



# News Line

S P R I N G / S U M M E R 2 0 0 4

***“The bottom line is, are these children learning? Is their life improving? Are they being given the tools they need in order to participate in society?”***

*by Senator Judd Gregg, Chairman  
U.S. Senate Committee on Health, Education, Labor, & Pensions*

***“ We know that disabled does not mean unable. Children with disabilities have the same dreams as every other child in America - to grow up and lead a happy and productive life. We know that IDEA helps them fulfill that dream.”***

*by Senator Edward M. Kennedy, Ranking Member  
U.S. Senate Committee on Health, Education, Labor, & Pensions*

Statements made on the floor of the United States Senate, May 13, 2004, about the Reauthorization of IDEA

## The History of Individuals with Disabilities Education Act

### *We Need to Remember Where We Have Been*

by Connie Hawkins, ECAC Executive Director

On May 13, 2004, the United States Senate passed their version of the bill to reauthorize the Individuals with Disabilities Education Act. Senate Bill 1248 is significantly different from the House Bill passed earlier so a Conference Committee made up of representatives of both the House and Senate must meet to try to combine the two bills into one piece of legislation. Even though we do not know what the piece of legislation recommended by the Conference Committee will look like, we do know that it will have major differences from the existing IDEA. Many parents and advocates feel that since both the House and Senate versions of IDEA significantly alter the rights of students with disabilities, the combined or “negotiated” bill will make drastic changes.

Most parents and advocates are specifically concerned about the changes in IEP requirements, discipline procedures, enforcement, due process/ attorney’s fees, and the proposed efforts to “reduce paperwork”. (See previous newsletter or call ECAC for more detailed information).

After hearing one angry parent leader reflect that the new legislation is “taking us back 30 years”, I felt that it might be necessary to look back and reflect on where we have come since 1975. It can be hard to understand what we have now without understanding where we have been. It can be hard to understand how hard families and advocates had to work for the rights our children have today. It can be hard to understand how much our children have to lose.

#### *Before P.L. 94-142*

In 1975 (almost 30 years ago) Public Law 94-142, The Education for All Handicapped Children Act was passed by Congress. This law mandated a free appropriate education for all children with disabilities. Public Law 94-142 was a response to Congressional concern for two groups of children:

1. the more than 1 million children with disabilities who were excluded entirely from the education system and
2. the children with disabilities who had only limited access to the education system and were,

therefore, denied an appropriate education. These students with limited access comprised more than half of all children with disabilities in the United States at that time. Before the enactment of Public Law 94-142, many children lived in state institutions for persons with mental retardation or mental illness

In the 1950s and 1960s, family organizations, educators, and policymakers began the advocacy efforts that laid the foundation for the precedent setting piece of legislation. Some of those early steps included:

- the Training of Professional Personnel Act of 1959, which helped train leaders to educate children with mental retardation;
- the Captioned Films Acts of 1958;
- the Teachers of the Deaf Act of 1961 which trained instructional personnel for children who were deaf or hard of hearing;
- the Elementary and Secondary Education Act of 1965 and the State Schools Act provided states with direct grant assistance

to help educate children with disabilities;

- the Handicapped Children’s Early Education Assistance Act of 1968 and the Economic Opportunities Amendments of

1972 increased Head Start enrollment for young children with disabilities.

The continued and strong advocacy from parents ensured continued progress in the 1970s including:

- the Elementary and Secondary Education Act (ESEA) Amendments of 1970, which included Part B, the Education of the Handicapped Act, and
- the Education Amendments of 1974 that included Title VI, which was the Education of the Handicapped Act Amendments of 1974 where an appropriate education for all children with disabilities was mentioned for the first time. These and other critical Federal laws began to open doors of school buildings to children with disabilities.

Landmark court decisions also increased the educational opportunities for children with disabilities. For example, the Pennsylvania Association for Retarded Citizens v. Commonwealth (1971) and Mills v. Board of Education of the District of Columbia (1972) established the responsibility of states and



*Change is inevitable.  
It's direction that counts!*

– Gil Atkinson

localities to educate children with disabilities. Thus, the right of every child with a disability to be educated is grounded in the equal protection clause of the 14th Amendment to the United States Constitution. (Adapted from US Department of Education website)

*Public Law 94-142*

Public Law 94-142, The Education for All Handicapped Children Act of 1975, guaranteed a free, appropriate public education to each child with a disability in every state and locality across the country, ensured due process rights, mandated IEP's (Individualized Education Program), LRE (Least Restrictive Environment), and became the core of federal funding for special education. The four purposes of the law indicated a national mission to improve access to education for children with disabilities. Those purposes were:

- "to assure that all children with disabilities have available to them... a free appropriate public education which emphasizes special education and related services designed to meet their unique needs";
- "to assure that the rights of children with disabilities and their parents...are protected";
- "to assist States and localities to provide for the education of all children with disabilities";
- "to assess and assure the effectiveness of efforts to educate all children with disabilities."

(Source: Education for All Handicapped Children's Act of 1975)

*Changes Since 1975*

Between 1975 and 1997, a number of key changes were made to the Education for the Handicapped Act (EHA) and IDEA during the reauthorization process. These changes included:

- the 1986 Amendments to EHA which mandated that states provide programs and services from birth (Part H);
- in 1990, the law was renamed IDEA (Individuals with Disabilities Education Act);
- in 1990, transition services for students 16 years or older were added to the law;
- the Individuals with Disabilities Education Act Amendments of 1997, the current law, made significant changes including transition planning at age 14, positive behavior support and functional behavior assessments, specific discipline provisions, an emphasis on parent participation, and access to the general curriculum.



***Open your arms to change,  
but don't let go of your values.***

– Don Ward

*Today*

As stated earlier, the House and Senate bills must go to Conference Committee to create one piece of legislation. If the Conference Committee does not meet or come to an agreement before Congress adjourns this year, the bills will "die". If that happens, both the House and Senate will have to begin the process over and pass new legislation next year.

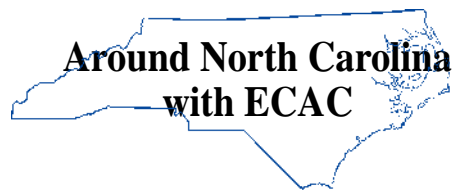
If the Conference Committee does act, and based on the contents of both bills, a negotiated bill will probably contain changes such as removal of short term objectives as required components of the IEP and significantly altering the discipline procedures and rights of students with disabilities who violate the "school code of conduct". In addition, the Senate bill contains a section on the US Department of Education's responsibilities and actions to "enforce" the law and the House bill does not.

