

SPEAK OUT

NEWS FOR COLORADO FAMILIES OF CHILDREN WITH DISABILITIES

Changes in IDEA Involve Parents' Rights

New regulations of the federal Individuals with Disabilities Education Act (IDEA) became effective December 31, 2008. IDEA provides a free, appropriate public education for children with disabilities.

Two changes of particular importance to parents of children with disabilities involve:

- A parent's right to revoke consent for special education and related services.
- Representation of parents and schools by non-attorneys in due process hearings.



Since the passage of the first special education laws in 1975, parents have had the right to withdraw consent for special education services. However, school districts also had the right to contest the parent's decision. The new regulations allow parents to revoke their consent for special education and related services and require the school district to comply with the parent's request for the student's removal from special education. Consequently, schools will not be able to challenge a parent's decision through mediation or due process hearing.

Parents, however, must provide written consent to discontinue special

education and related services. Schools must provide the parents with prior written notice detailing the changes in educational placement and services before the services are actually discontinued.

Parents should be aware that once the child is removed from special education services, the school is not required to remove references to special education in a child's records. Parents can still request amendments to anything in the records that might be inaccurate or misleading.

Parents should consider the following additional facts when revoking their consent to their

child's special education services:

- When a parent withdraws consent, the student and parent no longer have rights under IDEA. The student becomes a regular education student and will be required to meet all state requirements for graduation.
- The child will be required to follow the same discipline policies as regular education students.
- Accommodations permitted to a student on an Individualized Education Program (IEP) for statewide

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Cambios en IDEA Involucrar los Derechos de los Padres

El 31 de diciembre de 2008 se hicieron vigentes nuevas reglas federales para el Acta para la Educación de los Individuos con Discapacidades (Individuals with Disabilities Education Act, o IDEA). IDEA ofrece educación pública apropiada y gratuita a los niños con discapacidades.

Dos cambios de particular importancia para los padres de los niños con discapacidades se relacionan con:

- El derecho de los padres a revocar su consentimiento para educación especial y servicios relacionados.
- La representación de los padres y las escuelas por personas que no son abogados ante las audiencias de debido proceso.

Desde que se aprobaron las primeras leyes de educación especial en 1975, los padres tenían el derecho de retirar su consentimiento para los servicios de educación especial. Sin embargo, los distritos escolares también tenían el derecho de impugnar la decisión de los padres. Las nuevas reglas permiten que los padres revoquen su permiso para educación especial y servicios relacionados y obligan al distrito escolar a que cumpla con la solicitud de los padres para que saquen al estudiante de la educación especial. Por lo tanto, las escuelas no podrán impugnar la decisión de los padres por medio de la

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About PEAK Parent Center

PEAK Parent Center helps families and educators see new possibilities for their children with disabilities. PEAK's mission is to provide training, information and technical assistance to equip families of children from birth through 26, including all disability conditions, with strategies to advocate successfully for their children. As a result of PEAK's services to families and professionals, children and adults with disabilities live rich, active lives participating as full members of their schools and communities. PEAK helps families make informed decisions about early childhood, education, transition, employment, recreation, and other services for their children.

- **What does PEAK provide?** PEAK provides a toll-free hotline staffed by trained parent advisors, statewide workshops, an annual Conference on Inclusive Education, a statewide calendar of disability-related events and parent support activities, SPEAKout newsletter, a website, books and videos on inclusive schooling, a family library, and customized in-service trainings. PEAK's conference sessions, workshops, and publications are available in English, Spanish, and Hmong to support families across Colorado. Translation to other languages is available as well.
- **How much do these services cost?** PEAK is a non-profit organization and most of its services are free to Colorado families of children with disabilities. PEAK's books and videos are available at low cost.
- **Where is PEAK Parent Center?** PEAK operates offices in Colorado Springs and Denver. PEAK also has Parent Mentors located in eight regions across the state. Visit www.peakparent.org for locations and contact information.
- **How do I contact PEAK?** You can call, email or fax PEAK at any time. Office hours are 8 a.m. to 4:30 p.m. weekdays. Voicemail is available when PEAK offices are closed.



PEAK
PARENT
CENTER

Helping Families Helping Children

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**Indicates parent of a child with a disability or self-advocate.*

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Make A Difference! Consider PEAK's Board of Directors

Are you a passionate and committed individual?

