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Revisiting Assistive Technology Advocacy **By Dave Edyburn, Ph.D.**

Over a decade ago I wrote my first article to help parents and assistive technology advocates address the persistent under-application of assistive technology devices and services for students with disabilities who struggle endlessly throughout the school day. Despite the mandate in IDEA that IEP teams must “consider” assistive technology when developing each student’s Individualized Education Program (IEP), we have yet to achieve the intent of federal law. Unfortunately, too students with disabilities continue suffer from an unequal playing field despite the availability of inexpensive and easy-to-use assistive technologies

Over the years there has been insufficient development of tools, resources, and decision-support aids to determine who can benefit from assistive technology. I often ask school-based IEP teams: how much failure data do you need before you know a child cannot complete a given task?

For example, is the student spending excessive time to complete an assignment? Does the student avoid engaging in necessary academic tasks or demonstrate a persistent failure to complete assignments? Does the student express frustration or anger because of the mismatch between expectations and current skills?

One notable exception is the recent publication by the Wisconsin Council of Administrators of Special Services that focuses on the IEP team responsibilities to consider text to speech assistive technology. The publication is available free online or available for PDF download (<https://www.wcass.org/wcass-guide>). The guide provides a variety of policy guidance, resources, and tools relative to both assessment, implementation, and evaluation of the outcomes of this form of assistive technology.

Unfortunately, there is little evidence to suggest that school districts are implementing systemic screening processes to identify students who could benefit from assistive technology. Rather, the current system is predicated on individual advocacy. In practice this means that someone on the IEP team must raise the issue of assistive technology and advocate on behalf of the student. Anecdotal evidence provides different estimates of how many students with disabilities have assistive technology written in their IEP, ranging from 3-5% on the low side to 10% on the high side. Claims that schools are providing relevant technology supports through universal design for learning (UDL) further confuse issues surrounding the provision and monitoring of assistive technology devices and services. At the present time, there is little effort to monitor compliance of IDEA's "AT consideration" mandate at the federal or state level.

Nonetheless, federal special education law is very clear about the responsibilities of school districts to identify students with disabilities who need assistive technology to benefit from a free appropriate public education (FAPE). The purpose of this article is to provide an overview of issues associated with assistive technology advocacy. This information should be useful to students for self-advocacy, as well as parents, advocates, teachers, and IEP teams.

Know the Rules: Federal Law Requires the Consideration of Assistive Technology

School staff may not be familiar with the laws and regulations or may not perceive the need for assistive technology. However, **assistive technology consideration is not optional** (Source: [34 CFR 300.324\(a\)\(2\)\(v\)](#)). The IDEA mandates the provision of assistive technology in the following regards:

- Assistive technology devices and/or services essential for a student to receive a free appropriate public education (FAPE) shall be made available. [Source: [20 USC 1412\(a\)\(1\)](#)]
- Assistive technology shall support a student's participation in learning in the Least Restrictive Environment (LRE). [Source: [20 USC 1412\(a\)\(5\)](#)]
- Each public agency shall ensure that assistive technology devices or assistive technology services, or both, are made available to a child with a disability if required as part of the child's (1) special education, (2) related services, or (3) supplementary aids and services. [Source: [34 CFR 300.105](#)]

Know What to Say

Knowing your legal assistive technology rights is only part of the effort. You must also use this information to educate the IEP team about their roles and responsibilities. The chart that follows illustrates some ways an advocate

can refocus comments that may have the intent of under-mining the assistive technology consideration process.

Clarify Performance Deficits and the Need for Performance Support Tools

Parents and teachers are well aware of the areas where students struggle. Therefore, define the categories of tools that are needed for an assistive technology toolkit. Some areas you might include: Communication (Oral, Written), Mobility, Visual Access, Auditory Access, Organization, Memory, Reading, Writing, Solving Problems, Note Taking, Test Taking, Homework, and Study Skills.

A student who continues to struggle over time only learns to dislike a topic or task. The appropriate assistive technology makes it possible for a child to engage in a specific academic task. While access is not sufficient for increased academic outcomes, it is an essential prerequisite for engagement. Learning occurs through repeated engagement that builds success, knowledge, skill, and confidence

Focus on Performance – Not Stuff

The key component of the definition of assistive technology is that it enhances performance. As a result, focus on issues of persistent educational failure as evidence that a student is not receiving and benefitting from FAPE. It is essential to request that assistive technologies be provided to close the achievement gap as students seek to achieve IEP goals and grade level standards. Don't let the technology blind you to the fact that the purpose of the technology is to enhance performance. When trying to close achievement deficits that have been years in the making, it is not possible to make a task "too easy" for a student. The goal is to find one or more methods where the student enjoys, and is successful, tasks that were formerly difficult or impossible.

