student is unable or unwilling to use. Some manufacturers have loaner equipment available upon request. Equipment may also be available for trial use from a number of assistive technology demonstration centers, school districts, Educational Service Units (ESUs), or the AT4ALL reuse program.

### **Rental or Lease Options**

There are times when the outright purchase of equipment or devices is not necessary or even advisable. In instances such as these, schools might consider rental or long-term lease vs. purchase options. Equipment rentals or long-term lease options are not necessarily less costly than purchasing the equipment, but there are certain advantages to renting or leasing equipment worth considering, depending on the individual needs of the student.



Renting equipment might be a reasonable strategy if:

- the child's condition is considered temporary;
- the child's condition is expected to improve or deteriorate; or
- it is necessary to try out the equipment before purchasing it for a student.

Long-term leasing agreements also have potential benefits for schools which include:

- no obligation on behalf of the school to purchase the device;
- reduction of obsolete inventory;
- flexible leasing terms;
- use of equipment without a lump-sum purchase;
- upgrading of equipment as more improved technology becomes available; and
- upgrading of equipment as the student's needs change.

## **Appendix Note**

Contact information for the agencies referenced in this section is located in Appendix F.

## CONSIDER THIS: FUNDING ASSISTIVE TECHNOLOGY

**In determining how assistive technology will be funded, have the following resources been considered?**

- ✓ *School districts*
- ✓ *Insurance*
- ✓ *Medicaid*
- ✓ *Assistive Technology Partnership*
- ✓ *Nebraska Alternative Financing Program*
- ✓ *Vocational Rehabilitation (VR)*
- ✓ *Nebraska Commission for the Blind and Visually Impaired*
- ✓ *Nebraska Commission for the Deaf and Hard of Hearing*
- ✓ *Parents*
- ✓ *Private Funding Sources*
- ✓ *Loan, Rental, and Lease Options*

# VIII. REUSE, SALE, PURCHASE AND COST-SHARING OF EQUIPMENT

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## A. TRACKING AND REUSE OF EQUIPMENT

Assistive technology devices require a significant investment of time and money. Reusing equipment can be a great cost savings for individuals, schools, agencies, and parents/guardians. Reuse provides for an efficient use of equipment no longer used or needed by the current owner.

It is important to have a system in place to track assistive technology purchased by the school district. It is recommended that school districts utilize a database to track devices purchased, including date of purchase and cost, location of the device, and history of repairs. AT4ALL is a tool schools may use for this purpose.

### **AT4ALL**

AT4ALL (Assistive Technology for All) is a free, online, statewide service and is a program of the Assistive Technology Partnership (ATP). The website, <https://www.at4all.com> connects people across the state with equipment they need to be independent at home, work, school, or in the community. A wide variety of equipment is available to try before you buy through equipment demonstrations or short term loans. There is also used equipment available for sale or give away. AT4ALL is a one-stop resource and includes equipment from many participating programs located across the state. Some of the types of equipment available include adaptive hardware and software, smart devices, wheelchairs, scooters, walkers, amplified telephones and other hearing equipment, magnifiers and other items for vision, and speech generating devices. All programs have their own criteria for lending their equipment.

## **Appendix Note**

Contact information for AT4ALL is located in Appendix F.

## **B. SALE OR TRANSFER OF EQUIPMENT**

Ownership of assistive technology equipment and devices purchased by the school is generally maintained by the school district. When the student exits school (transfers or graduates), the equipment remains with the school district and often is not utilized by other students in the district. Presently, there is not a consistent system for the transfer of equipment from district to district.

It is recommended that school districts examine ways to transfer equipment, when appropriate. When a student transfers from one district to another and continues to require previously purchased equipment, the student could be allowed to utilize the same equipment, especially when the equipment has been specifically tailored to his or her needs. The equipment may be transferred to the receiving district through purchase at an established fair market value, if the selling district has not been reimbursed the majority of the cost through the Department of Education Special Education funds.

The receiving district may negotiate the purchase of this equipment from the owner district at a reduced price. If the selling district has been reimbursed the majority of the cost through Special Education funds, the re-sale price should not exceed the non-reimbursed amount. This would reduce the cost of assistive technology devices to the school districts and the State Department of Education, and reduce the occurrence of unused equipment.

## **C. DISTRICT POLICIES REGARDING ASSISTIVE TECHNOLOGY**

It is recommended that districts develop policies and procedures to address:

- Disbursement of equipment that has become obsolete;
- Provisions for student or parent "buy-out" rights when the student exits the school; and
- Determination of potential for reuse of specific types of assistive technology.

## **D. COST SHARING COOPERATIVE AGREEMENTS**

Interagency agreements can help access funding from other sources. These cooperative agreements can be beneficial to all parties. There is little doubt that cost sharing can extend state and district resources and leverage available Medicaid or Vocational Rehabilitation (VR) funds.

Cost sharing will also eliminate the temptation of cost shifting. Agreements can:

- Reduce the amount of money the school district has to commit to the funding of a device;
- Strengthen existing partnerships;
- Increase the use of public, corporate, and private funds;
- Assist in the timely acquisition of the needed technology;
- Prevent the purchase of duplicate equipment; and/or,
- Facilitate the use of assistive technology outside the educational setting.

## **Coordination of Funding Sources**

At the educational level, there is a need to have school staff available to assist with the coordination of funding sources to acquire the assistive technology specified in the students' IEPs. Using other funding resources increases parental responsibilities (parents typically must apply for these other programs) and may introduce new complexities into the process of providing assistive technology (e.g., need for parental follow-through; delays in eligibility and funding decisions; or increased need for coordination).

Therefore, it is important that school staff be available to assist parents in the application process and to encourage prompt responses from appropriate funding sources. The process of acquiring devices from other sources may create problems in the timely delivery of assistive technology devices. School staff should monitor the funding process and arrange for loaner or rental equipment if there are significant delays in acquiring funding for the assistive technology devices.

## **Elements of a Cooperative Agreement**

When more than one entity is involved in the purchase of assistive technology, it is advisable for the involved parties to develop a cooperative agreement. There are three key elements that should be addressed in a cooperative agreement.

### **1. Liability**

Many school districts will use their liability insurance policies to insure devices purchased by the district for student use. Devices purchased by other funding sources may or may not be covered. It is important to investigate the district's property insurance to determine what the policy currently covers.

### **2. Repair**

In general, the school district is responsible for the repair and maintenance of assistive devices used to support educational programs described in the IEP. The provision of assistive technology services includes maintenance, repair, and replacement of equipment.

