On Saturday, March 10, 2012, the Federation for Children with Special Needs hosted its annual Visions of Community conference at the Seaport World Trade Center in Boston. Over 800 parents, children, professionals, presenters, state agency partners, exhibitors, and Federation staff and board members came from all over Massachusetts and New England to spend a day learning, sharing, networking, and enjoying each other's company. For the first time, each attendee was given “networking cards” to facilitate the easy exchange of contact information. Throughout the day, people could be seen filling out and exchanging their networking cards – weaving the threads of communication and collaboration that tie communities together and make them strong.

**Opening Session**

In the conference’s opening remarks, Dr. Richard Robison, Executive Director at the Federation, reminded the audience that 2012 is a landmark year for the Federation and the families it serves. July 17th of this year will mark the fortieth anniversary of Chapter 766, the seminal Massachusetts special education law that revolutionized education in the state and across the nation. After the law was signed, Dr. Robison explained, another problem remained. Families across the state suddenly had rights that many had only dreamed about, yet few knew enough to exercise them. The families and professionals who had pushed for the law offered a solution – “Let families tell families, and it will work,” they said. From that idea, the Federation was born. Through it, families have been telling families for nearly 40 years, and it does work!

**Keynote Presentations**

After his remarks, Dr. Robison introduced two keynote speakers. The first was Mary Watson-Avery, M.S - Coordinator of Professional Development and Training Activities at the Connected Beginnings Training Institute, Wheelock College. Mary is an experienced teacher, administrator, and consultant who is also the parent of a
New Addition to the Federation Staff:

Please join us in welcoming Linda Surprenant to the Parent Training and Information center (PTI) team! She is now the Information Specialist in Western Massachusetts. Linda is a registered nurse with a 22-year-old daughter with complex health care needs and significant developmental disabilities who has successfully transitioned from special education. Linda completed the Parent Consultant Training Institute (PCTI) in 2001 and has been a very active volunteer for the Federation. She has hosted the Western Massachusetts PCTI for many years, volunteered at the Federation’s annual conference, and supports the Parent Consultant Network monthly meetings. In addition, Linda is an excellent trainer who has done an outstanding job presenting many Federation workshops.

Linda’s previous work experience includes conducting orientation trainings for new nurses in an Intensive Care Unit, and acting as a presenter/trainer for Closing the Gap (a conference for augmentative communication, assistive technology, etc). Linda is an active member of the Holyoke/Chicopee Citizen Advisory Board (CAB) and the Complaint Resolution Team (CRT) for the Department of Developmental Services (DDS). As an active volunteer in her daughter’s local school district, she focused on educating students about disabilities. Linda also served as the president of her Parent Advisory Council (PAC) for 10 years. Welcome Linda!

MassCARE Updates

The MassCARE program successfully completed a great workshop series on “Matters of the Heart.” It was a two part series. The first part was held in Framingham, and the second in Lawrence. The Women of Healing Our Community Collaborative’s (HOCC) Women’s Health Educational Leadership (WHEL) team assisted with facilitating these workshops. They educated women from around the region on cardiac wellness, stroke and high blood pressure prevention, and healthy and unhealthy relationships. MassCARE will be conducting another workshop in May on self-expression and self-wellness.

The MassCARE program is also pleased to announce the hiring of Peers for several sites around the state. At the Family Health Center Worcester, 2 part-time Peers have been hired. Ms. Maria Velentin will act as the youth Peer while Ms. Doreen Maldonado will act as the Peer for adult women. At the Greater Lawrence Health Center, Ms. Rose Mary Bruno will work with the youth, and Ms. Sharon Rivera with the women. At the Lowell Community Health Center Ms. Lisette Nuamah was hired for the youth, and Ms. Aixa Almonte for the women. Lastly, Ms. Minerva Stanton will act as the Peer for women at the Brockton Neighborhood Health Center. MassCARE is currently in the hiring process for youth Peers in Brockton and in Springfield, and for an adult Peer in Springfield (at the Caring Health Center).

A two-day training was held for all Peers on February 23rd and 24th. Additionally the Peers recently attended MassCARE’s first quarterly Parent Advisory Council (PAC) meeting with the Department of Public Health (DPH). MassCARE is very excited about the Peers being a part of the program. They will be assisting patients from their health centers, as well as aiding MassCARE in planning and conducting the year’s upcoming workshops and events.
From the Executive Director

Marking Milestones

I recently read a column by Dave Stancliff, a retired newspaper editor and publisher in Northern California, that made me think about milestones that are important to me.

He wrote “Life is a series of milestones on the road to your last breath. There are good and bad milestones. We remember both with equal passion.” Whether marking the anniversary of a personal event or one that changed the nation, these milestones cause us to say “It doesn’t seem that many years have passed since ...” or “Where has the time gone?”

Stancliff continued, “Excuse me for a moment. Nostalgia clings like a cloak when I recall all the milestones I’ve experienced. What a road! What a roller coaster! What a trip thus far! The road ahead, regardless of how bumpy, is something to look forward to.”

Forty years ago in Massachusetts, Chapter 766, the first comprehensive Special Education law in the country was signed into law on July 17, 1972. When it was first passed it did not register as a personal milestone for me. Only after the birth of my daughter Amy did it take on such significance.

Amy, my daughter, born with Down syndrome, turns 30 years old on May 29. For some reason this birthday seems like a major milestone, one that in her earlier years seemed unimaginable. Of course, I always knew she would arrive here someday, but it seemed a distant dream. She is a product of Chapter 766. Now she has grown and matured into an amazing young woman, the recipient of a wonderful public education!

Another milestone popped up this spring as I mark my 15th year as the Executive Director of the Federation. Clearly we have had our ups and downs, yet the work of educating, informing, and empowering families is as vital today as it was on the day that Chapter 766 was first signed into law. Our founder, Martha Ziegler, had a vision of the role of informed parents as vital to the law’s success that continues to inspire us. The Federation will celebrate its 40th year milestone in 2014!

Author C.S. Lewis once said, “The safest road to hell is the gradual one -- the gentle slope, soft underfoot, without sudden turnings, without milestones, without sign posts.”

