

# Assistive Technology Technical Assistance (AT-TA) Document

## For Children and Youth with Disabilities IDEA Part B

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This document was created in collaboration with Oklahoma Assistive Technology Center and Oklahoma ABLE Tech.

## Purpose

The purpose of this document is to assist Oklahoma Local Education Agencies (LEAs) and Individualized Education Program (IEP) teams in providing assistive technology devices and services to students with disabilities as required by the Individuals with Disabilities Education Act (IDEA). The document includes information and resources related to all components of the assistive technology service delivery process.

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# Assistive Technology and the Law

*“If the technology revolution only happens for families that already have money and education, then it’s not really a revolution.”*

Arne Duncan  
U.S. Department of Education  
National Education Technology Plan 2016

The federal regulations for implementation of the Individuals with Disabilities Education Act (IDEA) define assistive technology (AT) devices<sup>1</sup> and services<sup>2</sup>. AT is technology used by individuals with disabilities in order to perform functions that might otherwise be difficult or impossible. IDEA requires Individualized Education Program (IEP) teams to consider the AT needs of students during the development, review, and revision of an IEP<sup>3</sup>. IDEA also requires schools to provide AT if it is needed for a student to receive a free appropriate public education (FAPE)<sup>4</sup>

FAPE enables students the opportunity to access standards on their grade level. FAPE can include a variety of services such as special education, related services, supplementary aids and services, program modifications or support for school personnel<sup>5</sup>. AT, just like all other components of FAPE, must be provided at no cost to parents. Local Education Agencies (LEAs) must provide or pay for any AT necessary to ensure FAPE, either directly or through contract or other arrangements. The schools may not unnecessarily delay the provision of AT devices and services due to funding issues if a child requires the devices and services to benefit from the IEP.

## The Assistive Technology Act of 2004 (P.L. 108-364) (AT Act)

The AT Act was written to include technology advances to improve the lives of all Americans with disabilities of all ages and in all environments on a statewide-basis by providing increased access to and acquisition of AT. ABLE Tech is the AT Act program for the state of Oklahoma. ABLE Tech provides many services to Oklahomans including demonstrations and short-term loans of AT (up to 6 weeks), free gently-used durable medical equipment (DME) and AT, as well as State Financing activities to help Oklahomans finance devices, apply for free specialized alert equipment, and also receive financial education.

Additionally, ABLE Tech provides training, public awareness, and consultations to help individuals with disabilities, their family members, and other care providers receive the support needed to find the appropriate AT to assist them. ABLE Tech also provides statewide training to agencies on Information and Communication Technology (ICT) Accessibility, which works to ensure that individuals with disabilities, including students, have equal access to all printed and digital materials. As a result of the effort of the state AT Act programs, millions of Americans with disabilities are able to participate in work, school, recreation activities, and be contributing members of their communities.

## Title II of the Americans with Disabilities Act of 1990 (Title II)

In addition to IDEA, there are two other federal laws that specifically address the obligation of all public schools to meet the communication needs of students with disabilities: Title II, and Section 504 of the Rehabilitation Act of 1973 (Section 504). Title II requires schools to ensure that students with disabilities receive communication that is as effective as communication with others through the provision of auxiliary aids and services<sup>6,7</sup>.

In many cases, but not all, an IEP will meet the requirements of Title II. The Title II term “communication” includes all kinds of information exchange – reading, writing, listening and speaking. In AT terms, effective communication can require a technology support instead of a human support because the technology support allows a student to perform tasks independently thus achieving “effective communication” as required by Title II. The important point to note is that “effective communication” can be a higher standard and require additional AT even when a student’s need for an “appropriate” education in FAPE has been met. For more information, please view the U.S. Department of Justice’s Civil Rights Division and the U.S. Department of Education’s Office for Civil Rights and Office of Special Education and Rehabilitative Services Dear Colleague Letter, Frequently Asked Questions, and Fact Sheet regarding effective communications for students with hearing, vision, or speech disabilities in public elementary and secondary schools.

- The complete document can be found here:  
<https://www2.ed.gov/about/offices/list/ocr/docs/dcl-faqs-effective-communication-201411.pdf>

Title II is a civil rights law that prohibits discrimination against individuals with disabilities in areas of employment, public services, public accommodations, transportation and communication<sup>8,9</sup>. Title II, which applies to schools as state or local entities, does not specifically define AT. It instead uses the term “auxiliary aids and services” including AT along with other services such as human supports. Title II states those physical barriers in existing facilities must be removed if removal is readily achievable. If not, school districts must offer alternative methods of providing the services if they are readily achievable. In addition, equal access includes the provision of auxiliary aids and services that are needed for effective communication with individuals with disabilities.

## Section 504 of the Rehabilitation Act of 1973 (Section 504)

Reference to AT in Section 504 is included in “special education and related aids and services,” the description of the delivery of an appropriate education and use of the term “supplementary aids and services,” and the discussion of academic settings in which students with disabilities should be served. A student is not required to be eligible for special education services to be protected under Section 504. Section 504 also prohibits discrimination against individuals with disabilities and requires schools to provide equal access to their programs and services.

## Every Student Succeeds Act (ESSA)

The Every Student Succeeds Act (ESSA) poses many changes to K-12 education. It calls for states to revamp their accountability systems – significantly scaling back the role tests play in gauging school progress. Under ESSA, states

and districts can choose their own evidence-based interventions to transform their lowest performing schools. States will be required to report the performance of students with disabilities, along with students in groups, such as racial and ethnic minorities.

States can opt to eliminate teacher evaluations based in part on students' standardized tests, which were required for states who wanted one of the Obama administration's waivers from portions of the No Child Left Behind (NCLB) law.

- *Under ESSA, States, Districts to Share More Power* from Education Week, January 2016. View more information at: <https://www.edweek.org/ew/articles/2016/01/06/under-essa-states-districts-to-share-more.html>

## 2016 National Education Technology Plan (NETP)

The NETP is a vision and plan for guiding the implementation of technology into learning, teaching, leadership, assessment, and infrastructure for education at all levels. The principles of the NETP align to the Innovative Technology Expands Children's Horizons (ITECH) Program as authorized by Congress in December 2015 through the Every Child Achieves Act.

The goal of the plan is to provide students with greater equality and accessibility to education. The plan addresses using technology to provide new types of learning experiences, creating systemic changes in learning and teaching, assessing how the technology is assisting students and educators, and implementing infrastructure changes.

The plan contains research and recommendations throughout including suggestions that "education stakeholders should develop a born accessible standard of learning resource design to help educators select and evaluate learning resources for accessibility and equity of learning experiences."

- The complete document at: <http://tech.ed.gov/files/2015/12/NETP16.pdf>
- *Future Ready Learning, Reimagining the Role of Technology in Education*, from the Office of Educational Technology U.S. Department of Education, January 2016 available online at: <https://eric.ed.gov/?id=ED571884>

## Assistive Technology Overview

AT can be any device that helps a person do something that would otherwise be difficult or impossible to do. It is also the services involved in helping an evaluator assess the person's needs as well as help them select and use the device. AT is commonly organized into one of 10 AT categories:

The 10 AT Categories	Examples of AT
1. Computers and Related	Adaptive keyboard/mouse, dictation software
2. Daily Living	Adaptive eating and food prep utensils, writing aids
3. Environmental Adaptations	Switches with radios/fans/remotes/lights
4. Hearing	Personal amplification system, classroom amplification system
5. Learning/Cognition/ Development	Adapted calculators, reading guides, writing guides, visual schedules
6. Mobility/Seating/Positioning	Adaptive seating options, adapted walkers, positioning supports
7. Recreation/Sports/Leisure	Games with large print/braille/audio features, adapted video game controllers
8. Speech/Communication	Speech-generating devices, communication boards/ books
9. Vehicle Modifications/Transportation	Modified vehicles including specialized car seats
10. Vision	Magnifiers, devices with audio features and braille

Oklahoma ABLE Tech has an extensive inventory with over two thousand items in the above categories. It is common for educators, administrators, related service providers, and families to borrow equipment from ABLE Tech to see if it will meet a student's needs before purchasing the item. If team members already know the device(s) they would like to borrow, they may search the online inventory and immediately request up to three devices.

- You can search ABLE Tech's inventory at: <https://www.okabletech.org/guide-to-all-services/device-loan-program/>

For those who need additional information about what types of AT may benefit a student, more detailed information about devices and supports — including case studies and examples — can be found on ABLE Tech's AT Discovery pages that are organized by disability category and further subdivided by environment where the person will be using the AT.

- Visit ABLE Tech's AT Discovery pages at: <https://www.okabletech.org/at-discovery/>

## Quality Indicators for Assistive Technology / AT Consideration

When determining the AT needs of a student with a disability, it is important for Local Education Agency (LEA) teams to provide high-quality, AT services. The Quality Indicators for Assistive Technology (QIAT) were developed by focus groups, validated through research, and provide a set of descriptors that can serve as a guideline for LEAs to evaluate the quality of their AT services. These indicators are broken down into eight areas that are important to the development and delivery of AT services and include:

1. Consideration of AT Needs
2. Assessment of AT Needs
3. AT in the IEP
4. AT Implementation
5. Evaluation of Effectiveness of AT
6. AT in Transition
7. Administrative Support for AT
8. AT Professional Development

A set of self-assessment matrices have been developed as a companion piece to the Quality Indicators intent statements for each area. School districts can use the QIAT to assist in the self-assessment and development of district level policies and procedures which are in alignment with the mandates and expectations of federal and state law. In most instances the Quality Indicators are also appropriate for the consideration of AT for students who qualify for services under other legislation (e.g. Section 504 and Title II).

