

Oklahoma Parents Connection

January 2009

www.OklahomaParentsCenter.org

Important Changes in IDEA Federal Regulations Adopted by US Department of Education

On December 1, the U.S. Department of Education issued final regulations amending several important rules relating to special education and the Individuals with Disabilities Education Act. Two changes are of particular importance for all parents and for educators.

First, for the first time in the history of special education, parents now have the right to revoke consent at any time to their child's participation in special education. The revocation must be provided to the school district in writing. The parent must be provided with a notice from the school district indicating that the revocation constitutes a change of placement/status and explaining the parents' rights. The parents or the school may at a subsequent date request that the child be reconsidered for special education again. However, if the parents revoke the consent for special education, the school is not responsible for the failure to provide a free appropriate education. The new regulation addressing this issue is 34 Code of Federal Regulations 300.300(b). If the parent revokes consent, the school district may not pursue a due process hearing or other legal measures to overturn the parents' decision.

The second major change involves representation at due process hearings. Previously, prevailing interpretation of the IDEA provided that the parents could be assisted at due process hearings by non-lawyers, regardless of the state's rules regarding unauthorized practice of law by non-attorneys. Under the new IDEA regulations, the rules as to whether a non-lawyer may represent either the parent or the school at a due process hearing will now be governed by state law. It will now be necessary for parents to investigate the rules in their state regarding unauthorized practice of law, 34 CFR 300.512 (a)(1). In Illinois, state law already permits non-lawyer advocates to assist parents in IEP meetings and due process hearings.

The new Federal regulations can be found at the following website, which also includes lengthy comments and department commentary: <http://edocket.access.gpo.gov/2008/E8-28175.htm> These regulations take effect on December 31, 2008.

Reprinted with permission from Matt Cohen, December, 2008

Letter from the Editor The Federal Regulation regarding parent's rights to revoke permission for their child to be in special education can be a double-edged sword. While many see this as a victory for parents, we need to be very careful when exercising this privilege. Parents will want to consider the following factors very carefully:

- ⇒ Take your time in making the decision to remove your child from an IEP. It is not in the best interest of the child or the school to switch the student in and out of special education.
- ⇒ Consider all aspects of your decision: You will be removing the protections of IDEA when your child is removed from an IEP. This means that they can be suspended or expelled from school without a manifestation hearing. This could be critical if your student has issues with behavior.
- ⇒ Your student will not necessarily have accommodations and modifications when they are removed from the IEP. He or she may not receive what you perceive as a free and appropriate public education, and the school is not held responsible.
- ⇒ If your child is due a three year evaluation, the school will not be providing an evaluation at their if you remove your child from special education.
- ⇒ We would suggest that you speak with the Oklahoma State Department of Education, the Special Education Director from your district, or an advocate from the Oklahoma Parents Center before making this important decision.

The IEP and Bullying

Addressing Bullying Issues on the IEP

Children with disabilities who are eligible for special education under the Individuals with Disabilities Education Act (IDEA) will have an IEP (Individualized Education Program). The IEP team can work together to develop goals or short-term objectives, and identify supplementary aids and services or program modifications or supports to help prevent and intervene against bullying. Include the child in the decision-making, as this can improve the likelihood of the child meeting his or her IEP goals.

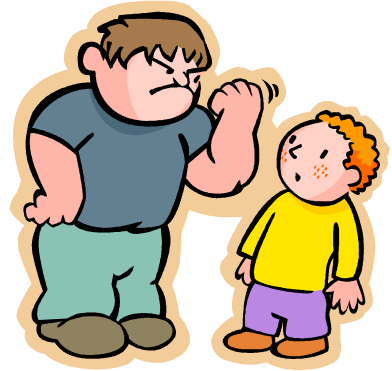
For example, the IEP could include **goals and objectives** that address the following:

- Improve social skills such as sharing, taking turns, or thinking before acting
- Develop ability to carry on a 2-way conversation
- Identify social norms for the child who does not catch on to them by him or herself
- Participate in friendship group to practice social skills with peers under direction of school staff
- Increase self-advocacy skills so child can say "no" or "stop that"
- Improve speech intelligibility so child can interact with peers
- Identify and practice direct and indirect ways to react to, handle, and avoid bullying behavior

