The Department of Education is committed to making sure that all of our young people grow up free of fear, violence, and bullying. Bullying not only threatens a student’s physical and emotional safety at school, but fosters a climate of fear and disrespect, creating conditions that negatively impact learning—undermining students’ ability to achieve to their full potential. Unfortunately, we know that children with disabilities are disproportionately affected by bullying. Factors such as physical vulnerability, social skills challenges, or intolerant environments may increase the risk of bullying. Students who are targets of bullying are more likely to experience lower academic achievement, higher truancy rates, feelings of alienation, poor peer relationships, loneliness, and depression. We must do everything we can to ensure that our schools are safe and positive learning environments—where all students can learn.

Keeping Students with Disabilities Safe from Bullying

By Michael Yudin, Assistant Secretary for the Office of Special Education and Rehabilitative Services

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Save the Date: Visions of Community 2014

Saturday, March 8, 2014

The Federation is pleased to announce its annual statewide conference “Visions of Community, a Conference for Parents of Children with Special Needs and the Professionals Who Serve Them” will be held on Saturday, March 8 at the Seaport World Trade Center in Boston.

Two keynote presentations for Visions of Community will feature Michael K. Yudin, Acting Assistant Secretary for Special Education and Rehabilitative Services for the US Department of Education and Dana and Brooke Yarbrough. Dana is the Executive Director of Parent to Parent of Virginia. Her daughter Brooke operates Brooke’s Happy Tails Dog Boarding, a microenterprise she started in 2012.

Assistant Secretary Yudin serves as the principal adviser to the US Secretary of Education on matters related to the education of children and youth with disabilities, as well as employment and community living for youth and adults with disabilities. The mission of his office is to achieve full integration and participation in society of people with disabilities by promoting inclusion, ensuring equity, and creating opportunities for people with disabilities.

Dana Yarbrough, a native of Massachusetts, serves as the program leader for family support and self-advocacy projects at the Partnership for People with Disabilities located at Virginia Commonwealth University. She holds a Bachelor’s Degree...
Remembering Barbara K. Popper (1943-2013)

A tribute by Mary Summers, Director of MA Family TIES at the Federation

The Federation, Family Voices and hundreds of parent leaders across the country were saddened to learn of the passing of Barbara Popper on November 3, 2013. Mass Family TIES director, Mary Summers, speaking to a group of family leaders who gathered for the Mass Family Voices annual Joining Voices Conference shared some inspiring thoughts. As it turned out, Joining Voices had long been planned for early November and was actually held on the very same day as Barbara’s Memorial Service. We believe this was as she would have wanted it!

Barbara lived with cancer for five years, but cancer didn’t consume her life. She had much more important things to address and truly made magnificent efforts not to let it interfere with her life. Barbara’s determination in her last days was remarkable, especially to those of us who care for children whose lives are impacted by special health care needs. That’s a lesson in and of itself. Mary went on to say “I personally have felt that a hole has been created among our community activists and loving supporters. From my perspective, Barbara Popper was spirited in impressing upon us: IN SAYING WHAT NEEDS TO BE SAID, YOU GET WHAT YOU NEED. Barbara didn’t just believe in equality, when it comes to teambuilding, she lived it. She reinforced the philosophy that graduates of the School of Hard Knocks (which means every parent) are important members of every team that addresses the various aspects of life for each child with special needs. Without our eagle eyes and experience as parents, a team cannot possibly see all sides of a situation”.

Barbara passionately loved her family and shared her stories with all of us. She helped us to reinforce the standard that family comes first - always. A smile rose to my face, as I recalled the stories she shared of her two little granddaughters, ages 1 and 2 at the time, when they learned they could call their Grandmother on the phone, just by scrolling on their Mothers’ iPhones, finding “BaBa’s” picture, and pressing on the screen. She was overwhelmed with joy the first times little Sofia and Anna called her, and even more delighted when the cousins learned to call each other! She loved her husband Steven, her children, and her grandchildren; there can be no doubt. What was even more valuable to us, she shared that love with all of her friends and colleagues, too. That is Barbara’s legacy.
From the Executive Director:
Celebrate 40 with us!

The Federation for Children with Special Needs is celebrating the start of its 40th year. What started as a conversation between 2 parents who discovered a common need and experienced the reality that they were not alone, has become an incredible source of information and resources that empowers thousands of families every year.

I was inspired by parent leader Mary Summers’ perspective, she wrote:

“Forty years? That seems like a long time. But do you realize that many of the children for whom those early efforts were waged are now middle-aged adults with active lives of their own?!” As I often say to my friends, YOU know you’re a parent when the days drag on and the years fly by. Imagine the speed at which those years fly by when YOU are a storied organization that has had such impact on the lives of so many infants, children, youth, and adults!”

“As we consider the Federation’s history, there is a list of names that we all should know, a few “Giants” that we recognize and appreciate for their selfless and tireless efforts. We mean the “Foremothers” who shaped the landscape of the Federation, for the benefit of generations of families and the nation. Martha Ziegler, the Federation’s Founder and first Executive Director; and her colleagues Phyllis Sniezor, Janet Vohs, helped formed the Parent Training and Information Centers. Betsy Anderson, pioneer advocate in Maternal and Child Health, along with Nora Wells and Barbara Popper were founders of Family Voices. These are the great names among them. These are some of the visionary people who collectively took on the systems of care and education, insisted on fairness for their children with special needs, and gave us all a place to be safe, to be connected and empowered. They used their passion and energy and to help others develop the ability to advocate for their children who really needed their parents to be good at it, for there was no one else.”