### **3. Ownership of Devices**

Cost sharing creates a need for clear district policies and procedures on ownership. Ownership, however, depends on who provided funding for the device. The following guidelines may assist in the determination of ownership:

- If the school district purchases the assistive technology, the device belongs to the school district. Use of the assistive technology is determined by the individual student's IEP.
- If Medicaid or private health insurance reimburses the family for the device, the family has ownership and exclusive use for that child.
- If an organization purchases the device, unless otherwise indicated by the organization, the device belongs to the child and/or parent and is for the child's exclusive use.

- If VR purchases a device, state regulations require that VR “retain a vested interest in any items of equipment in which its share of the current market value is \$5,000 or more. If a recipient sells an item of equipment in which the program has a vested interest, the program has a right to its share of the current market value or the proceeds from the sale. The program uses a straight line, 20% per year depreciation schedule to determine the current market value of its share. When the program share of the current market value is less than \$5,000, the vested interest is relinquished.”<sup>5</sup> VR has the flexibility to decide whether to recover the equipment.
- If the family purchases the equipment, the family can decide when and how that equipment is used.

## CONSIDER THIS: IMPLEMENTATION ISSUES

While cost sharing may simplify the process and encourage the use of assistive technology, there are many issues related to implementation of cost sharing agreements. In order to negotiate effective and equitable agreements between school districts, VR, Medicaid, parents, and other resources, the following questions should be considered for each student:

- ✓ *When does the district have sole responsibility for provision of the device?*
- ✓ *When does another agency or program have the sole responsibility?*
- ✓ *Where is there joint or shared responsibility?*
- ✓ *What proportion of the cost will be paid by another agency or program?*
- ✓ *How much will each resource contribute?*
- ✓ *Who will own the device?*
- ✓ *Can the device be used outside of school?*
- ✓ *Who is responsible for the repair and maintenance?*
- ✓ *Who is responsible for training and ongoing support?*
- ✓ *Who will own the device when the student transitions out of school?*

There is potential for many different cooperative agreements, each taking a unique approach. Inequities for students and inefficiencies in the use of financial resources could emerge from this, so it is important that each interagency cooperative agreement spells out how cost sharing issues will be handled.

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<sup>5</sup> 92 NAC, Chapter 72-005

## IX. TAKE HOME POLICIES

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In some cases, the provision of assistive technology devices in the home is necessary to assure a free appropriate public education. The IEP team must make this decision by addressing the issue of assistive technology in every situation where an assistive device or service might be required. Specifically, the IEP team must determine whether the goals of the IEP can be met if the assistive equipment is provided only in the school environment. When educational goals are hindered by not providing the device in a non-school setting, the provisions of FAPE are not met. On a case-by-case basis, the use of school-purchased assistive technology devices in a child's home or in other settings is required if the child's IEP team determines that the child needs access to those devices in order to receive FAPE.<sup>6</sup>

Another factor to consider is the transportation of the student who uses assistive technology. Students using a wheelchair may require a lift-equipped vehicle for transportation and a trained driver to provide them with assistance. The Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973 require accessible passenger loading areas, designated parking spaces, and an accessible route to the school entrance. In addition, consideration should be given to the accessibility of classrooms, restrooms, entrances and other sites where school activities are held.

### CONSIDER THIS: TRANSPORTING ASSISTIVE TECHNOLOGY

When the IEP team determines that the student needs to take the assistive technology device out of the school building (i.e., home or to a school activity), the safe transport of the device should be addressed in the student's IEP. When selecting a device, transporting it to and from school should be considered, asking:

- ✓ *Will the student be able to carry the device without assistance? If not, what kind of assistance will be required?*
- ✓ *Does the device have a carrying case and wheels? If not, are there other options for the transportation of the device?*
- ✓ *Does the size or weight of the device make transportation impossible?*
- ✓ *Does the home have the necessary electrical outlets and other requirements to operate the equipment?*
- ✓ *Can the device withstand the jolts and jars associated with transporting?*

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<sup>6</sup> 34 CFR 300.105

# X. REPAIR AND MAINTENANCE POLICIES

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## A. RESPONSIBILITY FOR REPAIR AND MAINTENANCE

The school district is responsible for the repair and maintenance of assistive technology that the district has purchased for the implementation of the student's IEP. The district is also responsible for the repair and maintenance of any family-owned assistive technology used as part of the student's IEP.

Interpretive comments from the IDEA 2004 regulations indicate that parents cannot be charged for normal use or wear and tear, but that state law governs parent liability for theft, loss, or damage due to negligence or misuse of AT in the home or in other settings.

## B. PURCHASING CONSIDERATIONS

Before purchasing an assistive technology device, there are issues that should be considered which can reduce the need, at a later date, for school districts to fund repairs, provide loaner equipment and/or technical assistance, and which can also reduce the risk of purchasing an inappropriate device. IEP teams should consider the following before making decisions regarding the purchase of a particular device.

### **Warranty**

Read the warranty to determine the length of warranty period and coverage. One year warranties are common and service contracts may be available. It may be helpful to contact others who have purchased the device to determine the extent of repairs they have needed, and to inquire about their experience with coverage. Request information from the vendor regarding authorized service centers.

### **Back-up Support**

Vendors, if possible, should be locally available to provide training, troubleshooting, and servicing of the device. Determine if the vendor will provide training to the student, family, and/or school staff as part of the purchase price of the device. Ask if the manufacturer has a toll-free help line to answer questions about setup, repair, or maintenance and determine if there are charges for technical support. Find out if the help line staff is qualified to address technical questions and handle practical applications. Contact others who have received services from the vendor to inquire about responsiveness.



**Owner's Manual**

Review the owner's manual for the device. Determine if the manual is easy to understand and if it will be helpful in solving problems with the equipment. Check if the manual covers equipment setup, solutions to common problems, special equipment features, etc.

**Equipment Return Policy**

Understand the terms of the return policy. Meeting the terms of the return policy can save the district money when equipment does not work out. Return policies for devices vary and should be obtained in writing prior to the purchase of the device.

**Loaner Equipment**

Ask the manufacturer or vendor if they will provide a device on loan while repair or maintenance is being done. Equipment on loan is essential if the repair is going to take an extended period of time. Some companies promise prompt turn-around time for repairs instead of loaning out devices. A device may also be borrowed through AT4ALL when an individual's device is not working or has been sent in for repair.

**C. REPAIRS**

It is likely that devices will, at some point, require repair. It is recommended that an emergency plan be developed by the team that includes contact information for repair resources and loaner equipment so that this is readily available if the device fails. It is also recommended to contact the manufacturer to determine if the device is under warranty. The manufacturer will provide information about the possibility for repair or replacement.