### AT Consideration

34 CFR §300.324(a)(2) Development, Review, and Revision of IEP

(2) Consideration of Special Factors.

The IEP Team must Consider whether the child needs assistive technology devices and services.

- Source: <https://sites.ed.gov/idea/regs/b/d/300.324/a/2>

AT must be considered for every student with a disability during the development, review, and revision of the IEP. This includes the Initial, Interim, Subsequent, Amended, and Modified IEP or when a team member deems it necessary.

The Congressional intent of this section of IDEA is to emphasize AT as a means to support educational achievements. The law requires that the IEP team consider/discuss a student's need for AT devices and services during the IEP process. The law places the decision-making responsibility regarding whether or not the student requires AT with the IEP team.

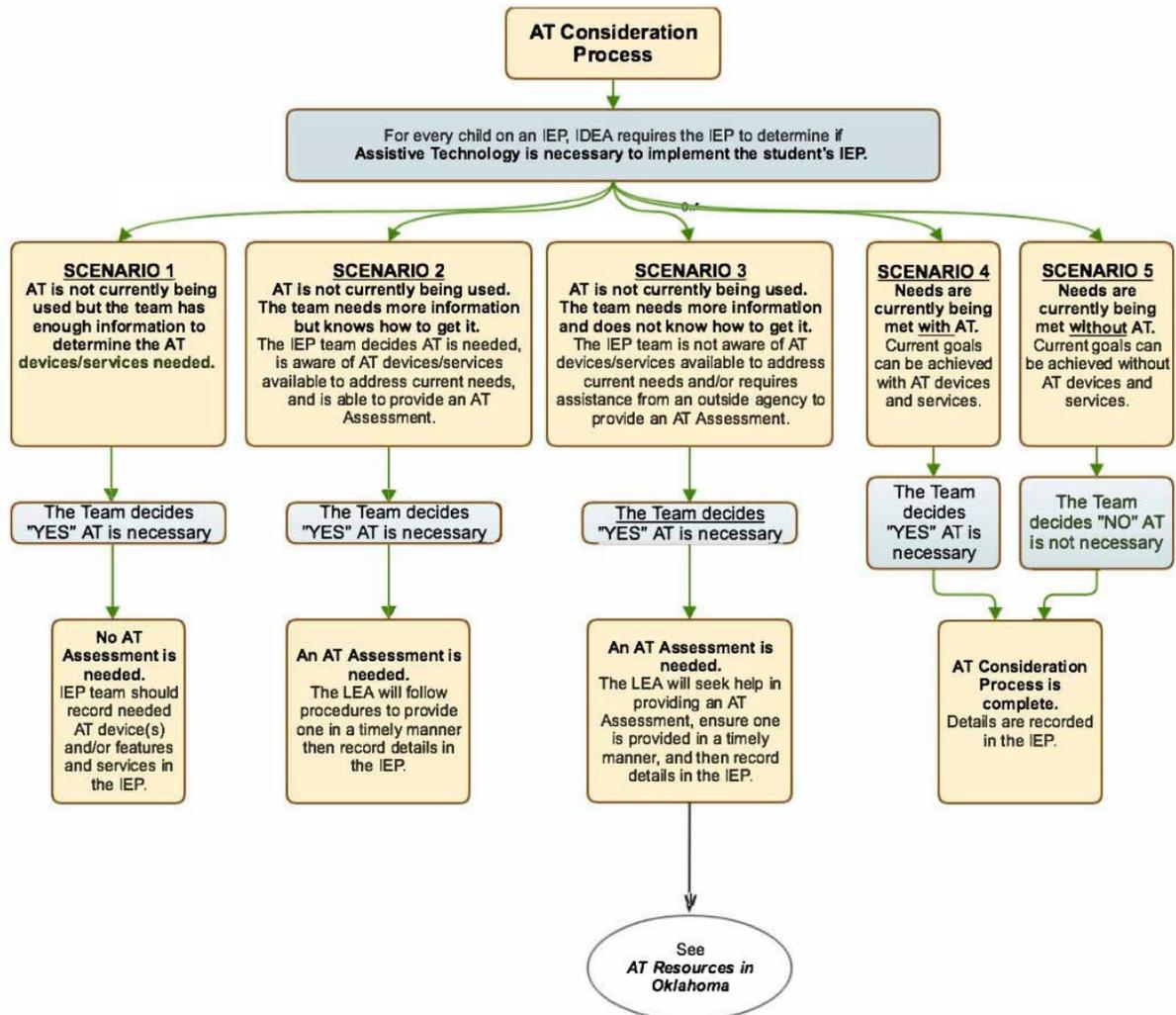
Because IDEA does not provide specific guidance for how AT Consideration should be conducted by an LEA, it is up to the schools to use research from the QIAT and other resources to develop and adopt operational procedures that provide guidance for consistently considering AT for all students on IEPs.

When polled, many AT service providers in Oklahoma prefer using the *Big East Educational Cooperative AT*

Consideration Checklist form to help them determine whether or not students in their districts require AT.

The flow chart below depicts the AT Consideration process and potential scenarios IEP teams may face when considering students' needs for AT

## AT Consideration Chart



## AT Consideration Discussion

At least one person on the IEP team should have some knowledge about AT. Free professional development, trainings, and online supports are available for IEP Team members to learn more about AT devices and services.

The following questions may help the IEP team through the process of reaching a “Yes” or “No” answer to the question, “whether the child needs AT devices and services.”

1. What task is it that we want this student to do, that he/she is unable to do at a level that reflects his/her skills/abilities (writing, reading, communicating, hearing, seeing)?
2. Is the student currently able to complete tasks with special strategies or accommodations?

3. Is there currently AT (either devices, tools, hardware or software) used to address this task?
4. Would the use of AT help the student perform this skill more easily or efficiently, in the least restrictive environment, or perform successfully with less personal assistance?

ABLE Tech has developed an additional document, accessible within EdPlan, to help guide the AT Consideration process during the IEP meeting.

- View the document at: [https://okabletech-docs.org/wp-content/uploads/2018/05/Special-Factors\\_Support\\_Information\\_2017.pdf](https://okabletech-docs.org/wp-content/uploads/2018/05/Special-Factors_Support_Information_2017.pdf). The active link within EdPlan for this document is found near the Special Factors questions.

# AT Assessment

The processes for “Consideration” and “Assessment” are different. The most obvious differences between AT Consideration and AT Assessment are those of depth and duration. AT Consideration is a short discussion that takes place during the IEP meeting using known information and results in the decision to continue something already being used or to try, or not to try, AT. Assessment goes into much more detail, looking closely at the student’s abilities and difficulties and the demands of the environments and tasks. AT Assessment also includes the acquisition of new information.

- *Assessing Students’ Needs for Assistive Technology 5th Edition*, June 2009. Wisconsin Assistive Technology Initiative at: <http://www.wati.org/free-publications/assessing-students-needs-for-assistive-technology/>

## Differences Between Consideration and Assessment

Consideration	Assessment
Can occur within an IEP meeting – may take under 10-20 minutes	Is completed over the span of days, weeks, or even months outside of the IEP meeting
Can be completed with information the team already knows	Involves obtaining new information to make a decision about needed supports
Looks at the student’s ability to achieve with/without assistance to receive a FAPE	<p>Takes multiple interactions with the student, family, school staff and involves demonstrations and trials of AT to find a match</p> <p>Is ongoing and should be a continual part of the student’s education planning</p> <p>Is conducted within the student’s customary educational setting by a multidisciplinary team knowledgeable about AT devices and services. If at least one team member is not knowledgeable about AT, the team must know where/how to seek assistance</p> <p>When outside assessments have been conducted, the IEP team must consider the results in any decision made with respect to the provision of a free and appropriate public education</p>

## AT Assessment Process

AT Assessment is a *process* driven by identifying specific needs of the individual and matching AT devices and/or services to help that individual complete a task. AT Assessment is not standardized, but should:

- **Be systematic** — LEAs have identified an approach that everyone follows.
- **Be replicable** — LEAs should document the process and tools used to conduct individual student assessments. This not only provides a roadmap of how the IEP team arrived at its decision but allows another IEP team to replicate the results if needed.

- **Provide accountability** — LEAs will want proof that a piece of AT works before following through with funding.
- **Be performed by a team familiar with AT populations and issues** — LEAs need to ensure that IEP team members are knowledgeable in order to make decisions or know where to seek assistance by receiving the appropriate training.

Having operational procedures in place enables school districts to provide consistent, quality AT Assessments for all students who may need one.