As we look back and reflect on where we have come since 1975, it is important that we all realize how important this law is to the future of children with disabilities. It is important for us to realize that we cannot take our children's rights for granted. It is important for us to realize that we still have a lot of work to do to ensure that we are going forward. It is important to realize that every child is really entitled to a free appropriate public education.

Stay current on IDEA Reauthorization by checking the Hot News section of the ECAC website:  
[www.ecac-parentcenter.org](http://www.ecac-parentcenter.org)

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**Staff Changes at ECAC** – We have a few changes in the faces of Parent Educators on the PTI project (Parent Training & Information). Parent Educators provide individual assistance on the telephone or in person to families and educators, conduct workshops, and assist, when possible, during IEP meetings. Parent Educators (PEs) also develop materials that are used in our information packets and during our trainings. We have added 4 new PEs over the last year and now have ten full and part-time Parent Educators across North Carolina. For information about our other PEs, please look at the Spring 2003 *NewsLine*. Mary LaCorte is the PTI Project Director.

*Welcome to our new Davidson staff:*

- Karen Poulin, moved to North Carolina from Connecticut last year and joined the ECAC team in January. Karen is the Mom of three children and expects her fourth in July. Her 7 year old son has verbal apraxia and her 8 year old son has speech and language needs.

- Shandra Umazar, a long-time member of the ECAC Board of Directors, also joined our team in January. Shandra is the parent of a young adult daughter with Down Syndrome and is also the proud new Grandma to two infant boys, born prematurely at 27 1/2 weeks.

- Lynn Martin, an ECAC employee for two years, has worked on a variety of projects and joined our Parent Educator team in February. Lynn has two sons, including her 8 year old son who has disabilities.

*Welcome our new Raleigh staff:*

- Angela McCants joined our Raleigh team in April. Angela has worked with families in Child Service Coordination and Early Intervention for eight years. Her nephew, whom Angela parents, is a young adult with mild Mental Retardation. Angela will be working along side of Terri Myers, a Parent Educator on our Parent Partners Project.

*Welcome back Asheville staff:*

Please welcome back Richard Clark in our Asheville office. Richard was formerly our Family Voices Coordinator and rejoins ECAC as a Parent Educator. His daughter Katie (our Katie

Clark Lending Library) was a spunky little girl who had muscular dystrophy. Richard and Judy, Katie's mom, encouraged and supported Katie to live life to the fullest, with her family, her friends and in her community – and she did! Katie was seven when she died in January, 1994.

*ECAC New Bern*

Anita Wayne is in our New Bern office and we expect to be hiring staff this summer to provide additional support to families in Eastern NC.

## Announcing KIDBASE A Program to Ensure Better Emergency Medical Care of Your Child

When there is an emergency, will health care providers know what special care your child needs? KIDBASE can help. KIDBASE stands for "Kid's Information Data Base Access System for Emergencies." Parents and guardians can use this health information database to list their child's specific needs so doctors, nurses, and emergency personnel can provide the right emergency care.



In response to the request of a parent of a medically fragile child, the North Carolina Office of Emergency Medical Services developed KIDBASE to help local Emergency Medical Services (EMS) agencies and hospital Emergency Departments be better prepared for the types of emergencies that may occur in their communities. Parents use the KIDBASE medical information forms to identify medically fragile children and provide information about their specific health needs. This information is then shared with local EMS squads and Emergency Departments.

The EMS for Children (EMSC) Program within the North Carolina Office of EMS is planning to kick off this program in the fall. ECAC staff began working with the EMS Program several months ago providing input to this very unique project and will be providing more information about the

program to parents, disability groups and other organizations. Please look for more information in our Fall newsletter and on the ECAC website:  
[www.ecac-parentcenter.org](http://www.ecac-parentcenter.org).



## NCDPI Announces New Mediation Process to Help Resolve Differences Between Parents and Schools

Since 1997, North Carolina parents and school system personnel have struggled with a “two headed” mediation system that is neither easy nor timely to use. Currently, NC state law allows families to request mediation *before* filing for a due process hearing and the federal Individuals with Disabilities Education Act requires mediation to be available *after* a request for due process (also called administrative review) has been made. The two mediation systems are handled by two different agencies and neither process has been able to provide effective dispute resolution within a reasonable amount of time.



To address these issues, as of July 1st, the NC Department of Public Instruction will provide all mediation for special education issues in NC whether the request is before or after a petition has been filed for a due process hearing. According to NCDPI, *you or the school have the right to request the Department of Public Instruction to provide mediation services if you and the school are unable to agree upon the identification, evaluation, educational program, placement or the provision of a free, appropriate public education of your son or daughter.* Hopefully, this new system will provide NC families with a much-needed opportunity for resolving issues.

The following information is from the Question and Answer document developed by NCDPI to explain the new system. For a copy of the entire Q & A, call ECAC at 1-800-962-6817 or visit the ECAC website, [www.ecac-parentcenter.org/](http://www.ecac-parentcenter.org/). The Q & A will also be available at your child’s school and on the NCDPI website at: [www.ncpublicschools.org/ec/](http://www.ncpublicschools.org/ec/)

### 1. What is mediation?

Mediation is an informal meeting of the parents and school representatives led by a neutral third party, the mediator. Mediation is a voluntary process, which the parties themselves control. The mediator helps the parents and school resolve disagreements concerning the child’s identification, evaluation, program or placement.

### 2. Who may request mediation?

- Parents, including guardians and surrogate parents, of a child with a disability (or a child suspected of having a disability)
- An adult student with a disability

- A school representative

### 3. How is mediation different from a due process hearing or a complaint investigation?

- Mediation is voluntary. A mediator helps the parties discuss the dispute and reach an agreement, but he or she does not make any decisions for the school or parent. The parties in mediation make all the decisions themselves. The mediator then helps to write an agreement that satisfies the needs of the parent, the child and the school, and that both parties sign.

- A complaint investigation is conducted by an investigator who decides if the school has violated special education regulations. After completing the investigation, the complaint investigator reports his or her findings to the Department of Public Instruction. A Corrective Action Plan is prescribed in the report if the school has been found in violation of regulations.