Clearly this was my personal experience as well. When my own daughter was in Early Intervention, Dotty and I went to our first Federation workshop at the early childhood center in our town. We learned for the first time that our daughter has rights under the law and our dreams that she could be a valuable part of her community could be a reality. That was an amazing moment for us! We have continued to learn ever since.

Now, 40 years later, the Federation still stands with those whose vision and passion make a difference. Their vision has become our vision with hope for an even better life for our children. No longer is it enough to only have access to the school building, today’s children must have access to a high quality education. No longer is it appropriate to ignore the needs of children with special health needs with a declaration that there is nothing to be done, today’s children must have the same high quality health care of their peers. No longer is it tolerable to stigmatize children with social/emotional needs, today’s children must have parity across their life time. Thankfully, we have come a long way from those early years.

We also know we still have much to do. The achievement gaps in academic performance still persist for students with special needs, and those at risk. Health disparities linger for those from low socio economic status and families whose first language is other than English. Our job is not over.

In her own words the late Barbara Popper, upon reflecting on her work on “Children in Hospitals”, an advocacy effort that did away with restrictive visiting hours in hospitals in the 1970’s, once stated:

“A few years ago, I was asked what kept me doing what I was doing through the decades? My answer was that while my struggles with hospital policies, which needed reform, ended well for my family. The result of those efforts was that other parents were no longer told to leave their child with the staff and just observe. But, there are other parents who still call every day seeking support and information- often distraught as they tell their stories of dealing with medical systems and school systems that simply won’t respond to the needs of their families.”

“Parents call for assistance because their instincts tell them to persist, to be tenacious, and to keep trying to get help with their child’s needs. They have been met with policies, programs and very often attitudes that confound and block them. What these parents need most is affirmation that their instincts are good and that as parents they can trust their instincts as they work with those systems. That hasn’t changed over the decades.”

Someone told me, “Barbara saw right to the heart of things, knew what was important, and worked hard to make the world a better place. She believed in plain speaking, and never spoke more eloquently than when speaking words of love about her family”.

The Federation is 40! We are strong and growing stronger. In so many ways, our job has just begun.

We have inherited a legacy and we remain passionate about our Mission: to educate, inform and empower families.

Rich Robison, Executive Director
Keeping Students with Disabilities Safe from Bullying (continued from page 1)

To that end, today, ED’s Office of Special Education and Rehabilitative Services (OSERS) issued guidance to educators and stakeholders on the matter of bullying of students with disabilities. This guidance provides an overview of school districts’ responsibilities to ensure that students with disabilities who are subject to bullying continue to receive free appropriate public education (FAPE) under the Individuals with Disabilities Education Act (IDEA). Under IDEA, States and school districts are obligated to ensure that students with disabilities receive FAPE in the least restrictive environment (LRE). This guidance explains that any bullying of a student with disabilities which results in the student not receiving meaningful educational benefit is considered a denial of FAPE. Furthermore, this letter notes that certain changes to an educational program of a student with a disability (e.g., placement in a more restricted “protected” setting to avoid bullying behaviors) may constitute a denial of FAPE in the LRE.

Schools have an obligation to ensure that a student with disabilities who is bullied, continues to receive FAPE as outlined in his or her individualized education program (IEP). IEPs, as well as 504 plans, can be useful in outlining specialized approaches for preventing and responding to bullying, as well as providing additional supports and services to students with disabilities. This guidance also offers effective evidence-based practices for preventing and addressing bullying.

“This guidance is a significant step forward for students facing bullying,” said Ari Ne’eman, President of the Autistic Self Advocacy Network, a leading national advocacy organization. “We applaud and commend the Department for reinforcing that when a child is being bullied, it is inappropriate to ‘blame the victim’ and remove them from the general education classroom. School districts have an obligation to address the source of the problem—the stigma and prejudice that drives bullying behavior.”

Bullying of any student simply cannot be tolerated in our schools. A school where children don’t feel safe is a school where children struggle to learn. Every student deserves to thrive in a safe school and classroom free from bullying.

Save the Date: Visions of Community 2014 (continued from page 1)
Registration Opens January 3rd

in Criminal Justice, a Master’s Degree in Non-Profit Leadership, and in May will earn a Master’s Degree in Transition Secondary Special Education from The George Washington University. Her daughter Brooke is a 19-year-old young woman who has physical, intellectual and sensory disabilities. The Yarbrough family has an entrepreneurial spirit and Brooke has followed in those footsteps by opening her own business one month after graduating with an IEP Diploma from Varina High School in Richmond, Virginia.

Breakout workshops at Visions of Community will include topics on special education advocacy, managing challenging behaviors, transition to adulthood for students with disabilities, inclusion, policy initiatives, assistive technology, healthcare, bullying, parent leadership opportunities, early childhood, autism and more. In addition to approximately 30 sessions in English, a full conference strand of many of these topics will be offered in Spanish, Portuguese, Chinese, Somali, and Vietnamese.

The conference Exhibit Hall typically features over 75 vendors and resources for families. The conference is a wonderful opportunity for families and professionals to network and learn about important resources.

Free bus transportation from 5 locations across the state, a limited number of childcare slots, and interpreting services will be available for the conference. Registration opens on January 3rd with an early bird registration fee of $75. A limited number of partial scholarships for families of children with special needs will be available and can be applied for when registration begins. Please check the Federation’s website (fcsn.org) for further details.

