

IDEA FEDERAL REGULATIONS BECOME EFFECTIVE

(taken from the September-October 2006 FORUM, Volume XXIV, Issue 5, published by the Ohio Coalition for the Education of Children with Disabilities – OCECD)

The IDEA 2004 federal regulations (published in the Federal Register on August 14, 2006) became effective on October 13, 2006. These regulations, issued by the U.S. Department of Education, provide the rules for implementing the part of the new law which governs Part B, or the sections which control provision of services for all students with disabilities, ages 3 through 21 years, attending elementary and secondary schools in the United States. These regulations must follow the law passed by Congress and signed by President Bush on December 3, 2004.

According to Alexa Posny, the current director of the Office of Special Education Programs in Washington DC, the text of the regulations comprises 25% of the document, while approximately 70% is a preamble which summarizes the major changes to the law. Model forms for the IEP, as well as prior written notice forms, are included in the appendices. Taken all together, these regulations provide clarification on several issues, she said.

One new issue in these regulations is the eligibility for specific learning disabilities through a response to intervention model although an I.Q. discrepancy model still can be used. Response to intervention is also connected to the 15% early intervening dollars which must come from the same dollars appropriated for providing services to students with disabilities. Some special education directors see this as a reduction of 15% for their programs.

The standards developed for training special education teachers under these new regulations require that they be no less than that for general education teachers to meet the “highly qualified teacher” standard of No Child Left Behind, the federal elementary and secondary education act, as amended.

Under these regulations, local education agencies (public schools) must find, identify and evaluate students attending private schools located in the district.

Most states have not yet changed their state rules to comply with these new regulations. States can have a higher standard. In other words, State Education Agencies can require local school districts to do more than the federal law requires, but not less. The Ohio Department of Education (ODE) has begun an internal process of rewriting the Operating Standards for Ohio Schools Serving Students with Disabilities, effective since July 2002. These rules are still in effect except where they conflict with federal law IDEA 2004.

The ODE expects that the new Ohio Standards will be completed prior to July 1, 2008, the expected effective date. The interim director of ODE’s Office for Exceptional Children, Thomas Scheid, has stated that there will be plenty of time for discussion prior to the effective date. The State Board of Education will hold public hearings on the standards prior to adoption.

It is not known at this time when the Congress will begin the next reauthorization process for this federal special education law. The last cycle was seven years from 1997 to 2004. The federal share of the cost has not yet reached 20%, and in fact appears to be decreasing in an effort to urge state legislatures to fund a greater portion. Ohio currently funds the FY 2001 cost-

based formula at 90%, which means that the costs of inflation have not been included for the last six years and not funded at 100%.

A class action law suit filed against the state of Ohio by Ohio Legal Rights Service is still pending in federal district court regarding discrimination against children with disabilities in service delivery related to lack of funding at 100% of the formula which must be updated to current costs.

The Department of Education's Summary of the changes can be found at:
<http://www.nichcy.org/idealists.htm>.

A book comparing the old and new IDEA regulations has been published by the National Association of State Directors of Special Education and can be purchased for \$15 from their website at: <http://www.nasdse.org/documents/SbSorderform.pdf>

If you are interested in a summary of the regulations, USDOE has a fact sheet which can be downloaded: <http://www.ed.gov/admins/lead/speced/ideafactsheet.html>

LET YOUR FINGERS DO THE WALKING. . .

(taken from the September-October 2006 FORUM, Volume XXIV, Issue 5, published by the Ohio Coalition for the Education of Children with Disabilities – OCECD)

Have questions or problems related to special education and don't know where to start? Get help with the new and improved Yellow Pages for Kids with Disabilities. This dynamic website was recently updated to include the most current and relevant information and resources in special education for every U.S. state and territory. The Yellow Pages for your state includes listings for psychologists, educational diagnosticians, therapists, health care providers, academic tutors, special education schools, advocates, attorneys, support and study groups, and others who provide services to parents and children. The website also has a *Yellow Pages for Kids User Guide*, which assists parents in becoming more effective advocates. The guide shows parents how to build a team, educate themselves about their children's disabilities, find special education advocacy training, locate parent advocacy groups, and get legal and advocacy help. To access the website: <http://www.yellowpagesforkids.com/>

LEARNING DISABILITY FAST FACTS

(taken from the September-October 2006 **FORUM**, Volume XXIV, Issue 5, published by the Ohio Coalition for the Education of Children with Disabilities – OCECD)

To understand the impact learning disabilities have on children and young adults in the United States, it is helpful to look at some key statistics. This fact sheet provides a current snapshot of those figures.

