For many high school and college students, summer vacation is a long, lazy time of inactivity. Once they have outgrown summer camp and recreation programs, they often spend the summer sitting around and waiting for school to start again. Fortunately, there is an alternative.

For the last several years the Federation has been fortunate to have student interns as part of the Martin Luther King Scholar initiative sponsored by John Hancock. This summer, three young people had the experience of interning at the Federation, two of whom were part of the MLK Summer Scholars program and a third was from the Boston Center for Independent Living summer program.

When Massachusetts’ Chapter 766 was signed into law in July 1972, its implementation date was delayed for two years to give school districts and state agencies time to reorganize and gear up. September 2014 will thus mark the 40th anniversary of the effective date of our landmark special education reform act – a time for both celebration and reflection.

Chapter 766 included a purpose section that described some of the problems the Act was meant to address and goals the legislature wanted to achieve. (We have published a full copy of that purpose section on our KCS special education blog at www.kcsspecialeducationlaw.com).

INFORMING, EDUCATING, EMPOWERING FAMILIES

VOLUME 34, NUMBER 1

IN THIS ISSUE
1 Have the Purposes of Chapter 766 Been Achieved? – An Invitation
2 Trauma-Sensitive IEPs
3 From the Executive Director: The Federation at Forty!
4 Development Corner... Celebrating 40 Years of Helping Families!
5 The Power of One Parent
8 Updates on the Implementation of the Affordable Care Act
9 School Discipline Law - Part 2 (English, Español, Português)

Save-the-Date!
Help the Federation kick off its 40th year anniversary celebration by joining us on Sunday, September 22nd for our first ever fundraising walk!
Massachusetts Hospital School’s Nature Trail (1.5 miles)
3 Randolph St., Canton, MA 02021
Noon - 3:00 pm
Registration Open Now
Visit fcsn.org/walk for details

Have the Purposes of Chapter 766 Been Achieved? – An Invitation:

By Bob Crabtree, Esquire - Kotin, Crabtree & Strong

Federation Executive Director Rich Robison and Special Ed Projects Director Julie Sinclair participated in the USDOE’s Special Education National Leadership Conference in Washington, DC in July.

For 40 years the Federation has represented the “parent voice” to our nation’s leaders.

The Federation Welcomes Summer Interns

By Becky Rizoli, Project Assistant, Parent Training and Information Center at FCSN

The Power of One Parent

Updates on the Implementation of the Affordable Care Act

School Discipline Law - Part 2 (English, Español, Português)

Continued on page 13

Continued on page 5

Summer interns Maryan, Joaquim and Kate
Trauma-Sensitive IEPs
Janie Crecco, Training and Support Specialist, Recruitment, Training and Support Center at FCSN

This is the fourth in a series of articles on the four opportunities to advocate for trauma-sensitive individual supports for a child: sharing information; trauma-sensitive evaluations; trauma-sensitive team meetings; and the IEP. Helping Traumatized Children Learn, written in 2005 by the Massachusetts Advocates for Children in collaboration with Harvard Law School and the Task Force on Children Affected by Domestic Violence, is the current definitive work on inculcating trauma-sensitivity into the educational system.

In the last three articles, we have stressed the importance of the Four Domains for Success for children who have experienced complex childhood trauma. These include Relationships, Self-Regulation, Academic Success, and Physical Health. Individualized Educational Plans (IEPs) offer the opportunity to provide supports and opportunities to bolster these areas of strength.

Relationships for traumatized children can be a tricky business – many have a deficit of skills in the area of relationship building with peers and those in authority. They may see friendships or nurturance as a trap, something that won’t last, and best to be avoided lest they be emotionally dangerous. In order to overcome these fears and anxieties, the child must learn new ways to approach relationships. On page 3 of the Massachusetts IEP form, there is a section known as “PLEP B” or “Present Levels of Educational Performance: Other Educational Needs”. This section allows an IEP Team to take a look at the impact of a disability on student performance from the non-academic standpoint. This includes extra-curricular activities, communication, behavior, and nonacademic activities. These are all areas where children interact with other children (recess, lunchroom, hallways, after school activities) as well as adults. They are also the areas that are most confusing and least successful for traumatized children. But they could also be used as platforms to learn new skills and new ways of looking at the world as less than terrifying. Social/Emotional goal writing should be an opportunity for an IEP Team to get creative. How about making sure a student has a safe person to ask for help? Is it the school nurse, a favorite teacher or administrator, a trusted friend, or maybe an older sibling? Can she have access to this person in times of uncertainty? Can this person give her guidance and assurance that things are safe here, and that recess and lunchtime can be fun?

A lack of behavioral self-regulation is most typically the response of a traumatized child to a confusing or potentially unsafe situation as seen through their trauma lens. It follows that if a child is feeling safe, s/he will be able to muster the neurological control to stay regulated and do the right thing. If an adult senses that a child is becoming dysregulated, then the adult has the responsibility to make sure that the child can find safe haven; a place where s/he truly wants to be (not a “time out” or seclusion room). Most times this is a place that is sensorially soothing with some minimum activity, like taking a walk outside with a trusted mentor. The “PLEP B” goal of the child learning to identify their physiological response to stress and anxiety AND the response to calming activities such as a walk, would allow the student to focus neurologically on academics rather than taking up brain time on stress and anxiety.

Being physically healthy is the result of being mentally, emotionally, and socially healthy (see the ACE Study)\(^1\). Being emotionally healthy leads to academic success. And for those kids with the invisible disability of having suffered complex childhood trauma, the IEP process can give them a chance to begin to heal.

\(^1\)www.cdc.gov/ace
The Federation at Forty!! The beginning of the 2013-14 school year marks the beginning of the 40th year since the implementation of Massachusetts Chapter 766 (Special Education) began. With the new law came the birth of the Federation, a parent center to assist families in understanding its promise and their responsibilities. At the time, ideas around “normalization” and “integration” of individuals with disabilities that were first articulated in Scandinavia in the mid-1960’s were being introduced in the U.S. In 1972, sociologist Wolf Wolfensberger discussed two types of integration – physical and social. He warned that physical proximity was not sufficient to guarantee social integration for individuals with disabilities and that both needed to occur simultaneously. Dr. Nirje (Denmark) and Gunnar Dybwad identified the processes needed for such integration to occur.

Mary E. Morningstar, University of Kansas has stated “When we think about these processes as it relates to students in school or the community, the first step is that individuals with disabilities have to be in the community. They have to be around other people in their neighborhoods, with their families, with friends in school. In that way—only then—will they interact in the community. These interactions and opportunities from being in the community allow for the potential, the option, for natural interactions to start occurring, which in turn leads to the establishment of relationships. Only then, will individuals with disabilities be fully participating as a citizen in their community”.

Parents helped make it happen through high expectations. At first the discussion was about access to the school building. Then came full participation in school activities, followed by access to the general curriculum. Today it’s all about high expectations for every child with a belief that every child can learn; that All means All.

This journey has been the lived history of the Federation over its 40 years. Tens of thousands of parents and families have gained information, resources and more importantly the courage to stand with their child with special needs to ensure they receive the best possible education. Forty years is really a short time to witness such monumental changes in society. We’ve really just begun our journey still!

Help us Celebrate 40 years and the wonderful things that have been accomplished.

---

From the Executive Director: The Federation at Forty!