2014 Community Partnership Awards to be presented at Visions of Community 2014

Each year the Federation for Children with Special Needs presents Community Partnership Awards to individuals in Massachusetts who have successfully promoted an inclusive environment in their community. Once again the Community Partnership Awards ceremony will be part of the opening session of the Visions of Community 2014 Conference.

Do you know a parent, student, teacher, administrator, health provider, coach, neighbor or other individual who has worked to create and support the inclusion of individuals with disabilities, those at-risk, or those who face cultural or linguistic barriers, in your school, health care or other place in the community? Please visit the Federation’s website at www.fcsn.org to nominate someone you know for a Community Partnership Award.
Tips for Parents: Don’t Get Taken for (too long) a Ride; Watch Out for Silent Waivers in an IEP!

By Robert Crabtree, Esquire - Kotin, Crabtree & Strong

Parents should keep an eye out for language in their IEPs that might have them unwittingly signing away the right to limit the duration of their child’s transportation to and from a placement to an hour or less each way. Massachusetts special education regulations provide, at 603 C.M.R. §28.06 (8)(a):

“The district shall not permit any eligible student to be transported in a manner that requires the student to remain in the vehicle for more than one hour each way except with the approval of the Team. The Team shall document such determination on the IEP.”

Notwithstanding this regulation, some school districts have begun to include the following language in IEPs:

“Parents understand student may be on the vehicle for over an hour due to distance and traffic constraints.”

Apparently, districts have been urged to incorporate this language into IEPs by a task force made up of several statewide organizations of school administrators that focuses on reducing the costs of transporting students. While we would support reasonable strategies that might make transportation to and from appropriate placements more efficient and cost-effective without harming students, the effort to include this sort of provision in IEPs undermines a basic protection tuned to students’ need to have their days devoted as much as possible to learning and free of the fatigue and distraction of excessive daily van-time.

Parents should be on the lookout for such language in a proposed IEP and, unless they are willing to allow the district effectively to ignore the travel duration limits that are ordinarily required, should refuse to permit what amounts to a blanket waiver of the requirement. At most they should reject the IEP in part, noting that they accept the statement regarding the possibility that transportation may take longer than an hour only insofar as unforeseen circumstances, such as inclement weather or major traffic disruptions, may on rare occasions cause the trip to last more than an hour but reject the statement insofar as it implies that travel between home and placement will typically require more than an hour.

If the reason for too long a ride is that a van is picking up too many students and/or bringing them to too many different locations, a parent can insist that the district correct the problem by, for example, assigning an additional van or rearranging the pick-up and drop-off schedule for the student to reduce travel time. In some cases, if the distance to a day program requires more than an hour’s trip, parents may be able to call for a residential placement for that reason, even if they could not otherwise make a case for residential services as necessary for the student to make meaningful progress.

While circumstances may make a longer ride unavoidable, the regulatory requirement for “the approval of the Team” to permit that exception to the rule means that the Team, including parents of course, must explicitly consider the factors that lead to that need, the potential effects on the student, and alternative ways to transport the student to reduce the expected length of the ride each way and/or to make the time on the ride productive toward the achievement of the student’s goals and objectives. If a ride must exceed the one hour limit, the Team should consider and provide any accommodations that might help reduce the wasted time and undermining impact of long rides – i.e., fatigue, lost learning time, etc. For example, a long ride in a van with several peers might offer an opportunity for a specialist to assist students in the development and practice of pragmatic skills or, in some cases, an aide might be able to help a student reinforce selected academic skills.

Robert Crabtree is a partner in the Special Education & Disability Rights practice group at Kotin, Crabtree & Strong, LLP in Boston, Massachusetts.

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Robert Crabtree is a partner in the Special Education & Disability Rights practice group at Kotin, Crabtree & Strong, LLP in Boston, Massachusetts.
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Tours are also available upon request.
On July 1, 2014, Chapter 222 (An Act Relative to Students’ Access to Educational Services and Exclusion from School) will take effect. This will end the era of Zero Tolerance for school discipline in the Commonwealth of Massachusetts. The law was signed by Governor Patrick on August 6, 2012 and applies to all students in general and special education.

Zero Tolerance is a phrase coined by the U.S. Attorney General in the late 1980s to refer to federal policy during the War on Drugs. The term spread to schools in the early 1990’s as an attempt to curb the violence of drugs, gangs, and weapons. By 1993 zero tolerance policies had been adopted across the country. They often included not only drugs and weapons, but smoking and school disruption. President Clinton signed the Gun Free Schools Act in 1994. This required a one calendar year expulsion for possession of a firearm and the referral of students to the criminal or juvenile justice system. Local districts extended the law to include drugs, alcohol, swearing, threats, and anything close to a gun or other weapon (nail files, bubble guns).

As the decades passed and data was collected on zero tolerance policies, counter-productive trends emerged. The hallmarks of the policy became school exclusion, suspension, and expulsion. Other disciplinary options were infrequently used. It became obvious, especially to civil rights advocates, that low-income students, minorities (especially African-American boys), and students with mental health and social-emotional disabilities were overly represented in the data.

It became apparent that there was little evidence to show that suspension or expulsion improved student behavior or increased school safety. 40% of suspended students had been suspended before. The primary predictor of suspension was a previous suspension. Zero tolerance became a tool to “push out” low-achievers and so-called troublemakers. Most would drop out, and many entered the school-to-prison pipeline.