# XI. TRAINING FOR PROVIDERS, TEACHERS, STUDENTS AND PARENTS

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## **A. AWARENESS**

School personnel, family members, and other service providers can better serve students when they are provided with information about assistive technology. Some educators and service providers may not be aware of the types of assistive technology available and how this technology can be used with their students. Other staff members (including substitute teachers, paraprofessionals, drivers, lunchroom staff, custodians, faculty members, and administrators) may not understand assistive technology, its educational use, and/or its benefits. All participants in the student's school and work community should receive information about assistive technology.

Parents, family members, and caregivers of students who require assistive technology also need opportunities to learn about assistive technology. When school districts plan in-service activities centered on technology, parents should be invited so they have the chance to hear the same information as the staff. Training that provides information about assistive technology encourages the effective use of assistive technology.

## **B. PROFESSIONAL EXPERTISE**

In Nebraska, there are no specific standards or accreditation processes for assistive technology providers. Individuals and consultant staff who provide assistive technology services should be qualified to deliver assistive technology services in a safe and effective manner to students with disabilities at appropriate grade level(s) and area(s). The provider's qualifications should be considered (i.e., educational background, experience, years of service and training). Some assistive technology providers, although not required, have received credentials through national organizations.

## **C. SPECIALIZED TRAINING**

School staff, classroom aides, family members, and service providers who will be delivering assistive technology services to the student will likely need more intense training on the device. Part of this training should include instruction on setting up and using the device, working with the modifications to the device, learning to troubleshoot problems, and making use of the device to meet the student's educational goals. Hands-on training is an essential element of this training.

Staff training should be provided on a regular basis since the field of assistive technology changes rapidly. Staff will need regular updates on the latest technology. The school district should provide staff development on assistive technology (i.e., bringing in presenters and giving those with expertise time to share their knowledge). Staff will also need individual time for hands-on skill development with more complex technologies. Conferences, webinars, and online training are also good sources of information.

The Assistive Technology Partnership (ATP) promotes awareness of assistive technology and offers statewide consultation and trainings on technology, focusing on the latest developments. Training and technical assistance offered by ATP includes:

- Individualized assessments for home, school, and worksite modifications;
- Early childhood and school solutions;
- Training on early childhood/school age development and technology services; and
- Training on a wide range of assistive devices.

## **Appendix Note**

There are many excellent resources related to assistive technology, some of which are listed in Appendix G.

# APPENDIX A: DEFINITIONS

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## **Assistive Technology Device**

Assistive technology device means any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve the functional capabilities of a child with a disability. The term does not include a medical device that is surgically implanted, or the replacement of such device.<sup>7</sup>

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## **Assistive Technology Service**

Assistive technology service means any service that directly assists a child with a disability in the selection, acquisition, or use of an assistive technology device. The term includes:

- a. the evaluation of the needs of a child with a disability, including a functional evaluation of the child in the child's customary environment;
- b. purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices by children with disabilities;
- c. selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing assistive technology devices;
- d. coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing education and rehabilitation plans and programs;
- e. training or technical assistance for a child with a disability or, if appropriate, that child's family; and,
- f. training or technical assistance for professionals (including individuals providing education or rehabilitation services), employers, or other individuals who provide services to, employ, or are otherwise substantially involved in the major life functions of the child with a disability.<sup>8</sup>

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## **Free Appropriate Public Education (FAPE)**

Nebraska public schools are required to provide special education services which meet the standard of a free appropriate public education regardless of the severity of a child's disability. Nebraska's Special Education regulations (Rule 51) define FAPE to mean special education and related services that:

- a. are provided at public expense, under public supervision and direction, and without charge;
- b. meet the standards of the state including the requirements of Rule 51;
- c. include an appropriate preschool, elementary school, or secondary school education in Nebraska; and
- d. are provided in conformity with the Individualized Education Program (IEP) that meets the requirements of Rule 51.<sup>9</sup>

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<sup>7</sup> 34 CFR 300.5; 92 NAC 51-003.04

<sup>8</sup> 34 CFR 300.6; 92 NAC 51-003.05

<sup>9</sup> 92 NAC 51-003.27

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## **Least Restrictive Environment (LRE)**

The least restrictive environment (LRE) provisions of IDEA require that students be educated with peers who do not have disabilities, to the maximum extent appropriate, to meet the needs of the student with a disability. Public schools may be responsible for providing assistive technology devices or services to meet the LRE requirements of IDEA.

The federal regulations have clearly established a preference that students with disabilities are educated alongside students who do not have disabilities unless there are legitimate reasons for other arrangements. Advances in technology applied to instructional strategies or personal needs can create the opportunity for students with disabilities to be educated in regular classrooms.

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## **Related Services**

IDEA requires that related services be provided when necessary to assist a student with a disability to benefit from special education. Schools may be required to provide assistive technology devices and services under related services. Related services include transportation, and such developmental, corrective, and other supported services as are required to assist a child with a disability to benefit from special education, and include speech-language pathology and audiology services, interpreting services, psychological services, physical and occupational therapy, recreation (including therapeutic recreation), early identification and assessment of disabilities in children, counseling services (including rehabilitation counseling), orientation and mobility services, and medical services for diagnostic or evaluation purposes. Related services also include school health services and school nurse services, social work services in schools, and parent counseling and training.

While the list of related services is long, it is not exhaustive and may include other developmental, corrective, or support services. Related services, however, do not include a medical device that is surgically implanted, or the maintenance or replacement of such a device. There may be situations where the need for assistive technology falls under the general category of related services. School districts are expected to provide the assistive technology at no cost to the parent or guardian.

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## **Supplementary Aids and Services**

The Individuals with Disabilities Education Act states that school districts are required to ensure that "aids, services, and other supports are provided in regular education classes or other education-related settings to enable children with disabilities to be educated with non-disabled children to the maximum extent appropriate."<sup>10</sup> This clarifies that these supports are to be provided in other settings, in addition to the classroom, such as extracurricular activities. This would mean, for example, that a student who uses a communication device should be able to use that device in after-school or other non-academic activities.

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<sup>10</sup> 20 U.S.C. 1401 (33)

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## **Universal Design**

Universal design means a concept or philosophy for designing and delivering products and services that are usable by people with the widest possible range of functional capabilities, which include products and services that are directly accessible (without requiring assistive technologies) and products and services that are interoperable with assistive technologies.<sup>11</sup>

Universal design for learning is achieved by means of flexible curricular materials and activities that provide alternatives for students with differing abilities. These alternatives are built into the instructional design and operating systems of educational materials – they are not added after the fact.<sup>12</sup>

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<sup>11</sup> 20 U.S.C. 1401(35)

<sup>12</sup> Research Connections, Number 5, Fall 1999, p.2

# APPENDIX B: KEY FEDERAL POLICIES

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## **Americans with Disabilities Act**

The Americans with Disabilities Act (ADA) prohibits discrimination based upon race, color, sex, religion, and national origin in employment, public accommodations, and the provision of state and local services. The ADA extends those same protections to individuals with disabilities. The ADA is a civil rights law that prohibits discrimination against individuals with disabilities in areas of employment, public services, public accommodations, transportation, and communication.