- A due process hearing is conducted by an Administrative Law Judge (ALJ) who makes decisions about the special education program for the child after listening to the evidence and arguments presented by the parties. The ALJ makes a decision based upon the law, regulations, precedents and the relative merits of the case.

### 4. How does one make a request for mediation?

A request for mediation can be made by completing a Mediation Request Form. Forms are available from your child’s school, the ECAC website and the NCDPI website. After completing all the information required by the form, it is then mailed or faxed to the following address:

Director, Exceptional Children Division  
 Department of Public Instruction  
 6356 Mail Service Center  
 Raleigh, NC 27699-6356  
 Fax: 919.807.3243

A staff person from the Department of Public Instruction (DPI) will contact the other party to the dispute to determine whether they will agree to mediate. If both parties agree, the DPI will assign a mediator. The mediator will contact both parties to schedule a mutually agreeable date, time and location for the mediation. If a petition for a due process hearing has been filed, the DPI will also ask the parties if they are willing to mediate before the hearing takes place. If both parties are agreeable, a mediation session will be set up, in addition to the requested hearing. Generally, from the date of receipt of the Mediation Request Form, the mediation meeting is held within two to three weeks.

## The Meetings: Prepare to Participate!

The best tip we have for you to be an effective partner in your child's educational planning is be *prepared to participate*. The 10 items listed below will help you be ready to become a truly equal partner in your child's education.

1. Gather and review information from your child's last IFSP (Individualized Family Service Plan) or IEP (Individualized Education Program). Which goals were achieved? Which need more work? What needs to be changed?

2. Write down specific questions and concerns that you have. Don't rely on memory — write it down!

3. List your child's strengths and needs. Don't try to do this in just one session, but start now and keep your tablet handy to write on when something comes to your mind.

4. Prioritize your requests and always know your bottom line. The team may or may not agree to every item you think should be included on your child's IFSP/IEP. Decide ahead of time what items you could change or do without. Know which items you feel your child **MUST** have and then be ready to strongly advocate for them. Be willing to take the next formal steps if necessary.

5. Think about who else you might ask to attend with you. The person you invite must *"have knowledge or special expertise regarding the child"* and you must let your school know before the meeting who you have asked.

6. Complete a Positive Student Profile (available from ECAC). The Positive Student Profile is an excellent and easy to use tool that will help "introduce" your child to the team and can also be used in your community and with extended family members.

7. If your child has behavioral concerns, think about the kinds of support(s) he or she might need in the classroom.

8. Think about any modifications or accommodations your child might need in order to participate at school (in the curriculum, classroom environment and expectations, playground, etc.).

9. Write down any special health concerns such as feeding/eating, medical conditions, medications, etc. that will need to be considered as you plan for the upcoming year.



10. Think positively and, most importantly, have **HIGH** expectations for your child!

IDEA '97 guarantees that children with disabilities receive FAPE.

What is FAPE?

F - Free

A - Appropriate

P - Public

E - Education

Remember, there is a specific order to the steps of Special Education that **must** be followed in order for students to receive a Free Appropriate Public Education (FAPE).

**Step 1** - Referral Process — by parent or teacher

**Step 2** - Evaluation — not just one test!

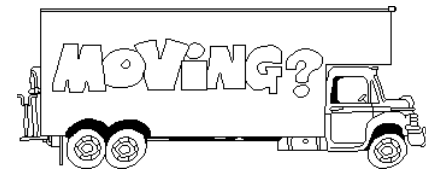
**Step 3** - Identification as a student eligible for services

**Step 4** - IEP Teams meets and develops the IEP (Individualized Education Program) — you are an equal partner!

**Step 5** - Placement decision by the IEP Team — no voting please!

***What is "Special Education"?***  
***As defined by federal law, special education means "specially designed instruction, at no cost to the parents, to meet the unique needs of a child with a disability".***

– [IDEA 97 300.26(a)]



***Please help us save on return postage!***

If you're moving, please send us your change of address for our records. Every time we have a *NewsLine* returned it costs us about 60¢!

Budgets are really tight these days...so...

***PLEASE send us  
YOUR CHANGE OF ADDRESS!***

## Las reuniones ¡Prepárese a participar!

La mejor recomendación que podemos darle para que participe con eficacia en la educación de su hijo es que “*esté preparado para participar*”. A continuación le ofrecemos 10 consejos que le ayudarán a hacerse el mejor aliado de su hijo en su educación.

1. Repase toda la información contenida en el último IFSP (Plan individualizado de Servicio a la Familia) ó en el IEP (Programa Individualizado del Estudiante) ¿Cuáles metas se lograron? ¿En cuáles se necesita más esfuerzo? ¿Qué cambios se hacer?

2. Anote las preguntas y preocupaciones que tiene usted como padre acerca de la educación de su hijo. No se confíe solo en la memoria. ¡Anótelo!

3. Enumere los aspectos fuertes de su hijo y también aquellas áreas donde necesita ayuda. No trate de hacerlo todo de una vez, empiece hoy mismo, tenga una libreta a la mano para poder anotar las ideas que le vienen a la mente.



4. Dé la prioridad a sus peticiones y sepa de antemano cual es la oferta más baja que está dispuesto a aceptar. Los miembros del equipo puede que estén o no estén de acuerdo con cada cosa que usted cree debe incluirse en el IEP. Decida con anticipación que cosas son ó no imprescindibles. Sepa que cosas su hijo DEBE tener y entonces esté dispuesto a abogar vigorosamente y a dar los pasos necesarios para lograrlas.

5. Decida a quien va a invitar a asistir a la reunión con usted. La persona que usted invite debe “*tener conocimiento o una pericia especial sobre su hijo*” y es su deber notificar a la escuela respecto a su invitado antes de la reunión.

6. Llene el “Perfil Positivo del Estudiante” (disponibles en ECAC). El Perfil Positivo del Estudiante es un formulario fácil de llenar y un excelente medio para ayudarle a “presentar” a su hijo a los miembros del equipo, familiares y a otras personas de la comunidad.

7. Si su hijo tiene problemas del comportamiento, piense que clase de apoyo(s) necesitará en el salón de clases.

8. Piense en las modificaciones o acomodaciones necesarias para hacer posible la participación de su hijo en la escuela. (Currículo, ambiente del salón de clases, expectativas, patio de recreo, etc.