The Federation at Forty!! The beginning of the 2013-14 school year marks the beginning of the 40th year since the implementation of Massachusetts Chapter 766 (Special Education) began. With the new law came the birth of the Federation, a parent center to assist families in understanding its promise and their responsibilities. At the time, ideas around “normalization” and “integration” of individuals with disabilities that were first articulated in Scandinavia in the mid-1960’s were being introduced in the U.S. In 1972, sociologist Wolf Wolfensberger discussed two types of integration – physical and social. He warned that physical proximity was not sufficient to guarantee social integration for individuals with disabilities and that both needed to occur simultaneously. Dr. Nirje (Denmark) and Gunnar Dybwad identified the processes needed for such integration to occur.

Mary E. Morningstar, University of Kansas has stated “When we think about these processes as it relates to students in school or the community, the first step is that individuals with disabilities have to be in the community. They have to be around other people in their neighborhoods, with their families, with friends in school. In that way—only then—will they interact in the community. These interactions and opportunities from being in the community allow for the potential, the option, for natural interactions to start occurring, which in turn leads to the establishment of relationships. Only then, will individuals with disabilities be fully participating as a citizen in their community”.

Parents helped make it happen through high expectations. At first the discussion was about access to the school building. Then came full participation in school activities, followed by access to the general curriculum. Today it’s all about high expectations for every child with a belief that every child can learn; that All means All.

This journey has been the lived history of the Federation over its 40 years. Tens of thousands of parents and families have gained information, resources and more importantly the courage to stand with their child with special needs to ensure they receive the best possible education. Forty years is really a short time to witness such monumental changes in society. We’ve really just begun our journey still!

Help us Celebrate 40 years and the wonderful things that have been accomplished.

---

From the Executive Director: The Federation at Forty!

The Federation at Forty!! The beginning of the 2013-14 school year marks the beginning of the 40th year since the implementation of Massachusetts Chapter 766 (Special Education) began. With the new law came the birth of the Federation, a parent center to assist families in understanding its promise and their responsibilities. At the time, ideas around “normalization” and “integration” of individuals with disabilities that were first articulated in Scandinavia in the mid-1960’s were being introduced in the U.S. In 1972, sociologist Wolf Wolfensberger discussed two types of integration – physical and social. He warned that physical proximity was not sufficient to guarantee social integration for individuals with disabilities and that both needed to occur simultaneously. Dr. Nirje (Denmark) and Gunnar Dybwad identified the processes needed for such integration to occur.

Mary E. Morningstar, University of Kansas has stated “When we think about these processes as it relates to students in school or the community, the first step is that individuals with disabilities have to be in the community. They have to be around other people in their neighborhoods, with their families, with friends in school. In that way—only then—will they interact in the community. These interactions and opportunities from being in the community allow for the potential, the option, for natural interactions to start occurring, which in turn leads to the establishment of relationships. Only then, will individuals with disabilities be fully participating as a citizen in their community”.

Parents helped make it happen through high expectations. At first the discussion was about access to the school building. Then came full participation in school activities, followed by access to the general curriculum. Today it’s all about high expectations for every child with a belief that every child can learn; that All means All.

This journey has been the lived history of the Federation over its 40 years. Tens of thousands of parents and families have gained information, resources and more importantly the courage to stand with their child with special needs to ensure they receive the best possible education. Forty years is really a short time to witness such monumental changes in society. We’ve really just begun our journey still!

Help us Celebrate 40 years and the wonderful things that have been accomplished.

---

From the Executive Director: The Federation at Forty!

The Federation at Forty!! The beginning of the 2013-14 school year marks the beginning of the 40th year since the implementation of Massachusetts Chapter 766 (Special Education) began. With the new law came the birth of the Federation, a parent center to assist families in understanding its promise and their responsibilities. At the time, ideas around “normalization” and “integration” of individuals with disabilities that were first articulated in Scandinavia in the mid-1960’s were being introduced in the U.S. In 1972, sociologist Wolf Wolfensberger discussed two types of integration – physical and social. He warned that physical proximity was not sufficient to guarantee social integration for individuals with disabilities and that both needed to occur simultaneously. Dr. Nirje (Denmark) and Gunnar Dybwad identified the processes needed for such integration to occur.

Mary E. Morningstar, University of Kansas has stated “When we think about these processes as it relates to students in school or the community, the first step is that individuals with disabilities have to be in the community. They have to be around other people in their neighborhoods, with their families, with friends in school. In that way—only then—will they interact in the community. These interactions and opportunities from being in the community allow for the potential, the option, for natural interactions to start occurring, which in turn leads to the establishment of relationships. Only then, will individuals with disabilities be fully participating as a citizen in their community”.

Parents helped make it happen through high expectations. At first the discussion was about access to the school building. Then came full participation in school activities, followed by access to the general curriculum. Today it’s all about high expectations for every child with a belief that every child can learn; that All means All.

This journey has been the lived history of the Federation over its 40 years. Tens of thousands of parents and families have gained information, resources and more importantly the courage to stand with their child with special needs to ensure they receive the best possible education. Forty years is really a short time to witness such monumental changes in society. We’ve really just begun our journey still!

Help us Celebrate 40 years and the wonderful things that have been accomplished.

---

From the Executive Director: The Federation at Forty!

The Federation at Forty!! The beginning of the 2013-14 school year marks the beginning of the 40th year since the implementation of Massachusetts Chapter 766 (Special Education) began. With the new law came the birth of the Federation, a parent center to assist families in understanding its promise and their responsibilities. At the time, ideas around “normalization” and “integration” of individuals with disabilities that were first articulated in Scandinavia in the mid-1960’s were being introduced in the U.S. In 1972, sociologist Wolf Wolfensberger discussed two types of integration – physical and social. He warned that physical proximity was not sufficient to guarantee social integration for individuals with disabilities and that both needed to occur simultaneously. Dr. Nirje (Denmark) and Gunnar Dybwad identified the processes needed for such integration to occur.

Mary E. Morningstar, University of Kansas has stated “When we think about these processes as it relates to students in school or the community, the first step is that individuals with disabilities have to be in the community. They have to be around other people in their neighborhoods, with their families, with friends in school. In that way—only then—will they interact in the community. These interactions and opportunities from being in the community allow for the potential, the option, for natural interactions to start occurring, which in turn leads to the establishment of relationships. Only then, will individuals with disabilities be fully participating as a citizen in their community”.

Parents helped make it happen through high expectations. At first the discussion was about access to the school building. Then came full participation in school activities, followed by access to the general curriculum. Today it’s all about high expectations for every child with a belief that every child can learn; that All means All.

This journey has been the lived history of the Federation over its 40 years. Tens of thousands of parents and families have gained information, resources and more importantly the courage to stand with their child with special needs to ensure they receive the best possible education. Forty years is really a short time to witness such monumental changes in society. We’ve really just begun our journey still!

Help us Celebrate 40 years and the wonderful things that have been accomplished.

---

From the Executive Director: The Federation at Forty!

The Federation at Forty!! The beginning of the 2013-14 school year marks the beginning of the 40th year since the implementation of Massachusetts Chapter 766 (Special Education) began. With the new law came the birth of the Federation, a parent center to assist families in understanding its promise and their responsibilities. At the time, ideas around “normalization” and “integration” of individuals with disabilities that were first articulated in Scandinavia in the mid-1960’s were being introduced in the U.S. In 1972, sociologist Wolf Wolfensberger discussed two types of integration – physical and social. He warned that physical proximity was not sufficient to guarantee social integration for individuals with disabilities and that both needed to occur simultaneously. Dr. Nirje (Denmark) and Gunnar Dybwad identified the processes needed for such integration to occur.

Mary E. Morningstar, University of Kansas has stated “When we think about these processes as it relates to students in school or the community, the first step is that individuals with disabilities have to be in the community. They have to be around other people in their neighborhoods, with their families, with friends in school. In that way—only then—will they interact in the community. These interactions and opportunities from being in the community allow for the potential, the option, for natural interactions to start occurring, which in turn leads to the establishment of relationships. Only then, will individuals with disabilities be fully participating as a citizen in their community”.