One section of the Act warrants further attention. The ADA regulations specifically mention the obligation of providing assistive technology devices, when necessary, to accommodate an individual with a disability. Title II, Public Accommodations of the ADA, requires public entities to provide auxiliary aids and services, when necessary, to eliminate discrimination against individuals with disabilities, unless an undue burden would result. The definition of auxiliary aids and services contained in Title II includes the following:

- a. Qualified interpreters, note takers, transcription services, written materials, telephone handset amplifiers, assistive listening systems, telephones compatible with hearing aids, closed caption decoders, open and closed captioning, TTYs, videotext displays, or other effective methods of making aurally delivered materials available to individuals with hearing impairments;
- b. Qualified readers, taped texts, audio recordings, large print and Brailled materials, or other effective methods of making visually delivered materials available to individuals with visual impairments;
- c. Acquisition or modification of equipment or devices; and,
- d. Other similar services and actions.<sup>13</sup>

In addition, Title II of the ADA states that physical barriers in existing facilities must be removed, if removal is readily achievable. If not, alternative methods of providing the services must be offered, if they are readily achievable.

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## **National Instructional Materials Accessibility Standard**

IDEA 2004 requires states to adopt this standard, also referred to as NIMAS, for the purposes of providing instructional materials to blind persons or other persons with print disabilities in a timely manner. The U.S. Department of Education has established a "National Instructional Materials Access Center" (NIMAC) to maintain a catalog of print instructional materials and to provide access to materials,

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<sup>13</sup> 28 CFR 35.104

including textbooks and media, free of charge to blind individuals and individuals with print disabilities. NIMAC provides a national repository of files that can be converted into formats for use in the elementary and secondary school instruction for students who are blind or have other print disabilities. While districts are not required to utilize NIMAC, they are encouraged to do so in order to acquire student-ready versions of print materials in a more timely and cost-efficient manner. This is a national effort to centralize the distribution of instructional materials in alternate formats to ensure the availability of such materials to students.

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## **No Child Left Behind**

In January of 2002, President Bush signed into law the No Child Left Behind (NCLB) Act. The purpose of this act is to ensure that all children have a fair, equal, and significant opportunity to obtain a high-quality education and reach, at a minimum, proficiency on challenging state academic achievement standards and state academic assessments. The implications for assistive technology relate to the need for more students with disabilities to have access to both standard curriculum and testing. Children with disabilities may not do well on state testing without access to the general education curriculum, so there is a stronger focus on bringing standard curriculum to these students. Appropriate assistive technology can greatly enhance access and learning. NCLB states that children who need accommodations, including AT, in order to participate in testing, are to be provided with them. However, it's up to the individual states to determine what accommodations are allowed without rendering the results unreliable or invalid.<sup>14</sup>

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## **Section 504 of the Rehabilitation Act of 1973**

Section 504 of the Rehabilitation Act of 1973 does not explicitly include an obligation that school districts provide assistive technology devices or services. Section 504 does, however, require that general education programs (e.g., school districts) provide nondiscriminatory access to all students with disabilities. Students are eligible for Section 504 as long as they meet the definition of a qualified person with a disability. Students are not required to be eligible for special education services in order to be protected under Section 504. However, all students with disabilities who are being educated under IDEA are also covered by Section 504.

Nondiscrimination includes the duty of school districts to make accommodations or modifications that enable students with disabilities to benefit from their educational programs. The provision of an assistive technology device or service (i.e., universal access features on computers, captioned videos, etc.) may be the accommodation required to assist a student with a disability to be granted access to regular education programs. Students have a legal right to reasonable accommodations. An accommodation plan is to be developed which includes instructional and related services, and supplementary aids.

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<sup>14</sup> <http://www.ataccess.org/pdf/nochild.pdf>



# APPENDIX C: ASSISTIVE TECHNOLOGY QUICK GUIDE

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Assistive technology must be considered as a part of the IEP process for every student. It is the responsibility of the team to determine whether the student needs an assistive technology device or service, and if so, the nature and extent of what is to be provided. How is this done? The following steps outline a process to assist teams in this task.

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## **1** *Review the goals that have been established for the student and determine the challenges in meeting the goals based upon the student's disability.*

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The IEP team needs to consider carefully what tasks the student is being asked to accomplish in order to meet his or her goals and what challenges the student faces in accomplishing those tasks. This will assist in identifying the student's current educational needs. Once the needs are identified, ask the question: "Would assistive technology assist the student in meeting his or her goals?"

Areas of educational need to consider include, but are not limited to:

- |                      |                        |
|----------------------|------------------------|
| ✓ Handwriting        | ✓ Spelling             |
| ✓ Reading            | ✓ Math                 |
| ✓ Written Expression | ✓ Daily Organization   |
| ✓ Communication      | ✓ Mobility             |
| ✓ Recreation         | ✓ Seating/Positioning  |
| ✓ Vision             | ✓ Self-Care            |
| ✓ Independence       | ✓ Cognitive Processing |

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## **2** *Identify and evaluate the strategies, modifications, and devices currently utilized or that have been utilized in the past with the student.*

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Once the IEP team has determined that the student requires assistive technology to meet his or her goals, it is important to identify those strategies, modifications, and devices either currently utilized or that have been tried in the past. This should include identification of all types of interventions, ranging from low-tech items such as a magnifying glass to high-tech items such as a computerized communication system. Such review will assist the team in drawing basic conclusions regarding future implications for other strategies, modifications, or devices.

**Evaluate:** Each strategy, modification, or device should be evaluated separately, noting the following:

- Specific description of the strategy, modification, or device.
- Time period utilized, noting any breaks in service that may have affected the outcome.
- Purpose and anticipated result or outcome.
- Actual result or outcome.
- Specific description of what worked and what did not work.

**Ask:** For those approaches that did not work, ask:

- Was this ineffective due to procedures that were used to implement the approach or use the device?
- Was the device itself ineffective?
- Was the approach or device inappropriate for this individual student?

**Document:** If the team concludes that the student's educational needs are being met with the strategies, modifications, and/or devices currently in place, documentation needs to be provided to support this conclusion. The use of successful interventions may be documented within the IEP as part of the Present Levels of Academic Achievement and Functional Performance (PLAAFP), within goal statements, as components of the objectives, or as related services.