Do you have strong values about equality and social justice for children with disabilities?

Do you want to help connect families of children with disabilities to the information and resources they need to help their children to participate fully in their community?

If you answered **yes** to any of the questions above, or if you are interested in being a leader in the disability advocacy community in Colorado, then you should download an application for PEAK Parent Center's Board of Directors at www.peakparent.org.

Consider applying to be part of this important mission as a volunteer member of the Board of Directors. As a Board member, you have the opportunity to contribute your passion, skills, and experience to help families and children live rich active lives, participating as full members of their schools and communities.

Since PEAK serves as Colorado's federally funded Parent Training and Information Center, PEAK has some requirements regarding

the composition of its Board. To fulfill our obligations on the diversity of skill on our Board, PEAK is currently looking for Colorado Board members who fulfill the following roles:

- Parents of young children with a disability
- Parents representing diverse cultural or ethnic backgrounds
- Individuals with interest in raising funds
- An individual with legal expertise

The Board meets at least quarterly usually in Denver or Colorado Springs. Board terms run for three years, and members participate on one of the many Board Committees to capitalize on individual strengths and expertise.

Would you like to get involved with PEAK Parent Center and share your skills as a Board or Committee member? You can download an application on the About Us page at www.peakparent.org. Please contact us with questions by calling 719-531-9400.

Note: PEAK's Board of Directors has limited seats. Applications are required.

Tips for Military Families

Moving can be an adventure for any family as military families know well. Moving with a child who happens to have an Individualized Education Program (IEP) often takes a little more planning for a smooth transition into the new school and community.

IDEA 2004 addresses the student who moves and clearly states the expectations of the actions of both the new and the old school districts. The student who moves into a new district with an IEP is to be given ‘comparable’ service until the receiving school district evaluates the student and, if necessary, develops a new IEP. The new school must ‘promptly’ request the educational records from the previous school district, and the old school must ‘promptly’ send them.

What kinds of resources are available for military families? Every state has a Parent Training and Information Center (PTI) that helps all parents of children with disabilities in their state. Also, STOMP (Specialized Training of Military Parents) is a national Parent Training and Information Center for military families across the country providing support and advice to military parents without regard to the type of medical condition their child has. Their toll free number is 1-800-5-PARENT, and their website is www.stompproject.org.



An electronic website with information regarding military families that have children with special needs is Military Home Front (www.militaryhomefront.dod.mil). Another resource for families is Military One Source (www.militaryonesource.com).

Military bases have organizations with staff that assist military families that have family members with special needs. They are the Exceptional Family Member Program Managers in the Army, Navy, and Marine Corps, or the Special Needs Identification and Assignment Process Coordinators in the Air Force. These staff are able to provide families with firsthand information about resources available. Below is a listing of organizations that have staff that assist military families that have family members with special needs.

Type of Base	Name of Support Organization
Navy and Active Military Bases	Navy Fleet and Family Support Centers
Marine Corps	Community Service Center
Air Force	Air Force Family Service Center
Army	Army Community Center
State National Guard Military Headquarters	Family Assistance Center (FAC) when a reserve unit is mobilized.
All	Military Treatment Facilities



Here are a few tips for parents to help the process.

1. Call STOMP for the number of the PTI that is within the state you are moving to.
2. Ask STOMP for the base coordinators from the support organization for your branch of the service.
3. Call or email the PTI for local resources. Colorado’s PTI is PEAK Parent Center and can be reached at www.peakparent.org or (800) 284-0251.
4. Contact the receiving district as soon as possible and alert them to your move into their district. Develop a ‘special education contact’ within the new district. Alert them of your child’s IEP support needs.
5. Hand-carry a copy of the IEP to the receiving school, and request that they send for your child’s official records from the previous school promptly.
6. Highlight the support needs for your student, and ask for a timeline and IEP review.
7. If Extended School Year (ESY) services are included in the IEP, and you are moving in the spring or summer, let the receiving school know before you move.
8. Remember that your child is entitled to comparable services. Not exactly the same, but not less. Be willing to question the services offered if you feel they will not meet your child’s learning needs.
9. Meet local advocates for students with disabilities. They can assist you in getting to know how the new system works and key contact people in the district or community.
10. Have fun exploring your new base, city, and state!