Parents helped make it happen through high expectations. At first the discussion was about access to the school building. Then came full participation in school activities, followed by access to the general curriculum. Today it’s all about high expectations for every child with a belief that every child can learn; that All means All.

This journey has been the lived history of the Federation over its 40 years. Tens of thousands of parents and families have gained information, resources and more importantly the courage to stand with their child with special needs to ensure they receive the best possible education. Forty years is really a short time to witness such monumental changes in society. We’ve really just begun our journey still!

Help us Celebrate 40 years and the wonderful things that have been accomplished.
Development Corner...
Celebrating 40 Years of Helping Families!

In 1974, as implementation of Chapter 766 began (see article by Robert Crabtree on page 1), parents of children with special needs involved in the bill’s passage coalesced to form the Federation for Children with Special Needs. The Federation’s purpose, as laid out in the Articles of Incorporation was:

• To provide information, education, and research directed toward the growth and development of children with special needs;
• To develop and provide information to parents, parent groups, teachers and professionals, and to the general public to aid them in creating or locating more effective health, educational, and social services for children with special needs;
• To improve communications between parents, parent groups, and other individuals or groups concerned with the treatment and education of such children;
• To work to improve the attitude of the general public toward children with special needs, and to promote their acceptance and understanding of them as full and equal members of the community.

In the coming year, help us celebrate our 40th year of dedication to this overarching purpose by joining us for the following:

Walk, Roll, Shobble, Stroll for Children with Special Needs, Sunday, September 22, 2013 on the Nature Trail at Mass Hospital School in Canton, MA. A fun, family walk raising money for a great cause! (See box on front cover for more details)

Support the work of the Federation by donating to our Annual Appeal, which runs from November through December.

Visions of Community Conference, Saturday, March 8, 2014 at the Seaport World Trade Center in Boston. A full day of learning and networking opportunities for parents of children with special needs and the professionals who serve them.

Gala 2014, Celebrating Every Child on Friday, May 2, 2014 at the Westin Waterfront Hotel in Boston.

Strengthening Our Family Supports

Family Support Centers are Your “Go To” Resource

The Family Support Centers of Seven Hills Family Services are the “Go-To” Centers for all children and adults with disabilities and their families seeking support tailored to their needs. At the Centers, families can network with other families; access real-time information; explore avenues to community inclusion; and receive unique, individualized supports while navigating the social services system. Family Support Specialists respond to each family’s needs with a planned course of action. Drop-ins are welcome, or call for a personalized appointment.

Seven Hills Family Services
An Affiliate of Seven Hills Foundation
799 West Boylston Street, Worcester, 508.796.1850
1460 John Fitch Highway, Fitchburg, 978.632.4322
128 Main Street, Sturbridge, 508.796.1950 • www.sevenhills.org

COTTING SCHOOL
A Tradition of Innovation and Excellence since 1893
“...special education, done right.”
-Cottting parent

Day School
Cottting is a private, special education day school serving students with a broad spectrum of challenges to learning
* Rolling admissions, ages 3 to 22
* Approved by Mass. DESE
* Referrals by school districts
* Accredited by NEASC

New Program
HOPEhouse at COTTING SCHOOL
Where Hope Meets Opportunity
* Five-day residential, transitional program
* Academic learning and independent living
* Social and vocational experiences
* Rolling admissions, ages 17 to 22

453 Concord Avenue Lexington, MA 02421
Elizabeth Russell, Director of Admissions, erussell@cottting.org
781-862-7323 ext. 114 • www.cottting.org
The Power of One Parent

By Maggie Wurm, Western Regional Coordinator, Family TIES of Massachusetts at FCSN

“I wouldn’t change my daughter for the world but I would change the world for my daughter.”
(The author is unknown, but I would like to say thank you for letting me borrow this powerful message.)

As the parent of a young teenager and a daughter who has Rett Syndrome, it’s easy to know why I live a crazy life. But as the saying goes, it’s the world that is the problem. Change can come easily, when you know where to start, not that it always will. Recently, a lot of change came to us, overwhelming but worth it in the long run. You see, I realized that change had to start with me. I know, who has time as a special needs parent? I had to find the time and remembered that “Multi-Talented” is my middle name.

Becoming active in my community was a new experience for me, having grown up in a military family and living all around the world. Recently, I had an opportunity to try out a new experience with our new hometown, a chance to make it better for both of my children and the community around us.

When we first moved here, I found that taking my daughter to the playground was challenging because she couldn’t access a lot of the equipment. I called our local Recreation Department. My timing was perfect; the town was thinking of renovating and including a handicapped-accessible playground, but they needed community involvement. Monthly meetings were doable, so I just joined in. It was amazing to see the birth of our beautiful playground and to actually build it from scratch! I felt like I was part of the community and my daughter, too. The best part, volunteers working together for two days to build this playground, filled my eyes and my heart. We belonged and we mattered.

With that good experience under my belt, I wondered what other opportunities were out there. In looking at our town website, I was astonished to find that we have a Commission on Disability! Who are they and what do they do? My emotions were stirred when I called and chatted with the sweetest man ever. It was like we were two long-lost friends. He was just as curious about my work at Family TIES as I was in the board. I attended their next meeting and gave my ideas as a parent, not a professional, on simple ways to accommodate people with disabilities in community activities. The members were kind and in awe of my knowledge of resources and information. I felt like a rock star. To my surprise, the Chair asked if I would consider joining the board. They are interested in learning ways to develop and create opportunities for people with disabilities in our community, stated that they had no parent representation, and felt this was a great fit. So did I! I have a new monthly commitment and am thrilled and honored.

So you see, change can happen unexpectedly and simply, starting with a phone call. Like my inspiring message, “changing the world for my daughter,” even if it is in small baby steps; well, at least we are going in the right direction! I would encourage you to make a call, get involved in your local community, and help to make your town a place you’re proud to call “HOME.”

The Federation Welcomes Summer Interns (continued from page 1)

Joaquim worked with the Information Technology department. He is a senior at Madison Park High School, the only vocational technical school in the city of Boston. His area of study is information and technology; and he became interested in the MLK Scholars program after hearing about it from his education coordinator at school. His duties included fixing laptops, setting up electronic equipment for workshops, and troubleshooting and triage. He plans to go to Wentworth Institute of Technology and study computer science or IT technology. Joaquim said that he found working in a “real” office environment, as opposed to just in a classroom, has prepared him for his future career.

Maryan provided support at the front desk during our Office Administrator’s morning breaks and lunch and also vacation time. She also work with the Family TIES project on some data and research projects. Maryan is a recent graduate of Boston Latin Academy and is a National Honor Society member. She will be attending Boston University in the fall. Although she plans to major in molecular biology; she chose to spend her last summer before college at an office job, saying, “The broad range of what the Federation does appealed to me.” When asked what she had learned from the Federation, she answered, “Working in an office environment, working with all the staff, and realizing that it’s not just you, but nice people working together.”

Our third intern, Kate, is a junior at Anna Maria College. Kate found out about the Federation from the Boston Center for Independent Living. She became particularly interested in the work of the Federation as she has special needs herself. She is studying media and communications in college; and her duties at the Federation included working with our Communications Coordinator and assisting the Development Office in a variety of ways. Kate said of her experience at the Federation, “If I do the same thing over and over again, I get better at it. It will help me with any sort of job I have in the future.” She also appreciated the chance to be part of an office environment.

Not only did our three summer interns have a valuable experience working at the Federation; but we truly got the benefit of all the work that they did for us this summer!