Evidence that needs are being met may be in the form of:

- Work samples
- Classroom tests
- Formal testing
- Recorded observations
- Videotapes
- Other forms appropriate to the student and his/her needs

If the team determines that the student's educational needs are NOT being met with the current strategies, modifications, and/or devices in place, continue on to Step Three.

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### **3 Identify strategies, modifications, and/or devices that might be utilized to assist in meeting the student's educational needs.**

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The IEP team needs to identify alternative strategies, modifications, and/or devices that might prove successful for the student. This may include interventions not previously attempted or could be a modification of previously utilized strategies, services, devices, or modifications that the team believes may be effective at this time. The team may determine at this time that they do not have the knowledge or resources to develop an alternative plan. If so, continue to Step Four.

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### **4 Consider additional resources or knowledge needed to identify the assistive technology devices and/or services necessary to assist the student in meeting his or her goals.**

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The team may determine that they do not have the expertise or resources necessary to develop an effective plan for meeting the student's assistive technology needs. At this point, the IEP team should consider a referral to another source for assistance. This may include resources or personnel available within the school building or school district or may require a referral to other agencies, local or otherwise.

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### **5 Obtain necessary devices and/or services and develop and implement a plan to incorporate the assistive technology and strategies into the student's educational program.**

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Given the specific educational needs of the student, the team needs to address the following questions regarding the assistive technology device, strategy, or modification:

- ✓ Under what conditions is this to be utilized?
- ✓ In what environment(s) will this be utilized?
- ✓ How long and with what frequency will this be utilized?
- ✓ What is the criterion for determining whether or not the need is being met?

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# Evaluate

***Evaluate the effectiveness of the assistive technology and strategies on an ongoing basis and revise the plan, as needed.***

It is important to remember that consideration of assistive technology and evaluating its role in the education program of a student is an ongoing process. This requires review, at a minimum, at the annual IEP. As changes occur in the student's needs, abilities, environment, and expectations, the effectiveness of the assistive technology will likely change. Additionally, the development of new technology provides new possibilities.

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# Document

***Document within the IEP to identify assistive technology to be utilized for the student.***

Documentation may be incorporated anywhere within the IEP; however, there are three places where it is commonly addressed:

1. In the annual goals and short-term objectives.
  2. In the listing of supplementary aids and services necessary to maintain the student in the least restrictive environment.
  3. In the list of related services necessary for the student to benefit from his or her education.
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# APPENDIX D: ASSISTIVE TECHNOLOGY EXAMPLES

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Assistive technology for students with disabilities may address a wide range of areas. Examples of ways in which assistive technology can be utilized to assist students are provided in the following discussion. This is certainly not an exhaustive list, but is intended to provide a glimpse into the many ways assistive technology can be of benefit for students with disabilities.

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## **Computer Access**

In order to participate in school tasks, some students require special devices to provide access to computers or environmental controls. The first step in providing access may be to determine which body parts can be used to indicate the student's intentions. Controllable muscles such as eye blinks, head or neck movements, or mouth movements may be used to operate devices which provide access to the computer. Once a muscle has been identified, decisions can be made about input devices, selection techniques (direct, scanning), and strategies to increase speed (such as coding or word prediction). Input devices may include items such as a switch, expanded keyboard, mouse, trackball, touch window, speech recognition, head pointer, key guard, key latch, keyboard emulator, or electronic communication devices.

Another element related to computer access is output. Output devices include any adaptation which may be needed to access the screen display such as tactile (Braille) devices, text enlargement or synthesized speech. Once computer access has been established, it should be coordinated with other systems that the student is using, including powered mobility, communication or listening devices and environmental control systems.

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## **Mobile Technology**

Smart phones (such as iPhones, Droids, and Blackberries), tablet computers (such as iPads, Streaks, and Galaxy Tabs), iPods/Mp3 players, the iPod Touch and many other devices offer opportunities for students with disabilities to function with greater independence at home, school, and in the community. Apps downloaded to a mobile device present many opportunities for the student. Many apps are free, with others available for varying costs.

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## **Communication**

Communication is essential for providing students with opportunities to interact with others and learn. Students with significant communication needs or whose speech is not fluent or understandable enough to communicate effectively may benefit from the use of a communication device. Examples of communication

devices include symbol systems, communication boards, electronic communication devices, speech synthesizers, and communication enhancement software.

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### **Reading/Math/Organizational Skills**

The use of assistive technology can provide a great deal of assistance for those students who have difficulties in the areas of reading, math, or organizational skills. Tools that may assist in these areas can range from “low-tech” solutions (such as planners to assist with organization) to computer hardware and software. Such tools are not always intended to replace instruction to teach the basic skills, but may be used as a supplement or as an accommodation for the student.

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### **Writing**

Students with disabilities may experience motor limitations that make the physical act of writing difficult or they may experience cognitive impairments which impact their abilities in the area of written expression. In either situation, assistive technology may be utilized to address needs in the area of writing. Computer software (such as word prediction or voice recognition software) is one option for providing students with tools to enhance their abilities in written expression or spelling.

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### **Physical Education/Recreation**

Assistive technology can be utilized to assist students in participating in a variety of recreational activities. Examples of adapted recreational activities include drawing with adapted software, computer games, computer simulations, painting with a head wand, interactive laser disks, and adapted puzzles. In order to ensure the participation of a student with a disability in physical education, adaptations may be necessary. Assistive devices for physical education or recreational activities might include beeping balls or goal posts, wheelchairs adapted for participation in sports, game rules in Braille or audio format, balance or positioning aids, swimming pool lifts, or adapted sports or fitness/exercise equipment.

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### **Positioning/Seating/Mobility**

Students may require modifications in positioning and seating in order to effectively participate in school. The range of assistive technology to address these needs includes solutions as simple as ensuring that the student has the correct sized chair and is seated at the proper table height. More complex solutions, such as specially designed positioning systems, may be necessary. Students whose physical impairments limit their mobility may need devices to help them access their school and participate in activities. Such devices are varied and may include walkers, wheelchairs or travel aids for the visually impaired. It is important that the determination of appropriate assistive technology be made in consultation with the student’s occupational and/or physical therapist.

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## **Hearing**

A large part of learning is accomplished through listening. Students with hearing impairments can be at a distinct disadvantage unless they are able to use the residual hearing they may have or develop alternative means for getting information. Hearing loss may be progressive, permanent, or intermittent. Any of these impairments may interfere significantly with learning to speak, read, and follow directions. Examples of assistive devices to address hearing impairments include: hearing aids, personal FM units/systems, teletypewriter (TTY), closed captioned TV, or mild-gain hardware systems.