Stancliff concluded, “In the end, milestones are markers of our making. People will judge us by how we treated them. We’ll be known by our public works. We’ll also be known by our personal relationships,” Of those relationships, none are more telling than those we build with the most vulnerable children among us.

Celebrate your milestones, Celebrate our Children!

Rich Robison
Executive Director

Support Our Work, In Your Community

- Help the Federation while achieving your daily, personal goals: The Federation has recently partnered with 1purpose (www.1purpose.com), an organization that helps individuals connect their personal goals with donating to their charity of choice. Whether your goal is to train to run that 5K race you’ve always wanted to run, lose those few extra holiday pounds, or simply get more organized at home or work, through 1purpose, you can accomplish your goals while helping the Federation. Check it out and join Team Federation today!

- Hold your own fundraiser or “friends event” for the Federation! Organize a neighborhood car wash, get a group of friends together and invite Federation staff to come and speak, or make the Federation the beneficiary of a local community service event.

- Spread the word! Join the conversation with other families through our social media channels! Check out the Federation’s Facebook page, follow us on Twitter, and view our videos on YouTube. Add your thoughts, comments and “perspectives”, on the Federation’s newly launched blog, “Perspectives, What Matters to Us.”

For more information on these and other ways to support and be involved with our mission, contact the Development Office at 617-236-7210, ext. 374 or by email at mjerz@fcsn.org.
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Tools we use:
- iPad and iTouch
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Preparing for Graduation

By Terri McLaughlin, Coordinator of Transition Projects at the Federation for Children with Special Needs

High school graduation is an important milestone. Every student needs to be prepared as he or she exits secondary school and enters into the next phase of life and learning. Graduation is not a voluntary decision; a student must have met certain requirements to exit school with or without a state standard diploma. The following questions are very important for all parents of transition age students (14 - 22 years) to consider.

- What is the ‘expected graduation date’ noted on the last signed IEP and Transition Planning Form (TPF)?
- What is the difference between a ‘Certificate’ and a state standard diploma?
- Has the student passed MCAS and local district requirements?
- Has the student received appropriate Transition assessments and transition services based on their post-school vision?

There are three requirements a student must meet to graduate with a state standard diploma. The first requirement is passing MCAS. Students must either earn a scaled score of at least 240 on the grade 10 MCAS ELA and Mathematics tests, or earn a scaled score between 220 and 238 on these tests and fulfill the requirements of an Educational Proficiency Plan (EPP). Students must also earn a scaled score of at least 220 on one of the high school MCAS Science and Technology/Engineering (STE) tests: Biology, Chemistry, Introductory Physics, or Technology/Engineering. The second requirement is passing all local requirements in your city or town. Contact your high school or school committee to find out what they are. The third is receiving appropriate and individualized Transition services based on a student’s vision for his or her future. Additionally, students must be informed of their expected graduation date (in their IEP) one year prior to that date. Their expected graduation date is the year that the student’s entitlement to special education services will end.

The Individuals with Disabilities Education Act (IDEA) is a federal law that mandates that students with disabilities receive “Transition Services.” According to the United States Congress, the purpose of IDEA is to ensure that the unique needs of students with disabilities are met so that they will be prepared for further education, employment, and independent living as adults. Because all students in special education are eligible to have results oriented Transition goals and services, understanding the Transition process is critical to getting the most out of your child’s education. Beginning when the student is 14 years old, schools must document progress toward Transition goals every year in the IEP. For students 18-22, special education supports and learning opportunities should be based in the community so the student will be prepared for a smooth transition to full participation and a meaningful adult life in the community.

If a student has not received Transition services based on their vision during their period of entitlement (age 14-22) they may continue to be eligible for special education and receive Transition services through the IEP process. If graduation is challenged on that basis, parents should immediately notify the child’s school, in writing, that they are rejecting the diploma and rejecting the IEP because the student has not received Transition services. This letter should be sent along with the rejected IEP to the Bureau of Special Education Appeals.

It is important to note that this type of challenge will require good solid information and current Transition assessments. In Massachusetts, the Quabbin and Dracut decisions are two precedent setting Transition cases that are very important to review. In each instance they clearly identify the scope and purpose of Transition in IDEA.

Begin the Transition journey early. As new ideas and educational opportunities evolve, new skills emerge and help shed new light on the student’s vision and future plans. Partner with your student and school Team to create a meaningful individualized Transition plan. A good transition plan can help prepare all students to graduate ready to follow their dreams.

Terri McLaughlin coordinates the Transition Projects at the Federation. She organizes transition workshops and provides technical assistance for parents and professionals. Terri also runs ‘Planning A Life’, a two day Transition conference three times each school year. You can reach her at 617-236-7210 x336 or at tmclaugh@fcsn.org.
Private School Students May be Entitled to Special Education and Related Services

By Melanie Riccobene Jarboe, Esq.

Under state and federal law, a student who is not succeeding in the general curriculum as a result of a disability is entitled to the special education and related services necessary for the student to access the curriculum and make effective progress. The Individuals with Disabilities Education Act (IDEA) requires public schools to provide services to enable students to make progress, but does not require private schools to provide any services. As a result, many parents believe that transferring to a public school is the only way their child will get meaningful services. Yet this is not always the case. In Massachusetts, public school districts must provide certain services and protections to eligible residents even when they attend regular education private schools. (The issue of students whose parents are seeking funding for private special education school tuition from the district is beyond the scope of this article.)

Massachusetts law and the “Child Find” requirements of IDEA require school districts to evaluate students suspected of needing services and to determine eligibility. Under Massachusetts law, the district must propose an IEP and provide special education and related services to all eligible students who reside in the district, including those attending private schools. Every eligible resident-student in Massachusetts has an individual entitlement to an IEP, which must be designed to meet the child’s needs and provide the child with a genuine opportunity to participate in the public school special education program. Services provided to private school students must be comparable in quality, scope, and opportunity for participation to those provided to students attending public schools. In case of a disagreement over eligibility or services, Massachusetts students may access the state due process system through the Bureau of Special Education Appeals (BSEA).¹

If the student’s private school is outside the student’s home district, the home district must make reasonable efforts to provide services at or near the private school. According to the Massachusetts Department of Elementary and Secondary Education (DESE), services provided using state or local funds must be provided at a public or neutral site (not at the private school). If federal funds are used, however, services may occur at the private school itself. School districts may contract with other providers, such as private agencies or the public school district in the community where the student attends school, to deliver services.