The Federation is grateful to the John Hancock MLK Summer Scholars program which addresses what was deemed a critical need by Boston’s Mayor Menino – summer jobs for city youth. We also extend our thanks to the Boston Center for Independent Living.
From Heartbreak to Empowerment: Three Parent Consultants Team up to Empower Families

By Andrea Brandeis, Marjorie Walsh and Laura DeSisto

Imagine this: Your child begins to struggle in school. S/he can’t read, classroom behavior is difficult, s/he can’t get along with other children, s/he doesn’t talk. You speak with the teacher. Maybe the teacher does not agree with what you are seeing. It is suggested that perhaps s/he could try harder in school and as a family you could work on this at home. Maybe the teacher does agree. She moves his seat to the front of the class, has him work in small groups, keeps her eye on him, lets him go for short walks, involves him in a small lunch group and checks in with him to make sure he understands, and has written his assignments down. You put the pressure on at home, which leads to exhausting, nightly battles. Your student continues to struggle, and begins to act out or becomes anxious and depressed. What should you do next?

If you can relate to this story, then you have something in common with many parents. Families often experience feelings of helplessness and isolation as a result of their children’s struggles in school. Then, once a parent realizes that it is possible to help her child through special education services, she then needs to learn how to navigate an often confusing and overwhelming Special Education process.

“Watching your child struggle in school is heartbreaking. The thought that something is wrong is very scary. It is often more scary when your beautiful child is diagnosed with a learning disability. It’s no wonder that so few of us can get through this on our own.”— Marjorie Walsh

Many parents walk into their first Individual Education Program (IEP) meeting in a very emotional state. In addition to their emotions, they are often introduced to language and technical terms that are brand new to them. How many parents have heard the terms “Least Restrictive Environment”; “Free and Appropriate Public Education”; “Executive Function Deficits” to name a few?

Fortunately for parents, supports such as those provided by the Federation for Children with Special Needs (FCSN), where a family can call to have questions answered and be referred to trained parent consultants/advocates, can help them navigate through the often overwhelming and confusing system of educational services.

The mission of the Federation is to provide information, support, and assistance to parents of children with disabilities, their professional partners, and their communities. The Federation provides extensive training for parents and professionals on how to successfully navigate these worlds. Some Federation training participants go on to become advocates for other families of children with special needs, and in so doing extend the mission of the Federation. Known as “Parent Consultants”, families look to these trained parents to help them advocate for their children, empower them and assist them in successfully collaborating with their school district.

Marjorie Walsh is a parent who participated in the FCSN’s Parent Consultant Training Institute (PCTI), over 12 years ago. The PCTI is a program offered to parents and professionals that can lead to a career in advocacy. Shortly after taking the training, Marjorie began working as a parent consultant and is now well known throughout Massachusetts for her successful resolution of even the toughest of cases.

Andrea Brandeis also participated in the PCTI and loves to carry out the mission of FCSN, providing clarity and breaking down the process of special education for the families she serves. Preparing and employing appropriate strategies is something every family can do to participate as active Team members. The ultimate goal is for the family to be empowered and to advocate for their child.

In 2011, Marjorie Walsh and Andrea Brandeis joined forces when they opened The Center for Children with Special Needs of Massachusetts (CCSNMA) in Weymouth, MA a new organization that provides support and advocacy for parents. In just their first year, they already have served over 100 families. Laura Desisto also joined the team this past year. Like Marjorie Walsh and Andrea Brandeis, she participated in the PCTI and sought ways to assist other families. As a team, the three have very broad and deep knowledge in the field of special needs and advocacy. As a result, they are able to assist families who have children with needs in many areas of disability. Families get an understanding of the law, and they also benefit from expertise in the most appropriate interventions for their child’s disability.

Together they have created a culture of collaboration that is beneficial to the families they serve and each family receives the highest level of input and support possible. Dr. Richard Robison, FCSN Executive Director applauds this collaboration, which is a key component of the Federation’s work. “Successful advocacy requires a unique set of skills. Parent Consultants must be knowledgeable in state and federal special education law and processes, but the best ones have the ability to build trusting relationships and respect all the players. Parent Consultants who have learned from their own life experience, can be a wealth of information for families. We encourage Parent Consultants to network, collaborate and pool their resources.”

Groups like CCSNMA continue to support families and their children with special needs and extend the mission of the Federation in Massachusetts.

If your child is not making effective progress socially, emotionally, behaviorally or academically, call the Federation to locate a Parent Consultant in your area that can work with you to enable you to effectively advocate for your child.

To learn more about the Federation’s Parent Consultant Training Institute, visit www.fcsn.org/pti. To contact Marjorie Walsh, Andrea Brandeis or Laura DeSisto, please visit www.ccsnma.com or call 781-331-KIDS.
Expertise in special needs found here!

Located in the Brighton neighborhood, we offer medical, behavioral and educational services to children in the Greater Boston community

617-254-3800 | www.franciscanhospital.org

Celebrating 50 years of special education.
Admissions accepted on a rolling basis.
www.kennedydayschool.org

Kennedy Day School
at Franciscan Hospital for Children

Franciscan
Hospital for Children

/fFranciscanHFC /@FranciscanHFC
There is much in the news about the new national health reform efforts. But most Massachusetts families will not see changes right away. Massachusetts already has many of the consumer protections that will now be in federal law. Coverage will not change for adults with disabilities or for children who are not eligible for MassHealth Standard based on income. In fact, Massachusetts residents will find more options, enhanced benefits, and savings for individuals and families, as well as small businesses at the Massachusetts Health Connector (www.MAhealthconnector.org).

The CommonHealth program will remain available to all children with special health care needs. Some changes that will be coming are:

- On October 1, 2013, Massachusetts’ Health Connector will be launching a new website at the start of the new national open enrollment period. www.MAhealthconnector.org.
- Massachusetts residents will benefit from expanded funding for community health centers, assistance with prescription drug costs for seniors, and tax credits for small employers.
- Beginning October 1, through the Health Connector website—(www.MAhealthconnector.org) individuals and families will be able to find out right away whether they qualify for different programs and subsidies that make health insurance more affordable.
- Beginning October 1, 2013, new income limits will go into effect. For example today, an individual with a yearly income of approximately $34,000 does not qualify for a public subsidy for insurance premiums (which means the state pays a portion of the premium). However in 2014, the limit will be approximately $46,000. Today, a family of four with a yearly income of more than approximately $70,000 does not qualify for a public subsidy for insurance. In 2014, the limit will be approximately $94,000.

- Coverage through Commonwealth Care will be the same through the end of this year with no changes to the rules or benefits. However, starting on October 1, 2013 Commonwealth Care members who will not be transferred to MassHealth (because they are income eligible) will need to take part in the Federal Open Enrollment process to make sure they have affordable coverage in place for January 1, 2014.
- For current members of Commonwealth Care, MassHealth programs, and for people receiving services paid for by the Health Safety Net, eligibility information already in these systems will be used to move people into their new MassHealth benefit plan and send them a notice if they are eligible for new Medicaid programs.
- Starting in 2014, people with incomes of up to 400% of the federal poverty level will qualify for new federal tax breaks or subsidies for insurance. If you are an individual earning up to approximately $43,000 or a family of four earning up to $88,000 a year, you may qualify for assistance starting in 2014. www.bettermahealthconnector.org.

Whether you are a current or prospective member, there are many important changes happening this year. The website, www.bettermahealthconnector.org will be updated frequently, so check often or sign up for updates.

For any questions, call Customer Service at 1-877-MA-ENROLL (1-877-623-6765) or contact the MA F2F Health Info Center at MassFV@fcsn.org or call 1-800-331-0688, ext. 301.