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## **Vision**

Vision is a primary learning mode. General methods for assisting with vision needs include: increasing contrast, enlarging images, and making use of tactile and auditory materials. Devices that assist with vision include optical or electronic magnifying devices, low vision aids (such as handheld or spectacle-mounted magnifiers or telescopes), closed circuit television read/write systems, audio books, large print books, Braille materials, computer screen reading adaptations (such as enlargement, synthesized voice and refreshable Braille), scanners, optical character readers, reading machines, electronic note taking devices, Braille writers, copy machines (to increase the size or contrast of images), halogen or other lighting modifications, and vision stimulation devices (such as light boxes).

# APPENDIX E: CHECKLIST

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In determining the assistive technology devices to be utilized for a student, the IEP team may find it useful to refer to a checklist that indicates items that may be considered.

The following checklist is adapted from the Nebraska Department of Education's IEP Technical Assistance Guide, "Setting Goals...Achieving Results" (February 2011). While this list does not include all items that may be utilized for a student, it is a relatively comprehensive list of items that fall within the definition of assistive technology and includes both low-tech and high-tech items.

The Technical Assistance Guide "Setting Goals...Achieving Results" may be viewed or downloaded at:

<http://www.education.ne.gov/sped/technicalassist/IEP%20DOCUMENT.pdf>



# ASSISTIVE TECHNOLOGY DEVICES

A checklist of devices, products, and systems representing items considered to fall within the definition of assistive technology

## Ambulation:

- Canes
- Cane accessories
- Crutches
- Crutch accessories
- Walkers
- Walker accessories

## Architectural Access:

### Bathroom remodel

- Bathtubs
- Modified showers
- Toilets
- Bathroom sinks

### Kitchen remodel

- Shelves
- Accessible appliances
- Cabinets
- Sinks/appliances
- Doors/auto open
- Handles
- Lighting

### Safety/security

- Elevators
- Wheelchair lifts
- Chair-stair lift
- Ceiling track lift
- Pool lifts
- Ramps
- Drinking fountains
- House plans

## Orthotics:

- Restraints
- Supports
- Helmets
- Braces
- Splints
- Foot orthosis

## Personal Care:

- Feeding devices
- Dishes/utensils
- Feeding accessories
- Drinking
- Grooming/hygiene
- Mechanical transfer lift
- Wheeled bath chair or commode
- Stationary commode
- Toileting accessories
- Incontinence supplies
- Shower/bath chair
- Bathing accessories
- Reaching/carrying devices
- Grab bars/grips/handles
- Transfer board

## Personal Health:

- Scales
- Thermometers
- Blood pressure/pulse
- Dispenser aids

## Communication:

- Mouth sticks
- Head wands
- Light pointers
- Manual page-turners
- Electric plate turners
- Reading machines
- Book holders
- Writing aids
- Typewriters
- Typing aids
- Modified keyboards
- Telephone access
- Signal system
- Communication boards
- Augmentative devices
- Television adaptations
- Personal voice amplification

## Computer Software:

- Educational programs
- Recreation/games
- Communication programs
- Voice recognition
- Switch operated
- Assessment/evaluation training
- Tools/word processing/database

## Prosthetics:

- Upper extremity
- Lower extremity

# ASSISTIVE TECHNOLOGY DEVICES

A checklist of devices, products, and systems representing items considered to fall within the definition of assistive technology

## Recreation:

- Crafts
- Sewing
- Board games
- Other games
- Gardening
- Toys
- Music
- Electronics
- Photography
- Modified sports equipment
- Sports activities
- Playground equipment
- Park/picnic equipment
- Hunting/fishing
- Vacation travel

## Robotics:

- Robotic arm
- Other robotic equipment

## Seating:

- Postural support system
- Postural support hardware
- Bolster or corner chairs
- Other therapeutic seats
- Large print
- Special access
- Recliner

## Computer Hardware:

- Special computer systems
- Keyboards

- Printers
- Computer supplies
- Computer workstations
- Computer peripherals
- Expanded keyboards
- Other keyboards
- Key guards
- Voice synthesizers
- Voice recognition systems
- Braille printers
- Tactile printers
- Visual accessories
- Cursor control
- Interface adaptations
- Other adaptations

## Ergonomics:

- Arm/wrist supports
- Back supports
- Ergo joystick
- Industrial workstations
- Office workstations
- Tools seat/chair
- CRT access

## Environmental Controls:

- Environmental control systems
- Environmental control components

## Switches:

- Wheelchair controls
- Mounting hardware
- Other switches

## Technology for Hearing:

- Alert/signal systems
- Telephone adaptations
- TV decoders
- TV amplifiers
- Personal amplification
- FM Amplification system
- Infrared amplification system
- Audio loop systems
- TDDs/TTYs
- Hearing aids

## Technology for Vision:

- Braille
- Clock/watches
- Sensors/safety/security
- Labeling
- Large button phone speakerphone
- Large print books
- Taped/audio books
- Magnifiers
- Magnification system
- Talking equipment
- Calculators
- Other devices

## Therapeutic Aids:

- Sensory integration
- Perceptual motor
- Gross motor
- Fine motor
- Crawling/scooting
- Hand controls

# ASSISTIVE TECHNOLOGY DEVICES

A checklist of devices, products, and systems representing items considered to fall within the definition of assistive technology

- Pressure monitors
- Decubitis cushion
- Wheelchair cushion
- Other cushions

## Home Management:

- Food preparation
- Housekeeping
- Lift chairs/lift cushions
- Modified furniture
- Beds/mattresses
- Protective bed padding
- Special pillows
- Shopping aids

## Medical Equipment-adapted:

- Stethoscopes
- Diabetic equipment
- Thermometers
- Pressure monitors
- Scales
- Signal systems
- Other medical equipment

## Mobility:

- Manual wheelchair
- Adult light weight chair
- Child light weight chair
- Sports/racing
- Standing wheelchair
- Power wheelchair
- Power standing wheelchair
- 3-wheeled mobility device

- Other mobility devices
- Wheelchair trays
- Portable ramps
- Batteries
- Power conversion
- Other accessories
- Ambulation training
- Balance training
- Prone standers
- Upright frames
- Supine standers
- Parapodiums
- Side lying boards
- Stand tables
- Treatment tables
- Rolls/inclines
- Mats
- Positioning
- Strengthening
- Exercise equipment
- Pain relief
- Hydrotherapy

## Transportation:

- Vehicles
- Vehicle conversions
- Motorcycles
- Motorcycle conversions
- Driving controls
- Assistive accessories
- Seat belts
- Wheelchair restraint system
- Wheelchair lifts
- Ramps

- Wheelchair loaders
- Wheelchair carriers
- Vehicle access
- Wheelchair parts
- Patient chairs
- Adult travel chairs
- Travel chairs
- Car seats/beds
- Strollers
- Hand-operated tricycles
- Other adapted tricycles
- Adult bikes/tricycles
- Manual stretchers
- Power stretchers

## Working Animals:

- Animals for blind/low vision
- Animals for hearing impairment
- Animals for physical disability

## Vocational/Education:

- Workstations
- Desks
- Classroom equipment
- Tools
- Office equipment
- Adjustable tables
- Education/instruction
- Vocational/assessment
- Training
- Literature/books

# APPENDIX F: NEBRASKA RESOURCES

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## **Assistive Technology Partnership (ATP)**

ATP links students and educators with appropriate technology solutions. With offices across the state, specialists are available to provide training and technical assistance, as well as locate equipment and funding for assistive technology.