Research began to show that certain preventative discipline techniques were better at creating safe schools. The first workshops on Positive Behavioral Intervention and Supports (PBIS) were held in 1999. PBIS used a systems approach to discipline. It promoted alternatives like bullying prevention and conflict resolution. Peer mediation, better classroom management and early identification and intervention were also prized. Evidence showed that this approach worked, and worked well. The Technical Assistance Center on Positive Behavioral Interventions and Supports was established by the Office of Special Education Programs, US Department of Education. The Center gives schools information and assistance in identifying, adapting, and sustaining effective disciplinary practices.

Fifteen years later, Massachusetts will become one of the first states to enact a new law changing how discipline is meted out in schools. The following is a summary of Chapter 222:


On September 22, 2013, the Federation for Children with Special Needs held their first ever fundraising walk, “Walk, Roll, Shobble*, Stroll”! Held at the Massachusetts Hospital School in Canton, MA, the event drew over one hundred participants and raised over $13,000 for the Federation!

Participants enjoyed tunes spun by DJ Kevin Sullivan, who got everyone on the floor dancing the Cha-Cha, the Electric Slide, and the Hokey Pokey; and playing Freeze Dance and Wonder Ball. The morning’s activities included face painting, arts and crafts projects, balloon animals and hats, and much more. Families brought picnic lunches, and were provided with snacks, drinks, and ice cream treats, courtesy of the wonderful donors listed below.

After lunch, FCSN’s Executive Director Rich Robison welcomed participants, thanked them for coming, and introduced guest of honor, Nicole Tarzia, Ms. Wheelchair Massachusetts 2013. Ms. Tarzia encouraged all in attendance to dream big! At 1pm, Tarzia and event mascot Frances the Elephant led the participants on a trek around the nature trail, where they also searched for a variety of playful scavenger hunt items.

The weather also cooperated for the event. The sun came out in the afternoon just in time for the walk to begin, and walkers, rollers, shobblers, and strollers were treated a warm, sunny autumn afternoon. There was just enough of a breeze to carry the bubbles blown by the participants!

Following the walk, families and children returned to the gym, where they enjoyed ice cream treats. Awards were given to individuals and teams who had raised the most money for the Federation.

Federation staff extended their gratitude to all the volunteers, especially the students from Boston University who generously gave their time to help at the walk.

All in all, the first Walk, Roll, Shobble*, Stroll was a great success, which could not have happened without all the hard work of all the participants, donors, volunteers! We are already planning to hold the event again next year. Hope to see you there!

Many thanks to our wonderful sponsors and donors:

Family Activities Sponsored by People’s United Bank

Food and Prizes donated by:

*where a shuffle meets a hobble

A Tribute to Major Owens

By Martha Ziegler, Founder, Federation for Children with Special Needs; Charlotte “Dee” Spinkston, Director, Urban Pride; and Harvey Liebergott, Retired, US Department of Education, Boston, Massachusetts

At a time when the U.S. Congress is under public scrutiny, the integrity, intelligence, and commitment of Major Owens seem almost to represent a platonic ideal. With his wife, Maria Cuprill and the superb staff they put together, Congressman Owens was at the front of every major legislative effort to improve the education and lives of people with disabilities. Many members of Congress spend much of their time soliciting contributions for their campaigns, but Owens spent virtually all of his time working on federal legislation, and on addressing the needs of his district.

Major Owens never raised enough money to run television commercials, but his record of accomplishments was always enough to get him re-elected. Along the way, he stood up to racism and other forms of discrimination from wherever it came, and to federal officials, who tried to do less than the laws required.

Congressman Owens brought progressive changes to the federal special education law, changing the name to IDEA, Individuals with Disabilities Education Act, and even more important, initiating the program of CPRCs, Community Parent Resource Centers. The CPRCs work with the PTIs, Parent Training and Information centers, to bring specialized services to parents of diverse backgrounds and to ensure that these parents are heard. Congressman Owens also played a major role in the enactment of the Americans with Disabilities Act (ADA) of 1990, the law that brought an end to legal discrimination against people with disabilities. The Congress, the American people, and especially people with disabilities owe an eternal debt of gratitude to this hero.
There is still time to donate to the Federation’s Annual Appeal. Your donation supports families who are facing a variety of challenges in raising their children with special needs. Families like Sarah’s are one example:

Sarah and her family have many challenges. Sarah is the primary caregiver for both her son, who has a rare genetic disorder and her husband, who also has serious medical issues. Sarah contacted our Call Center seeking help and guidance around education, health and community resources for her son. Federation staff provided Sarah with information about the Early Intervention process and her rights as a parent, and connected Sarah with an Early Intervention program. Sarah was also given information about a parent support group in her area. She has begun attending the group, which has helped her feel more confident in her ability to support her son.

There is no shortage of families like Sarah’s, and your donation to the Federation’s Annual Appeal makes a huge difference in the lives of each of the families we serve throughout the year. Because of you, the Federation is able to offer exceptional programs, like our Visions of Community Conference, Parent Training and Information, Family TIES of Massachusetts, Mass Family Voices, the Recruitment, Training and Support Center, ... and so much more. The education, advocacy and critical networking opportunities we provide for families keep them from feeling isolated and alone.

While Sarah’s family may face many struggles, because of your generous support, the Federation will be there for her family, and for many others in the years ahead, providing support and guidance as her child grows!