School districts must provide transportation between the private school and the location of special education services if transportation is necessary for the student to benefit from special education. Therefore, the district may be required to provide transportation when the district provides special education or related services at a location other than the student’s private school. Factors that affect the district’s obligation to provide transportation include the student’s age, the distance the student must travel, the nature of the area through which the student must pass, the student’s access to assistance en route, and the availability of other means of public transportation. The school district may also need to provide transportation to or from the student’s home, depending on the timing of services. For a comprehensive discussion of transportation obligations, see Weymouth Public Schools, BSEA #11-2663 (Jan. 19, 2011).

An eligible Massachusetts resident may receive publicly-funded special education services even though s/he attends a religiously-affiliated school. The U. S. Supreme Court has held that the First Amendment permits the use of public funds to support students attending religious schools because public funds expended for special education do not help the school as an institution, but rather help the student as an individual. On the state level, DESE’s interpretation of state law regarding the location of services provided with state funds (discussed above) does not distinguish between sectarian and non-sectarian private schools. The fact that a child attends a sectarian school does not affect the district’s obligation to provide services.

¹ Federal law governs a Massachusetts district’s obligations to residents of other states who attend private school within the district. Whereas Massachusetts law provides Massachusetts residents with both an individual entitlement to services and access to dispute resolution mechanisms, federal law does not provide similar protections to non-residents. Non-residents attending school in Massachusetts do not have an individual entitlement to services, and may access dispute resolution mechanisms only in very limited cases.

Melanie Riccobene Jarboe is an Associate at Kotin, Crabtree, and Strong, LLP, a general practice law firm in Boston, MA. She concentrates with several colleagues in special education and disability law. Melanie can be reached at kcs@kcslegal.com.
Looking for Answers, Hoping for Support

By Mary Castro Summers, Director, Family TIES of Massachusetts

As parents, we go through a range of emotions when we learn that our child has health concerns, big or small, short- or long-term. Maybe the root is a medical condition that is genetically based, an injury resulting from an accident, complex health issues that are noted early in life or later on, or even what seemed to be just a viral infection. No matter what the cause, the coping process is similar. We start with a need for answers. What are the short- and long-term issues? How will this health concern affect my child’s quality of life? Who can I trust to deliver the best health care possible – to make the most of a challenging situation?

Finding answers can be challenging. Parents need to start with a medical team that will take the time to explain the issues in language they can understand, share written information so that they can take it in at their own pace, and encourage open lines of communication. The team should understand that parents know their children best. A doctor may have had the luxury of treating dozens or hundreds of children with similar health concerns, but never someone just like your son or daughter. Parents are most familiar with their child’s norms, whatever they are. It is crucial that parents share their observations on how a medical condition affects their child: fever, pain, energy level, appetite, ability to concentrate, interest in everyday activities, friendships. Keeping excellent notes will contribute to the overall ability of the medical team to assess and treat your child.

For parents, another important aspect of receiving exemplary care is feeling supported by the medical team. It is physically and emotionally exhausting to care for a sick child, particularly over long periods of time. Parents should seek out a specific member of the medical team to discuss how the situation affects them, and they shouldn’t be afraid to ask for help in finding a support group or other means of emotional support. If you are one of these parents, it is important to remember, you are not alone.

The Parent-to-Parent Program at Family TIES of Massachusetts offers parents two gifts. First, it offers a means to find other parents who have been through the long haul of caring for a child who has special needs. What a positive experience it is to have a conversation with someone who truly understands what you are seeing and hearing and feeling. The second gift is the opportunity to give back by becoming a volunteer Support Parent. After making contact with someone who is at the beginning of the road they have traveled, our Support Parents report a deep feeling of gratitude for the opportunity to help someone else. It also helps them recognize just how far they have come in their own journeys. Parents involved with the Parent-to-Parent Program are grateful for opportunities to discover, benefit from, and to give back to the blessings of the special needs community.

Stepping Down and Stepping Up

By Leslie M. Leslie, MassPAC Coordinator

Elections are right around the corner for most special education parent advisory councils (SEPACs) in Massachusetts, but you won’t see any yard signs, television ads, or public debates. For a lot of SEPACs, there are few candidates vying for the job.

Serving as a volunteer President or Chair of a SEPAC is a demanding job, or as they say in the Peace Corps, “the toughest job you’ll ever love.” People move into these positions with high goals – usually to create a support organization for fellow parents who face the same uphill climb through the special education maze. Parents of children with special needs possess a unique determination, are always willing to lend a hand, suggest a resource, or just listen with an understanding ear.

It takes a special person to run for office. A job description for a SEPAC leader might include: good organizational skills, ability to communicate effectively, verbally and in writing, strong knowledge of the special education process, strong interpersonal skills, and a good sense of humor.

That last trait is essential when trying to maintain an organization with diverse needs and backgrounds, limited support, and great expectations from the parents. Massachusetts has many well run SEPACs with strong effective leaders. Yet even these groups face challenges when leaders decide to step down. New candidates may feel intimidated or compelled to produce the same results. SEPAC leaders need to provide for an orderly transition and be available for advice and questions, but stand aside to encourage the SEPAC as the organization grows and moves in new directions.

If your district is looking for a new SEPAC leader, I encourage you to step up to the plate. You do not have to go it alone. Surround yourself with others who can help with logistics, such as running a listserv, maintaining the website, or planning for a speaker. Use your passion to gather parents and keep them moving forward. Fulfill your duty to advise the School Committee on matters of special education in your district and make positive changes for the families who will follow in your footsteps. Continue to strengthen the organization by bringing in new people with new ideas. Change is good.