The Kids’ Project offers high-quality adaptive equipment priced at 40-75% less than commercially available items. Each piece of Classroom, Therapy Room and Seating and Positioning equipment is made with care in Maine.

www.pinetreesociety.org | (207) 443-3341
School Discipline Law\(^1\) - Part 2
By Daniel T.S. Heffernan, Esquire and Sherry L. Rajaniemi-Gregg, Esquire - Kotin, Crabtree & Strong

As we stated in our Spring 2013 Newsline article, school discipline issues impact myriad students with disabilities. Tens of thousands of students are suspended from Massachusetts public schools every year, and students can be disciplined for their disabilities or find that behavioral issues arising from their disabilities are being inappropriately or ineffectively addressed. We offer these practical suggestions to families in the area of school discipline.

**Know your rights.** Federal and state laws, such as the Individuals with Disabilities Education Act (“IDEA”), provide significant procedural and substantive safeguards to ensure that children with special needs are not punished for their disabilities and that inappropriate behaviors are properly addressed.

**Be proactive.** Serious discipline issues rarely develop overnight. Many were festering for quite some time and measures could have been taken to prevent escalations to the level that formal discipline is required. For example, when a student gets suspended for hurting a peer, one may find that the suspended student had earlier incidents of pushing others when overwhelmed in certain situations. The school may have said little or nothing, or told the parents the school would handle it. The parents may be embarrassed about their child’s behavior and content to let the school deal with it. However, the parents may have seen the same behaviors outside of school and realize it is a bigger issue that should and could be dealt with more proactively and effectively. Together, the school and parents may be able to “head off” serious incidents that will bring more severe discipline or even a change in the child’s placement.

**Work as cooperatively as possible with the school:** Serious discipline issues often devolve into adversarial situations between the parents and school. The school may ultimately seek to exclude the student or move her into a different classroom. The parents will often oppose this discipline or change of placement. Once locked into their respective positions, both sides can lose sight of the fact that they share the same important goal - appropriate behavior by the student. Make the school realize that you are as interested in extinguishing problematic behavior as it is, appreciate the challenge it presents for the school personnel, and express your willingness to partner with them in effectively addressing the behavior. The school will welcome that attitude. Share the information you have on what may be going on with the student, whether it is a change of medication or a situation outside school that is impacting the student. Work with the school to develop the most effective way of addressing the behavior even if it entails carrying the discipline over to home through means you know are effective for your child. This coordinated approach will not only be more effective with the student, but it will reduce the adversarial overlay of many discipline issues and may convince the school district that it does not need to resort to formal, more serious discipline.

**Know which school personnel to work with best.** It is important to know the agenda and perspective of various school personnel who may be involved with discipline issues. A vice principal, who perhaps is inexperienced with students with disabilities and who deals with the more significant discipline issues, may be mandated to take a hard line on certain behaviors and does that by meting out discipline that is consistent, predictable and leaves little or no room for exceptions. This may be unfair as well as ineffective in addressing the discipline issue of a student with a disability. If a student with disabilities who, on his way to a test in the math class he is struggling in, becomes dysregulated, shoves another student into a locker, and gets sent to that vice principal, it is a foregone conclusion what the result will be. The vice principal, as he has done for similar behavior, suspends the student for a day. With the suspension, the student avoids taking that test. The student has now learned that he can get out of that class by being physical and the vice principal will apply the principle of progressive discipline. Below are ways to avoid this counterproductive pattern.

**Use the IEP to more effectively address discipline issues.** Along with addressing issues such as services, placement, and goals, an IEP can be invaluable in addressing how certain behaviors and discipline issues will be addressed. One IEP section provides that the school and family can agree that the school discipline code will not apply to the student. While school districts are loath to give this blanket immunity from the discipline code, they may be amenable to certain modifications to the standard disciplinary procedure. A behavior plan, sometimes developed as a result of a functional behavioral assessment (“FBA”), should be incorporated into the IEP. This behavior plan is a contract about how the school district will address certain behaviors and mete out discipline. If the behavior

---

\(^1\)This is the second of a two-part article. The first article was published in the Spring 2013 Newsline and focused on the law surrounding disciplining students with special needs. This second article provides practical suggestions regarding school discipline issues.
A 12-month community-based school program offering day and/or residential placements for students from age 6 until their 22nd birthday.

The Guild provides educational, vocational, clinical and residential services truly individualized to meet each student’s special needs.

The school:
411 Waverley Oaks Road
Suite 104
Waltham, MA 02452
781.893.6000
www.theguildschool.org

The residences:
Seven neighborhood residences are located in Waltham, Watertown and Belmont.

A multidisciplinary team approach provides individualized programming such as:
- behavior modification
- differentiated academic instruction
- residential life skills
- social pragmatic training
- vocational education
- comprehensive medical care
- counseling

We serve students with an have an array of developmental disabilities including:
- Autism Spectrum Disorders
- Mild to severe cognitive delays
- Non-verbal
- Dual Diagnoses - developmental and mental health diagnosis

2013/2014 School Year Open Houses
The Admission Team invites you to join us for breakfast and a tour of our school on one of the following dates: September 24th, January 14th, or April 8th at 8:30 AM. Come find out why we are so excited to be working with children and families at The Guild. RSVP to admissions@theguildschool.org.

Tours are also available upon request.
School Discipline Law - Part 2 (continued from page 9)

plan provides that the student will lose his computer time if he pushes another student, it would be a breach of the contract to suspend the student for that behavior. If certain school personnel, such as the inclusion facilitator, are better at dealing with the student’s behaviors, then the IEP should dictate that discipline issues involving that student will be referred to the inclusion facilitator. Some IEPs contain provisions that discipline issues will be referred to the special education team before any discipline is imposed. The parents, as part of that team, may have a chance to influence how the behavior is addressed. This prevents an automatic referral to school administrators who feel they must handle it a certain way.

Resolve what you can outside formal disciplinary proceedings. To change a student’s placement, the school district must convene the team to conduct a “manifestation determination” to determine if the behavior was related to, or a manifestation of, the student’s disability. Schools may also conduct suspension or expulsion hearings to exclude the student. While various laws, regulations and often a district’s own student handbook accord you the opportunity to present witnesses and documents at these quasi-hearings, waiting until that actual proceeding to make your case is a mistake. Having the decision maker, often the principal, to rule in the student’s favor in that forum would be perceived as undermining or contradicting teachers or other school personnel. Find out what you can about what happened and what or who is driving the push for the serious discipline, and see if you can address the discipline outside these formal proceedings. Even if you are unsuccessful, your efforts will help you better prepare for the proceedings or soften up those pressing the case for the more significant discipline. If the matter does proceed, present the best case possible by bringing as witnesses experts knowledgeable about your student and his disability in order to establish the connection between the student’s disability and the offending behavior and submit supportive reports.

School discipline can significantly impact a student’s education. To properly address a student’s disability, and to ensure that students with special needs receive fair, appropriate and effective discipline, it is essential to be familiar with the law in this crucial area and follow the above practical tips.

Daniel T.S. Heffernan and Sherry Rajaniemi-Gregg are attorneys with Kotin, Crabtree & Strong where they concentrate on special education and civil rights law. They have represented numerous families with children with special needs in abuse, civil rights and negligence actions. More information on special education can be found on their website (www.kcslegal.com) and special education blog (www.kcsspecialeducationlaw.com)
La Disciplina Escolar y la Ley¹ - Parte 2

Por Daniel T.S. Heffernan, Esquire and Sherry L. Rajaniemi-Gregg, Esquire - Kotin, Crabtree & Strong

Como explicamos en el ejemplar de primavera de Newsline, las cuestiones de disciplina escolar afectan a un gran número de estudiantes con discapacidades. Las escuelas públicas de Massachusetts suspenden a decenas de miles de estudiantes cada año. Muchos son sancionados por sus discapacidades, o los problemas de conducta causados por la discapacidad se tratan en forma inapropiada o ineficaz. A continuación, les ofrecemos a las familias algunas sugerencias prácticas en materia de disciplina escolar.