Your donation does make a world of difference. As one parent so graciously told us, “I would like to express my gratitude to the Federation for their hard work, dedication and guidance. People like you are the ones that make this planet better, one family at a time.”

Please give generously this year in honor of our 40th Anniversary – together we can ensure another 40 years of making life better for all children - one family at a time!

Make your donation online at www.fcsn.org or mail your check today to the Federation for Children with Special Needs, 529 Main Street, Suite 1M3, Boston, MA 02129.

Save-the-Date
Federation for Children with Special Needs

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Friday, May 2, 2014
6-10 pm

Westin Waterfront Hotel
Boston, MA

40th Anniversary

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De la Tolerancia Cero a la Responsabilidad Compasiva: Capítulo 222

Por Jane Grecco, MA, MSEd, Especialista en entrenamiento y apoyo del Centro de Contratación, Capacitación y Apoyo

El 1 de julio de 2014 entró en vigor el Capítulo 222, la ley referente al acceso de los estudiantes a los servicios educativos y a la exclusión de la escuela, que, supuestamente, pondrá fin en Massachusetts a la era de tolerancia cero con la disciplina escolar. La ley, que el Gobernador Patrick firmó el 6 de agosto de 2012, se aplica a todos los estudiantes, tanto de educación general como especial.

La “tolerancia cero”, frase acuñada por el Fiscal General de los Estados Unidos a finales de la década del 80 para referirse a la política federal de “Guerra contra las drogas”, fue adoptada por las escuelas a principios de los 90 con la intención de contener la violencia que generaban las drogas, las pandillas y las armas, y que aparecía con frecuencia en los titulares de los diarios. Para 1993, las políticas de tolerancia cero habían sido adoptadas en todo el país, a menudo no sólo en relación con las drogas y las armas sino también con el uso de tabaco y las perturbaciones en las escuelas. La administración Clinton cerró el caso al promulgar la Ley de Escuelas Libres de Armas de 1994, que ordena una expulsión un año calendario por posesión de armas de fuego, y el envío de los estudiantes que violan la ley al sistema de justicia penal o de menores. Los distritos locales extendieron el mando para incluir las drogas, el alcohol, los insultos, las amenazas o cualquier objeto similar a un arma de fuego o de otro tipo, como las limas de uñas o las pistolas de burbujas.

Con el paso del tiempo y la recopilación de datos sobre la eficacia de la tolerancia cero, surgieron tendencias contraproducentes. Las características distintivas de estas políticas pasaron a ser las suspensiones y las expulsiones. Las otras opciones disciplinarias, sin embargo, se utilizaban de manera infrecuente. Resultó evidente, especialmente para los defensores de los derechos civiles, que los estudiantes de bajos ingresos, de minorías (especialmente los niños afroamericanos) o con problemas de salud mental y discapacidades socioemocionales estaban representados de manera desproporcionada entre los afectados por estas políticas.

Estadísticamente se vio que había poca evidencia a favor de la eficacia de suspender o expulsar a estudiantes para mejorar la conducta o la seguridad escolar. El 40% de los alumnos habían sido suspendidos previamente, y el principal factor de predicción de una suspensión era haber sido suspendido con anterioridad. La tolerancia cero se convirtió en la herramienta predilecta para eliminar a alumnos alborotadores o de bajo rendimiento escolar. La mayoría terminó abandonando los estudios, y muchos fueron de la escuela a la cárcel.

La investigación crítica empezó a mostrar que ciertas técnicas de disciplina preventiva eran mucho más útiles para la seguridad escolar. En 1999, se ofrecieron los primeros talleres de Intervención y Apoyo Positivo con la Conducta (Positive Behavioral Intervention and Supports, PBIS). PBIS utiliza un enfoque disciplinario de sistemas que promueve alternativas como prevención de la intimidación, resolución de conflictos, mediación de compañeros, mejor manejo de la clase y, lo que es más importante, la identificación e intervención temprana. La evidencia empírica ha demostrado que esto ha funcionado bien y dado buenos resultados. El Centro de Asistencia Técnica de PBIS fue creado por la Oficina de Programas de Educación Especial del Departamento de Educación de los Estados Unidos a fin de dar información que ayude a fomentar la capacidad de las escuelas, así como asistencia técnica para identificar, adaptar y mantener prácticas disciplinarias efectivas.

Hoy, quince años más tarde, Massachusetts será uno de los primeros estados en promulgar una nueva ley que cambiará la forma en que se administra la disciplina escolar. Algunos de los puntos más destacados son los siguientes:

- Cualquier estudiante excluido por más de 10 días escolares consecutivos tiene derecho a recibir servicios educativos para progresar académicamente durante dicho periodo como parte de un plan de servicios desarrollado por el director para toda la escuela.

- A los estudiantes suspendidos por 10 días consecutivos o menos también se les dará la oportunidad de progresar académicamente durante la suspensión.

- Los datos de todas las exclusiones, sin importar su duración o tipo, se informarán al Departamento de Educación Primaria y Secundaria, y las escuelas con un número importante de exclusiones serán investigadas.

- Los funcionarios de la escuela deben actuar con discreción, considerar maneras de ayudar al estudiante y evitar el uso de medidas como la suspensión o la expulsión hasta haber intentado otros remedios y consecuencias.

- No se debe excluir a ningún estudiante por más de 90 días escolares.