Even if you choose not to “run for office,” there are many ways a parent can support their local SEPAC. Attend those meetings and bring a friend or two! Volunteer for small tasks that fit your interests and skills. An organization is only as good as its members. Be a part of something important. Start by voting at your next SEPAC election.
remarkable 15 year-old named Walden. During her address, Mary reflected on her experiences from both sides of the parent/professional fence, and shared a few wise mantras. She pointed out that “parents are usually not in denial” about their children, and cautioned professionals to be wary of over-diagnosing denial in parents. Another mantra was “find your voice” — which means not making apologies for your child, for time spent supporting him/her or meeting with parents, or for his/her behavior. Mary encouraged parents to “be the clearing house of information for [their] children.” Parents of children with special needs all learn a lot. They should be ready to save, copy, organize, and share that information with anyone who might benefit from it. She reminded parents how important it is to “surround [themselves] with support.” Friends who “get it” can provide emotional support and honest helpful advice. Finally, Mary reminded the audience to “be aware of the ways children tell you what they need.” “Walden,” she said “has been teaching me since I met him. . . . It’s an honor to be his mother.”

The second keynote address was given by Dan Habib, director, producer, and cinematographer of the critically acclaimed documentary Including Samuel, and the upcoming film Who Cares About Kelsey? During his travels across the country and around the globe educating people about inclusion, Dan found that one question followed him wherever he went. Dan’s son Samuel is physically disabled, and people would always ask: “What about children with emotional and behavioral disabilities?” This question led him to begin doing research, and that research led to work on his upcoming film, Who Cares About Kelsey? Dan summed up the purpose of Who Cares About Kelsey? in a single sentence: “To show innovative educational approaches that help students with emotional and behavioral disabilities succeed, while improving the overall culture and climate of the school.” Dan found an ideal setting for his new documentary in Somersworth High School in New Hampshire. Over 4 years since implementing Positive Behavioral Interventions and Supports (PBIS), and a Response to Intervention (RTI) based approach to student behavior, Somersworth saw its dropout rate decline 75%, and its office referrals decline 60%. Once he had found his topic and setting, Dan decided to let the students themselves tell as much of the story as possible, in particular, a Somersworth senior named Kelsey. In a short clip, the audience got a window into Kelsey’s life and educational experiences. It can be easy to gloss over statistics that show millions of students struggling with emotional and behavioral disabilities, but when a film like Who Cares About Kelsey? forces us to remember that those statistics represent millions of individual children struggling to make the best out of difficult lives, we can’t help but be motivated to support them to the best of our abilities.
State Agency Partners
As in past years, the Federation was honored to have state agency leaders in attendance. Angelo McClain, Commissioner of the MA Department of Children and Families (DCF), Heidi Reed, Commissioner of the MA Commission for the Deaf and Hard of Hearing, Larry Tummino from the Department of Developmental Services (DDS) and Robert Turillo from the Department of Youth Services represented Health and Human Services Agencies. Sherri Killins, Commissioner of Early Education and Care, Dr. Mitchell Chester of the Department of Elementary and Secondary Education and Education Secretary Paul Reville brought greetings on behalf of the Education Agencies. All thanked the Federation for its commitment to family/professional partnerships and to ensuring families were connected with services and supports.

Community Partnership Awards

Dr. William Henderson, Federation Board Member Emeritus, and Federation Board President Jim Whalen presented Community Partnership Awards to the following individuals in recognition of their “ground level” contributions in our communities and whose, “daily words and actions affect change for individuals with disabilities.”

Community Outreach Award
Presented to Juana Espinosa, Francis M. Leahy School, Lawrence, MA. Juana has worked tirelessly to bridge the gaps between the Leahy School and the families who send their children there, many of whom are immigrants with a limited understanding of the English language and United States institutions.

Inclusive Recreation Award
Presented to New England Disabled Sports, Loon Mountain, NH. Volunteer trainers at New England Disabled Sports give over 3000 lessons annually to individuals with a wide range of disabilities, allowing many to participate in outdoor recreation in ways they never thought possible.

Self-Advocacy Award
Presented to Steven Roberts from Andover, MA. Steven is a 26-year-old self advocate with cerebral palsy who has partnered with his local YMCA as well as numerous community leaders to improve access and inclusiveness for people with disabilities. Steven also began a self-advocacy group in his community that now meets monthly and has over a dozen members.

Inclusive Special Education Teacher Award
Presented to Rose John, Lenox Public Schools, Lenox, MA. Rose is a personal aide who exemplifies the very best of her profession. Rose has supported a nine-year-old boy with autism and complex medical needs for the past four years, helping him to make friends, exceed expectations, and fully participate in the life of his school.

Parent Advocacy Award
Presented to Carolyn Kain from Dorchester, MA. Carolyn is the parent of a 12-year-old daughter with significant disabilities. She is also Chair of the Boston Public School (BPS) Special Education Parent Advisory Council. She has testified before the Legislature’s Committee on Education, The Boston City Council, and the Boston School Committee advocating for the rights of children with disabilities, and for support for and improvements to special education programs.

Inclusive School Administration Award
Presented to Dr. Thomas Pandiscio, Wachusett Regional School District. In spite of serious budgetary challenges, Dr. Pandiscio has worked in full collaboration with the district’s Special Education Parent Advisory Council to develop a range of outstanding new programs for students with special needs. He has implemented a high-quality severe needs/autism program, a high school life skills program, and summer programming; and he is currently developing a disability awareness curriculum for students in grades 3-5 to be piloted this spring.

Video of the Opening Session, as well as several workshop handouts are available at www.fcsn.org.