9. Anote sus inquietudes acerca de las condiciones especiales de la salud que requieren atención tales como alimentación, salud, medicamentos, etc. y que usted necesitará tomar en consideración al planear para el año que viene.

10. Mantenga una actitud positiva; pero aun más importante, mantenga altas expectativas para su hijo.

IDEA '97 es la ley que hace posible que niños con discapacidades puedan recibir FAPE.

¿Qué quiere decir FAPE?

F-Gratis

A-Apropiada

P-Pública

E-Educación

Educación Pública Gratis y Apropiada

Recuerde que hay una serie de pasos a seguir en un orden ya especificado por la Educación Especial, de esta manera el estudiante podrá obtener una Educación Pública, Gratis y Apropiada. (FAPE: Free Appropriate Public Education)

**Paso 1** Procedimiento de Referencia - Uno de los padres o la maestra

**Paso 2** Evaluación - ¡que sea más de un examen!

**Paso 3** Identificación: bajo la cual el estudiante es elegible

**Paso 4** El Equipo se reúne y desarrolla el IEP - usted es miembro en igualdad con los demás

**Paso 5** El Equipo decide la ubicación - ¡que no haya votos, por favor!

***Estas leyes definen a la educación especial como “una enseñanza especialmente diseñada, sin costo alguno para el padre y/o la madre, para satisfacer la necesidad singular del menor excepcional”.***

“Ley de Educación de Personas con Incapacidades”

## Your Baby is Growing Up! Taking the next big steps: Moving from Early Intervention Services to Preschool

The scene is set. Your child is approaching his or her third birthday and it is time to make the transition from Early Intervention Services (birth - 3) to school age services (3-21). You can't stop the clock but you can be prepared for the changes about to happen.



Transition can be a very emotional time in our lives. It is helpful to know that other parents and their children have made the transition and lived through it!

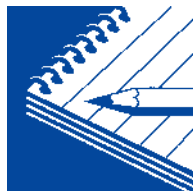
There will be stress... there will be worry... there will be LOTS of excitement and LOTS of questions. Good planning can help lessen your fears and give you the tools to make a smooth transition.

1. Begin early! Start thinking about going to Preschool by about age 2 1/2. Learn about the differences between the IFSP (Individualized Family Service Plan) and the IEP (Individualized Education Program). They are very different, but they both should meet your child's needs. Knowing ahead of time what the differences are will help you to prepare for them.

2. Prepare to participate — Being prepared is the key to success! (see pages 6 & 7)

3. Consider where you would like your child to spend most of his or her school day. For a preschooler this could be at home, in an inclusive daycare setting, in a preschool environment that serves only special needs children, or any combination of the above. You should remember that all students including those in separate classes should be given the opportunity to have some time such as lunch, PE, or other special classes with typically developing peers.

The goals and objectives that are written for your child are going to be used to determine where he or she will receive their special education.



*“Special education is not a place. It is the supports and services necessary to help a child reach his or her goals and objectives.”*

A child should be placed in the least restrictive environment that will provide the opportunity to reach the goals and objectives written in the IEP. *Special education*



*is not a place.* It is the supports and services necessary to help a child reach his or her goals and objectives. Those supports travel or “move” with the child wherever he or she is being educated.

Since transition brings new individuals to the IEP team take this opportunity to share your hopes and dreams for your child with the team members. Let the team know how truly special your child is.

	Early Intervention Services	Special Education under IDEA
Ages served	Birth to 3	Ages 3-21
Plan name	IFSP Individual Family Services Plan	IEP Individualized Education Program
Team name	IFSP Team	IEP Team
Focus	Family Centered Services	Individual child's educational needs

### Preschool Parent Press

Check your preschooler's backpack! ECAC announces an exciting new bi-monthly newsletter, the *Preschool Parent Press*, which will be distributed by Preschool Directors in each county. This newsletter is designed specifically for parents of preschool-age children and includes information and articles about literacy and skill

building. You will also find brain building activities and lots of fun activities to share with your child.

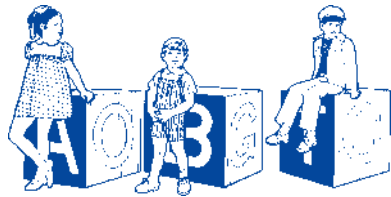
Parents of children in public preschool classes should receive one from school. If you haven't received yours, please ask your child's teacher or call Susan Suda at ECAC: 1-800-962-6817, ext. 27. The *Preschool Parent Press* will also be available via the ECAC website:

[www.ecac-parentcenter.org](http://www.ecac-parentcenter.org).

*Preschool Parent Press* is funded by the North Carolina Department of Public Instruction, Exceptional Children's Division.

## Transition to Kindergarten Getting to Know Them . . .

As you and your child prepare for the first day of kindergarten, take a few extra steps now to prepare for the big day. It will be here before you know it.



If you know which school your child will be attending, gather as much information as you can about the environment, personnel and policies:

- Learn the principal's name;
- Get to know the teacher (if already assigned) and introduce your child;
- Acquaint your child with the school building and the classroom;
- Learn what immunizations, and medical information is required to enroll;
- Ask about the classroom schedule; and
- Practice the same naptime and lunchtime at home in the weeks before school starts.

Spend some time thinking about where you feel your child should spend most of his or her day. This could be:

- a regular kindergarten classroom especially if your child has been in a typical preschool;
- a combination of part of the day spent in the regular classroom and some time being educated in a special education "resource room";
- a separate special education classroom in the school where your child spends all or most of the school day; or
- a special education separate school, at home or in a hospital, if appropriate.

Remember that IDEA (Individuals with Disabilities Education Act) requires that *"unless the IEP of a child with a disability requires some other arrangement, the child is educated in the school that he or she would attend if non-disabled."*



Many schools will have one or more "Orientation to Kindergarten" days for parents to enroll their children for the upcoming school year. This is a good opportunity to take a tour with your child and learn more about the school. If your child's school doesn't do this, call

the principal's office to arrange for you and your child to visit.

Before the visit to the school, talk to your child and find out what they are feeling. Are they excited or apprehensive? What are they most frightened about? Your visit may ease some of their fears. This is a great time to make positive comments about the school environment and staff. Talk to them about exciting projects and activities they will participate in when they are a student. Encourage your child to think of their teacher as a wise friend who will help them learn new and exciting things. Your good attitude will rub off, and this will make the transition time for your child easier.