- El proceso debido y las apelaciones a la exclusión deben incluir al estudiante y su padre, madre o el tutor.

- Los estudiantes que no se hayan graduado y tengan 10 ausencias consecutivas tendrán una entrevista final para considerar opciones de educación alternativa u otras colocaciones.

¿Qué significa esto para las escuelas de Massachusetts? Aunque...

Continúa en la siguiente página.
todos los distritos escolares deben cumplir con la ley, algunos pueden optar por revisar sus códigos de conducta para cumplir con la misma. Para principios de este año escolar (septiembre de 2013), las Escuelas Públicas de Boston ya habían revisado sus voluminosos códigos de conducta y estaban en etapa de capacitación e implementación de la ley. El distrito también decidió dar un gran paso al aceptar un cambio de paradigma que apunta a una disciplina segura, positiva y de apoyo. Esperamos que otros distritos escolares sigan su ejemplo.

El Departamento de Educación Primaria y Secundaria está revisando actualmente los reglamentos que guiarán la implementación del Capítulo 222. En diciembre se celebrarán audiencias públicas y las nuevas regulaciones se publicarán para año nuevo.

De la Tolerencia Cero a la Responsabilidad Compasiva: Capítulo 222
(continuado de la página anterior)

On Wednesday, November 6, 2013 we held our yearly “Joining Voices” conference at the UCC Conference Center in Framingham. With over 70 people registered, the day was an intimate and energetic affair.

We began with a heart-felt farewell to our colleague Barbara Popper. Barbara passed away in early November after a long and hard-fought battle with cancer. More than a friend, Barbara mentored many of us and led the way for families for over 25 years. Conference attendee Christie White summed it up best, saying, “We can see more and farther because of you.”

Keynote speaker Rosalie Edes started off passionately, speaking about the important work we all do every day. As Assistant Secretary from the Office of Disability Policies & Programs, Executive Office for Health and Human Services, Edes reminded attendees: “Although we are grappling with many challenges as families and as a state, a certain amount of tension – between groups, agencies, politicians, and lawmakers – is not only tolerable but can actually help make things happen for children on a broader scale.”

Edes went on to say, “As parents, we must take risks and continually challenge ourselves to find the highest and best vision for our children that we know they can be.”

Parents and professionals chose from workshops including SSI, Communication is Caring, Opportunities for Family, Youth and Patient Engagement in Medical Home and More, Mass-Health, Children’s Behavioral Health Initiative, and Health Care Transition. Many attendees praised the intimate atmosphere and felt it gave them more time to engage with presenters. The overall feeling was one of people coming together to learn and collaborate, rather than just going to lectures.

The day brought many opportunities for parents of children with special healthcare needs to network, share stories, and learn. In the true spirit of our agency, planning has already begun to bring fresh ideas to the 2014 Joining Voices Conference. With your help, it will be an even bigger success.
Communities of Support Abound
By Mary Castro Summers, Director - Family TIES of Massachusetts

Living with a rare or low-incidence genetic or medical condition is complicated. Specialized support networks offer information and understanding. They also raise awareness around potential treatments, services, and research. In addition, they can offer practical guidance for emotional well-being.

The National Organization for Rare Disorders (NORD) lists over 7,000 low-incidence conditions. Many individuals with rare disorders are searching for others who understand. NORD’s website (www.rarediseases.org) is a great resource to start that search.

Family TIES of Massachusetts often assists families looking for information and peer support on rare conditions. Recently our staff was invited to support three organizations doing this work.

In July the Executive Director of the Ryan Dempster Family Foundation, Michelle Breedlove Sells, drove a brightly colored RV along the East Coast. The 22Q Mystery Tour (www.22q-mysterytour.com) arrived at the Natick Mall and then Weymouth, raising awareness about 22q Deletion Syndrome. The condition is also known as 22q11.2 Deletion, Velo-Cardio-Facial Syndrome, or VCFS. Dozens of local families came together to share knowledge and experience in support of their children. Local events were coordinated by Sells and Lisa Jennings.

In mid-October the neuronal heterotopia community came together in Waltham for the first PNHV Support and Aware-
ness Conference (http://pvhnisupport.com). Led by founder Yolaine Dupont of Vancouver, the group brings patients, families, interested researchers, and medical professionals together to support individuals with Periventricular Neuronal Heterotopia. The three-day event drew a dozen families and researchers from Boston and Europe. A number of local peer community contacts were also there, including Susan Welby from Epilepsy Foundation of Massachusetts and Rhode Island. Family TIES offered a conversation on Caring for the Caregiver. Lisa Jennings shared her experiences building an online support community for rare conditions. At the end of the conference, families were beginning plans for the 2015 conference in Scotland.

The Northeast PANS/PANDAS Parent Association (www.nepandasparents.com) hosted its November event in Providence. The event focused on expanding understanding of this complex medical condition. The sold-out two-day event featured several resource tables, including materials from the Federation’s community and educational projects.

Family TIES Regional Coordinators speak daily with parents and professionals to assess family needs and provide access to community programs and state agencies. The Parent-to-Parent Program directly supports parents’ emotional needs. In conversation, trained Support Parents reinforce that you are not alone in caring for your child. As parents, Family TIES of Massachusetts staff draw upon personal experience as we listen to and support your needs. We encourage you to call our toll-free line, 800-905-TIES (8437), or visit our website at www.massfamilyties.org.