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Los estudiantes de escuelas privadas pueden tener derecho a recibir educación especial y servicios relacionados

Por Melanie Riccobene Jarboe, Abogada

Según las leyes estatales y federales, si un estudiante no está teniendo éxito en el plan general de estudios a causa de una discapacidad, tiene derecho a recibir la educación especial y los servicios relacionados que sean necesarios para poder acceder al plan de estudios y lograr un progreso real. La Ley de Educación para Personas con Discapacidades (“Individuals with Disabilities Education Act”, IDEA) exige que las escuelas públicas ofrezcan servicios para permitir que los alumnos puedan progresar, pero no requiere que las escuelas privadas provean ningún servicio. Como resultado, muchos padres creen que la única forma de que sus hijos reciban servicios importantes es mandarlos a una escuela pública. Sin embargo, esto no es siempre así. En Massachusetts, los distritos escolares públicos deben prestar determinados servicios y protecciones a los alumnos elegibles aunque asistan a clases regulares en escuelas privadas. (El tema de los estudiantes cuyos padres buscan financiamiento para la matrícula escolar de la educación especial privada excede el alcance de este artículo.)

Según la ley de Massachusetts y la Ley IDEA, los distritos escolares deben evaluar a los estudiantes sospechados de necesitar servicios, y deben determinar su elegibilidad. Según la ley de Massachusetts, el distrito debe proponer un plan educativo individualizado y debe ofrecer educación especial y servicios relacionados a todos los estudiantes elegibles que residen en el distrito, incluso a los que asisten a escuelas privadas. Todos los estudiantes elegibles que residen en Massachusetts tienen derecho individual a un plan educativo individualizado, que deben estar diseñado para satisfacer sus necesidades personales y para darles una auténtica oportunidad de participar en el programa de educación especial de la escuela pública. Los servicios provistos a los estudiantes de escuelas privadas deben ser comparables a los que reciben los estudiantes de escuelas públicas en cuanto a calidad, alcance y oportunidades de participación. En caso de desacuerdo sobre la elegibilidad o los servicios, los estudiantes de Massachusetts pueden acceder al sistema de proceso debido del estado a través de la Oficina de Apelaciones de Educación Especial (Bureau of Special Education Appeals, BSEA). ¹

Si la escuela privada del estudiante está fuera de su distrito escolar local, éste debe hacer esfuerzos razonables por ofrecer servicios en o cerca de la escuela privada. Según el Departamento de Educación Primaria y Secundaria de Massachusetts (Massachusetts Department of Elementary and Secondary Education, DESE), los servicios provistos con fondos estatales o locales deben proveerse en un sitio público o neutral (no en un colegio privado). Si se utilizan fondos federales, sin embargo, los servicios pueden ocurrir en la escuela privada. Los distritos escolares pueden contratar a otros proveedores, por ejemplo, a agencias privadas o al distrito escolar público de la comunidad donde el estudiante asiste a la escuela, para que provean los servicios.

Los distritos escolares deben proporcionar transporte entre la escuela privada y el lugar de los servicios de educación especial, si el transporte es necesario para que el estudiante pueda beneficiarse de la educación especial. Por lo tanto, se puede requerir que el distrito provea transporte si ofrece educación especial o servicios relacionados en un lugar diferente de la escuela privada del estudiante. Algunos de los factores que influyen en la obligación del distrito de ofrecer transporte son la edad del estudiante, la distancia que debe viajar, el tipo de zona que debe atravesar, el acceso a ayuda en el camino y la disponibilidad de transporte público. El distrito escolar también puede tener que proveer transporte hacia o desde el hogar del estudiante, dependiendo del horario de los servicios. Para información más detallada sobre las obligaciones de transporte, ver Weymouth Public Schools, BSEA n.o 11-2663 (19 de enero de 2011).

Todos los residentes elegibles de Massachusetts pueden recibir servicios de educación especial con fondos públicos aun si asisten a una escuela afiliada a una religión. La Corte Suprema de los EE.UU. ha sostenido que la Primera Enmienda permite la utilización de fondos públicos para apoyar la asistencia de estudiantes a escuelas religiosas porque los fondos públicos destinados a educación especial no ayudan a la escuela como institución sino al estudiante como individuo. A nivel estatal, la interpretación del Departamento de Educación Primaria y Secundaria de las leyes estatales sobre la ubicación de los servicios provistos con fondos del estado (como se menciona anteriormente) no distingue entre escuelas privadas sectarias y no sectarias. El hecho de que un niño asista a una escuela sectaria no afecta la obligación del distrito de ofrecer servicios.

Si usted sospecha que su niño puede necesitar educación especial o servicios relacionados, comuníquese con su distrito escolar local aunque esté inscrito en una escuela privada. Explique la naturaleza de las dificultades de su niño en la escuela y pida que el distrito haga una evaluación en todas las esferas de la presunta discapacidad. Asegúrese de firmar un formulario de consentimiento para la evaluación solicitada para que empiece a contar el período en que el distrito debe completar la tarea. Aunque ley estatal confiere beneficios a los estudiantes elegibles de Massachusetts, pueden surgir y a menudo surgen controversias entre los padres y los distritos escolares con respecto al tipo, el alcance y la ubicación de la educación especial y los servicios relacionados de un estudiante. Para más orientación, favor de leer la información del Departamento de Educación Primaria y Secundaria en http://www.doe.mass.edu/sped/advisories/07_2.html.

¹ La Ley Federal regula las obligaciones de los distritos de Massachusetts con los residentes de otros estados que asisten a escuelas privadas aquí. Mientras que ley de Massachusetts ofrece a los habitantes del estado tanto un derecho individual a los servicios como acceso a mecanismos de resolución de conflictos, las leyes federales no ofrecen una protección similar a los no residentes. Los no residentes que asisten a una escuela en Massachusetts no tienen un derecho individual a los servicios, y pueden acceder a mecanismos de resolución de conflictos sólo en casos muy limitados.

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Positive Behavioral Interventions and Collaborative Problem Solving: A New Approach

By Jane Crecco, Training & Support Specialist, Recruitment, Training & Support Center for Special Education Surrogate Parents (RTSC)

In the last issue of Newsline, the RTSC introduced the Function- al Behavioral Assessment (FBA), the first step an IEP Team must take to formally address challenging behaviors. Once the FBA is complete, and the IEP Team is assured that an even more in depth behavioral assessment is not needed, the Team can begin developing a Positive Behavioral Intervention Plan (PBIP).