Nearly 2.9 million students are currently receiving special education services for learning disabilities in the U.S. (Source: *24th Annual Report to Congress on the Implementation of the Individuals with Disabilities Education Act*, 2002)

50% of students receiving special education services through the public schools are identified as having learning disabilities. (Source: *24th Annual Report to Congress on the Implementation of the Individuals with Disabilities Education Act*, 2002)

The majority of all individuals with learning disabilities have difficulties in the area of reading. (Source: *President's Commission on Excellence in Special Education*, 2002)

Two-thirds of secondary students with learning disabilities are reading three or more grade levels behind. Twenty percent are reading five or more grade levels behind. (Source: *The Achievements of Youth with Disabilities During Secondary School*, National Longitudinal Transition Study-2, 2003)

44% of parents who noticed their child exhibiting signs of difficulty with learning waited a year or more before acknowledging their child might have a serious problem. (Source: *Roper Starch Poll: Measuring Progress in Public and Parental Understanding of Learning Disabilities*, 2000)

More than 27% of children with learning disabilities drop out of high school, compared to 11% of the general student population. (Source: *24th Annual Report to Congress on the Implementation of the Individuals with Disabilities Education Act*, 2002)

Two-thirds of high school graduates with learning disabilities were rated “not qualified” to enter a four-year college, compared to 37% of non-disabled graduates. (Source: *Students with Disabilities in Postsecondary Education: A Profile of Preparation, Participation, and Outcomes*, NCES, 1999)

Only 13% of students with learning disabilities (compared to 53% of students in general population) have attended a four-year post-secondary school program within two years of leaving high school. (Source: *National Longitudinal Transition Study*, 1994)

There is no causal link between learning disabilities and substance abuse, however the risk factors for adolescent substance abuse are very similar to the behavioral effects of learning disabilities, such as reduced self-esteem and academic difficulty. (Source: *National Center for Addiction and Substance Abuse*, 1999)

46% of all students with disabilities enrolled at post-secondary education institutions reported having learning disabilities. In public two-year institutions, 38% of all students with disabilities have learning disabilities. At public four-year institutions, 51% of students with disabilities have learning disabilities. (Source: *National Center for Education Statistics*, 1999)

Since 1992, the percentage of students with learning disabilities who spend more than 80% of their instructional time in general education has more than doubled, from 21% to 45%. (Source: *24th Annual Report to Congress on the Implementation of the Individuals with Disabilities Education Act*, 2002)

[Source: www.schwablearning.org/articles]

PARENT INVOLVEMENT INCREASES STUDENT ACHIEVEMENT

(taken from the September-October 2006 **FORUM**, Volume XXIV, Issue 5, published by the Ohio Coalition for the Education of Children with Disabilities – OCECD)

During the past several years, the topic of how to increase parent and family involvement in schools has been the subject of many research studies, articles, and speeches. It is likely that every school in the country devotes some portion of its annual plan to explaining how it will increase parent involvement. Yet as widely used as this term is, its meaning isn't always clear. Some equate involvement with chaperoning field trips or volunteering for PTA committees. Others define it as attendance at an open house or signing homework folders.

The No Child Left Behind (NCLB) Act (2002) provides a very specific definition that answers the question "What is parent involvement?" It defines parental involvement as "the participation of parents in regular, two-way, and meaningful communication involving student academic learning and other school activities" (Sec. 9101 [32]). Parents, the law suggests, should be full partners in their child's education, play a key role in assisting in their child's learning, and be encouraged to be actively involved at school (U.S. Department of Education, 2004). Phrases in this definition such as *two-way*, *key role*, and *full partners* reinforce the notion that parents are entitled to participate with the school in their children's education and that they should. To encourage that participation, this article summarizes five important points about involvement that every parent should know.

Parent Involvement Makes a Difference for Students

The research is in, and it is clear. Study after study has shown that the involvement of parents and families in the schooling of their children makes a significant difference. Regardless of income and background, students with parents who are involved in their academic careers are more likely to earn high grades and test scores, enroll in higher level programs, and be promoted. These students attend school regularly, show improved behavior, adapt well to school, and have better social skills (Henderson & Mapp, 2002). The findings hold true across all segments of society—poor, minority, and middle class. All students do better when their parents are involved in their school lives, and "parent and community involvement that is linked to student learning has a greater effect on achievement than more general forms of involvement" (p. 38).