Conozcan sus derechos. Las leyes federales y estatales, como la Ley de Educación para Personas con Discapacidades (“IDEA” por su siglas en inglés), ofrecen salvaguardias procesales y sustanciales importantes para garantizar que los niños con necesidades especiales no sean castigados por sus discapacidades y que se responda adecuadamente a las conductas inapropiadas.

Tomen la iniciativa. Los problemas de disciplina serios rara vez aparecen de la noche a la mañana. Muchos se gestan gradualmente durante un período prolongado y es posible tomar medidas antes de que lleguen al punto de requerir medidas disciplinarias. Por ejemplo, cuando se suspende a un estudiante por lastimar a un compañero, a menudo hubo incidentes previos de empujar a otros al sentirse abrumado en situaciones determinadas. La escuela tal vez haya hecho poco o nada o les haya dicho a los padres que podía manejar la situación. Los padres quizás se hayan sentido avergonzados por la conducta de su hijo y han preferido que la escuela se ocupe del problema. Sin embargo, los padres generalmente no tienen estos mismos comportamientos fuera de la escuela y se dan cuenta de que se trata de un problema más grande que podría y debería tratarse con más iniciativa y eficacia. Juntos, la escuela y los padres pueden prevenir incidentes más serios que podrían requerir medidas disciplinarias más severas o incluso un cambio en la colocación del niño.

Colaboren lo más posible con la escuela: Los problemas de disciplina serios muchas veces terminan enfrentando a los padres y la escuela. En última instancia, la escuela puede tratar de excluir al estudiante o de cambiarlo a un aula diferente. Los padres a menudo se oponen a las medidas disciplinarias o al cambio de colocación. Al aferrarse a sus respectivas posiciones, pueden perder de vista el hecho de que comparten el mismo objetivo importante: lograr que el estudiante se comporte de manera apropiada. Ayuden a la escuela a que se cuente de que los estudiantes o sus familiares están tan interesados como ellos en eliminar las conductas problemáticas. Traten de entender las dificultades que son la discapacidad de los estudiantes. Logran que el estudiante se comporte de una manera apropiada.

Utilicen el plan educativo individualizado (IEP, por sus siglas en inglés) para responder más eficazmente a los problemas de disciplina. Además de planificar cuestiones para los servicios, la colocación y los objetivos del estudiante, el plan educativo individualizado puede ser muy útil para decidir cómo responder a ciertos comportamientos y problemas disciplinarios. Una de las secciones del plan establece que la escuela y la familia pueden acordar que el código disciplinario de la escuela no se aplique al estudiante. Aunque muchos distritos escolares se resisten a otorgar esta inmunidad, una vez acepten ciertas modificaciones a los procedimientos disciplinarios habituales, el plan de conducta, que a veces se crea como resultado de una evaluación funcional de la conducta (“FBA” por sus siglas en inglés), debería incorporarse en el plan educativo individualizado. Dicho plan es un contrato que establece la forma en que el distrito escolar responderá a ciertos comportamientos e impartirá la disciplina. Si el plan estipula que el estudiante perderá el tiempo de colaborar para resolver el problema. La escuela recibirá muy bien esa actitud. Compartan la información que tengan sobre lo que puede estar pasándole al estudiante, por ejemplo, un cambio de medicación o una situación fuera de la escuela que lo está afectando. Colaboren con la escuela para encontrar la forma más eficaz de responder a la conducta, aunque no significa adoptar medidas disciplinarias en la casa que ustedes saben que dan resultado con su niño. Además de ser más eficaz con el estudiante, este enfoque reducirá el enfrentamiento que las cuestiones de disciplina a menudo causan y puede convencer al distrito escolar de que no necesita recurrir a medidas disciplinarias más severas.

SEPAN CON QUÉ PERSONAL ESCOLAR LES CONVIERNE TRABAJAR. Es importante comprender los objetivos y la perspectiva de los diferentes miembros del personal escolar que pueden estar a cargo de las cuestiones disciplinarias. Por ejemplo, el vicedirector, que tal vez tenga poca experiencia con los estudiantes con discapacidades y se ocupa de los asuntos disciplinarios más importantes, quizás esté obligado a adoptar una línea dura con ciertas conductas e imponer sanciones uniformes, predecibles y con poco margen para excepciones. Esta puede ser una manera injusta y poco efectiva de responder a los problemas disciplinarios de un estudiante con discapacidades. Por ejemplo, si un alumno discapacitado, al dirigirse al examen de una materia con la que tiene dificultades, se desregula, empuja otro estudiante contra un armario y es enviado a la oficina del vicedirector, podemos imaginarnos qué sucederá. El vicedirector, tal como lo ha hecho en casos similares, suspende al estudiante por un día. La suspensión le evita tomar el examen. El alumno aprende que puede evitar la clase comportándose agresivamente y el vicedirector sigue aplicando el principio de disciplina progresiva. A continuación sugerimos algunas maneras de evitar estos efectos contraproducentes.

⁰Esta es la segunda parte del artículo. La primera se publicó en la edición de primavera de 2013 de Newsline para estudiantes con necesidades especiales. Esta segunda parte ofrece sugerencias prácticas con respecto a la disciplina escolar.
Have the Purposes of Chapter 766 Been Achieved? – An Invitation:  (continued from page 1)

The purpose statement expressed concern over a number of problems in the special education system that existed then, including, for example: the wide variation across the state in the quantity and quality of services available to students depending on their disability category or the local resources; the potential for stigma in the use of disability labels; the over- or under-exclusiveness of special programs; and the extent to which cost drove placement and service decisions.

Among the goals were to provide “a flexible and uniform system” of program opportunities for children with disabilities, a non-discriminatory system to evaluate the particular needs of children with disabilities, and a system to periodically assess each child’s needs and the adequacy of the program proposed to meet those needs. The purpose section also spoke of leaving the task of defining disabilities up to educators and other professionals, recognizing that children with disabilities “have a variety of characteristics and needs, all of which must be considered if the educational potential of each child is to be realized.” And the section spoke of involving parents as they had not been previously involved – directly in the processes that led to the provision of services to their children. While the purpose section did not explicitly refer to the Act’s establishment of a due process system for the resolution of disputes by impartial hearing officers, that, too was a major feature of the special education reform embodied in Chapter 766.

Now, as the 40th anniversary of implementation approaches, we have an opportunity to look back and consider whether and to what extent the aims embodied in Chapter 766 have been achieved. Parents, advocates, educators and administrators are sure to have a wide variety of perspectives on this question.

To air some of those perspectives, about how things that have not turned out well could be improved and how some of the better results can be extended or reinforced, we invite the readers of this Newsline to record their reflections in the Comments section of our blog. We will also contribute our own thoughts from time to time. Succinct and thoughtful comments are greatly welcomed; lengthy diatribes, not so much!

Bob Crabtree is a founding partner of Kotin, Crabtree, and Strong (www.kcslegal.com). He has supported the work of the Federation for 40 years.