A PBIP is written based on the data collected for the FBA, such as general learning environment, problem behavior, and events taking place in the student’s life. The FBA should include antecedents (events that have preceded the behavior), consequences (events that are the result of the behavior), and situations in which the behavior does not occur. Finally, the FBA should also include a hypothesis statement that takes into account the reason why the behavior occurs, what function the behavior serves, and what to do about the behavior. An example of a hypothesis statement could be: “Arthur disrupts reading class by swearing at the teacher when he is asked to read aloud. He is most likely to disrupt the class if he has not had breakfast or if there was a problem at the bus stop. When Arthur starts swearing, the reading teacher makes him leave the group.”

The next step in the PBIP is to figure out what can be done to replace the behavior (in this case, swearing) with another behavior that changes the outcome or consequence (Arthur having to leave reading class). Collaborative Problem Solving, the technique developed by Dr. Ross Greene, involves the teacher and the student. In this situation, the reading teacher can say to Arthur, “I can see you are upset that you are being asked to read aloud. What can you and I do to help you not be so upset?” The outcome of this problem solving technique is to get Arthur to build the skills necessary for him to: 1) Name his emotion rather than acting it out; 2) Become aware that his hunger and problems at the bus stop affect his ability to do the right thing; and 3) Ask for help when needed – in this case, to let the person in charge know that he has to eat or talk with an adult about what happened on his way to school. The approach is always with empathy and the response is not imposed by an adult in authority. This allows Arthur to feel safe and involved in solving his own behavioral challenges.

Research data show that Collaborative Problem Solving is very successful, especially in building skills for students who have behavioral challenges. The idea is to build skills to replace behaviors rather than imposing consequences (“consequating”) in order to change behaviors. Dr. Greene’s approach is empirically-based and reflects the fact that children who have not responded positively to natural consequences, do not need more consequences – they need adults who are knowledgeable about how and why challenging children become challenging. This is the most important theme of Collaborative Problem Solving: if children could do well, they would do well. In other words, if the child had the skills to exhibit adaptive behavior, he or she wouldn’t be exhibiting challenging behaviors. That’s because doing well is always preferable to not doing well.


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- Information & Referral
- Training Library
- Trainings in English & Spanish
- Respite Care

Seven Hills Family Support Centers are located in Worcester, Fitchburg, and Sturbridge, MA. For more information, please contact Robin Foley at 508.796.1850 or rfoley@sevenhills.org.

www.sevenhills.org
Estudantes de Escolas Particulares Poderão Estar Qualificados para Educação Especial e Serviços Relacionados

By Melanie Riccobene Jarboe, Esq.

Sob a lei estadual e federal, um estudante que não estiver conseguindo acompanhar o currículo geral como resultado de uma deficiência, está qualificado para a educação especial e serviços relacionados, necessários para que o estudante acesse o currículo e obtenha progresso efetivo. O Ato de Educação para Indivíduos com Deficiência, Individuals with Disabilities Education Act (IDEA), exige que as escolas públicas providenciem serviços para capacitar os estudantes a progredirem, mas não exige que as escolas particulares fornecam qualquer serviço. Como resultado, muitos pais acreditam que a transferência para uma escola pública seja o único caminho para que seus filhos/suas filhas possam receber serviços significativos. Isto ainda não é sempre o caso. Em Massachusetts, os distritos de escolas públicas devem providenciar certos serviços e proteções para os residentes qualificados, mesmo que eles frequentem escolas particulares de educação regular. (O problema dos estudantes cujos pais estejam buscando financiamento do distrito para a matrícula em uma escola de educação especial particular está além do âmbito deste artigo).

A lei de Massachusetts e o “Busca de Crianças”, “Child Find”, exigências do IDEA, requer que os distritos escolares avaliem os estudantes com suspeita de necessitarem serviços e para que determine a qualificação. Sob a lei de Massachusetts, o distrito deve propor um IEP e providenciar educação especial e serviços relacionados para todos os estudantes qualificados que residam no distrito, inclusive aqueles que estejam frequentando as escolas particulares. Cada estudante residente qualificado em Massachusetts, tem uma qualificação individual para um IEP, que deve ser desenvolvido para satisfazer as necessidades da criança e fornecer-lhe uma oportunidade verdadeira para participar no programa de educação especial da escola pública. Os serviços oferecidos aos estudantes devem ser comparáveis em qualidade, possibilidades, e oportunidade de participação com aqueles fornecidos aos estudantes frequentando escolas públicas. Em caso de um desentendimento a respeito da qualificação ou dos serviços, os estudantes de Massachusetts podem acessar o sistema estadual dovido processo através da Secretaria de Recursos de Educação Especial, Bureau of Special Education Appeals (BSEA). ¹

Se a escola particular do estudante estiver fora do distrito residencial do estudante, o distrito residencial deve fazer esforços razoáveis para fornecer serviços na escola particular ou perto dela. De acordo com o Departamento de Educação Elementar e Secundária de Massachusetts, Massachusetts Department of Elementary and Secondary Education (DESE), os serviços fornecidos usando fundos estaduais ou locais devem ser administrados em um local público ou neutro (não na escola particular).

A lei de Massachusetts e o “Busca de Crianças”, “Child Find”, exigências do IDEA, requer que os distritos escolares avaliem os estudantes com suspeita de necessitarem serviços e para que determine a qualificação. Sob a lei de Massachusetts, o distrito deve propor um IEP e providenciar educação especial e serviços relacionados para todos os estudantes qualificados que residam no distrito, inclusive aqueles que estejam frequentando as escolas particulares. Cada estudante residente qualificado em Massachusetts, tem uma qualificação individual para um IEP, que deve ser desenvolvido para satisfazer as necessidades da criança e fornecer-lhe uma oportunidade verdadeira para participar no programa de educação especial da escola pública. Os serviços oferecidos aos estudantes devem ser comparáveis em qualidade, possibilidades, e oportunidade de participação com aqueles fornecidos aos estudantes frequentando escolas públicas. Em caso de um desentendimento a respeito da qualificação ou dos serviços, os estudantes de Massachusetts podem acessar o sistema estadual dovido processo através da Secretaria de Recursos de Educação Especial, Bureau of Special Education Appeals (BSEA).¹

Entretanto, se forem usados fundos federais, os serviços poderão acorrer na própria escola particular. Os distritos escolares podem fazer contratos com outros provedores, tais como agências particulares ou o distrito escolar público na comunidade onde o estudante frequenta a escola, para prestar os serviços.