Collect Data

Evidence of a performance problem can be presented anecdotally using stories, using artifacts like graded papers and report cards, and with quantifiable evidence such as the amount of time spent writing a report, number of words generated, number of spelling errors, etc. Struggling students may spend excessive time completing a task with the final result still being unacceptable. To make the case that assistive technology enhances performance, data will be needed that shows performance with and without technology, over time. Use data to tell the story. If possible, graph quantitative data so others can easily understand the trends of performance with the technology, and performance without the technology.

Next Steps

There is little evidence to indicate that all students who could benefit from assistive technology have access to appropriate devices and services. When an IEP team (a) understands the importance and value of assistive technology, (b) has technical resources to evaluate student needs and select appropriate devices, and (c) has administrative support for providing assistive technology support services, the assistive technology outcomes are noteworthy for students and their families. However, when one or more of these critical ingredients are missing, the IEP process can become a battleground regarding the provision of assistive technology. Don't give up. Continue to explore assistive technology possibilities outside of school. Continue to collect evidence. And, continue to advocate.

AT Advocacy Conversations

If a school official says...	An advocate might respond...
We appreciate your interest in assistive technology, however, in our school we implement universal design for learning (UDL) so every child has the technology they need...	...That is very exciting to hear. However, federal law does not allow UDL to replace the evaluation and provision of AT devices and services. What will you do to evaluate my child to ensure that s/he has the appropriate technology tools to minimize/eliminate the impact of his/her disability?
Things have been difficult during the pandemic. As a result, we have provided each student with a device they can take home to participate in remote instruction...	...I am very appreciative of the effort to provide 1-to-1 devices to the students. However, to fully participate, this student will need additional assistive technologies loaded on the device and s/he, the teacher, and the family will need to be trained to use each tool individually and collectively.
We've considered your child's need for assistive technology and have determined that s/he will not benefit...	...I would like to review the documentation that supports your decision. In particular, I would like to see the data comparing performance with assistive technology and performance without.
We can't provide tools that make it too easy for the student. That would be cheating and unfair to the other students...	... Learning occurs when the challenge level is optimal. There is no learning when the textbook stays in the student's locker because s/he can't read it. Given the historical academic achievement gaps, the

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	IEP team must find assistive technology tools that offer access, engagement, and evidence of success. What will you do to find a combination of AT tools and services that enables the student to be successful?
Best practice suggests you always begin with no-tech solutions first...	...Consideration should not be a linear process of trial and error. Rather, all possible solutions should be explored as quickly as possible to minimize the impact of persistent failure. No-tech is not a term used in the federal AT law.
I'm sorry the lesson content is not accessible. We use PDFs provided by the publisher...	...Curricular materials must be provided in an accessible format to students with disabilities. What steps will you take to provide accessible content to the student at the same time the materials are provided to other students?. The need for accessible educational materials is not an unexpected situation.
We can't afford that...	...Cost cannot be considered a factor in AT consideration.
We are not sure what types of AT are out there...	...What steps will you take to fulfill the AT consideration mandate by identifying appropriate AT devices and services?
It's not clear that (the student) actually does better with the AT...	...I would like to see the data that supports such a conclusion. Typically, we need to review performance data over time, with and without the technology, to come to such a conclusion. How do you plan to obtain the technical expertise needed to determine the conditions under which the child's performance will improve?
We don't want him to become dependent on a text-reader... when will he ever learn to read...	...Since the student doesn't have the independent reading skills and the expectations in grade 4 and beyond are to access large amounts of text, how will you demonstrate that he has access to the curriculum without the use of a text-reader?
Your child is not the only one that struggles with this problem...	...I can appreciate your concern, but my primary interest is the success of my child. As a result, what are you going to do to ensure that my child is successful?
We will provide some specialized technology but there	...I am pleased to hear that assistive technology will be provided. However, to

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is no need to write it on the IEP...	ensure the rights of all parties are protected, our plan for acquiring and using AT must be written on the IEP.
We are not authorized to make a decision about AT...	...I am disappointed to hear that. I guess we will need to adjourn the meeting until an appropriate administrator is here to ensure the necessary AT will be purchased and implemented.
Since your child is transitioning to a new school, we are not authorized to add AT to the IEP.	...I am not sure that is a correct interpretation of the requirements in IDEA for providing assistive technology or transition services. In order to ensure that the student is fully prepared to begin the next segment of his/her academic journey, when will you conduct an AT evaluation and what types of AT devices and training will be provided to ensure a successful transition? As you know, training the student to use the AT will be a necessary prerequisite for the successful transition where the new demands will leave little time to acquire and learn new tools.