From Zero Tolerance to Compassionate Accountability: Chapter 222
(continued from page 7)

- Any student excluded for more than 10 consecutive school days is entitled to educational services so they are able to make academic progress during that time, within a school-wide educational service plan developed by the principal.

- Students suspended for 10 or fewer consecutive days will also have the opportunity to make academic progress during suspension.

- Data on all exclusions, regardless of duration or type, will be reported to the Department of Elementary and Secondary Education. Schools will be investigated for significant numbers of exclusions.

- School officials must exercise discretion and consider ways to re-engage students. They must avoid using suspension or expulsion until other options have been employed.

- No student shall be excluded for more than 90 school days.

- Due process and appeals will include the student and the parent and/or guardian.

- Students who have not graduated and have 10 consecutive absences will have an exit interview in order to consider alternative education or other placements.

What does this mean for Massachusetts schools? While all school districts must abide by the law, some may choose to revise their Codes of Conduct and be done with it. The Boston Public Schools have already revised their lengthy Code of Conduct and are in the training and implementation stages of the law. The district has chosen to take a big step and embrace a paradigm shift towards safe, supportive, and positive discipline. Hopefully, other school districts will make the same shift.

The Department of Elementary and Secondary Education is now in the process of reviewing the regulations that will drive Chapter 222. Public hearings will take place this December. New regulations will be released in the New Year.
The second annual conference for Special Education Surrogate Parents (SESPs) welcomed 150 attendees and exhibitors on October 23rd, 2013. Hosted by the Federation’s Recruitment, Training and Support Center (RTSC), “Getting Better All the Time: How SESPs Can Help Youth Attain Positive Life Outcomes” focused on older students in state custody who have experienced complex neurological trauma.

Keynote speaker Jodi Rosenbaum Tillinger advised that youth be directly involved in the shaping of their education. This echoed RTSC’s recent webinar series on transition services for youth who have experienced trauma, available on the Federation’s YouTube channel. Rosenbaum Tillinger highlighted More Than Words, a nonprofit bookstore and training program for youth who are homeless, court-involved, out of school or in state custody. The panel also included four teenagers who outlined their current academic and career pursuits. As each student described their efforts to obtain a GED, reach Youth Partner status at More Than Words, or apply to college, the audience was filled with applause. Among the featured speakers were members of the Massachusetts chapter of Foster Care Alumni of America, including RD Rohnert. Rohnert described his emotions while growing up in the system. He noted a reunion with his adult siblings as one of his fondest memories.

Other notable speakers included Marty Mittnacht, State Director of the Special Education Department of Elementary and Secondary Education (ESE) and Susan Stelk, Education Director at Department of Children and Families (DCF).

Breakout talks included Thomas Mela of Massachusetts Advocates for Children on Chapter 222, explored by Jane Crecco in this issue of Newsline. Michelle Banks, of DCF, and Jennifer Leonard, of The Skills Library, presented sessions on services for teenage youth and building career readiness. Finally, a session presented by the Federation’s Julie Sinclair, Director of the Parent Training and Information Center, included a workshop on social-emotional IEP goals for children who have experienced trauma.

In Massachusetts, the need for special educational decision-makers for students in state custody is so great that the tasks ahead can feel impossible. The hopeful atmosphere at the RTSC conference, as volunteers asked questions of their state leaders and shared triumphs, indicated a changing tide. Supported by the knowledge and expertise of SESPs and their partners, our youth in state custody are working toward success.
De Tolerância Zero a Reponsibilidade Humana: Capítulo 222

Por Jane Crecco, MA, MSEd; Especialista de Treinamento e Apoio; Recrutamento, Centro de Treinamento e Apoio

Em 1º de julho de 2014, o Capítulo 222 (Uma Lei Relativa ao Acesso dos Estudantes ao Serviço Educacional e Exclusão da Escola) entrará em vigor e, ostensivamente, terminará com a era de Tolerância Zero para disciplina escolar na Comunidade de Massachusetts. Assinada pelo Governador Patrick, em 6 de agosto de 2012, a lei é aplicada a todos os estudantes em educação, tanto geral quanto especial.

Tolerância Zero, uma frase cunhada pelo Procurador-Geral dos Estados Unidos, no final dos anos 80, em referência à política federal durante a Guerra Contra as Drogas, espalhada nas escolas no início dos anos 90, como uma tentativa de conter as atrativas manchetes da violência das drogas, das gangues, e das armas. Em 1993, as políticas de tolerância zero já tinham sido adotadas em todo o país, geralmente incluindo não só as drogas e armas, como também o tabagismo e as perturbações nas escolas.1 O governo Clinton selou o acordo ao assinar a Lei das Escolas Livres de Armas, de 1994, determinando uma expulsão de um ano letivo pela possessão de arma de fogo e o envio dos estudantes que violaram a lei para o sistema de justiça criminal ou juvenil. Os distritos locais extenderam o mandato para incluir álcool, xingamentos, ameaças, e qualquer coisa que se parecesse com um revólver ou outra arma (limas metálicas, pistolas de ar quente).

Enquanto passaram-se décadas e dados foram recolhidos em relação a eficácia das políticas de tolerância zero, correntes contraproducentes emergiram. A exclusão escolar, a suspensão e a expulsão tornaram-se políticas marcantes, enquanto outras opções disciplinares foram usadas com pouca frequência. Tornou-se óbvio, especialmente para os defensores dos direitos civis, que os estudantes de baixa renda, minoria, (especialmente meninos afro-americanos), e estudantes com deficiências de saúde mental e sócio-emocionais foram representados desproporcionalmente na demografia do uso da política.