Examples of **supplementary aids and services, program modifications or supports**:

- Hallway or playground monitoring by school staff
- Allowing child to leave class early to avoid hallway incidents
- Use social stories to help child understand difficult situations when they occur
- In-service school staff to understand child's disability and vulnerability
- In-service classroom peers to help them understand child's disability and/or child's use of assistive technology, paraprofessional, or interpreter (i.e. things that are "different")
- Educate peers about school district policies on bullying behavior
- Set up no-questions-asked procedure for child to remove him or herself from a situation where bullying behavior occurs.

Adapted from Pacer Center of Minnesota



COUNT ME IN®

The Count Me In Puppet shows on Disability Awareness have been a great success. The puppets, along with their troupe of volunteer puppeteers, have visited seven locations and presented a total of eighteen shows so far this year.

"The puppets," explained Nancy Garner, Director of Special Projects for the Oklahoma Parents Center, "are available to help students understand and be more comfortable with their classmates who may also have disabilities. We expect that children may be somewhat surprised to learn of all the things that children with disabilities CAN do instead of just thinking about what they can't do because of their disabilities. Much like their human counterparts, the puppets have lively personalities and are not about to let their disabilities stand in the way of doing things that children without disabilities like to do. They play baseball, swim, and argue with their brothers and sisters just like all other students."

If you have not scheduled your puppet show, call 1-877-553-4332 or email ngarner@oklahomaparentscenter.org to ask for information or to schedule your presentation. Also, we need puppeteers in every area of the state. Please let us know if you are interested in volunteering. Training is provided.

Making Friends

Why do children with learning disabilities have difficulty making friends?

Students with learning disabilities often feel socially isolated and have difficulty making friends because they may:

- Have low self-esteem;
- Worry about how they think others see them;
- Have difficulty with nonverbal reasoning and picking up on social cues such as body language or subtle meanings in everyday speech;
- Have limited interaction with non-disabled students if most of their classes are resource room classes; and
- Choose not to participate in extra-curricular activities as much as students without disabilities do and may have limited interests outside school.

What strategies can help children with learning disabilities make friends?

Students with learning disabilities may feel overwhelmed at the possibility of trying to make friends. You can help your child overcome his fears and make friends using these manageable steps.

Start simply by choosing from the following strategies. Talk with your child about the strategies beforehand until he feels comfortable with them. Take turns role-playing the strategies before school or before social events. When possible, be close by so your child can come to you for reminders. Alternately, make plans to talk with him afterward to discuss how things went. Above all, stay positive, and teach your child that making friends is a skill that anyone can learn with practice.

Teach your child to smile in a friendly way to at least one new person every day. He doesn't have to say anything or do anything else other than smile, even in passing. If the other students do not smile back, have him simply keep moving on or look away. At the end of the day, ask him what he remembers about the students he saw. Does he know their names? Does he remember what they were wearing? The purpose of this activity is to encourage your child to recognize others, smile and them, and observe characteristics about them. Once your child feels comfortable with smiling at new people, it is time to move to the next step.

Teach your child to smile and greet others. Assure your child that she doesn't need to talk beyond saying hello unless she feels comfortable doing so. At the end of the day, have her tell you about the people she greeted. Who spoke back? Again, if others don't say hello back, your child need not do anything other than move on to other activity. When she feels comfortable, have her move to the next step.

Teach your child to smile, greet others, and comment. Have him smile, say hello, and make a comment to at least one new person each day. Practice comments ahead of time so your child will be ready to speak appropriately. He can ask students how their day is going, comment on the weather, classroom activities, or compliment their work in class or other positive statements. When your child feels comfortable with this, move on to the next step.

Teach your child the art of polite questioning. Asking others polite questions about themselves is a great way for your child to learn about them and look for common interests for building friendships. Teach your child how having others talk about themselves is a good way for your child to help others feel important and valued. It also removes pressure from your child because he does not have to carry the conversation. In time, he will begin to feel more comfortable around these students and interacting with others. As always, continue talking with your child in a casual way about the new friends he is meeting and what he has learned about them.