Os distritos escolares devem fornecer transporte entre a escola particular e o local dos serviços de educação especial se o transporte for necessário para que o estudante se beneficie dos serviços de educação especial. Portanto, poderá ser exigido do distrito que forneca transporte quando o distrito administrar a educação especial ou os serviços relacionados em um local que não seja a escola particular do estudante. Os fatores que afetam a obrigação do distrito de fornecer transporte incluem a idade do estudante, a distância que o estudante deve percorrer, a natureza da área através da qual o estudante deverá passar, o acesso do estudante para obter assistência enquanto estiver a caminho, e a disponibilidade de transporte público. O distrito escolar também poderá necessitar fornecer transporte de ida e volta à casa do estudante, dependendo do horário dos serviços. Para uma discussão abrangente das obrigações de transporte, veja Weymouth Public Schools, BSEA #11-2663 (Jan. 19, 2011).

Um residente de Massachusetts qualificado poderá receber serviços de educação de fundos públicos mesmo que ele/ela frequentar uma escola de afiliação religiosa. A Suprema Corte Americana declarou que a Primeira Emenda, First Amendment, permite o uso de fundos públicos para ajudar os estudantes frequentando escolas religiosas pelo fato de que os fundos públicos gastos em educação especial não ajudam a escola como uma instituição, mas sim ajudam o estudante como um indivíduo. A nível estadual, a interpretação do DESE sobre a lei estadual em relação ao local dos serviços fornecidos com fundos estaduais (discutido acima) não distingue entre escolas particulares secundárias e as não secundárias. O fato da criança frequentar uma escola secundária não afeta a obrigação do distrito de prestar os serviços. Se você suspeita que seu filho/sua filha possa necessitar de educação especial ou dos serviços relacionados, mesmo que ele/ela esteja matriculado em uma escola particular, entre em contato com o seu distrito local. Explique a natureza das dificuldades de seu filho/sua filha e exija que o distrito faça uma avaliação em todas as áreas de suspeita de deficiência. Certifique-se de assinar um formulário de consentimento para a avaliação requerida para acionar o período durante o qual o distrito deverá completar o procedimento. Embora a lei estadual confira benefícios aos estudantes qualificados de Massachusetts, litígios podem e acontecem entre pais e distritos escolares sobre a natureza, possibilidades e locais de educação especial e serviços relacionados de um estudante.

¹ Uma lei federal governa as obrigações distritais de Massachusetts para residentes de outros estados que frequentam escolas particulares no distrito. Enquanto que a lei de Massachusetts fornece aos residentes de Massachusetts tanto uma qualificação individual para serviços quanto o acesso para litigar mecanismos de resolução, a lei federal não fornece proteções similares para os não residentes. Os não residentes que frequentam as escolas em Massachusetts não têm uma qualificação individual para os serviços, e podem acessar mecanismos de resolução de litígio somente em casos muito limitados.

Melanie Riccobene Jarboe é uma Associada no Kotin, Crabtree, and Strong, LLP, um escritório de advocacia de prática geral em Boston, MA. Ela se concentra, juntamente com vários colegas, na lei de educação especial e deficiência. Melanie pode ser encontrada no kcs@kcslegal.com.
Many children with special needs are anxious about routine visits to the dentist’s office. For children with autism and sensory issues, anxiety can be heightened by their lack of experience or understanding, as well as by the stressful bright lights and buzzing noises. If you have one of these kids, read this short guide about some low-tech assistive technology aids you can use to make your child’s next dental visit as painless as possible.

1) Preparing for Your Visit: In advance of the appointment, talk with your dentist and/or hygienist to let them know about your child’s challenges and any concerns you have. Print out the excellent Dental Visit Guide prepared by Autism Speaks (see resources box), and share it with them. When scheduling the appointment, ask if they have a quiet time of day when they can book a longer visit. Some offices reserve slots at the beginning or end of the day for patients who require longer appointments.

Visual schedules are a low tech AT aid that can help alleviate anxiety. Download a free visual schedule of a dental appointment (see resources box), or make one using pictures or symbols to let your child know what to expect during his or her visit. If necessary, ask for photos so you can familiarize your child with the office and personnel. If these are unavailable, bring your camera and take some photos yourself. For some children, short introductory visits may be necessary to get them comfortable with the new setting.

2) Review the Procedure: In the days prior to your child’s appointment, review books, social stories, videos and/or even apps (see resources box) that show children going to the dentist and even some of the equipment that will be used. Review the visual schedule to help him or her understand what will happen during the appointment.

3) Teach and Practice: Some children may need to be taught what behavior is appropriate in a dentist’s office. Teach and practice how to wait patiently, sit still, open wide, move the tongue around, and spit into a sink. Discuss relaxation and distraction techniques your child can use if he or she is nervous such as closing eyes, holding hands, listening to music with head phones, humming a favorite song, or watching a favorite app or video. Let your child know that he or she has some control of the activity by showing how to communicate “wait/stop,” “need a break,” and “ok” using visual signals.