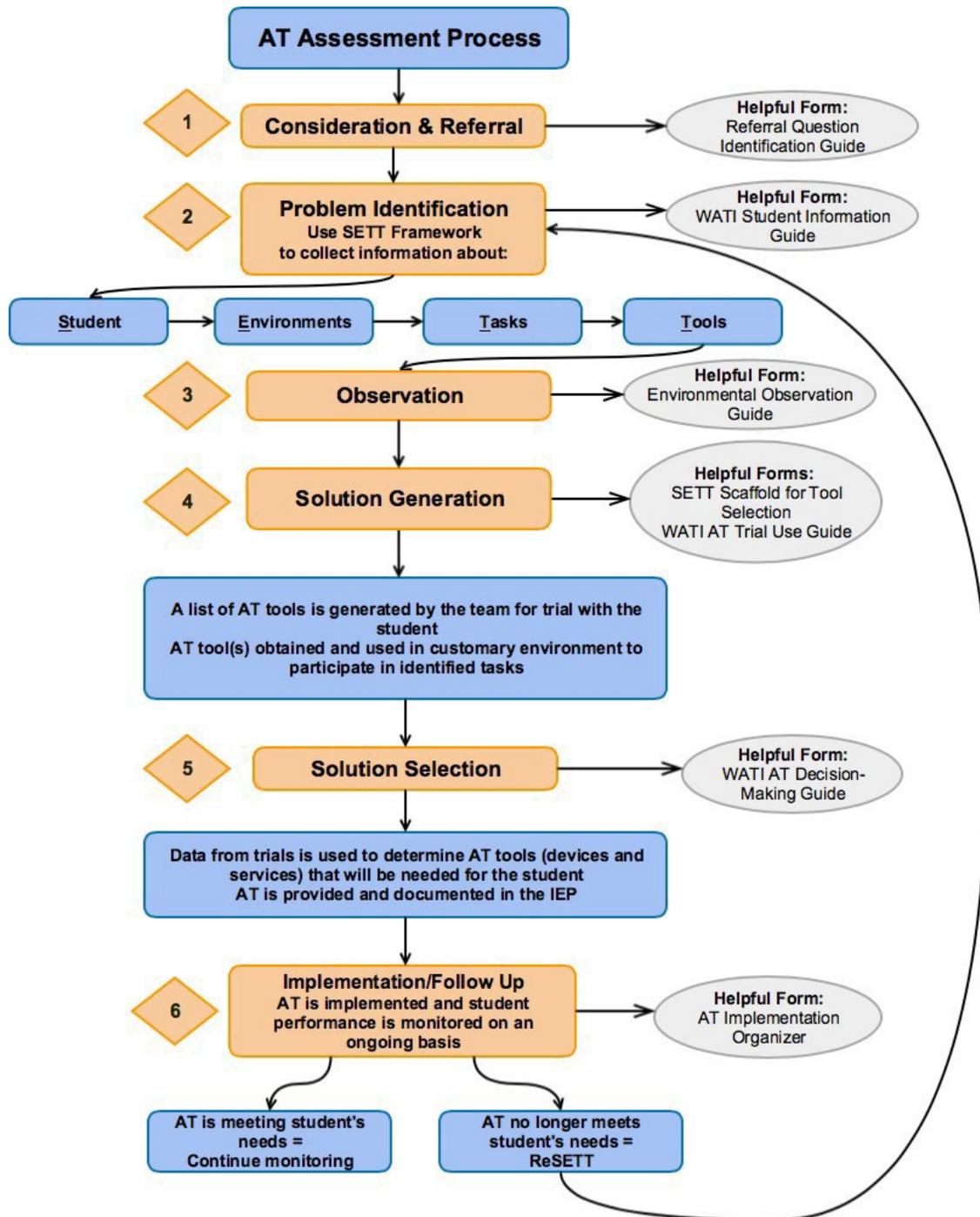
There are 6 basic steps to an AT Assessment:

1. Consideration and Referral
2. Problem Identification
3. Observation
4. Solution Generation
5. Solution Selection
6. Implementation/Follow Up

The following pages will explain each step in detail.

The flow chart on the next page depicts the AT Assessment process and includes references to helpful forms.

# AT Assessment Flowchart



# ① Consideration and Referral

## Referral

When should a student be referred for an AT Assessment? There are many signs that can indicate whether a student requires an AT Assessment. Many times, it starts from a parent or educator's concern for the way the student is (or is not) able to participate in educational activities. When a student is already on an IEP, the IEP team may go through the AT Consideration process then refer for an assessment when the following is true:

The student ...

- is not using AT, but the IEP team decides it is needed
- is not using AT, and the IEP team does not have enough information
- is using AT but has new/changed needs that may require additions or changes to current AT

School personnel or parents may refer a student for an AT Assessment if one or more of the following is true as well:

The student ...

- is being removed from the regular education classroom for any part of the instruction and the student's use of AT would allow him or her to stay in the regular education classroom
- has difficulty accessing educational materials like textbooks, worksheets, workbooks, novels, etc.

The Wisconsin AT Initiative (WATI) has a Referral/Question Identification Guide that LEAs may adopt and use if desired.

- The Referral/Question Identification Guide is at: <http://www.wati.org/wp-content/uploads/2017/10/ReferralGuide-Form.pdf>

## AT Assessment Team

The AT Assessment team may or may not have the same members as the student's IEP team; however, **best practice is for the IEP team to make up the foundation of the assessment team**. These are the people who know the student the best and have potentially been working with him/her for years. The function of an AT Assessment team is to develop a shared understanding of the student, the educational environments in which the student regularly participates, and the tasks that the student is expected to be able to complete and/or participate in as an active member of his/her educational environment. The AT Assessment team should be able to provide specific information about the Student, Environments, Tasks and potential AT Tools that can help the student receive a FAPE. The team should be multidisciplinary, with at least one member having a working knowledge of AT as it relates to the student's educational needs.

The assessment team includes persons with knowledge about:

- **The Student** — Examples: Family members, regular and special education teachers, paraeducators

- **Motor Development** — Examples: Occupational Therapists (OT) or Physical Therapists (PT)
- **Curriculum** — Examples: Regular education teachers
- **Committing District Resources** — Examples: Principal, Special Education Director, Counselor
- **Language** — Example: Speech Language Pathologists (SLP)
- **AT Options** — Examples: OT, PT, SLP, other AT Specialists

The team is charged with determining when and where to gather additional information about the student, environments, tasks, and tools. There are many resources to help teams in filling out student referral information as well as gathering preliminary information about the student.

When teams do not have a person who knows about AT related to the student's needs, a consultation may be opened with Oklahoma ABLE Tech to assist the team in completing the AT Assessment. Consultation forms may be submitted online, faxed, or mailed. Once received ABLE Tech staff with AT knowledge related to the needs of the student will contact the team.

- A consultation form is available from ABLE Tech's website at:  
[https://okabletech.formstack.com/forms/able\\_tech\\_intake\\_form\\_long](https://okabletech.formstack.com/forms/able_tech_intake_form_long)

## ② Problem Identification: Collect Information about the Student, Environments, Tasks, and Tools

The following are techniques and tools team members may utilize when gathering information:

- **Observations** — Watch the student in his/her natural settings in various activities. Note the participation patterns of peers. Compare work samples from the student to those of his/her peers.
- **Interactions** — Engage him/her in tasks similar to what is required in the classroom. Create opportunities for the student to try AT and/or modifications that might be helpful.
- **Interviews** — Ask the student, family, and/or school personnel specific questions regarding the needs, abilities, interests, and participation patterns of the student.
- **Record Review** — Review past history, medical, or specialized assessment information.
- **Informal and Formal tests** — Formal assessments are NOT required, but may be used when possible and applicable.
- **Protocols and Profiles** — Pre-made forms teams use to record information about a student's abilities and needs.

The following are examples of forms teams may use:

- Georgia Project for Assistive Technology (GPAT) Protocols
- Protocol for Accommodations in Reading (PAR) by Don Johnston
- Universal Protocol for Accommodations in Reading (UPAR) by Don Johnston
- Written Productivity Profile
- Pragmatics Profile of Everyday Communication Skills
- Wisconsin Assistive Technology Initiative (WATI) Student Information Guide

The SETT Framework (Joy Smiley Zabala, Ed. D., ATP) is a systematic process that LEAs may use to conduct an AT Assessment. “SETT” is an acronym that stands for: Student, Environments, Tasks, and Tools. The SETT Framework assists teams in exploring and recording information about each of the following areas:

## SETT Framework

Student	Environments	Tasks	Tools
<p>What is/are functional area(s) of concern?</p> <p>What does the student need to be able to do that is difficult or impossible to do independently at this time?</p>	<p><b>Arrangement:</b> Instructional and physical</p> <p><b>Support:</b> Available to both the student and the staff</p> <p><b>Materials and Equipment:</b> Commonly used by others in the environments, currently being used by the student</p> <p><b>Access Issues:</b> Technological, physical and instructional</p> <p><b>Attitudes and Expectations:</b> Staff, family and others</p>	<p>What SPECIFIC tasks occur in the student’s natural environments that enable progress toward mastery of IEP goals and objectives?</p> <p>What SPECIFIC tasks are required for active involvement in identified environments, related to communication, instruction, participation, productivity and environmental control?</p>	<p>Teams explore tools after information gathered on the Student, Environments, and Tasks is analyzed and used to address the following questions:</p> <p>Is it expected that the student will not be able to make reasonable progress toward educational goals without AT devices and services?</p> <p>If yes, describe what a useful system of supports, devices, and services for the student would be like if there were such a system of Tools.</p> <p>Brainstorm specific Tools that could be included in a system that addresses student needs.</p> <p>Plan the specifics of the trial (expected changes, when/how tools will be used, cues, etc.)</p>
<p><b>Helpful Form for Student:</b> The <i>WATI Student Information</i> Guide forms are great to use when collecting information about the student’s abilities and needs.</p>	<p><b>Helpful Form for Environment:</b> The <i>WATI Environmental Observation Summary</i> may be used to collect information about the student’s environments and tasks as compared to his/her peers. This form looks at ways in which the student participates as well as barriers to participation.</p>	<p><b>Helpful Form for Task:</b> The <i>WATI Environmental Observation Summary</i> may be used to collect information about the student’s environments and tasks as compared to his/her peers. This form looks at ways in which the student participates as well as barriers to participation.</p>	<p><b>Helpful Form for Tools:</b> Joy Zabala’s <i>SETT Scaffold for Tool Selection</i> is an excellent form that assessment teams can use to compare specific tool features then narrow down choices to see what AT might be used during a trial.</p>

### ③ Observation

Up until now teams may find that they have much of the information about the student's abilities, environments, tasks, and current tools just by reflecting on their past interactions with the student. Since doing an assessment requires obtaining new information, teams will want to complete observations of the student in the environment(s) where the student needs to complete tasks that may require AT. This is another opportunity for teams to share responsibilities!