By this time, your child's conversations with other students should begin to grow on their own. Consider having your child pick one or two friends to invite for a play date.

Encourage shy or reluctant children to participate with these supportive strategies.

Adapted from an article by Ann Logden, About.com



OKLAHOMA YOUTH LEADERSHIP FORUM

ACCEPTING APPLICATIONS

Feb. 1, 2009 Deadline for Application

A select group of 25 high school teenagers will be chosen to attend the 6th Annual Youth Leadership Forum (YLF), June 9 - 13, 2009, at the University of Science and Arts of Oklahoma in Chickasha, Okla. Applications are accepted year-round. This year's part one of the application process is due Feb. 1, 2009 and official application (part two) is due March 9, 2009.

To be eligible, a student must be an Oklahoma resident returning to high school for the next school year as a junior or senior, have a disability as defined by the Americans with Disabilities Act, and have demonstrated leadership potential in their school and community.

Examples of a developmental disability include varying degrees of autism, cerebral palsy, epilepsy, and cognitive disability (such as mental retardation). An estimated 1.8 percent of Oklahoma's population, or about 65,000 state residents, have developmental disabilities.

The week-long camp, sponsored by the Oklahoma Developmental Disabilities Council, is a unique leadership training program with the goal of helping prepare the students for life after high school.

Internationally known speakers and authors are featured throughout the week, and the students will spend a day at the state Capitol in Oklahoma City. There, they meet their own legislators, and organize and execute a mock legislative session. Every year, a select group of YLF graduates are invited to return as mentors for their peers the following year.

All eligible students and potential staff members are encouraged to apply. More information and the application forms are available on the Youth Leadership Forum page of the ODDC web site at www.okddc.ok.gov. Forms are also available by calling ODDC at (405) 521-4984 or (800) 836-4470.

FREE TRAINING SE OKLAHOMA TOPICAL INSTITUTE

REGISTRATION FORM

"BUILDING RELATIONSHIPS TO CREATE SUCCESSFUL CHANGE"

Friday, January 16th, 2009

Kelly Haney Center

Seminole, OK 74818, (918) 647-8221

Informational conference for parents and professionals
that live or work with individuals with disabilities.

Sponsored by

Oklahoma Parents Center • 877-553-4332 • oklahomaparentscenter.org • info@oklahomaparentscenter.org

This project is funded in part by the U.S. Department of Education, Office of Special Education Programs (OSEP) and
the Oklahoma State Department of Education (OSDE).

Agenda

8:00 a.m. - 9:00 a.m. Registration

9:00 a.m. - 9:15 a.m. Welcome by Sharon House

9:15 a.m. - 10:00 a.m. Presentation by OSDE (What's happening at the State Department of Education?)

10:00 a.m. - 11:00 a.m. Presentation from the Child Study Center Megan Moore (What services do they offer?)

11:00 a.m. - 11:15 a.m. Break

11:15 a.m. - 12:15 p.m. "Good Meeting Management" by Jo Anne Blades from the Special Education Resolution Center

12:15 p.m. - 1:30 p.m. Lunch [on your own]

1:30 p.m. - 3:00 p.m. Break-out Sessions (your choice of 4)

Choice #1: Early Intervention Transition - Part C (OSDE)

Choice #2: Transition to Adult (OSDE)

Choice #3: Art of Letter Writing (OPC)

Choice #4: Good Record Keeping (OPC)

3:00 p.m. - 4:00 p.m. Tying it All Together by Jan Moss

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CONFERENCE IS *FREE* BUT MUST RETURN COMPLETED FORM BELOW TO:

Oklahoma Parents Center

PO Box 512

Holdenville, OK 74848

FAX (405) 379-0022

LIMITED NUMBER OF PARENT VOUCHERS AVAILABLE!