RESOURCES:
- Autism Speaks Family Services Dental Guide and Resource Guide
  www.autismspeaks.org/family-services/tool-kits/dental-tool-kit
- Dental Visit Visual Schedule - free PDF download
  www.givinggreetings.com/freestuff.html
- Dentist Office Visual Support Kit
  www.SayitwithSymbols.com/dentist.html
- Dental Visit Social Story:
- Going to the Dentist (for younger kids)
  free PowerPoint download
  http://www.hiyah.net/software.html
- HANDS in Autism Tool Kit for Medical Professionals
  www.handsinautism.org
- Off We Go -Going to the Dentist iOS app from Kiwi Media (on iTunes)
  My Health Smile app $1.99
- Picking a Dentist for Your Child with Special Needs from About.com
  http://specialchildren.about.com/od/medicalissues/bb/pickingdentist.htm
- Time Timers available
  www.SayitwithSymbols.com/timetimer.html
- YouTube Videos – search for CullenABCs, TheBrownBoys.tv, NLM Family Foundation, DadsLab

continues on page 15
This book is about girls growing and having problems, such as puberty. Puberty is both a problem and something good because it means you are becoming a woman. You get body hair. You have to take a shower every day to stay clean, fresh, and sparkly.

I read in this book that you have many different moods, like anger, love, sad, and happy. You have to learn how to react to your moods. When you are sad, go to a show or a movie, or have time by yourself. When you need help, ask an adult who cares about you like your mom or dad, or your grandparent.

The book talks about love and romance. When you have a crush like a boyfriend or a boy who is a friend, you need to admit your feelings to them. If the boyfriend turns out not nice, you must break up with him.

You need to keep your body right, especially at work or school. It’s OK to touch your own body parts, but no one else is allowed unless you give them permission like with a doctor or nurse. This can be confusing, so it’s good to talk to your mom, your dad, or your sister.

Girls start having periods once a month and they have them for many years. They are messy but they are normal. You have to choose a pad which is comfortable and you don’t mind wearing. The good thing is periods are over in a few days.

I recommend this book because it is educational, fun to read, and you can learn from it.
Matthew’s Bar Mitzvah: A story of inclusion, spirituality, community, and an iPad.

This past March, the Boston Globe and Fox News Boston reported on the remarkable story of Matthew Emmi’s bar mitzvah. Matthew is diagnosed with autism and has a very limited ability to communicate, but with the help of his family, teachers, synagogue leaders, and an iPad, he was able to communicate well enough to make the traditional Jewish transition from boyhood to manhood. Both the Globe and Fox News celebrated this story as a triumph of technology, which indeed it was. Yet we at the Federation were also heartened and inspired by the context and values that turned Matthew’s iPad into a tool for inclusion.

Long before it was decided that he could participate in a bar mitzvah, Matthew had regularly attended, (not to mention thoroughly enjoyed) synagogue. This may seem like an unremarkable fact, but anyone who has experienced the dual challenge of raising a child with severe special needs while simultaneously becoming separated from his or her community of worship will appreciate how important it is. It requires a willing family, an accessible and understanding community, and the support of spiritual leaders. Such things can never be taken for granted, even in 2012. We are truly blessed by experiences such as these.

We were also struck by the fact that Matthew learned to use his iPad at school. It was not so long ago that communication difficulties such as Matthew’s would have been nearly impossible to overcome. Today, there are committed professionals constantly seeking to push the envelope of what every child can learn and do, and to collaborate with family and community to help him do it. Matthew’s teacher met with Matthew, his family, and temple leaders to overcome the challenges of including Matthew in his bar mitzvah. School staff recorded Matthew’s voice and programmed his iPad to play those recordings when he touched specific icons on the screen.

When we looked at the photographs of Matthew smiling and laughing, the center of attention of his synagogue and community, we couldn’t help but be impressed at the extent to which the day was about Matthew. While no one may ever know exactly what Matthew was thinking, his feelings of pride, satisfaction, and acceptance shone through. We at the Federation have been fighting for decades to ensure that the basic human needs, desires, and challenges of individuals with special needs are respected, even when those individuals are unable to clearly articulate them. Matthew’s special needs in no way diminish the importance of that day for himself, his family, and his community. Indeed, they make it that much more important to everyone involved.

Finally, in the story of Matthew’s bar mitzvah, we see clear and specific evidence of how he has contributed to and strengthened his community. Our foundational belief is that all children and adults with special needs have much to contribute. We believe that a community can only reach its full potential by including and caring for all of its members. Matthew’s bar mitzvah required collaboration between educators, family, and spiritual leaders which would not have happened without him. It forced his teachers to reconsider anew the purposes of education. It required his temple leaders to reevaluate the essence of a tradition that has been repeated countless times, and creatively find ways to incorporate Matthew into it. It helped his parents to really understand what was important to Matthew, and helped them all share an experience that brought together family, temple, and community. Finally, the work of countless engineers, businesspeople, software developers, and educators, created Matthew’s iPad and the apps he used. Through Matthew, that work became a tool to help a young boy become a man and a full-fledged member of his community. For bringing us together in all of these ways, we can only say, “Thank you Matthew, for enriching all of our lives and the world we live in.”

Assistive Technology Corner... (AT) Goes to the Dentist

(continued from page 13)

4) Review on the Day: On the day of the appointment, bring a bag of favorite toys, books, or electronic games to help your child wait quietly for his or her turn. Review the visual schedule he or she has already seen. Some kids benefit from checking off each activity as it occurs throughout the appointment. Remind your child of the relaxation and distraction techniques you’ve discussed and/or practiced. Consider bringing a visual timer, such as a Time Timer (see resources box), to help your child see how much time is left until he or she is finished.

5) Reward a Job Well Done: Some children do best when they get praise and/or a reward for each step that is completed successfully, so give it! Reinforce the concept of First-Then by rewarding them for a job well done. Your dental office may have stickers and small toys that your child may enjoy choosing. If not, use whatever reward motivates your child’s best behavior.

Remember that throughout the entire process, collaboration with the dentist’s office is crucial. Keep an open dialogue and share any information about your child that you think might be helpful. Suggest some of the resources on page 13 to your dental care provider and encourage them to make visual supports available for their younger patients and patients with special needs. Finally, practice good dental hygiene between appointments to keep kids (and parents) healthy and happy!

Randi Sargent is a parent of a son with special needs and founder of www.SayitwithSymbols.com, a resource for communication supports for children and adults with severe speech disorders and autism. She is a board member at the Federation for Children with Special Needs and the Mass Rehab Commissions’ AT Advisory Council.
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With deepest gratitude,

Rich Robison
Executive Director

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