ATP may be contacted in Lincoln at:  
3901 N. 27th Street, Suite 5  
Lincoln, NE 68521  
(888) 806-6287 (toll free)  
(402) 471-6052 (fax)

Or, in Cozad at:  
1910 Meridian  
Cozad NE 69130  
(308) 784-4525  
Email: [neat@esu10.org](mailto:neat@esu10.org)

For additional information and location of other offices: <http://www.atp.ne.gov>

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## **Assistive Technology for All (AT4ALL)**

AT4ALL is dedicated to reusing technology to benefit people with disabilities. At AT4ALL, equipment may be located for loan, for sale, or for giveaway. Equipment may also be available from local lending programs to allow consumers to try the equipment before buying.

Contact AT4ALL:  
(800) 652-0033 or (888) 806-6287  
Email: [atp@nebraska.gov](mailto:atp@nebraska.gov)  
Website: <https://www.at4all.com>

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## **ChildFind**

Nebraska ChildFind provides referral assistance and information to parents, school personnel, and service providers on child development and special education for children from birth (or date of diagnosis) to age 21. ChildFind also helps parents access information on rights and resources to help them advocate for an appropriate education for their child.

Contact ChildFind:  
(888) 806-6287 (toll free)  
(402) 471-2447  
Website: <http://www.childfind.ne.gov>

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## Client Assistance Program

The Client Assistance Program (CAP) is a free service to Nebraskans with disabilities. Help is available when individuals encounter problems while seeking or receiving services from Vocational Rehabilitation, Nebraska Commission for the Blind and Visually Impaired or Centers For Independent Living.

Contact the Client Assistance Program:

301 Centennial Mall South

Lincoln NE 68509

(800) 742-7594 (toll free)

(402) 471-3656 (V/TT Lincoln)

Website: <http://www.cap.state.ne.us/>

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## Department Of Health And Human Services (DHHS)

### Medicaid

Nebraska's Medicaid program is administered by the Department of Health and Human Services (DHHS). Local offices for DHHS can be located by calling (402) 471-3121 or at: <http://dhhs.ne.gov/Pages/contact.aspx>

### Health Check

HEALTH CHECK is intended for children age 18 or younger who are eligible for Medicaid. HEALTH CHECK provides complete check-ups on a regular basis and diagnosis and treatment services for health problems found at a check-up and may provide funding for medically necessary devices and services. Information may be obtained by calling (402) 471-1649.

### Division of Developmental Disabilities

Services for persons with developmental disabilities in Nebraska are administered through the Division of Developmental Disabilities. The Division can be reached by calling (402) 471-8501. Additional information: [http://dhhs.ne.gov/developmental\\_disabilities](http://dhhs.ne.gov/developmental_disabilities)

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## Disability Rights Nebraska

Formerly known as Nebraska Advocacy Services (NAS), Disability Rights Nebraska (DRN) was created to assist individuals with disabilities and their families in protecting and advocating for their rights. Operating as a federally funded Protection and Advocacy agency, DRN is independent of any public or private agency which provides treatment or services to people with disabilities.

Contact Disability Rights Nebraska:

134 S. 13th Street, #600

Lincoln NE 68508

(800) 422-6691 (toll free)

(402) 474-3183 (Lincoln)

Email: [info@disabilityrightsnebraska.org](mailto:info@disabilityrightsnebraska.org)

Website: <http://www.disabilityrightsnebraska.org>

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## Hotline for Disability Services

Nebraska's Hotline for Disability Services provides information and referral to Nebraskans who have questions or concerns related to a disability. This includes information about rehabilitation services, transportation, special parking permits, legal rights, and any other questions related to a disability.

Contact the Hotline at:

301 Centennial Mall South

Lincoln NE 68509

(800) 742-7594 (toll free)

(402) 471-3656 (Lincoln)

E-mail: [victoria.rasmussen@nebraska.gov](mailto:victoria.rasmussen@nebraska.gov)

Website: <http://www.cap.state.ne.us/>

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## Nebraska Alternative Financing Program

The Nebraska Alternative Financing Program provides low or reduced interest loans to qualified Nebraskans with disabilities for the purchase of assistive technology devices and assistive technology services. This includes, but is not limited to: wheelchairs, motorized scooters, Braille equipment, scanners, hearing aids, augmentative communication systems, environmental control units, adaptive computer peripherals, building modifications for accessibility, motor vehicle modifications for accessibility, and motor vehicles requiring modifications for accessibility (where the value of the vehicle is greater than cost of modifications).

Easter Seals Nebraska, as part of a cooperative agreement with the Nebraska Assistive Technology Partnership and First National Bank Omaha, is able to offer alternative financing to qualifying Nebraskans with disabilities.

Contact Easter Seals Nebraska:

12565 West Center Road Suite 100

Omaha, NE 68144-8144

(800) 650-9880 (toll free)

(402) 345-2200

[http://ne.easterseals.com/site/PageServer?pagename=NEDR\\_services](http://ne.easterseals.com/site/PageServer?pagename=NEDR_services)

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## Nebraska Commission for the Blind & Visually Impaired

The Nebraska Commission for the Blind and Visually Impaired (NCBVI) is the state vocational rehabilitation agency for the blind. NCBVI works to help blind and visually impaired Nebraskans achieve full and rewarding lives by providing training, counseling, and resources needed for a positive understanding of blindness and to have high expectations in all aspects of life.

To contact any of the six offices statewide:

(877) 809-2419 (toll free)

Website: <http://www.ncbvi.ne.gov>

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## **Nebraska Commission for the Deaf & Hard of Hearing**

The mission of the Nebraska Commission for the Deaf and Hard of Hearing (NCDHH) is to improve the quality of life for deaf and hard of hearing people of all ages by providing assistance, advocacy and access to services and information.