Using a form that leads you through an observation can be extremely helpful.

- One form that may be used is the *WATI Environmental Observation Summary Guide* found at: [https://www.okabletech.org/wp-content/uploads/2018/07/48-49\\_Environmental-Observation-Guide.pdf](https://www.okabletech.org/wp-content/uploads/2018/07/48-49_Environmental-Observation-Guide.pdf)

Tips for your observation include:

- Asking multiple team members to complete the same observation form in their own environments  
Observing how much/often and in what ways the student is participating
- Observing how much/often and in what ways the student's peers are participating
- Noting whom the student is interacting with: Students vs adults
- Noting if there are any noticeable barriers to the student's participation

Assign a deadline for observations to be completed and schedule a meeting to compare team notes.

## ④ Solution Generation

Once team members have gathered sufficient information on the student's needs and abilities, environments where AT may be needed, and tasks that must be completed, it is time to brainstorm and research possible solutions that may help the student increase independence and participation in the least restrictive environment and ultimately reach those IEP goals! Since devices are phased out of production and new technology comes out on an almost daily basis, it is very important for teams to know the features of the device a student needs above knowing the exact names of devices (at this stage). The goal of Solution Generation will be to make a list of the features a device(s) must have and then determine which device(s) match well with the student.

The SETT Scaffold for Tool Selection form will first walk team members through listing features of a device. Examples of features include portability, durability, word prediction, external or onscreen keyboard, text-to-speech, dictation, etc.

After listing needed features, team members will need to ensure that someone on the team knows the names of specific devices that have the identified features or they will need to do independent research and/or consult with an outside entity — like Oklahoma ABLE Tech — to generate solutions that may work for the student.

- View ABLE Tech's AT Discovery pages for device ideas at: <https://www.okabletech.org/at-discovery/>

### Trial Device(s)

Once a list of specific AT tools is generated, the AT Assessment team should prepare to complete AT trials with the student. To prepare for a trial with an AT device, the AT Assessment team may use a pre-made form to ensure preparations are adequate/complete for each student.

- One form that may be used is the WATI Trial Use Guide at: <https://www.okabletech.org/wp-content/uploads/2018/05/7.-WATI-AT-Trial-Use-Guide.pdf>

The guide leads the IEP team to answer questions like:

- Who is going to coordinate the trial to help acquire the device(s)?
- What training may be needed for the student, family, and/or team members on how to use the AT?
- Who will set up, troubleshoot, recharge, and otherwise manage the AT during the trial?
- Where, when, and during what tasks will the student use the AT during the trial?
- What outcomes will determine success of the trial, whether additional AT should be trialed, and/or whether the trial should be discontinued?

### Where to Get AT Devices for Trial

- The LEA's AT inventory
- Visit device manufacturers' websites for information about trials and local sales representatives
- Oklahoma also has two state-specific resources for obtaining trials with AT devices:
- AIM Center at the Oklahoma Library for the Blind and Physically Handicapped

- Oklahoma ABLE Tech: Oklahoma’s statewide AT Act Program
  - Information on the AIM Center can be found at: [www.olbph.org](http://www.olbph.org)
  - Information on the ABLE Tech can be found at: [www.okabletech.org](http://www.okabletech.org)

## Collect Data

The IEP team will need to collect data about each device trial to provide objective information about student performance and to help the team decide about which AT device(s) are appropriate for the student.

- This may be recorded on the WATI Trial Use Guide which can be found at: <https://okabletech-docs.org/homepage/at-ta-document-part-b/appendix-b-virtual-binder/43-at-assessment/51-assistive-technology-trial-use-guide/>

There are a variety of data collection tools that can be used to document a student’s progress during an AT device trial. It may be necessary to consider the funding source during the trial as some entities require a video of the student using the device as criteria for funding it.

After completing trials and collecting data, the team should know which device(s) will meet the student’s needs. If more than one device meets the same need, the team may need to consider additional questions to select the best device.

- Will a no- or low-tech solution work just as well as a high-tech solution?
- Will the technology work in all necessary settings or environments?
- If it will be moved regularly, how portable is it?
- How easy is it to learn and operate?
- How reliable is it under school and/or home conditions?
- Does it need to work with other technologies?
- Are there sufficient technical resources available at the school or district level to support the technology?

## ⑤ Solution Selection: AT is Provided and Documented in the IEP

### Making a Decision

Once trials are completed and information is gathered, it must now be utilized, but making unanimous decisions as a team can be very challenging. Having a prescriptive process can help team members know what to expect, understand their roles, and allow them to duplicate the steps while serving on other teams. Remember: All members of the team must have equal say in decisions that are made.

Roles and responsibilities during team meetings should be determined before starting and should be shared. In each team meeting, there should be at least one facilitator, a recorder, and a timekeeper.

What should team members bring to their meetings?

- The SETT process and trial information that has been gathered
- Chart paper and markers
- Pre-made forms and other resources that were used in gathering the information
- Web access as available to use online resources
- Knowledgeable person in his/her area of expertise as needed

Start by confirming the meeting's timeframe, make introductions, and provide an overview of the process that is about to take place. Let members know that ALL input will be written and displayed.

### Steps of Decision-Making

1. **Problem Identification** – Completed during the Student, Environments, and Tasks part of the SETT process - Address both strengths and needs of student, consider demands of the environments and tasks that need to be accomplished. Before generating solutions, select one task on which to focus.
2. **Solution Generation** – Completed during the Tools part of the SETT process – Follow brainstorming rules and use resources as needed, pre-made forms, online supports, product catalogues, etc.
3. **Solution Selection** – Encourage discussion, combining, sequencing, and prioritizing. Seek to obtain a consensus.
4. **Implementation** – What device(s) will be needed? What service(s) will be needed? Who will set the tool(s) up for use by the student, train the student/staff, and maintain/repair the device? Who will monitor the student's use of the device?
5. **Follow-Up** – Over time things change with the Student, Environments, and Tasks which may lead to changes in the Tools. There may also be new people involved, new questions may come up, or new technology may be available. Reevaluating the situation or ReSETting is NOT starting over.
  - The WATI AT Decision-Making Guide can be used to collect team thoughts on the assessment process. Access the form at: <https://www.okabletech.org/wp-content/uploads/2018/05/8.-WATI-Decision-Making-Guide.pdf>

## AT is Provided

Once the team decides what tool(s) are needed (devices and services), it is the LEA's responsibility to ensure the needed AT is provided at no cost to the student and family. Depending on the type of AT required, there are many funding sources available to the student including Medicaid, private insurances, and additional private sources.

The following are basic actions needed to obtain AT devices:

1. Identify the source of equipment and associated costs.
  - a. Locate vendor or manufacturer.
  - b. Obtain a price quote in writing.
2. Determine person(s) who will seek funding source.
  - a. Determine requirements for each funding source.
  - b. Identify possible funding sources.
3. Order equipment (consider obtaining a maintenance agreement, warranty, or other safeguard).
4. Plan for training as needed.
5. Set up equipment.
6. Establish technical support system (include a plan for repairs including, obtaining loaner equipment).

## AT is Documented in the IEP

The law is very clear that AT is to be included in a student's IEP. Documenting AT in the IEP ensures there is a clear understanding of the AT devices and services that are needed for the student as identified by the IEP team. There are several places in the IEP that are appropriate for documenting AT. However, it is more important that the information regarding AT be included in the IEP than *where* that specific information is included. The following are areas that can include AT:

- Overall Objective Statements
- Goals and Objectives
- Supplementary Aids and Services

AT devices may also appear as specially designed instruction, related services, AT, modifications, accommodations, support for school personnel, transportation, transition planning, and participation in state and local assessments.

When the IEP team recommends an AT device as part of the IEP, a brand name of the specific device need not be specified on the IEP. It may be more beneficial to list the needed device features as more than one specific device may meet the student's needs.

## AT as Special Education

When AT is included as Special Education on the IEP, the team will discuss its need in the Overall Objective Statements and/or incorporate it into the annual goals and/or short-term objectives. How AT will contribute to the functional performance of the student (overall objective statement) or to achieving the goal and objectives must be clearly stated. The inclusion of AT in the IEP requires an explanation of how and why the child will use the

technology to accomplish a particular goal and/or participate in the educational setting. The device could be part of the conditions needed to accomplish the goal and objectives.

#### IEP Examples: Overall Objective Statement

Dillon has the academic ability to do grade level work, but when the assignment involves writing, he is unable to complete the work. Dillon currently uses an application on a tablet to take pictures of worksheets and type answers. He transitions to a word processing program or device to complete assignments of multiple sentences.

#### IEP Examples: Goals and Objectives

Using a word processor program with a spell checker, Dillon will compose a 3-paragraph paper using at least 15 sentences, with 80% accuracy in the use of punctuation, capitalization and grammar for 5 assignments in a grading period.