Parents Don't Have to Come to School to be Involved

For parents, being involved doesn't have to mean being at school every day. In fact, it doesn't necessarily mean going to the school at all. Parents can have a positive effect on student achievement by promoting learning at home and reinforcing what is taught in school (Henderson & Berla, 1994). Most schools and teachers are eager to provide parents with concrete and practical suggestions for how they can support their child's education at home, even if they rarely come to the building. The following list based on suggestions from the National Association for the Education of Young Children (2002) provides a starting point. It suggests that parents do the following:

- Read with, to, and in the presence of their children. Parents who read encourage the practice and allow children to see firsthand that reading is valuable, useful, or enjoyable. It doesn't

matter if it is newspapers, magazines, instruction manuals, or cereal boxes. Public and school libraries are readily available sources of free materials.

- Reinforce the value of a family routine involving homework, meals, and a regular bedtime. Children thrive on structure. Conversation during dinner helps improve children's language skills — both their understanding of what they hear and their ability to express themselves.
- Monitor the use of television, help children choose what to watch, watch TV with them, and talk to them about what they have seen.
- Offer praise and encouragement to their children. Kind words and constructive criticism play an important role in influencing children to become successful learners.

If parents *can* spend time at school, there is always plenty to be done. Parents make effective liaisons, and their contact with other families gives the school an additional way to communicate important information about upcoming events and assignments. They can lead discussion groups and workshops on topics from homework assistance to sibling rivalry. Some schools create a parent “buddy” program in which parents new to the school are assigned to veterans who help acquaint them with processes and procedures. Author Laurence Steinberg (1997) notes that high school students especially benefit from their parents' participation in activities conducted at school. These include coming to programs presented by the school, attending extracurricular activities, and participating in “back to school” nights.

Informed Parents Are a School's Best Customers

Some parents are unfamiliar with thinking of themselves as “customers” of their public school system. But in fact they are, since federal and state laws require that all children be provided a high-quality, public education. Research reinforces the value of this consumer notion, indicating that parents' expectations for the level of education their children will attain and parents' satisfaction with their children's school are consistent predictors of both academic achievement and social adjustment (Reynolds, Mavrogenes, Hagemann, & Bezruczko, 1993).

Like other consumer-based enterprises, schools do better when they hear from customers with questions, comments, and constructive criticism. Asking questions promotes the two-way communication that is a critical part of effective parent involvement. It also helps challenge schools to continuously improve their efforts to reach parents. Some conversation starters for parents include the following:

- Is there help available if my daughter is struggling?
- What are the school's safety and discipline standards?
- What courses does my son need if he's thinking about applying to college?

Parents will find that most teachers are eager to share information about what students are learning or what resources are being used in lessons. Just as parents relish getting a call from their child's teacher “just to say hi” or to note something positive their child has done, teachers appreciate hearing from parents in a proactive way. When parents call a teacher or schedule a meeting to ask “what unit is coming up next?” or “are there any materials I can get at the library

to support what my child is learning?” and not just “why did my child get a failing grade on this essay?” they are signaling their willingness to be a part of the team effort to educate their child.

Working Together Creates a Better School

In recent years, many schools have changed their view of involvement from the notion of “parent as helper” to “parent as partner” by developing ways to share decision making with parents. Participating in school advisory councils, interview committees, or policymaking groups give parents ways to work with schools to solve problems and achieve common goals. Studies indicate that creating these opportunities encourages parent involvement and may even have a positive effect on student achievement. A survey of more than 400 parents of high school students in Maryland revealed that their attitudes toward their children’s schools are positively influenced by efforts schools make to promote partnerships with them. They are more likely to come to the school if the school encourages them to be volunteers and participate in decision making (Sanders, Epstein, & Connors-Tadros, 1999).

Researcher Don Moore (1998) studied the relationship between the Chicago Public Schools’ local school councils and student achievement in reading. The councils, mandated by law, must have a majority membership of parents whose children attend the school. Among other activities, members select the principal and develop and approve the annual school plan and budget. Using 27 indicators—including the degree to which the council contributed to the school’s instructional program, leadership, and climate—Moore rated the relative strength and weakness of the council in his study schools. He found that schools with significant increases in scores had strong school councils, while those with declining scores or flat scores had weak councils.

It’s About the Children

High-performing schools are student centered. Staff who work in these schools set aside their differences to concentrate on the needs of students. The same should be true of parent-school relationships. In schools with strong parent-family relations, the staff “recognize and act on the belief that parents want what’s best for their children” (Pritchard Committee for Academic Excellence, 2001, p. 8), and parents maintain a high degree of trust that teachers are doing all they can to promote student achievement. Both partners develop strong communication skills, stay flexible, and look for ways to make things work.

Conclusion

Parents can make a significant contribution to their child’s education in a number of ways. As teachers, they can provide a home setting that promotes and reinforces what is taught at school. As supporters, they can contribute knowledge and skills, enrich the instructional program, or provide additional resources. As advocates, parents can help children make their way through the school system and help the system be more responsive to all families. And as decision makers, they can work with the school in solving joint problems (Henderson & Berla, 1994). Schools welcome parents in all of these capacities and know that their active involvement contributes significantly to the achievement of their students.