Contact the Commission's central office in Lincoln for more information and for other office locations in the state:

4600 Valley Road Suite 420

Lincoln NE 68510-4844

(800) 545-6244 v/tty (toll free)

(402) 471-3593 v/tty

E-mail: [ncdhh@nebraska.gov](mailto:ncdhh@nebraska.gov)

Website: <http://www.ncdhh.ne.gov>

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## **Nebraska Department of Education**

The Nebraska Department of Education (NDE) works with schools and institutions of higher education to develop, coordinate and improve educational programs in Nebraska. NDE is organized into teams that interact to operate the agency and carry out the duties assigned by state and federal statutes and the policy directions of the State Board of Education.

To obtain a copy of Rule 51, Regulations and Standards for Special Education Programs, go to:

[http://www.education.ne.gov/legal/webrulespdf/CLEAN51\\_2010.pdf](http://www.education.ne.gov/legal/webrulespdf/CLEAN51_2010.pdf)

Or contact:

Nebraska Department of Education/Office of Special Education

301 Centennial Mall South

P.O. Box 94987

Lincoln NE 68509-4987

(402) 471-2471

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## **Nebraska Department of Education Transition Website**

This website is designed to provide information and resources for all stakeholders involved in assisting students with disabilities as they prepare to transition from school to adult living. Critical information is provided regarding the transition process, to include requirements and mandates as well as best practices in the field of transition.

Website: <http://ndetransition.site.esu9.org/>

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## **Nebraska Parent Training and Information (PTI)**

PTI Nebraska is a statewide resource that provides training, information and support to Nebraska parents and others who have an interest in children from birth through twenty-six with disabilities and special health care needs.

Contact PTI:

3135 North 93rd Street  
Omaha, Nebraska 68134  
(800) 284-8520 (toll free)  
(402) 346-0525  
E-mail: [info@pti-nebraska.org](mailto:info@pti-nebraska.org)  
Website: <http://www.pti-nebraska.org>

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## **Nebraska Vocational Rehabilitation Services**

Nebraska Vocational Rehabilitation (VR) is an employment program for people with disabilities. VR helps eligible individuals make career plans and learn job skills in order to get and keep a job. Students with a disability may be eligible to receive VR transition services while still in high school.

To obtain more information or locate an office near you:

Vocational Rehabilitation  
P.O. Box 94987  
Lincoln, NE 68509  
(877) 637-3422 (toll free)  
(402) 471-3644 (Lincoln)  
Website: <http://www.vocrehab.state.ne.us/>



# APPENDIX G: RESOURCE MATERIALS

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## **Family Center on Technology and Disability**

Funded by the U.S. Department of Education's Office of Special Education Programs, the Family Center on Technology and Disability provides a wide range of resources on assistive technology, from introductory fact sheets and training materials to in-depth discussion of best practices and emerging research. <http://www.fctd.info/>

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## **Individuals with Disabilities Education Act (IDEA) 2004**

Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004) <http://idea.ed.gov/download/statute.html>

IDEA 2004 Final Regulations (Federal Register 34 CFR Parts 300 and 301, Assistance to States for the Education of Children with Disabilities and Preschool Grants for Children with Disabilities) <http://idea.ed.gov/download/finalregulations.pdf>

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## **National Center on Accessible Instructional Materials**

The National Center on Accessible Instructional Materials website provides information about accessible media, policy, and practice, and upcoming events; AIM and NIMAS tools and resources; and opportunities to collaborate with the AIM community. Through this site, users may click on "AIM In Your State" for information specific to their state. <http://aim.cast.org/>

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## **National Dissemination Center for Children with Disabilities (NICHCY)**

The NICHCY site provides an overview and links to information regarding federal legislation that relates directly or indirectly to individuals with disabilities, particularly children and youth. This includes: IDEA, No Child Left Behind, Section 504 of the Rehabilitation Act, Americans with Disabilities Act, and the Assistive Technology Act. <http://nichcy.org/laws>

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## **Nebraska Accommodations Guidelines – How to Select, Administer, and Evaluate Accommodations for Instruction of Students with Disabilities**

A Technical Assistance document, issued by the Nebraska Department of Education in 2011, provides guidelines regarding accommodations for students with disabilities.

To view or download the document:

<http://www.education.ne.gov/sped/assessment/Accommodations%20Guideline%20Nov%20%202011.pdf>

For additional information, contact:

Nebraska Department of Education/Office of Special Education  
301 Centennial Mall South  
P.O. Box 94987  
Lincoln NE 68509-4987  
(402) 471-2471

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## **Nebraska Department of Education “Setting Goals...Achieving Results”**

A Technical Assistance document, issued by the Nebraska Department of Education in 2011, provides guidance on the IEP process. This includes reviewing the requirements of the law, determining why those requirements are important, and deciding how each requirement can best be met.

To view or download the document:

<http://www.education.ne.gov/sped/technicalassist/IEP%20DOCUMENT.pdf>

For additional information, contact:

Nebraska Department of Education/Office of Special Education  
301 Centennial Mall South  
P.O. Box 94987  
Lincoln NE 68509-4987  
(402) 471-2471

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## **Office of Special Education Programs**

The U.S. Department of Education, Office of Special Education Programs (OSEP) is dedicated to improving results for infants, toddlers, children and youth with disabilities ages birth through 21 by providing leadership and financial support to assist states and local districts.

Information regarding OSEP may be found at:

<http://www2.ed.gov/about/offices/list/osers/osep/index.html>

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## **Section 504 of the Rehabilitation Act of 1973**

For general information regarding Section 504, visit the U.S. Department of Education's website at: <http://www.ed.gov> and enter Section 504 in the search box.

To view federal regulations: <http://www.ed.gov/policy/rights/reg/ocr/edlite-34cfr104.html>

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## **The Quality Indicators for Assistive Technology (QIAT)**

The Quality Indicators for Assistive Technology (QIAT) website includes resources, including a comprehensive set of quality indicators for effective assistive technology services by school districts.

[http://natri.uky.edu/assoc\\_projects/qiat/](http://natri.uky.edu/assoc_projects/qiat/)

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## **Wisconsin Assistive Technology Initiative**

The Wisconsin Assistive Technology Initiative (WATI) website provides valuable resources and links to information, model forms and suggested procedures related to the provision of assistive technology services.

<http://wati.org/?pageLoad=content/links/history/index.php>



ASSISTIVE TECHNOLOGY  
*Partnership*

Discover the benefit of technology  
at home, in school, on the job, and  
in the community.

For further support and technical  
assistance, contact:  
Assistive Technology Partnership  
Cozad, Nebraska  
(308) 784-4525