Become a volunteer in the classroom or a member of the Parent-Teacher Organizations (PTO). Your involvement in your child's education will be noticed and appreciated! Most importantly, be prepared to participate! We have provided some tips on page 6 to help you effectively participate in your child's educational planning.

### SUMMER

**S**mile, look at your child. See the pluses, the strengths, the fun things you can do together.

**U**nwind, shake off the stress. Take 10 deep breaths and plan to enjoy the summer.

**M**anage some time for yourself. Parents are people too and need time to "smell the roses."

**M**ove into your "community." Let the people at the park, the theater, church, youth programs, swimming pool, etc. have the pleasure of getting to know your child.

**E**ncourage your child to try something new... a new game, a new word, a new skill, a new friend.

**R**esolve to begin the next school year rested and ready to collaborate and advocate for a truly appropriate educational program for your child.



## Transition From Elementary School to Middle School



Did you ever think the day would come when your child was heading off to middle school? Moving from elementary to middle school can be an exciting, scary time. You and your child will have questions and concerns. So what should you expect? Students in middle school, including students with disabilities, have much more personal responsibility than they did in elementary school. Most middle-schoolers will need to be prepared to change classes several times a day, remember 6 or more different teachers, memorize their class schedule and carry their own school supplies. That's enough to make any child anxious! Remember that even if your child stays in a smaller class for most of the day, this is a new school, with new faces, new routines and new expectations.

What can you do to help your child make the transition? **PLAN AHEAD!** The following tips will help make the transition easier for you and your child (more tips are on pages 6 & 7):

### *Schedule a meeting with your child's new teachers*

- Introduce the teacher(s) to your child. (Complete a Positive Student Profile – available from ECAC). Be sure to include any special communication system your child uses and any other special needs.
- Review what is on your child's IEP. Don't assume teachers will have or know this information!
- Discuss the teacher's expectations of your child. Make sure they are reasonable for your child, but still challenging. Ask about any special opportunities for your child to get involved in school activities. The last thing most kids want to be in middle school is different. If your child finds it hard to make friends or is shy, ask the teacher to help identify a "peer buddy" for your child. If your child has difficulty communicating or remembering to tell you what is going on at school, establish a communication system between you and the teacher to help keep informed.
- Consider developing a non-verbal communication system between the teacher and the student so that the student can signal a need for help without worrying that his peers will see him.
- Review your child's schedule and make sure the schedule meets your child's needs. If your child has mobility concerns, do the classes need to be

closer together? Do academic classes need to be scheduled for the morning when your child is more alert?

### *Help your child prepare:*

- Help your child get organized. Being organized is especially important in middle school. Try using different colored binders or folders in one large notebook to keep track of the different assignments. Remember if the system is too complicated, it won't be used!
- If your child will have a locker, purchase a combination lock over the summer and let the student practice locking and unlocking it until they are familiar with it. Some schools do not provide lockers for students and sometimes the lockers are just too far away for the student. Ask to be reassigned or even consider purchasing a backpack with wheels. This is especially helpful for a child who has difficulty carrying a heavy backpack. Ask for an extra set of textbooks to have at home to prevent homework from not being done due to leaving the textbook in their locker. Remember that books are expensive and that you may need to work with your child's IEP team to get an extra set.
- If your school does not have an orientation day for students, schedule a visit to the school so that your child becomes familiar with where the classrooms, lunchroom, library, etc. are located. Practice going from class to class in the order your child will be expected to. Identify any areas of concerns. If your child uses a wheelchair, check for any barriers. Are the pathways covered in case of poor weather? If your child struggles with walking, be sure the walkways are stable and free of obstacles. Will your child need additional time moving from class to class? Speak with a guidance counselor or principal if you have any questions about classes or scheduling.
- You and your child should read and understand the student handbook. Inappropriate behavior by a middle school student may have more severe consequences than for a younger student.

Students make many adjustments to middle school. Keep the lines of communication open. Encourage your child to come to you when they have a problem. Parents need to be good listeners during this time in their child's life. Encourage your child to take advantage of clubs, sports, and extracurricular activities. This is a time for your child to expand their personal skills and talents. Middle school is about developing socially and emotionally as well as academically. Encourage your child to make the most out of their middle school experience!

## Keys for Kids: What Can Families Do for Their Teens with Disabilities?

It is important for teens with disabilities and their families to have information from physicians, teachers, social workers, and other families about adolescent development and receive encouragement to create a vision of adulthood. It is also very important that they experience opportunities to share their dreams and hopes, fears and frustrations, and to talk about their visions for the future.

Autonomy, independence, problem-solving, and constructive role-related changes will increase if families can build safety nets amid the fear of life-threatening decisions and risk-taking that are part of the teen experience. The National 4-H



Council has identified eight "Keys for Kids":

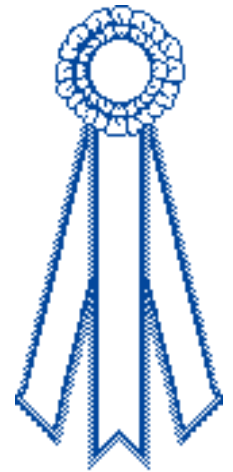
- 1. Security:** "I feel safe." - Youth feel physically and emotionally safe
- 2. Belonging:** "I'm in." - Youth experience belonging and ownership
- 3. Acceptance:** "What I say and do counts." - Youth develop self-worth
- 4. Independence:** "I like to try new things." - Youth discover self
- 5. Relationships:** "I care about others." - Youth develop quality relationships with peers and adults
- 6. Values:** "I believe..." - Youth discuss conflicting values and form their own
- 7. Achievement:** "I can do it." - Youth feel the pride and accountability that comes with mastery
- 8. Recognition:** "I feel special." - Youth expand their capacity to enjoy life and know that success is possible

Adolescent development is more than high academic expectations, career development, and independence. Families play a key role in supporting teens to explore their identities and make connections with peers and other adults. Understanding all aspects of adolescent development helps families of youth with disabilities and those who work with them to address these critical issues and improve adult outcomes.