### AT as Supplementary Aids and Services

The IDEA requires that special education and related services be made available to all children and youth with disabilities<sup>2</sup>. School districts may provide students with disabilities AT devices and services in conjunction with other related services. School districts must provide related services to a student with a disability at no cost to the parent. In EdPlan, AT as a related service comes under Supplemental Aids. AT can be a supplementary aid or service to facilitate a student's participation in a general education class or other appropriate education-related setting. Students with disabilities have the right to an education in the least restrictive environment (LRE). To be successful in the LRE and to benefit from their education, students may need supplementary aids and services. Supplementary aids, which may allow a student to successfully participate in a general education class or other education-related setting, include a variety of assistive devices that compensate for the disability and allow the student to perform the required tasks.

AT is necessary as a supplementary aid and service if its use (along with other necessary aids) supports the student sufficiently to succeed in the current educational placement, and in the absence of the aid, requires the student's removal to a more restrictive setting.

For students to be successful with AT devices, they need to receive training on the use of the equipment. Classroom staff also need to be knowledgeable on how and when to use the device and may also require training. When including AT as a supplementary aid and service, it may be necessary to indicate services for AT training and for implementation of the AT device.

## IEP Example: Supplemental Aids

### Add Supplemental Aids

Please describe how and when each supplementary aid will be used. Include time spent training the student on use of the device (who will train, number and length of sessions) as well as how the device will be implemented into the student's curriculum (i.e. the educational areas and types of activities for which the device would be used).

Adding Services from a List					
Supplemental Aids	Number Sessions	Session Length	Start Date / End Date	Training	Implementation
Speech-Generating Device	3 per week	20 min	09/01/2017 08/31/2018	Student and teacher will receive training by SLP for 3 sessions per week from 09/01/2017 to 10/31/2017.	Device will be implemented daily for class discussions and student presentations beginning 09/01/2017
-none-	per week	min			
-none-	per week	min			
-none-	per week	min			

[Add More](#)

Additional information regarding AT devices and services that need to be included in the IEP can be included as Supplementary Aids and Services under “LRE and General Education.”

Under IDEA, a student must be receiving special education to receive related services. However, under Section 504 the student may receive auxiliary services without qualifying for special education. Some examples of auxiliary aids and services include:

- Assistive listening devices
- Braille calculators, printers, or typewriters
- Digital/audio texts
- Interpreter
- Notetaking device
- Specialized gym equipment
- Telecommunication devices
- TV enlargers
- Voice synthesizers

There is truly no wrong way to record AT in the IEP. The most important point is to capture the process the team plans to pursue or is currently pursuing and record pertinent information related to the student's needs and use of AT.

Remember, it is best practice for schools/districts to develop operational procedures for how those completing IEPs should record AT in the IEP.

## ⑥ Implementation / Follow Up

Once the needed AT has been acquired and devices/services have been included in the IEP as required, there is still much to determine as a team. There are three areas of concern regarding implementation of AT:

- Inclusion of AT in classroom instruction
- Student and staff training
- Equipment management

Students will have much more success using AT in the classroom to accomplish educational tasks when a good implementation plan is developed and used. Schools should also develop a contingency plan in order to ensure that a student has access to the AT tool or system in the event that the primary AT malfunctions.

The following areas should be noted when evaluating how well the AT is being implemented:

- **Tools/Strategies** — Identify the specific AT tools or systems that will be used.
- **Specific Tasks** — Identify specific tasks for which the AT will be used by the student and to what extent the student will participate. Teams want to see student participation increase with the use of AT.
- **Environments** — Identify when and where the student will be using the AT. Determine how the AT will be transported from one environment to another.
- **Related IEP Goals** — Identify where the use of the AT correlates with the IEP.
- **Develop a system for recording implementation activities and participation results** — This will help to communicate information about the student's AT use to all team members and help the team make decisions about the types of AT and supports the student may need in the future.
- **Maintenance, Training, and Customization** — Identify what components of the AT need to be maintained (i.e. the battery charged, cleaned, replaced). Ensure all personnel working with the student and his/her AT are trained (include content on which personnel need to be trained and timelines for training). Determine who will customize the AT (i.e. The speech pathologist will program new vocabulary on the speech generating device when needed).
- **Repairs and Contingency Planning** — Note information about repairs (i.e. who to contact for repairs and how they will be funded). Develop a contingency plan to stipulate how the student will be provided with a temporary replacement or low-tech backup while the primary AT tool or system is being repaired (i.e. use ABLE Tech's educational loan program to borrow a device during repairs).

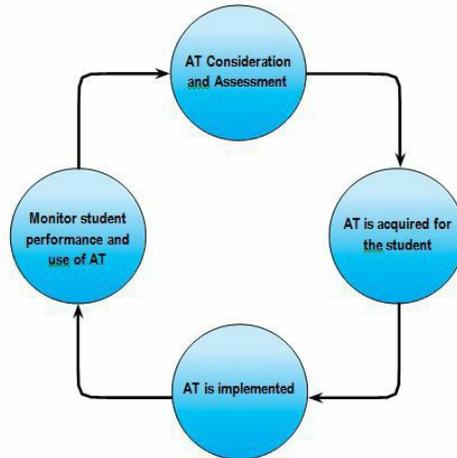
Students will need to be instructed in all aspects of AT use including:

- **Operational** – Skills needed to make the AT device work
- **Functional** – Skills needed to use the AT to complete real tasks
- **Strategic** – Skills involved in knowing when to use the AT device and when to use other accommodations
- **Social** – Skills needed to use the device appropriately around and with other people
  - Janice Light (1989) *Toward a definition of communicative competence for individuals using augmentative and alternative communication systems, Augmentative and Alternative Communication*. View the document at: <https://doi.org/10.1080/07434618912331275126>

ABLE Tech has an updated Implementation Organizer to help your team include all necessary information about the student in development of his/her implementation plan.

## AT Process Cycle

AT in the school setting is a process and can be started at any point on the student's educational path.



When true systems change is desired, Gayl Bowser and Penny Reed explain in their guide *Education Tech Points: A Framework for Assistive Technology* the following action items necessary to improve AT implementation and ensure administrators are involved.

- Maintain an inventory of frequently needed and commonly used AT devices
- Provide staff training in implementing IEPs that include AT
- Develop recommended district procedures for implementation plans
- Develop a system to ensure that supervisors are informed
- Release staff to attend planning meetings
- Provide information regarding the district's technical assistance resources

It is critical for school districts to actively participate in the development of implementation procedures (as well as other AT procedures) for their districts.

For teams that need a starting point for developing these procedures, see Local School System Assistive Technology Guidelines and Procedures which districts may use and edit to meet the needs of students and staff in the local school system.

- View the sample guidelines at: <https://okabletech-docs.org/homepage/at-ta-document-part-b/appendix-b-virtual-binder/>

## Periodic Review



It is important to periodically review a student's progress in all areas of AT use. This can happen at the student's annual IEP team meeting or when requested by a team member. Having data on the student's use of the AT will be essential in determining the continued need, and use of, specific AT tools. Using the SETT process at this point to ReSETT or look at the student's current abilities, needs, environments, tasks and tools will serve as a great way to determine if the student's implementation plan is working and can stay the same. or whether the plan needs to be changed to better meet the student's educational needs.

## AT for Transition/Early Childhood Transition

Transitions are an exciting time and can work very smoothly for children using AT when certain factors are planned for, and in place. This is true whether the child is transitioning from the community to the school as a three-year-old or preschooler, from one class to another within the same school, between schools, or from school back into the community upon graduation. During the AT Assessment process, IEP teams, as well as IFSP teams, should be thinking about how AT will be used immediately, as well as in the future. Providing the skills and supports that a student needs to transition with his or her AT indicates that he or she is more likely to use the AT once the transition occurs.<sup>10</sup>

To ensure successful transitions, it is important for any AT the student is using to be recorded in his/her IEP or IFSP. This ensures that whoever receives the transitioning IEP or IFSP will know what devices and services the student was using to participate and achieve in his/her educational environment.

The following are actions teams should take to prepare for upcoming student transitions with AT:

1. Identify transitions that will happen within the next two years.
2. Develop a plan for these transitions.
3. Identify AT devices and services needed after the transition.
4. Determine in the IEP or IFSP specific instruction the student needs in order to be ready for the transition to AT use in the new environment.
5. Develop self-determination.
6. Identify specific activities that will be completed in order to provide the experiences needed for a successful transition.

### Early Childhood Transition

AT can play an integral role in the early childhood transition process. For a child transitioning into the school system with an IFSP and into an IEP, the team would have previously considered the AT needs of the child as required for him/her to benefit from daily routines in their natural environment and/or to achieve outcomes on the IFSP. The IDEA explains that six months before the child turns three, the team members working with the child and his/her family are required to meet with the LEA to discuss the upcoming transition.

At this time, it is important to reconsider the child's need for AT and discuss what devices and services may benefit the child as he/she may be transitioning to a new environment where activities and routines are different. There are many pieces of AT that children may need between the ages of birth to three that would continue to benefit them as they transition at the age of three.

If it is determined that the AT used in early intervention will transition with the child, the entities involved (i.e. parent, SoonerStart, LEA, etc.) need to sign an *Agreement for the Purchase/Sale or Statement Declining the Sale of AT Devices*.

- For additional information on AT procedures for children receiving SoonerStart services, please view the *Technical Assistance Document: Assistive Technology for Infants and Toddlers with Disabilities, IDEA Part C* at: <http://okabletech-docs.org/homepage/at-ta-document-part-c/>

## Post-High School Transition

For the individual moving into adult life, AT can facilitate greater independence. As some individuals with disabilities will need AT to stay competitive with their non-disabled peers, others will require technology to independently access their environment. Regardless of the specific need, students benefit most throughout the transition process by having needed AT implemented prior to the transition.