La Disciplina Escolar y la Ley Parte 2 (continuado de la página anterior)

de computadora por empujar a un compañero, suspenderlo por esa conducta sería una violación del contrato. Si ciertos miembros del personal escolar, por ejemplo, el facultador de inclusión, pueden responder más eficazmente a las conductas del estudiante, entonces el plan educativo individualizado debería establecer qué problemas disciplinarios deben dirigirse a dicha persona. Algunos IEP estipulan que los problemas de disciplina deben dirigirse al personal escolar que tiene a su cargo la colocación de un estudiante, el distrito escolar debe convocar a un equipo para determinar si la conducta estuvo relacionada con discapacidad o fue una manifestación de la misma. Esto se conoce como una “determinación de manifestación”. Las escuelas también pueden utilizar audiencias de suspensión o expulsión para excluir a un estudiante. Aunque diversas leyes, reglamentos y, a menudo, el propio manual escolar del distrito les permiten presentar testigos y documentos en estas audiencias, esperan hasta que éstas se lleven a cabo para presentar sus argumentos es un error. Hacer que la persona a cargo de tomar decisiones, generalmente el director, se pronuncie a favor del estudiante en ese foro se percibiría como una desautorización o contradicción de los maestros o el personal escolar. Averigüen qué pueden hacer con respecto a lo que pasó y qué o quién impulsó la medida disciplinaria severa, y sean si pueden hacer que el asunto se trate fuera de estos procedimientos formales. Aun si no tienen éxito, esto le ayudará a prepararse mejor para la audiencia o ablandará a aquellos que proponen la sanción disciplinaria más fuerte. Si el asunto se trata, presenten su caso de la mejor manera posible trayendo a testigos expertos con conocimientos de su hija o hijo y de su discapacidad a fin de establecer la relación entre la misma y la conducta problemática, y muestren informes de respaldo.

La disciplina escolar puede afectar de manera significativa la educación de un estudiante. Para tratar adecuadamente la discapacidad de un alumno y garantizar que las medidas disciplinarias impuestas a los estudiantes con necesidades especiales sean justas, adecuadas y efectivas, es fundamental familiarizarse con la ley en este ámbito tan importante y seguir los consejos prácticos que acabamos de mencionar.

Resuelvan todo lo que sea posible fuera de los procedimientos disciplinarios formales. Para cambiar la colocación de un estudiante, el distrito escolar debe convocar a un equipo para determinar si la conducta estuvo relacionada con discapacidad o fue una manifestación de la misma. Esto se conoce como una “determinación de manifestación”. Las escuelas también pueden realizar audiencias de suspensión o expulsión para excluir a un estudiante. Aunque diversas leyes, reglamentos y, a menudo, el propio manual escolar del distrito les permiten presentar testigos y documentos en estas audiencias, esperan hasta que éstas se lleven a cabo para presentar sus argumentos es un error. Hacer que la persona a cargo de tomar decisiones, generalmente el director, se pronuncie a favor del estudiante en ese foro se percibiría como una desautorización o contradicción de los maestros o el personal escolar. Averigüen qué pueden hacer con respecto a lo que pasó y quién impulsó la medida disciplinaria severa, y sean si pueden hacer que el asunto se trate fuera de estos procedimientos formales. Aun si no tienen éxito, esto le ayudará a prepararse mejor para la audiencia o ablandará a aquellos que proponen la sanción disciplinaria más fuerte. Si el asunto se trata, presenten su caso de la mejor manera posible trayendo a testigos expertos con conocimientos de su hija o hijo y de su discapacidad a fin de establecer la relación entre la misma y la conducta problemática, y muestren informes de respaldo.

Daniel T. S. Heffernan y Sherry Rajaniemi-Gregg son abogados en la firma Kotin, Crabtree & Strong y se dedican a casos de educación especial y derechos civiles. Han representado a muchas familias de niños con discapacidades especiales en casos de abuso, negligencia y derechos civiles. Pueden encontrar más información en su sitio web (www.kcslegal.com) y en su blog sobre educación especial (www.kcsspecialeducationlaw.com).

We Want to Hear from Wheeled Mobility and DME Users! Thanks to a grant from the Shapiro Family Foundation and Mass Rehabilitation Commission, we are developing a program to provide free, refurbished durable medical equipment to users in Greater Boston. We are now asking for your opinion to help us create a program that meet your equipment needs. Please click the link below for our online survey, or contact reuse@massmail.state.ma.us to receive a hard copy. If you or a family member use durable medical equipment, please take our online survey here: www.surveymonkey.com/s/GH5RQ3Y.
Como nós afirmamos no nosso artigo do Boletim da primavera de 2013, as questões de disciplina escolar trazem um grande impacto aos estudantes com deficiência. Dezenas de milhares de estudantes são suspensos a cada ano, das escolas públicas de Massachusetts, e os estudantes podem ser disciplinados por causa de suas deficiências ou descobrir que os problemas comportamentais resultantes de suas deficiências estão sendo tratados de forma inadequada ou ineficaz. Nós oferecemos às famílias estas sugestões práticas na área de disciplina escolar.

Conheça os seus direitos. As leis federais e estaduais, tais como a Lei de Educação para Indivíduos com Deficiência (“IDEA”), que fornece garantias processuais e salvaguarda substanciais para garantir que as crianças com necessidades especiais não sejam punidas por causa de suas deficiências e que comportamentos inapropriados sejam tratados de forma apropriada.

Seja pró-ativo. As questões disciplinares graves raramente se desenvolvem da noite para o dia. Muitas já encontravam-se lá por algum tempo e medidas poderiam ter sido tomadas para prevenir o escalonamento ao nível de que é exigida a disciplina formal. Por exemplo, quando um aluno é suspenso por machucar um de seus colegas, pode achar-se que o aluno suspenso teve incidentes anteriores de empuantar outros quando encontrou-se em determinadas situações que para ele eram insustentáveis. A escola pode ter informado algo ou nada, ou informado aos pais que a escola lidaria com o problema. Os pais poderiam estar envergonhados do comportamento do filho/sua filha, e satisfeitos em deixar que a escola lidasse com ele. Entretanto, os pais podem ter presenciado o mesmo tipo de comportamento fora da escola e se conscientizado de que era um problema muito maior e poderia ter sido lidado de forma mais pró-ativa e eficaz. Juntos, a escola e os pais, poderão ser capazes de “desviar” incidentes graves que trarão disciplinas mais severas ou mesmo a mudança na colocação do aluno.

Trabalhe com a escola tão cooperativamente quanto possível. As questões disciplinares graves transformam-se com frequência em situações de adversidade entre os pais e a escola. A escola pode buscar finalmente a exclusão do aluno ou a mudança dele ou dela para uma outra sala de aula. Os pais frequentemente irão opor-se a esta disciplina ou mudança de colocação. Uma vez presos a estas respectivas posições, ambos os lados podem perder a visão do fato de que compartilham dos mesmos objetivos importantes – o comportamento apropriado pelo aluno. Faça com que a escola entenda que você está tão interessado em terminar o comportamento problemático como tal, aprecie o desafio que isto apresenta para os funcionários da escola, e expresse a sua boa vontade fazendo com eles uma parceria ao tratar do comportamento de maneira eficaz. A escola acolherá esta atitude. Compartilhe a informação que você tem sobre o que pode estar acontecendo com o estudante, caso seja uma mudança de medicamento ou caso seja uma situação fora da escola o que está trazendo impacto ao estudante. Trabalhe com a escola para desenvolver uma forma mais eficaz de tratar o comportamento, mesmo que isto implique em trazer a disciplina para dentro de casa, através de meios que você sabe serem eficazes para seu filho/sua filha. Esta abordagem coordenada não será somente mais eficaz com o estudante, mas reduzirá a sobreposição adversária de muitas das questões disciplinares e poderá convencer o distrito escolar de que este não necessita mais recorrer a uma disciplina formal mais grave.