Special acknowledgment to Adriana Martinez, Assistant Project Director with STOMP, for the contents of this article.

accountability and graduation-required assessments will no longer be available when a student exits special education.

- If the parent withdraws consent and the child is removed from special education, the parent at any time may request an evaluation, which will then be an initial evaluation.

The new regulations also clarify that schools and parents may utilize non-attorneys in due process hearings if a state does not already have laws prohibiting it.

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mediación o de una audiencia de debido proceso.

Los padres, sin embargo, deberán entregar por escrito su consentimiento para discontinuar

la educación especial y servicios relacionados. Las escuelas deberán entregar a los padres un aviso previo por escrito detallando los cambios en la educación especial y servicios relacionados antes de que efectivamente se discontinúen dichos servicios.

Los padres deben estar conscientes de que una vez que se haya sacado al estudiante de los servicios de educación especial, la escuela no está obligada a purgar el expediente del estudiante de las referencias acerca de su educación especial. Lo padres continúan teniendo el derecho de solicitar enmiendas sobre el contenido del expediente que pueda ser incorrecto o sujeto a mala interpretación.

Los padres deben considerar los siguientes detalles adicionales antes de revocar su consentimiento para los servicios de educación especial de su hijo(a):

- Cuando los padres retiran su consentimiento, el estudiante y los padres ya no tendrán derechos bajo IDEA. El estudiante se convierte en un estudiante de educación regular y tendrá que cumplir con todos los requisitos estatales para graduarse.
- El estudiante tendrá que cumplir con todas las políticas de disciplina de los estudiantes regulares.
- Al salir de la educación especial, ya no estarán disponibles las acomodaciones que se le otorgan al estudiante de acuerdo a su Plan Educativo Individualizado (Individualized Education Program, o IEP) para la responsabilidad ante el estado y para las evaluaciones requeridas para su graduación.
- Si los padres retiran su consentimiento y se saca el niño de educación especial, los padres pueden en cualquier momento solicitar una evaluación, la cual entonces será una evaluación inicial.

Las nuevas reglas también aclaran que las escuelas y los padres pueden utilizar personas que no son abogados en las audiencias de debido proceso siempre y cuando el estado no tenga leyes que lo prohíban.

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Visit **PEAK Parent Center's Online Statewide Parent Support Calendar** for information on:




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- Conferences
- Resource Fairs
- Trainings & Workshops
- School Activities
- Recreation Activities

www.peakparent.org

Colorado Department of Education
cde



Colorado Legislature Passes Insurance Coverage for Treatment of Autism

A landmark, bi-partisan bill expanding the treatment of autism was given final approval by the Senate and is on its way to the Governor. Senate Bill 244, sponsored by Senate Majority Leader Brandon Shaffer (D-Longmont) and State Representative Dianne Primavera (D-Broomfield) will require health insurance providers to cover assessment, diagnosis and treatment of autism, including Applied Behavioral Analysis (ABA), a substantially researched and favored behavioral treatment for autism spectrum disorders. This bill will require health insurance plans to include autism as a covered benefit.

Autism is extremely expensive to treat; the estimated lifetime cost of caring for a person with autism ranges from \$3.5 to \$5 million. However, if the appropriate early intervention treatments are applied, up to two-thirds of the cost for treatment can be avoided.

“The passage of this bill is a triumph for the most vulnerable among us; those who we, as a society, have a responsibility to protect,”

said Sen. Shaffer. “Autism is treatable, but these families should not face this alone. This bill will finally make healthcare manageable for those with autism disorders and their families.”

After the bill passed the Senate, Betty Lehman, Executive Director of the Autism Society of Colorado and a key architect of the bill, thanked individuals with autism in Colorado, their families and their providers, indicating their continued support ensured the bill’s passage. The Autism Society asked those affected by autism in Colorado to contact their legislators to encourage a yes vote on the bill, to great effect. Lehman also thanked the lawmakers that recognized the impact of the bill on Colorado families affected by autism.

“This bill will have a tremendous impact on the lives of people with autism and their families. It will also alleviate some of the financial burden on the public education, public health care programs, and social services systems in our state,” said Lehman.