IDEA mandates that transition planning for students moving from school to postsecondary endeavors starts no later than the first IEP to be in effect at the beginning of the ninth-grade year or by age sixteen, whichever comes first. Additional entities and agencies should be invited to participate in this planning process.

IDEA divides transition planning activities into five areas:

- Instruction
- Related services
- Community experiences
- The development of employment and other post-school adult living objectives
- If appropriate, acquisition of daily living skills and provision of a functional vocational evaluation

AT can apply to any or all of the above areas when determining the transition needs of graduating students.

If it is determined that the AT used in high school should transition with the youth, the entities involved (i.e. LEA, DRS etc.) need to sign an **Agreement for the Purchase/Sale or Statement Declining the Sale of AT Devices**. *Note: LEAs need to follow the district policy when the LEA will no longer be responsible for the equipment.*

- For more information on the AT Transition process, please view *Education Tech Points: A Framework for Assistive Technology* by Gayl Bowser and Penny Reed at: <https://educationtechpoints.org/>

## Related Issues in IDEA 2004

### Universal Design for Learning

Universal Design for Learning (UDL) is a set of principles for designing curriculum that provides all individuals, including those with learning differences, equal opportunities to learn<sup>11</sup>. UDL principles call for varied and flexible ways to:

- Present or access information, concepts, and ideas (the “what” of learning)
- Plan and execute learning tasks (the “how” of learning)
- Get engaged — and stay engaged (the “why” of learning)

UDL is referenced throughout the National Educational Technology Plan put forth by the U.S. Department of Education, 2010, to ensure that technology be used to optimize the diversity of learners.

### AT and Oklahoma’s Academic Standards

The standards identify the knowledge and skills students need in order to be successful in college and careers. The intent is that “All students must have the opportunity to learn and meet the same high standards if they are to access the knowledge and skills necessary in their post–high school lives. The Standards should also be read as allowing for the widest possible range of students to participate fully from the outset” (State Standards Initiative).

Instruction for students with disabilities must incorporate supports and accommodations, including:

- Those designed to meet the unique needs of these students and to enable their access to the general education curriculum<sup>6</sup>.
- An IEP which includes annual goals aligned with grade level academic standards.
- Teachers and specialized instructional support personnel who are prepared and qualified to deliver high quality, evidence-based, individualized instruction and support services.

Students with disabilities may need additional supports and services, such as:

- Instructional supports for learning — based on the principles of UDL — which foster student engagement by presenting information in multiple ways and allowing for diverse avenues of action and expression.
- Instructional accommodations (Thompson, Morse, Sharpe & Hall, 2005) — changes in materials or procedures — which do not change the standards but allow students to learn within the framework of the State Standards.
- AT devices and services to ensure access to the general education curriculum and the State Standards.
  - See AT and State Standards at: <https://okabletech-docs.org/homepage/at-ta-document-part-b/appendix-c-qiat-indicator-1-consideration/>

## Accessible Educational Materials (AEM) and AT

AEM are materials that are designed or converted in a way that makes them usable across the widest range of student variability regardless of format (print, digital, graphic, audio, video). Students with vision impairments, physical disabilities, and/or reading disabilities from organic dysfunction may need AEM in order to receive FAPE or achieve “effective communication” under Title II. AT may be used and/or required to access AEM.

The following are some examples of features that can be changed to make educational materials more accessible for a student:

- **Output** — When using audio or text-to-speech (TTS), voices may be human or the rate at which the text is spoken may be changed as well as the pitch of the voice (when using synthesized). The text can also be manipulated by size, fonts, colors, and contrast.
- **Navigation** — Navigation features allow a student to move around the recorded speech and text files easily. Students may move through files by chapters, sections, pages, and paragraphs.
- **Bookmarking, Highlighting, and Labeling** — These features allow the student to denote important parts of the text and, again, navigate through the files easily.

Teams should also be aware of the PALM (Purchase Accessible Learning Materials) Initiative. As teachers, schools, and districts aim to incorporate technology into the classroom, it is increasingly important to make sure these technologies are accessible to all students. The PALM Initiative was created to help ensure that purchased technologies are inherently accessible for every student including those with disabilities.

- Find the AEM Technical Assistance Guide at: [https://www.okabletech.org/wp-content/uploads/2020/06/AEM-TA-Doc-AR\\_V2\\_508-1.pdf](https://www.okabletech.org/wp-content/uploads/2020/06/AEM-TA-Doc-AR_V2_508-1.pdf)

# AT and State Tests – Frequently Asked Questions

## What testing options are available for special education students?

Students with disabilities may participate in the General Assessment with or without accommodations or they may, if they are eligible, participate in the Oklahoma Alternate Assessment Program (OAAP). The OAAP is an alternate assessment based on Alternate Achievement Standards (AA-AAS) for students with the most significant cognitive disabilities. The IEP team determines annually how the student will participate in the state district wide assessments – with or without accommodations, or by means of an alternate assessment.

## Are accommodations available to students who take the OAAP?

The Portfolio is an individualized assessment comprised of student work accumulated throughout the school year, so no assessment accommodations are necessary. For Dynamic Learning Maps (DLM), accessibility features and supports are built within the system.

## Are accommodations available to students who take the OSTP?

Yes, students may use approved state accommodations in accordance with the Oklahoma School Testing Program (OSTP) IEP/504 Accommodations Manual. These accommodations must be documented on the student's IEP.

## Can a student who needs a read-aloud accommodation test online?

Yes, a student who needs a read-aloud accommodation may test online using headphones; or if the computer is in an isolated place, a test administrator with a test monitor present can read the test from the student's computer screen. An online TTS function is available for all online testing. TTS functionality is not supported on tablet devices or Linux devices.

## Can students taking math and science assessments use a calculator?

The approved calculator policies are available on the SDE website and in the back of the testing manuals. For Grades 3- 8 Mathematics or Grade 5 Science, a basic four-function calculator may only be used as an accommodation for students with disabilities and it must be included on the student's IEP. For the End of Instruction (EOI) Mathematics, Biology I, and Grade 8 Science assessments, all students on all sections of the tests may use an approved calculator. Additionally, calculators are available as online tools during the EOI tests. For the ACE Biology I, ACE Algebra I, and ACE Geometry, a scientific calculator is available; for ACE Algebra II, both a scientific calculator and graphic calculator is available online.

— from *Oklahoma School Testing Program (OSTP) – Frequently Asked Questions*

- For information on specific AT devices, including procedures and guidance for use during assessments, please view the OSDE OSTP Accommodations for Students with an IEP or 504 Plan at:  
[https://sde.ok.gov/sites/default/files/documents/files/IEP\\_504%20OSTP%20Accommodations.pdf](https://sde.ok.gov/sites/default/files/documents/files/IEP_504%20OSTP%20Accommodations.pdf)

# AT Devices and Services – Frequently Asked Questions

## **What is the purpose of AT in education programs?**

The purpose of AT is to facilitate the student’s participation in his or her education program and to enable the student to receive FAPE. For example, the technology may provide an alternative means of accessing the curriculum (e.g. listening to and following along with a digital textbook), an alternative means of learning, or it may provide access to the school program. Keeping the mandates of the 1997 and 2004 reauthorized IDEA in mind, AT should support the student in the general curriculum and in the LRE to the greatest extent possible.

## **Should AT be *considered* for all students with disabilities?**

Yes. Under consideration of special factors, the IDEA states “that the IEP team shall consider whether the child requires AT devices and services.” See Quality Indicators for Assistive Technology/ AT Consideration section of this document for more information on the AT Consideration process.

## **Is AT *required* for all students who have an IEP?**

No. AT must be considered for all students with an IEP. The IEP team will determine if AT is required based on the results of assessments, observations, etc. For more information about the AT Assessment process, see AT Assessment section of this document.

## **Who makes the decision if a student needs AT devices or services?**

The IEP team makes the decision of whether students need AT to receive FAPE. The IEP team may need to rely on an AT Assessment or consultation from a team of professionals. The team could include: a speech/language pathologist, occupational therapist, physical therapist, special education teacher, psychologist, computer specialist, hearing specialist, vision specialist. Some school districts may have an AT team identified and trained to provide the AT Assessment on a local level. Parent input and participation is important in the assessment process and as a member of the IEP team.

## **How should the scope of the AT Assessment and its components be determined?**

A comprehensive AT Assessment is tailored to the individual student’s needs. Depending on those needs, the assessment might address communication, written work, seating, positioning, mobility, academic and nonacademic concerns, access to the general curriculum, access to extracurricular activities, software and hardware options, environmental modifications, training, maintenance of the device, and other issues specific to the student.

## **What are critical components of an AT Assessment?**

AT Assessment is a systematic process to ensure that decisions regarding the selection of AT devices are based on information regarding the student’s abilities, needs, environments, and tasks. AT Assessment includes a team approach, assessment of educational tasks and routines, and is ongoing in nature. Although most AT Assessments are not standardized, the assessment process should be replicable and use a framework for effective decision-making.

**What is the role of parents in the AT Assessment process?**

Parents are members of the IEP team and provide input in all decisions regarding AT and the IEP. Parents, and the student, if appropriate, should be invited to participate in all aspects of the process. Parents have information about their child that other team members can use to fit, customize, and adapt technology to meet their needs.