Taken from *Information Brief:  
Addressing Trends and Developments in  
Secondary Education and Transition,*  
March 2004 - Vol. 3 - Issue 2

## Maggie Heafner Wins 2004 Matthew C. Graziadei Award

The winner of the 2004 Matthew C. Graziadei Achievement Award is Maggie Heafner from West Lincoln High School in Lincoln County. The award, which is presented annually to the outstanding North Carolina high school senior with a disability was presented to Maggie during the school's awards ceremony on May 26, 2004. The Matthew C. Graziadei Award includes a \$1,000 scholarship to be used for any post high school learning experience/training or equipment/technology needed for employment.



Maggie is the daughter of David and Kathy Heafner of Lincolnton. She has been an extremely active member of her school and community. She was listed among "Who's Who Among American High School Students" and accepted to the Legislature's School for Youth Leadership and Development. Maggie also volunteers in both her community and her church. Maggie is planning on attending Lenoir-Rhyne College and she hopes "to eventually use my experience in living life with a disability to receive a degree in Rehabilitation Counseling and to counsel people with physical disabilities".

In her nomination letter, Dr. Debra Morris, Principal, said "Do not tell Maggie Heafner that she cannot do something. She has proven her whole life that obstacles are meant to be overcome since she was born thirteen weeks premature and diagnosed with Cerebral Palsy." Dr. Morris also noted that Maggie's purpose in life is "to educate others about people with disabilities and to encourage those with disabilities. Maggie has already taken her purpose seriously as she has helped educate school administrators about accessibility issues at school facilities."



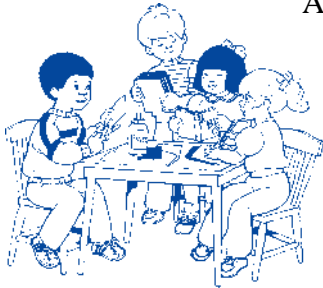
To receive *NewsLine* via email, please email [cstrupe@ecacmail.org](mailto:cstrupe@ecacmail.org) or call 1-800-962-6817, ext. 14. If you signed up for *NewsLine* via email and have not, we may have your email address incorrect. Please contact us so we can make the correction.



**Question:** My son will be starting kindergarten this fall. He has the label of developmentally delayed. The preschool coordinator has informed me that my son needs a new evaluation to see if he still qualifies for services. Can he really lose the services? He has received early intervention services since he was 8 months old and I am afraid that he won't do as well without the additional help.

**Answer:** To qualify for special education under IDEA, the Individuals with Disabilities Education Act, students must first have two things – a “label” and the need for special education. There are 13 categories of eligibility (the label) and children must meet the criteria for one or more to receive services. IDEA gives children, ages 3-21 who qualify, the right to a free and appropriate public education (FAPE) – also known as special education. As defined by federal law, special education means “specially designed instruction, at no cost to the parents, to meet the unique needs of a child with a disability”. Early Intervention services are available to children birth through 3 who have are at risk for disabilities.

Since your child is entering kindergarten (we assume he is about 5), your Local Education Agency (LEA) must



evaluate your child to see if he continues to qualify for special education services. The evaluation results and information you and his teacher provide will be used to determine if he is eligible and to

identify his strengths and needs. If he continues to be eligible, the IEP Team will use that information to develop an appropriate Individualized Educational Program (IEP) for him. Remember, that you are an EQUAL member of the IEP Team!

In North Carolina, the category of developmentally delayed can be used only up to

the student's 8th birthday. Between the ages of 5 and 8, the IEP Team may decide to continue a student's eligibility under the category of developmentally delayed for a variety of reasons, including to allow the student additional opportunity to mature and benefit from intervention before making a firm decision about the nature and extent of the child's disability. Eventually, though, the child must be identified as eligible or not eligible for continued special education services.

**Question:** My school has told me there are new rules about disciplining children with disabilities and that the school no longer has to do a functional behavioral assessment when my child has behavioral problems. Is this true?

**Answer:** No. Although there has been a lot of discussion and information being shared about the *possible* changes that will be made to IDEA, including changes in the way children with disabilities may be disciplined, the law has NOT been changed. The Individuals with Disabilities Education Act of 1997 is still the current law and your child's rights have not changed, including the rules about functional behavioral assessments. We have been receiving calls from parents who have heard the same information from their child's school and hopefully this will help clear up any confusion.



ECAC will be publishing a Special IDEA Edition of *NewsLine* as soon as the law is reauthorized, which will include all the changes that will be made to IDEA and how those changes will affect your child.

### ECAC Staff contributing to *NewsLine*:

Doreen Byrd  
 Margie Causby  
 Connie Hawkins  
 Dawn Henline  
 Mary LaCorte  
 Susan Meade  
 Susan Suda



## ¡Me alegra que preguntara!

**Pregunta:** Mi hijo va a comenzar el kindergarten el próximo otoño. Él fue identificado retrasado en su desarrollo. El coordinador PRE-escolar me ha informado que mi hijo necesita una nueva evaluación para ver si aún califica para recibir servicios especiales. ¿Es cierto que puede perder éstos servicios? Él ha estado recibiendo servicios de intervención temprana desde que tenía 8 meses de edad y me temo que el no hará tan bien como hasta ahora sin la ayuda adicional.



**Respuesta:** Para poder recibir educación especial bajo IDEA, el estudiante debe tener dos cosas: La “etiqueta” que describe su discapacidad y la necesidad de educación especial. Existen 13 categorías de elegibilidad (label ó etiqueta) y el niño tiene que calificar por lo menos bajo una de éstas para poder recibir servicios. Educación especial se define como *“instrucción especialmente diseñada para satisfacer las necesidades únicas del estudiante”*.

El Acta Educacional de Individuos con Discapacidades (IDEA), da el derecho a una educación pública, gratis y apropiada (FAPE: Free, Appropriate Public Education) a niños y jóvenes de 3 a 21 años de edad. Los servicios de Intervención Temprana se ofrecen a niños desde el nacimiento y hasta los 3 años de edad, los cuales parecen estar (ó están) corriendo el riesgo de retraso en su desarrollo o tienen una discapacidad.