If you have any questions or want information about receiving a voucher to attend the conference, please call 877-553-4332

FREE MUST REGISTER by Monday, January 12th, 2009. FREE

Name _____

Address _____

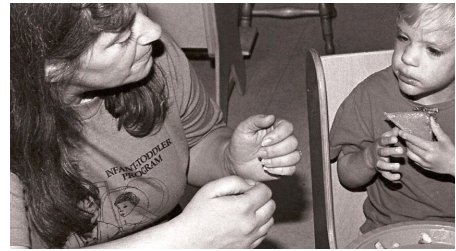
City/State _____ Zip _____

Daytime Phone Number _____ Email _____

Will you need any special accommodations? Specify _____

Why Early Intervention services?

In reflecting back to when my child was younger, I realize what a key role Early Intervention workers played in the life of my child and family. They were the first to teach me about my child's disabilities and what I could do in everyday life to help her learn. They also connected me to other key providers and parents who helped me learn how to navigate and access the maze of services needed to care for my daughter. These key people helped me when I was overwhelmed, and helped me through the grief process. They gave me support, confidence and securely set me on the path of being able to build relationships necessary to support a child who has multiple, complex special needs. When they asked me to serve on the Part C Committee many years ago, I had no idea this experience would begin my life's work of serving families who have children with special needs.



Currently I am the Part C Coordinator for Oklahoma Parents Center (OPC). In following our Mission Statement, I am available to "...train, inform, educate, and support parents, families, professionals and consumers in building partnerships that meet the needs of children ..." birth to 36 months of age. There are many who could use these services, but are not aware of them. I have found over the years that one of the best ways to reach families is through families and professionals who are connected to resources. If any of you are aware of families or others who could benefit from this service please share my contact information.

Sandie Foote
Part C Coordinator

Community IEP Partner's Program

What is the Community IEP Partner's Program offered by the Oklahoma Parents Center?

The Partners Program trains and matches Partners with parents wanting support at their child's IEP meeting. Our goal is to have Partners in every community throughout the state of Oklahoma. Currently we have partners in Enid and Stroud, and surrounding areas. Check our calendar for Community Partner trainings in other regions of the state.

Who are Community IEP Partners?

Partners are parents and others who have gone through an intensive Partner Training Program. Partners are volunteers for the Oklahoma Parents Center, the Training and Information Project for Oklahoma.

What is the role of the Community IEP Partner?

Partners are not at the meeting to speak for you. Their role is to help you prepare for the meeting, plan an agenda, identify the issues, write out proposals etc. At the meeting they will take notes and act as a trained listener who is familiar with special education rules and regulations. Partners model parent/professional partnerships and collaboration. If you need a partner to attend a meeting with you, please call our toll free number at 1-877-553-4332.

Calendar of Events

IEP Workshop 5:30pm-7:30pm Many Faces of Autism Support Group First Baptist Church, Miami, OK	01/08/09
IEP Workshop 6:00pm-8:00pm Oaks Elementary, Okemah, OK	01/12/09
Autism & Special Needs Support Helping Hands Daycare, Vinita, OK	01/15/09
SE OK Topical Institute Kelly Haney Center, Seminole, OK	01/16/09
Basic Rights Training Choctaw Nation Headstart, Bennington, OK	02/03/09
Bullying Prevention 5:30pm-7:30pm Many Faces of Autism Support Group First Baptist Church, Miami, OK	03/05/09
OK Statewide Conference Tulsa, OK	03/24/09

Dear Advocate,

How do I proceed if the school verbally refuses to evaluate my child with a suspected disability?

Becky from Lawton



Dear Becky,

This would fall under what is considered "Child Find" under IDEA, anytime the school proposes or refuses a written request from a parent regarding their child's educational program and/or assessments, the school is required under IDEA to provide "written notice" to parents on a Form 9. Once you've obtained a Form 9 from the school, you can contact us for further assistance. I would encourage you, as the parent to request an Oklahoma Policies and Procedures for Special Education manual from the Oklahoma State Department of Education or you can certainly obtain a copy from us as well. Please call us at 877-553-4332 to request a copy.

Ask the Advocate

Ellen Kimbrell is our *Ask the Advocate*! She has been an advocate with the Oklahoma Parents Center for more than eight years. Ellen also is a parent of a child with a disability. Thank you, Ellen!