Michael Zeitlin, Board President of the Autism Society of Colorado acknowledged the landmark bill would not have been possible without the hard work of the bill sponsors and Betty Lehman. “Except for Senate Majority Leader Brandon Shaffer and State Representative Dianne Primavera, Betty Lehman was the single most important person involved in shepherding this bill through the entire legislative process, winning approval in both houses of the legislature and vetting about 50 amendments negotiated by various interest groups,” said Zeitlin.

The bill now awaits action by the Governor. If SB 244 is signed, Colorado will become only the 11th state requiring insurance providers to cover treatments for autism. The Autism Society of Colorado is excited to have worked diligently for legislation that improves the quality of life for people with autism and their families.

For more information contact Betty Lehman at the Autism Society of Colorado at 303.898.7656, or Betty@autismcolorado.org or visit www.autismcolorado.org.



Components of the American Recovery and Reinvestment Act Aid School Systems

In April, 2009 the U.S. Department of Education published a document titled Using ARRA Funds to Drive School Reform and Improvement. This document provides some guidance on various ways the American Recovery and Reinvestment Act (ARRA) can be used to improve educational outcomes from early learning through high school. Summarized below are some key components of this document.

Education funds provided through the ARRA are one-time resources that should be spent in ways most likely to lead to improved results for students, long-term gains in school and school system capacity, and increased productivity and effectiveness.

In America, all students should graduate from high school prepared for college and a career and have the opportunity to complete at least one year of postsecondary education. ARRA identifies four core reforms that will help the nation improve student achievement and close the achievement gap: (1) adopting rigorous college- and career-ready standards and high-quality assessments; (2) establishing data systems and using data for improvement; (3) increasing teacher effectiveness and equitable distribution of effective teachers; and (4) turning around the lowest-performing schools.

ARRA provides billions of dollars to strengthen education through the State Fiscal Stabilization Fund (SFSF); Title I, Part A of the Elementary and Secondary Education Act (ESEA); Part B of the Individuals with Disabilities Education Act (IDEA); Pell Grants; Federal Work-Study; and other programs. It also provides support for adults with disabilities through the Vocational Rehabilitation State Grants program and the Independent Living programs authorized under the Rehabilitation Act.

This document includes framing questions for decision making and

continued next page

examples of potential uses of funds to improve educational outcomes from early learning through high school. Districts generally have up to two years to obligate these funds.

Using short-term ARRA funds effectively will require new thinking and thoughtful conversations among state, district, and school leaders, as well as teachers, students, families, and communities. The first step is a careful examination of student achievement data to determine where to focus improvement efforts. To inform thoughtful planning, below are examples of potential uses of funds for early learning through high school. These examples are intended as a starting point for consideration in light of local goals, data, and context.

Framing Questions for Decision Making

In considering how to best spend ARRA funds, decision makers should consider whether they can answer “yes” to these five questions:

- 1. Drive results for students?** Will the proposed use of funds drive improved results for students, including students in poverty, students with disabilities, and English language learners?
- 2. Increase capacity?** Will the proposed use of funds increase educators’ long-term capacity to improve results for students?
- 3. Accelerate reform?** Will the proposed use of funds advance state, district, or school improvement plans and the reform goals encompassed in ARRA?
- 4. Avoid the cliff and improve productivity?** Will the proposed use of funds avoid recurring costs that states, school systems, and schools are unprepared to assume when this funding ends? Given these economic times, will the proposed use serve as “bridge funding” to help transition to more effective and efficient approaches?
- 5. Foster continuous improvement?** Will the proposed use of funds include approaches to measure and track implementation and results and create feedback loops to modify or discontinue strategies based on evidence?

All the examples below may be supported using funds made available through the SFSF program. To the extent consistent with program requirements, districts, and schools may also use Title I and IDEA Part B funds to support these or similar strategies and are encouraged to do so. The Department will also provide specific guidance on uses of funds allowable under Title I, IDEA Part B, and other ARRA programs.

These initial examples are organized into five categories that reflect the priorities of ARRA:

- **Adopting rigorous college- and career-ready standards and high-quality assessments:** World-class education systems are built upon college- and career-ready standards, rich and engaging curricula based on the standards, and high-quality, aligned assessments to measure student learning. While many states are actively revising their standards and assessments to increase rigor and

improve alignment, districts and schools can concurrently take steps to promote rigorous standards, effective assessment systems, and strong curriculum.