Ya que pronto su niño va a comenzar el kindergarten (me imagino que él tiene 5 años, más o menos), su Agencia Local de Educación (LEA) está en el deber de evaluarlo para ver si aún califica para servicios de educación especial. Si calificara, los resultados de la evaluación y la información que usted y su maestra puedan proveer ayudarán a identificar cuales son sus puntos fuertes y sus necesidades. El equipo del IEP usará dicha información para desarrollar un Programa Educacional Individualizado (IEP) para

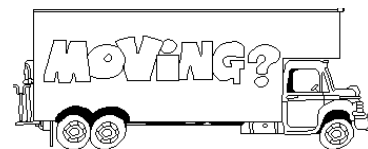
él. Recuerde, usted es miembro del equipo del IEP con igualdad de derechos.

En Carolina del Norte, la categoría de “Retraso del Desarrollo” puede usarse solamente hasta que el niño cumpla 8 años de edad. Entre la edades de 5 a 8 años, el equipo del IEP puede que decida mantener al niño bajo ésta categoría por una variedad de razones, dándole así la oportunidad a que adquiera más madurez sin perder los beneficios de la intervención, antes de tomar una firme decisión respecto a la naturaleza de la discapacidad. Eventualmente, sin embargo, de deberá decidir si el niño califica o no califica para continuar recibiendo servicios.

**Pregunta:** La escuela de mi hijo me ha notificado que existen nuevos reglamentos acerca del modo de disciplinar a niños con discapacidades y que la escuela ya no tiene que hacer una “Evaluación de Comportamiento Funcional” cuando mi hijo tenga problemas de comportamiento. ¿Están en lo cierto?



**Respuesta:** No. Aún cuando se ha discutido bastante y se ha recibido información acerca de la posibilidad de cambios a IDEA, inclusive a cambios en la forma en que se disciplina a los estudiantes con discapacidades, la ley NO ha cambiado. La ley del “Acta para la Educación de Individuos con Discapacidades”(IDEA) sigue vigente y los derechos de su hijo no han cambiado, ni los reglamentos de la “Evaluación de Comportamiento Funcional”. Hemos estado recibiendo llamadas de padres que han recibido la misma información de parte de la escuela de sus hijos y esperamos que con esta aclaración hayamos logrado eliminar la confusión.



### ¿Mudándose?

¡Ayúdenos a economizar en gastos de franqueo!  
Si se está mudando, por favor envíenos su nueva dirección para hacer el cambio en nuestros expedientes.

Cada vez que “News Line” es devuelta, el correo nos cobra casi 60 centavos.

Cuando el presupuesto está apretado...ya usted sabe...  
¡Por favor envíenos su nueva dirección!



The following books have been added to the ECAC Lending Library. To borrow a book, contact the ECAC office. The book will be sent to you along with a return, postage paid envelope.

- #149 THE FAMILY BOOK**  
by Todd Parr
- #150 IT'S OKAY TO BE DIFFERENT**  
by Todd Parr
- #151 TOOLBOX OF HOPE**  
*For When Your Body Doesn't Feel Good*  
by: Deva Joy Gouss
- #350 A WORK IN PROGRESS**  
*Behavior Management Strategies and a Curriculum for Intensive Behavioral Treatment of Autism*  
by Ron Leaf & John McEachin
- #351 RELATIONSHIP DEVELOPMENT INTERVENTION WITH CHILDREN, ADOLESCENTS AND ADULTS**  
by Steven E. Gutstein & Rachelle K. Sheely
- #352 "YOU'RE GOING TO LOVE THIS KID"**  
*Teaching Students with Autism in the Inclusive Classroom*  
by Paula Kluth
- #353 ASPERGER SYNDROME EMPLOYMENT WORKBOOK**  
*An Employment Workbook for Adults with Asperger Syndrome*  
by Roger N. Meyer
- #464 RAISING A MOODY CHILD**  
How to Cope with Depression and Bipolar Disorder  
by Mary A. Fristad, Ph.D., and Jill S. Goldberg Arnold, Ph.D.
- #465 STRAIGHT TALK ABOUT YOUR CHILD'S MENTAL HEALTH**  
*What to do When Something seems Wrong*  
by Dr. Stephen V. Faraone
- #1714 DYSLEXIA MY LIFE**  
*One Man's Story of his Life with a Learning Disability*  
by Girard J. Sagmiller
- #1745 LEARNING RE-ENABLED**  
by: Susan Orloff OTR/L
- #2014 RIDING THE BUS WITH MY SISTER**  
*A True Life Journey*  
by Rachel Simon
- #2549 FUNCTIONAL LIFE PLANNING**  
by: McGowan Consultants
- #2257 AUTHENTIC HAPPINESS**  
*Using the New Positive Psychology to Realize Your Potential for Lasting Fulfillment*  
by Martin E. P. Seligman, Ph.D.

**#2258 REFLECTIONS FROM A DIFFERENT JOURNEY**

*What Adults w/Disabilities Wish All Parents Knew*  
Edited by: Stanley D. Klein, Ph.D. & John D. Kemp  
Foreword by Marlee Matlin

**#2259 HOW TO TALK TO YOUR KIDS ABOUT REALLY IMPORTANT THINGS**

*Specific Questions & Answers & Useful Things to Say*  
by: Charles E. Schaefer, Ph.D. and Theresa Foy DiGeronimo, M.Ed.

**#2260 ACTIVE PARENTING**

*Teaching, Cooperation, Courage, and Responsibility*  
by: Michael Popkin, Director of the Active Parenting Program

**#2261 JUST FAMILY NIGHTS**

*60 Activities to Keep Your Family Together in a World Falling Apart*  
by: Susan Vogt, editor

**#3600 A TOSS OF THE DICE**

*Child Development from a Pediatrician's Perspective*  
by Natasha T. Hays, MD

**#4026 GAMES WITH BOOKS**

*28 of the Best Children's Books and how to use them to help your Child Learn from Preschool to Third Grade*  
by Peggy Kaye

**#4029 BIG BROTHER AND THE NATIONAL READING CURRICULUM**

*How Ideology Trumped Evidence*  
by Richard L. Allington

**#4032 WHEN KIDS CAN'T READ**

*What Teachers Can Do - A Guide for Teachers 6-12*  
by Kylene Beers

**#4033 LITERACY RESOURCE GUIDE FOR FAMILIES AND EDUCATORS**

by Janet R. Vohs & Carolyn A. Romano

**#4034 THE VOICE OF EVIDENCE IN READING RESEARCH**

by Peggy McCardle & Vinita Chhabra  
Foreword by Catherine Snow

**#4411 EDUCATING DRUG-EXPOSED CHILDREN**

*The Aftermath of the Crack-Baby Crisis*  
by Janet Y. Thomas

**#4412 MOTHERS, BABIES, & COCAINE:**

*The Role of Toxins in Development*  
by Michael Lewis, editor & Margaret Bendersky, editor

**#4604 WHY NORMAL ISN'T HEALTHY**

*How to find Heart, Meaning, Passion & Humor on the Road most Traveled*  
by Bowen F. White, M.D.