'BLUEPRINT' OUTLINES CHANGE FOR MENTAL HEALTH

(taken from the September-October 2006 FORUM, Volume XXIV, Issue 5, published by the Ohio Coalition for the Education of Children with Disabilities – OCECD)

The National Center for Mental Health and Juvenile Justice (NCMHJJ) is pleased to announce the availability of the "**Blueprint for Change: A Comprehensive Model for the Identification and Treatment of Youth with Mental Health Needs in Contact with the Juvenile Justice System**". The Blueprint, which was developed by the NCMHJJ with support from the Office of Juvenile Justice and Delinquency Prevention (OJJDP), provides a practical framework for juvenile justice and mental health systems to use when developing programs and policies aimed at improving mental health services for youth in the juvenile justice system. The Blueprint includes the following:

- 1) A set of **Core Principles** that represent the foundation on which a system can be built that is responsive to the mental health needs of youth in its care;
- 2) Four **Cornerstones** which provide the infrastructure of the Blueprint and reflect the most critical areas of improvement to enhance the delivery of mental health services to youth in the juvenile justice system;
- 3) Over 30 **Recommended Actions** providing guidance and direction on how best to address each of the four Cornerstones;
- 4) A discussion of 7 **Critical Intervention Points** within the juvenile justice continuum that present opportunities to improve collaboration, identification, diversion and treatment strategies for youth with mental health needs; and
- 5) Over 50 **Program Descriptions** illustrating how communities across the country have begun to develop services or programs for youth with mental health needs at key stages of justice processing.

To access the document, please visit the NCMHJJ website at www.ncmhjj.com and click on 'Blueprint for Change'. For more information, contact the National Center for Mental Health and Juvenile Justice. Policy Research Associates, 345 Delaware Avenue, Delmar, New York 12054; telephone 1-866-9NCMHJJ (toll free); ncmhjj@prainc.com

'PRE-K AND LATINOS' REPORT PUBLISHED

(taken from the September-October 2006 FORUM, Volume XXIV, Issue 5, published by the Ohio Coalition for the Education of Children with Disabilities – OCECD)

In their new policy report "Pre-K and Latinos: The Foundation for America's Future," Arizona State University's Eugene Garcia and Pre-K Now's Danielle Gonzales pull together a comprehensive, research-based picture of pre-K with regard to the fastest-growing segment in American society. Newly released by Pre-K Now, the report looks at pre-K in light of demographic and socio-economic trends, patterns of access and attendance, language issues and obstacles to effective outreach to Latino families. Among the authors' ten recommendations are re-evaluation and beefing up of outreach to Latino families so they are aware of programs and benefits, provision of instruction in the home language in settings where a number of English Language Learners speak the same language, aggressive recruitment of bilingual staff, particularly within the Latino community and revisiting eligibility criteria with regard to English Language Learners. Read the report at http://www.preknow.com/documents/Pre-KandLatinos_July2006.pdf.

LONG-STANDING LAWSUIT SETTLED

(taken from the September-October 2006 **FORUM**, Volume XXIV, Issue 5, published by the Ohio Coalition for the Education of Children with Disabilities – OCECD)

Ohio Governor Bob Taft announced on September 25 an agreement to settle the long-standing *Martin v. Taft* class action lawsuit. If endorsed by the next Governor and General Assembly, it will provide opportunities for an additional 1,500 Ohioans with mental retardation and other developmental disabilities to be served through Medicaid-funded home- and community-based waivers; and allow for the funding and safeguards needed to assure these services.

The Ohio Legal Rights Service (OLRS) originally filed the case in 1989 on behalf of citizens with disabilities seeking to expand community residential services. The agreement offers new residential choices, including alternatives for individuals who currently reside in institutional settings, but does not require the closure of any public or private facilities. The settlement is conditional upon funding approval in Ohio's next biennial budget.

Since January 2000, the Taft administration has improved options to serve people with disabilities in community settings by increasing the availability of Medicaid-funded homes and community waiver services. Since 2000, enrollment in the Individual Options waiver and the Level One waiver has increased by more than 9,200 persons, so that today more than 15,000 individuals receive home and community-based waiver services.

The *Martin v. Taft* agreement was negotiated among representatives of OLRS on behalf of plaintiffs, the Governor's Office, ODMRDD, the Ohio Department of Job and Family Services, and the Attorney General's Office. A fairness hearing for public comment by interested parties will be scheduled in the U.S. District Court for the Southern District of Ohio.