Estatisticamente, tornou-se claro que havia pouca evidência para apoiar a eficiência da suspensão ou expulsão para melhorar o comportamento do estudante ou aumentar a segurança na escola. 40% dos estudantes suspensos já haviam sido suspensos anteriormente e a previsão primária da suspensão era uma suspensão anterior. A tolerância Zero se tornou a ferramenta de seleção usada para “afastar” os de fraco-desempenho e por isso chamados de desordeiros. A maioria eventualmente abandonou a escola, e muitos tomaram o caminho que vai da escola para a prisão.

Pesquisas críticas começaram a mostrar que certas técnicas de disciplinas de prevenção seriam muito melhores para a criação de escolas com mais segurança. As primeiras oficinas sobre Intervenção e Apoio no Comportamento Positivo, Positive Behavioral Intervention and Supports (PBIS), foram realizadas em 1999. O PBIS utilizou uma abordagem de sistemas para disciplinar, promovendo alternativas como prevenção de intimidação (bullying), resolução de conflitos, mediação entre colegas, melhor gerenciamento da sala de aula e o mais importante, uma identificação e intervenção mais cedo. Evidência empírica mostrou que esta abordagem funcionava e funcionava bem. O Centro de Assistência Tecnológica no programa de Intervenção e Apoio no Comportamento Positivo foi estabelecido pelo Departamento de Programas de Educação Especial, Ministério de Educação Americano, para dar às escolas a capacidade de construir a informação e a assistência tecnológica para identificar, adaptar, e manter as práticas disciplinares eficazes em toda a escola.

Hoje, quinze anos mais tarde, Massachusetts se tornará um dos primeiros estados a promulgar uma nova lei, mudando em como a disciplina é exercida nas escolas. A seguir, um sumário de seus pontos relevantes:2

- Qualquer estudante excluído da escola por mais de 10 dias consecutivos, estará capacitado aos serviços educacionais a fim de ter a oportunidade de alcançar progresso acadêmico durante este período, dentro de um plano de serviço educacional em toda a escola, desenvolvido pelo diretor
- Os estudantes suspensos por 10 ou menos dias consecutivos também terão a oportunidade de obter progresso acadêmico durante a suspensão
- Dados sobre todas as exclusões, independentemente da duração ou tipo, serão relatados ao Departamento de Educação Elemental e Secundária e as escolas serão investigadas em relação aos números significativos de exclusões
- Os funcionários da escola deverão exercer discretion, considerar critérios, considerar modos para reintegrar o aluno, e evitar usar a suspensão ou a expulsão até que outros recursos e consequências tenham sido empregados
- Nenhum estudante deverá ser excluído por mais de 90 dias do ano letivo
- O devido processo e apelações à exclusão, incluirão o estudante e o pai/mãe ou o responsável
- Os estudantes que não se formaram e têm 10 faltas consecutivas terão uma entrevista no final, a fim de que se considere uma educação alternativa ou colocações

O que isto significa para as escolas de Massachusetts? Enquanto todos os distritos escolares devem cumprir a lei, alguns poderão escolher a revisão de seus Códigos de Conduta e o que fazer com ela. A partir do início deste ano letivo, setembro de 2013, as Escolas Públicas de Bostom, já terão revisado o seu longo Código

continuação da próxima página


2Thomas Mela, liderou a coligação de defensores que promoveram o Capítulo 222 e trabalhou de perto com os legisladores para a promulgação, as alterações estruturais no Mela, Thomas, “Lei de reforma da nova disciplina/abandono escolar/ “New school discipline/ dropout reform law.” Em 7 de agosto de 2012, www.massadvocates.org/documents/SummaryofChapter222oftheActsof2012.pdf
**Book Review**

*A Room of Golden Shells: Art and Poetry by Teens and Adults with Down Syndrome*


Reviewed by Emily Gaudette, Project Associate - Recruitment, Training and Support Center for Special Education Surrogate Parents

This collection is a gorgeous tour of North American artists and poets with Down syndrome. The artists’ faces appear with their works, and each page feels like a personal interaction with them. The visual art ranges from colorful (Beth Ann Gregus’ Heart is layered with gold metallic textures) to contemplative (Michael Shimmel’s Untitled 1 is worth a long look.) Some experiment with light and texture, and others depict faces and objects with startling realism. Though the skill here is undeniable, most noteworthy is the volume’s variety in subject matter, tone, and medium.

*A Room of Golden Shells* leads the reader down Aliza Bible’s “ribbon of highway,” which she describes in her poem Man in the Moon. The poets describe difficult issues: grief, bullying and what Debbie Chandler poignantly calls The Race Toward Normal. The book is defiant and celebratory. Each piece responds to society’s limited understanding of the artists’ abilities and gifts and demands a reexamination of artists with Down syndrome. Adrian Drower answers what Langston Hughes asked in 1926 (“What happens to a dream deferred?”) with his moving poem No Longer Deferred. “A withered flower can grow back / more beautiful than ever / dreams like pine trees last forever,” Drower writes. The message is simple: nurturing the gifts of artists and writers with Down syndrome is an important endeavor. Their work is compelling, their experiences fascinating, and their voices deserve to be heard.

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**De Tolerância Zero a Reponsibilidade Humana: Capítulo 222**

(continuação da página anterior)

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