## Videos

**187. DOWN SYNDROME THE FIRST 18 MONTHS**

by Will Schermerhorn

**188. "A MESSAGE FOR TEACHERS"**

by Jonathan Mooney

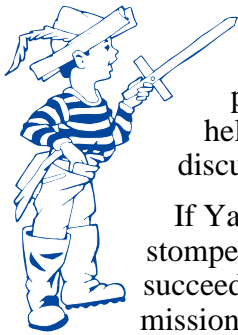
**189. WHAT THE SILENCED SAY:**

*An Evening with Jonathan Mooney*

## Stamping Out Yabuts

I suggest adding “the hunting and slaying of yabuts” to the job description of every teacher and parent. Yabuts inhabit our schools and homes – they are those monsters whose purpose in life is to overcome new ideas and creative approaches.

Yabuts swoop into a conversation or crawl onto the table in the middle of a meeting – and often they don’t look monstrous at all.



Sometimes they adopt the appearance of a cute, cuddly, perfectly acceptable, or even helpful contribution to the discussion.

If Yabuts are not recognized and stomped out right away, they usually succeed in their deadly, negative mission. The flow of ideas soon changes from “This is how we can make it work.” to “How can we make it work?” and all the reasons it won’t (and therefore, it really isn’t worth trying anyway).

Some examples are:

“Yabut we tried that last year.”

“Yabut she’s never done it before.”

“Yabut they (the ubiquitous “they” who control the world) won’t let us.”

“Yabut it might not work.”

When dealing with our children, we need to pursue innovation, responsiveness, flexibility, decisiveness and most of all, a positive attitude. Parents and teachers alike must work to stomp out yabuts.

(Yabut is a term coined by The Service Excellence Group, Georgetown, Ontario, Canada – the term originally related to business matters.)

- Taken from: *Pics n Pieces*, July/August 1995

***We cannot become  
what we want to be  
by remaining what we are.***

– Max Depree



## Internet Websites & Resources

### ADD / ADHD

National Attention Deficit Disorder:

[www.add.org/](http://www.add.org/)

Linda Mood Bell Foundation:

[www.Lindamoodbell.com](http://www.Lindamoodbell.com)

### Apraxia and Late Talkers

Cherab Foundation:

[www.apraxia.cc/](http://www.apraxia.cc/)

### Behavioral concerns

[www.PBIS.org](http://www.PBIS.org)

### Learning Disabilities

LD Online

[www.ldonline.org](http://www.ldonline.org)

The National Center for Learning Disabilities:

[www.ld.org](http://www.ld.org)

The Center for Precious Minds:

[www.centerforpreciousminds.org](http://www.centerforpreciousminds.org)

### Mental Retardation

[www.Advoserv.com](http://www.Advoserv.com)

[www.thearc.org](http://www.thearc.org)

[www.nichcy.org](http://www.nichcy.org)

### No Child Left Behind

US Department of Education:

[www.ed.gov](http://www.ed.gov)

NC Department of Public Instruction toolkit for NCLB

[www.ncpublicschools.org/nclb/toolkit](http://www.ncpublicschools.org/nclb/toolkit)

### Transition to High School

Kid Source:

[www.Kidsource.com/Education/MiddleHigh.html](http://www.Kidsource.com/Education/MiddleHigh.html)

National Center on Secondary Education and Transition:

[www.ncset.org](http://www.ncset.org)

Family Education:

[www.familyeducation.com](http://www.familyeducation.com)

### General Resources

The Internet Public Library:

[www.ipl.org](http://www.ipl.org)

The Internet Public Library specific links to disability information:

[www.ipl.org/div/subject/browse/soc80.25.00/](http://www.ipl.org/div/subject/browse/soc80.25.00/)

## Workshop Schedules

If you would like more information about the following workshops or to schedule a workshop in your area, please contact Mary LaCorte at the ECAC office 704-892-1321, ext. 10 or 1-800-962-6817. Please visit our website [www.ecac-parentcenter.org](http://www.ecac-parentcenter.org) for more workshops and conferences.

Onslow County - Jacksonville, NC

### Writing Effective IEPs

**Monday, July 26 7:00 - 8:30 pm**

Co-sponsored with:

Exceptional Family Members Program

Robeson County - Pembroke, NC

### Writing Effective IEPs

**Saturday, August 7 9:00 am - 12:00 noon**

Pasquotank County - Elizabeth City, NC

### Informed Effective Parents

**Tuesday, August 24 10:00 am - 12:00 noon**

ECAC will be conducting workshops across the state on the new IDEA as soon as it is passed. Watch the website and your mailbox for more information.

## Conferences of Interest

### ASA's 35th National Conference & Exposition on Autism Spectrum Disorders "Soaring to New Heights"

**July 7 - 10 ~ Seattle, Washington**

Washington State Convention & Trade Center

For more information: [www.autism-society.org](http://www.autism-society.org)

### Second Annual Myrtle Beach

#### Best Practices Institute

**July 18 - 21 ~ Myrtle Beach, SC**

For more information: 800-296-4770

### North Carolina Association for the Education of Young Children Conference (NC-AEYC)

**September 23 - 25**

**Koury Convention Center, Greensboro, NC**

For more information: [www.nc-aeyc.org](http://www.nc-aeyc.org)

### 54th Conference on Exceptional Children

**November 1 - 3**

**Koury Convention Center, Greensboro, NC.**

Mark your calendars for this statewide conference.

For more information:

[www.ncpublicschools.org/ec/](http://www.ncpublicschools.org/ec/)

### In our next issue...

*Helping Students Lead their IEP Meetings*  
*Self Advocacy*

*Understanding 504*

*Rules about Your Child's Medical Records at School*  
*Technology and Access to the General Curriculum*  
*NC End of Grade Testing*

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**ecac**

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