- **Establishing data systems and using data for improvement:** At the heart of improving schools and school districts are systems to gather and analyze data and provide feedback to educators, students, families, and the community in order to improve student and teacher performance continuously.
- **Increasing teacher effectiveness and equitable distribution of effective teachers:** Teacher effectiveness is a major influence on students’ academic success. Districts and school leaders can improve teacher effectiveness and address inequitable teacher distribution through how they recruit, hire, induct, develop, evaluate, advance, and compensate teachers. Moreover, they can create the school conditions that foster teacher effectiveness and retention such as excellent school leadership, time for collaboration, and a culture of continuous improvement.
- **Turning around the lowest-performing schools:** Turning around persistently low-performing schools is likely to require a significant overhaul of school staff, leadership, instructional program and calendar, and for the most distressed schools, school closing or consolidation.
- **Improving results for all students, including early learning, extended learning time, use of technology, preparation for college, and school modernization:** In using ARRA funds, districts should also consider other strategies consistent with ARRA’s reform goals and the evidence on improving student outcomes. These include: strengthening early learning; extending learning time; strengthening preparation for college and careers; using technology to improve teaching and learning; modernizing school facilities; and conducting reviews, demonstrations, and evaluations that enhance program effectiveness.

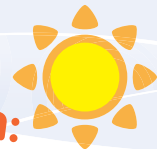
This article was summarized from the document titled “American Recovery and Reinvestment Act of 2009: Using ARRA Funds to Drive School Reform and Improvement, April 24, 2009.” To download the full document, and to view specific examples of ways schools can address the priorities of ARRA, visit www.ed.gov/policy/gen/leg/recovery/guidance/uses.doc.



Save the Date!
**For the 2010 Conference on
Inclusive Education**
February 11 – 13, 2010
Denver, Colorado

Visit PEAK’s website at
www.PEAKparent.org and click the
“PEAK Conferences” link for details.

Highlights! 2009 Conference on Inclusive Education: Energizing Learning



Isaac Baldry using his AT device during his presentation.

Our 23rd annual conference was a huge success! We had over 500 participants representing 21 states, and had special guests attend from the Ministry of Education in Brunei Darussalam, a country in Southeast Asia!

PEAK's annual conference is a beacon of best practice educational strategies that are practical and easy to implement. Conference sessions covered a variety of topics related to education including differentiated instruction, literacy, systems change, IDEA 2004, early childhood, RTI, learning disabilities, PBS, neurodiversity, autism, assistive technology, self-advocacy and much more!

Participant evaluations of this year's conference were enthusiastic and positive, and underscore the need of this important development opportunity for families, teachers, self-advocates, and other professionals involved in education. Submitted evaluation average scores were:

- 96% reported the overall content to be "useful"
- 96% reported the overall content to be "relevant"
- 98% reported that their overall experience to be "excellent"

Written comments from participants include:

"I love this conference! I had amazing days and gained important information that I can implement ASAP in my building. This conference convinced me to remain in the field of special education."
 –Special Education Teacher

"Because of this conference, I see my son as a person that needs to make his own choices and be an integral part of his IEP. He is not broken, he needs support. I have concrete tools to take back to his school to be used Monday!" –Parent



Busy shoppers at the silent auction.



The 2009 Interactive Assistive Technology (AT) Lab allowed participants to explore AT devices and options including adapted computer software, alternate keyboards and mice, and low and high tech communication devices from AT vendors including Words Plus, DynaVox, Blink Twice, and PRC.

"I am a continuing education junky and this is the most uplifting and informative conference I've attended in years! Thank you. I am enlightened and feel so renewed."

–General Education Teacher

Save the date! The 2010 Conference on Inclusive Education will be held February 11–13, 2010 in Denver, Colorado.

Thank You 2009 Conference Co-Sponsors!

The success of PEAK Parent Center's 2009 Conference on Inclusive Education was due in part to resources and funding provided by the following conference co-sponsors.



Keynote speaker Eleanor Bailey.

Presenting Co-Sponsors:

- Exceptional Student Leadership Unit, Colorado Department of Education
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PEAK Parent Center has accomplished so much with the help of friends and supporters like you. Together, we have witnessed many lives improve as individuals with disabilities are more successfully included in schools and communities. Your contribution helps PEAK build on this progress, expanding programs to reach more families and make meaningful differences in their lives.

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