Descubra quais os funcionários da escola com quem é melhor trabalhar. É importante saber a agenda e as perspectivas dos vários funcionários da escola que possam estar envolvidos com as questões de disciplina escolar. Um vice-diretor que talvez seja inexperiente com alunos com deficiência e que lide com as questões disciplinares significativas, pode ser encarregado de adotar uma linha dura em relação a certos comportamentos e faz isso dosando a disciplina que é a mais consistente, previsível e que deixa pouco ou nenhum espaço para exceções. Isto pode não ser justo, bem como pode ser ineficaz no tratamento de questões disciplinares de um aluno com deficiência. Se um aluno com deficiência o qual, em sua ida para um teste da aula de matemática, na qual ele está tendo dificuldades, torna-se nervoso, joga um outro aluno para cima de um armário e é mandado para o vice-diretor, o que resultará disto será uma conclusão precipitada. O vice-diretor, como já respondeu antes a comportamentos semelhantes, suspende o aluno por um dia. Com a suspensão, o aluno evita fazer o teste. O aluno agora aprendeu que pode se livrar da aula ao usar a força física e o vice-diretor aplicará o princípio de disciplina progressiva. Abaixo encontram-se maneiras para evitar-se este modelo contraproducente.

Use o IEP para tratar de questões disciplinares com mais eficácia. Junto com a resolução de questões tais como serviços, colocação, e objetivos, um IEP pode ser de valor incalculável no tratamento de como certos comportamentos e questões disciplinares serão tratados. Uma seção IEP estabelece que a escola e a família podem concordar que o código disciplinar não será aplicado ao aluno. Enquanto os distritos escolares são avessos a dar a esta imunidade geral do código de disciplina, eles podem ser passíveis a certas modificações para o padrão de procedimentos disciplinares. Um plano comportamental, algumas vezes desenvolvidos como resultado de uma avaliação de comportamento funcional (“FBA”), deveria ser incorporado no IEP. Este plano comportamental é um contrato sobre como
Zen & The Art of Single-Tasking

By Christie C. White, M.Ed., Federation Volunteer

I recently had the pleasure of volunteering in the Federation office for the first time and I’m here to tell you that National Grid has absolutely NOTHING on the “Command Central” that is the Parent Information Center.

From the desks and shelves, the computers and phones, the pens and paper, the materials and information at the ready, and the expert volunteer training provided by the Federation staff, everything in the Parent Information Center is designed for one purpose: to provide families with high-quality guidance and information in a timely manner. There is, delightfully, little else in this room except what serves this purpose.

Gradually over the course of my time at the Federation I grew to appreciate this nuance while pondering, “Gee, why does this feel so foreign?” It turns out that for me, and possibly you, except for weekly worship, I’m hard-pressed to point to a moment during the course of a regular week when I am not multi-tasking up to my eyeballs. I don’t suspect I’m unique in this regard.

Resolva o que você pode fora de procedimentos disciplinares formais. Para mudar uma colocação do aluno, os distritos escolares poderão abordar certos comportamentos e impor disciplina. Se o plano comportamental estabelece que os alunos perderão seu período de computação, caso empulhem outro aluno, seria uma violação do contrato de suspender o aluno por causa desse comportamento. Se certos funcionários da escola, como o facilitador de inclusão são melhores ao lidar com o comportamento do aluno, então o IEP deveria ditar que as questões disciplinares envolvendo esse aluno serão encaminhadas para o facilitador da inclusão. Alguns IEPs contêm provisões para que as questões disciplinares sejam encaminhadas à equipe de educação especial antes de que qualquer disciplina seja imposta. Os pais, como parte do time, podem ter a chance de influenciar em como o comportamento será abordado. Isto evita um acompanhamento automático para administradores escolares que acham que devem lidar com o assunto de uma certa maneira.

One of the casualties we face as chronic multi-taskers is that we so rarely get to the pleasure of doing just one thing well. In this “multi-tasking-free zone” I had the luxury of focusing my heart and mind on one important task: fielding parent phone calls and providing resources and information to families.

Of course it goes without saying that in order to do one thing well, one must say “no” to competing, and perhaps equally compelling, goals and tasks. This is a principal I understand, but oh, what a challenge it is to implement consistently!

My take-away? My volunteer week with the Federation has inspired me to say “no” a little more often to those shiny metal objects in my day-to-day life in order to say “yes” to that small handful of priorities that are exquisitely vital: my family and my health, engaging in meaningful work, my faith, and my community. Here’s to the unsung art of single-tasking!

Contact the Parent Training and Information Center at the Federation to learn more about volunteer opportunities. www.fcsn.org/pti

Lei de Disciplina Escolar¹ - Parte 2 (continuação da página anterior)

os distritos escolares poderão abordar certos comportamentos e impor disciplina. Se o plano comportamental estabelece que os alunos perderão seu período de computação, caso empulhem outro aluno, seria uma violação do contrato de suspender o aluno por causa desse comportamento. Se certos funcionários da escola, como o facilitador de inclusão são melhores ao lidar com o comportamento do aluno, então o IEP deveria ditar que as questões disciplinares envolvendo esse aluno serão encaminhadas para o facilitador da inclusão. Alguns IEPs contêm provisões para que as questões disciplinares sejam encaminhadas à equipe de educação especial antes de que qualquer disciplina seja imposta. Os pais, como parte do time, podem ter a chance de influenciar em como o comportamento será abordado. Isto evita um acompanhamento automático para administradores escolares que acham que devem lidar com o assunto de uma certa maneira.

 decidir em favor do aluno nesse fórum, seria visto como um enfraquecimento ou contradizendo os professores ou outros funcionários da escola. Descubra o que você puder sobre o que aconteceu e o quê ou quem está atuando a favor da disciplina grave, e veja se você pode aplicar a disciplina fora desses procedimentos formais. Mesmo que você não obtenha sucesso, seus esforços irão ajudá-lo a preparar-se melhor para os procedimentos ou para suavisar aqueles que estiverem pressionando o caso rumo a uma disciplina mais significativa. Se a questão continuar, apresente o melhor caso possível trazendo como testemunhas os especialistas com conhecimento sobre o seu estudante e a sua deficiência a fim de estabelecer a ligação entre a deficiência do estudante e o comportamento ofensivo e apresente relatórios de apoio.

A disciplina escolar pode trazer impacto significativo à educação do estudante. Para tratar corretamente a deficiência do aluno, e para garantir que os alunos com necessidades especiais recebam disciplina justa, adequada e eficaz, é essencial estar familiarizado com a legislação nessa área crucial e seguir as dicas práticas mencionadas acima.

Daniel T.S. Heffernan e Sherry Rajaniemi-Gregg são advogados junto a Kotlin, Crabtree & Strong onde se concentram em educação especial e lei de direitos civis. Eles têm representado numerosas famílias com crianças com necessidades especiais em abuso, direitos civis e ações de negligência. Mais informações sobre a educação especial pode ser encontrada em seu site (www.kcslegal.com) e no blog de educação especial (www.kcsspecialeducationlaw.com)
SAVE-THE-DATE

Celebrate the Federation’s 40th year with these upcoming Events:

**Walk, Roll, Shobble, Stroll**
Our first ever fundraising walk
Massachusetts Hospital School’s Nature Trail (1.5 miles) • Canton, MA
Sunday, September 22, 2013 • Noon - 3:00 pm

**2014 Visions of Community Conference**
Seaport World Trade Center • Boston, MA
Saturday, March 8, 2014

**Gala 2014 - Celebrating Every Child**
40th Anniversary Dinner and Silent Auction
Westin Waterfront Hotel • Boston, MA
Friday, May 2, 2014

Visit fcsn.org for more details.

INFORMING, EDUCATING, EMPOWERING FAMILIES