**What are the timelines for purchasing and/or providing AT devices and services?**

IDEA regulations do not specify a timeline for the provision of AT. However, if AT is determined necessary for FAPE then it must be provided in a timely manner. "Timely manner" is defined as, "at the same time typically developing peers receive their similar materials." The school district may not delay or deny the provision of AT due to funding issues if a child requires AT to benefit from the IEP.

**Are personal use devices excluded?**

The IEP team decides on a case by case basis what AT a student needs to benefit from special education and related services. With the exception of cochlear implants or other surgically implanted devices, if a device is included in the IEP, the school is responsible for the provision of that device or ensuring that it is provided at no cost to the parents.

**Who is responsible for buying AT?**

The school system is responsible for acquisition and provision of AT devices. Sometimes, parents may choose to purchase devices and send them to school with the student. Schools may use various funding sources to provide needed AT devices with parental consent, including but not limited to the following:

- Medicaid
- Medicaid Early, Periodic, Screening, Diagnostic, and Treatment
- Medicaid Home and Community Based Waiver
- Medicaid In Home Support Waiver Medicaid Tax Equity and Fiscal Responsibility Act (TEFRA)
- Private Insurance
- SoonerStart
- Department of Rehabilitation Services
- Financial Loan Programs
- Private/Community Resources
- Parents have the right to discontinue sending the devices they purchased to school at any time.

### Who owns the AT device?

It depends on who purchased the device. If the school purchased the device, the school maintains ownership. If the parents' private insurance purchased the device, then it belongs to the student. If Medicaid purchased the device, then Medicaid maintains ownership. A family or other entity (for example, Department of Rehabilitation Services) may enter into an agreement with the purchaser and buy the device(s) at a depreciated amount.

- A sample agreement form and device depreciation spreadsheet are included at: <https://okabletech-docs.org/homepage/at-ta-document-part-b/appendix-b-virtual-binder/>



### May the student take home AT devices purchased by the school?

Yes. As stated in the IDEA regulation 34 CFR 300.308 (b), "On a case-by-case basis, the use of school-purchased AT 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." The IEP team will decide if a student requires the use of school-owned equipment in environments outside the school environment, including the student's home.

### Who is responsible for maintenance and repair of equipment?

The local school district is responsible for:

- Maintaining the equipment (i.e. replacing batteries and charging).
- Repairing AT devices used as part of the student's special education and related services.
- Ensuring that the student receives substitute equipment while his/her device is being repaired.
- Ensuring that the external components of surgically implanted medical devices are functioning.

### What provisions should be made while AT devices are being repaired?

It may not be possible to provide the same device in the interim. During the development of the student's IEP, IEP teams should identify: the steps to take if the device needs repairs; how they will secure a substitute system; and/what other technology options used on a temporary basis during the repair process would offer an acceptable substitute to the student's device.

- For additional information see [AT Resources in Oklahoma](#) section of this document.

### What provisions should be made for transfer of equipment when a student moves to another school or to a post-school program?

Local school districts should consider transferring the equipment with the student. Participating agencies should discuss the transfer of AT equipment for a student transitioning from school to post-school programs, using Memorandum of Understanding or Interagency Agreements between agencies that procure AT.

- For additional information, refer to: <https://okabletech-docs.org/homepage/at-ta-document-part-b/appendix-b-virtual-binder/>
- AT Devices Purchases/Sales Agreement Form at: <https://okabletech-docs.org/homepage/at-ta->

[document-part-b/appendix-b-virtual-binder/74-at-transition/75-agreement-for-the-purchase-sale-of-at/](#)

- Sample Depreciation Spreadsheets at: <https://okabletech-docs.org/homepage/at-ta-document-part-b/appendix-b-virtual-binder/74-at-transition/76-sample-device-depreciation-spreadsheets/>

**What should happen when an AT device is no longer effective for a student?**

The AT team should begin the assessment process again by first gathering information about the student, environments, and tasks then continue the process with a trial of new device(s), collecting data, making a decision, and documenting in the IEP.

**Do parents have the right to request a due process hearing over the provision of AT?**

Yes. AT devices and services contribute to an appropriate education for a child with disabilities and are subject to the procedural safeguards required by IDEA, including the right to request a due process hearing. As specified in the Policies and Procedures for Special Education in Oklahoma, parents or guardians may request a hearing to determine whether an educational program is free and/or appropriate for a child with disabilities or for a child alleged to have a disability. Mediation in special education is also available to assist parents and schools in resolving disagreements regarding the education program of a student with disabilities.

- See [AT Resources in Oklahoma](#) section of this document for additional information.

## AT Resources in Oklahoma

### Oklahoma ABLE Tech

State AT Act Program that provides short-term equipment loans, demonstrations, training, and information and referral on AT, as well as assistance obtaining accessible educational materials (AEM), NIMAS files, and AEM-related technology.

Phone: (800) 257-1705

Web: <http://okabletech.org>



### AIM Center at Oklahoma Library for the Blind and Physically Handicapped (OLBPH)

Located at the OLBPH, the AIM Center provides AT as it relates to reading books in accessible digital and audio formats.

Phone: (800) 523-0288 or (405) 521-3514

Web: <http://www.olbph.org/AIM>



### Liberty Braille

Provides no-cost school term loans of textbooks in accessible formats such as large print, braille, and digital on iPad, students served under an IEP with a print-disability.

Phone: (800) 920-3369 or (405) 562-3996

Web: <http://libertybraille.com>



### Oklahoma State Department of Education

Contracts with Oklahoma ABLE Tech to provide an AT and Information Services Program for Oklahoma schools. Provides technical assistance to parents and educators.

Phone: (405) 522-3248

Web: <http://ok.gov/sde>



## Special Education Resolution Center (SERC)

Contracts with the Oklahoma State Department of Education to administer the special education due process hearing system for the state of Oklahoma. SERC provides IEP facilitation, mediation, due process hearings, and stakeholder training.

Phone: (918) 270-1849 or (888) 267-0028

Web: <http://serc.okstate.edu>



# Appendix A

## Federal Regulations

### <sup>1</sup> 34 CFR §300.5 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>2</sup> 34 CFR §300.6 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 the evaluation of the needs of a child with a disability, including a functional evaluation of the child in the child's customary environment;

- (a) Purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices by children with disabilities;
- (b) Selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing assistive technology devices;
- (c) Coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing education and rehabilitation plans and programs;
- (d) Training or technical assistance for a child with a disability or, if appropriate, that child's family; and,
- (e) 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 that child.

### <sup>3</sup> 34 CFR § 300.324 Development, review, and revision of IEP

The IEP Team must—

- (a) In the case of a child whose behavior impedes the child's learning or that of others, consider the use of positive behavioral interventions and supports, and other strategies, to address that behavior;
- (b) In the case of a child with limited English proficiency, consider the language needs of the child as those needs relate to the child's IEP;
- (c) In the case of a child who is blind or visually impaired, provide for instruction in Braille and the use of Braille unless the IEP Team determines, after an evaluation of the child's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the child's future needs for instruction in Braille or the use of Braille), that instruction in Braille or the use of Braille is not appropriate for the child;
- (d) Consider the communication needs of the child, and in the case of a child who is deaf or hard of hearing,

consider the child's language and communication needs, opportunities for direct communications with peers and professional personnel in the child's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the child's language and communication mode; and,

(e) Consider whether the child needs assistive technology devices and services.

**<sup>4</sup> §300.101 Free appropriate public education (FAPE).**

(a) **General.** A free appropriate public education must be available to all children residing in the State between the ages of 3 and 21, inclusive, including children with disabilities who have been suspended or expelled from school as provided for in §300.530(d).

(b) **FAPE for children beginning at age 3.**

(1) Each State must ensure that —

(i) The obligation to make FAPE available to each eligible child residing in the State begins no later than the child's third birthday; and

(ii) An IEP or an IFSP is in effect for the child by that date, in accordance with §300.323 (b).

(2) If a child's third birthday occurs during the summer, the child's IEP Team shall determine the date when services under the IEP or IFSP will begin.

(c) **Children advancing from grade to grade.**

(1) Each State must ensure that FAPE is available to any individual child with a disability who needs special education and related services, even though the child has not failed or been retained in a course or grade, and is advancing from grade to grade.

(2) The determination that a child described in paragraph (a) of this section is eligible under this part, must be made on an individual basis by the group responsible within the child's LEA for making eligibility determinations.

**<sup>5</sup> §300.105 Assistive Technology.**

(a) Each public agency must ensure that assistive technology devices or assistive technology services, or both as those terms are defined in §§300.5 and §300.6, respectively, are made available to a child with a disability if required as part of the child's -

(1) Special education under §300.39;

(2) Related services under §300.34; or

(3) Supplementary aids and services under §§300.42 and 300.114(a)(2)(ii).

(b) On a case-by-case basis, the use of school-purchased AT 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> §35.160 General.**

(a)

- (1) A public entity shall take appropriate steps to ensure that communications with applicants, participants, members of the public, and companions with disabilities are as effective as communications with others.
- (2) For purposes of this section, “companion” means a family member, friend, or associate of an individual seeking access to a service, program, or activity of a public entity, who, along with such individual, is an appropriate person with whom the public entity should communicate.

(b)

- (1) A public entity shall furnish appropriate auxiliary aids and services where necessary to afford individuals with disabilities, including applicants, participants, companions, and members of the public, an equal opportunity to participate in, and enjoy the benefits of, a service, program, or activity of a public entity.
- (2) The type of auxiliary aid or service necessary to ensure effective communication will vary in accordance with the method of communication used by the individual; the nature, length, and complexity of the communication involved; and the context in which the communication is taking place. In determining what types of auxiliary aids and services are necessary, a public entity shall give primary consideration to the requests of individuals with disabilities. In order to be effective, auxiliary aids and services must be provided in accessible formats, in a timely manner, and in such a way as to protect the privacy and independence of the individual with a disability.

**<sup>7</sup> 28 CFR §35.104 Definitions.**

*Auxiliary aids and services includes* – (1) Qualified interpreters on-site or through video remote interpreting (VRI) services; note takers; real-time computer-aided transcription services; written materials; exchange of written notes; telephone handset amplifiers; assistive listening devices; assistive listening systems; telephones compatible with hearing aids; closed caption decoders; open and closed captioning, including real-time captioning; voice, text, and video-based telecommunications products and systems, including text telephones (TTYs), videophones, and captioned telephones, or equally effective telecommunications devices; videotext displays; accessible electronic and information technology, or other effective methods of making aurally delivered information available to individuals who are deaf or hard of hearing;

- (2) Qualified readers; taped texts; audio recordings; Brailled materials and displays; screen reader software; magnification software; optical readers; secondary auditory programs (SAP); large print materials; accessible electronic and informational technology; or other effective methods of making visually delivered materials available to individuals who are blind or have low vision;
- (3) Acquisition or modification of equipment or devices; and
- (4) Other similar services and actions.

**<sup>8</sup> 34 CFR §104.4 Discrimination prohibited.**

(a) **General.** No qualified handicapped person shall, on the basis of handicap, be excluded from participation in, be

denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives Federal financial assistance.

<sup>9</sup> **34 CFR §300.34 Related services.**

- (a) **General.** Related services means transportation and such developmental, corrective, and other supportive services as are required to assist a child with a disability to benefit from special education, and includes 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.
- (b) **Exception; services that apply to children with surgically implanted devices, including cochlear implants.**
  - (1) Related services do not include a medical device that is surgically implanted, the optimization of that device is functioning (e.g., mapping), maintenance of that device, or the replacement of that device.
- (c) Individual related services terms defined. The terms used in this definition are defined as follows: ...
  - (16) Transportation includes —
    - (i) Travel to and from school and between schools;
    - (ii) Travel in and around school buildings; and
    - (iii) Specialized equipment (such as special or adapted buses, lifts and ramps), if required to provide special transportation for a child with a disability.

<sup>10</sup> **34 CFR §300.43 Transition services.**

- (a) **Transition services** means a coordinated set of activities for a child with a disability that—
  - (1) 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 postsecondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation;
  - (2) Is based on the individual child's needs, taking into account the child's strengths, preferences, and interests; and includes —
    - (i) Instruction;
    - (ii) Related services;
    - (iii) Community experiences;
    - (iv) The development of employment and other post-school adult living objectives; and
    - (v) If appropriate, acquisition of daily living skills and provision of a functional vocational evaluation.

- (3) **Transition services** for children with disabilities may be special education, if provided as specially designed instruction, or a related service, if required to assist a child with a disability to benefit from special education.

<sup>11</sup> **34 CFR §300.44 Universal Design.**

*Universal Design* has the meaning given the term in section 3 of the Assistive Technology Act of 1998, as amended, 29 U.S.C. 3002.

**29 U.S.C. 3002**

(19) Universal Design

The term "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.

## Case Law

### Case 1

**Student:** 1st grader with autism who was nonverbal had successfully been using an electronic device to communicate outside of the school environment. Student used the Picture Exchange Communication System (PECS) when prompted at school; however, continued to be unable to communicate in an effective manner.

Student exhibited behaviors at school that were significant enough to report on an IEP.

**School's Participation:** Tried an iPod and iPad with a communication app but was not successful. Provided communication supports via the PECS that was also ineffective as a communication tool for the student.

**Problem:** The school continued to use the PECS even though it continued to be an ineffective way for the student to communicate. A behavior plan and AT had not been considered on the IEP.

**Results:** School was considered in violation of IDEA for not providing a FAPE and was required to provide over 180 hours of compensatory education.

### **North Hills School District (Pennsylvania SEA 2014)**

### Case 2

**Student:** High school freshman with a print disability needing speech-to-text software on a laptop to help with completing longer writing assignments.

**School's Participation:** Provided the student with AT on classroom-based computers.

**Problem:** School did not provide the speech-to-text software on a laptop in a timely manner waiting 7 weeks into the start of the school year.

**Results:** School was considered in violation of IDEA for not providing FAPE. Student was denied equal access to the educational programs and services afforded the nondisabled peers.

**Iowa State Educational Agency, 112 LRP 27514, (2012)**

Case 3

**Student:** Student with a hearing impairment is not able to call home independently due to lack of a captioned telephone. Mother offered to provide the district with a captioned telephone.

**School's Participation:** School did not allow the phone stating it was not required for FAPE.

**Problem:** The ADA requires that districts ensure that communication is effective and shall give primary consideration to the requests of the individual with disabilities (or the student's family in an educational context) when determining what type of aid and service is necessary.

**Results:** Office of Civil Rights found the school in violation of the ADA.

**Seattle (WA) School District N. 1 (67 IDELR 22 (OCR 2015))**

Case 4

**Student:** Eleven-year-old student initially diagnosed with cerebral palsy; while case pending diagnosis changed to Pantothenate Kinase-Associated Neurodegeneration (PKAN).

**School's Participation:** IEP indicated a communication plan based on "thumbs up/thumbs down" system and an iPad with buttons or icons.

**Problem:** "Thumbs up/thumbs down" system not "appropriately ambitious"; iPad not designed to provide "meaningful access to education based on his individual needs."

**Results:** School was considered in violation of IDEA for not providing a FAPE.

**In re: Student with a Disability, 71 IDELR 119 (SEA NM 2017)**

Case 5

**Student:** High school student who is moderately to profoundly deaf but uses assistive listening devices for amplification struggles to hear in class, misses much of what is said, often leaves school with a headache, makes good grades, and participates in school.

**School's Participation:** Provided an FM system for assisted listening and other aids and met the student's need for FAPE.

**Problem:** Student was not provided effective communications under the ADA.

**Results:** School was made to provide Communication Access Real-Time Translation or CART services for the student.

**by Harrington v. Poway Unified Sch. Dist., 113 LRP 52143 (SD Cal 2013)**

## Case 6

**Student:** Ninth grader with autism, a speech-language impairment, and former diagnosis of intellectual disability on an IEP transitioned from a middle school building to a high school building within the same school district. Student previously used an iPad to achieve educational goals.

**School's Participation:** School indicated in the student's IEP the need for an iPad to achieve educational goals. School provided student with an iPad for educational purposes in middle school. When the transfer of the iPad did not occur in a timely manner from the middle school, student was provided a Kindle Fire to use at the high school.

**Problem:** Technical difficulties, including licensing issues, delayed the transfer of the iPad to the student at the high school until March of the ninth-grade year. Once the student received the iPad, the support teacher and one-on-one aide were not trained in using the iPad as AT to support the student.

**Results:** School was considered in violation of IDEA for not providing a FAPE. The district was ordered to contract with a private speech pathologist and/or an expert in iPad educational application technology to research, acquire, and teach the student, parent, teachers, and aide how to use appropriate educational applications to assist the student in a variety of ways and how these applications can be useful in supporting the IEP goals.

**School District of Philadelphia, 114 RP 3 532 (Pennsylvania SEA 2 14)**

## Case 7

**Student:** Middle school student with Autism. Parent asked for an AT Assessment in 2013 and 2014.

**School's Participation:** AT Assessment in 2013 determined AT not needed but made recommendations for a written agenda, social stories and visual supports for requesting help and communicating emotions, and a text to speech program. No meeting was held with the parent to discuss the AT Assessment at that time. In 2014 team reviewed prior assessment and concluded AT still not needed. In 2015 IEP team determined no need for AT or assessment. In 2016 IEP did not mention AT.

**Problem:** In 2016 goals were essentially the same as in previous year. The school did not fully address the need for AT that could have been appropriate for and beneficial for the student in overcoming weaknesses in reading, vocabulary, and written expression.

**Results:** Hearing officer found that IEP was not designed to provide meaningful educational benefit and school was in violation of FAPE.

**Penn Hills School District, 117 LRP 24165 (SEA PA 04/15/17)**

Case 8

**Student:** Student with emotional disturbance and specific learning disability.

**School's Participation:** School utilized the Georgia Project for AT Protocol to assess AT needs. Results were the recommendation of the use of computers, speaking dictionary, Co:Writer, and WriteOutloud.

**Problem:** Parent requested Independent Educational Evaluation in 7 categories, including AT. District filed due process to defend its evaluations.

**Results:** Hearing officer found that the evaluator used a variety of tools and assessments, the IEP team implemented her suggestions, and the resulting plan was designed to provide meaningful educational benefit.

**B.G. v. City of Chicago School District 299, 69 IDELR 177 (N.D. III 2017)**

Case 9

**Student:** Middle school student with Attention Deficit Hyperactivity Disorder.

**School's Participation:** IEP included implementation of several AT devices.

**Problem:** Mother requested Dragon software be included. School disagreed with reasoning that voice-to-text would be difficult in the classroom environment. Mother filed due process.

**Results:** Hearing officer found that the IEP team repeatedly considered and responded to the student's need for technology devices and services. The petitioner introduced insufficient evidence to merit the conclusion that the district's provision of AT was inadequate.

**Cobb County School District, 9 GASLD 71 (SEA GA 2017)**