

Summer 2011

Your Quarterly Connection to MS PTI News and Events



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The Mississippi Parent Training and Information Center is here to educate parents and families about the rights of children under the Individuals with Disabilities Education Act (IDEA) and the rights they have as a parent of a child receiving or needing Special Education services.

The following is a list of training topics available by presentation or as online trainings...

- IDEA Basic Rights and Responsibilities
- Individualized Education Programs (IEP's)
- Mississippi First Steps: Understanding Early
 Intervention
- Transition from Early Intervention to School
- Autism Spectrum Disorders
- Conflict Resolution
- Getting and Keeping the First Job
- The Journey to Adulthood: What Parents Need to Know About Puberty, Adolescence and Sexuality
- Skills for Effective Parent Advocacy
- Working for Change: The Power of a Personal Story
- Procedural Safeguards and Complaint Procedures

Trainings can be developed or tailored towards other special education topics upon request.

For assistance and information on filing a state complaint you may contact:

The MSPTI 1-800-721-7255 Email: info@mspti.org

The Mississippi Department of Education Office of Special Education -Division of Parent Outreach 1-877-544-0408

Online Resources:

The National Center on Dispute Resolution in Special Education www.directionservice.org/cadre

Wright's Law www.wrightslaw.com

Pacer www.pacer.org

National Dissemination Center for Children with Disabilities www.nichcy.org

What Parents Should Know About Filing a State Complaint

When parents believe a school district is not following special education laws and inform the district's special education director, the issues can often be resolved to the satisfaction of both the parents and the school district. Parents who are unable to resolve issues that they believe are violations, however, may consider filing a state complaint with the Mississippi Department of Education.

State complaints are an important procedural safeguard in IDEA, because they give individuals and organizations a mechanism through which they can address special education conflicts and resolve disputes. The complaint resolution process tends to be less intimidating than a due process hearing and is an alternative to it.

The MSPTI encourages parents to first contact the school district's special education director, in writing, about the issue prior to filing a complaint. It is possible the issue can be resolved by simply writing the director. Sometimes a parent's issue may be a district-wide problem that the director is not aware of and can address.

We also encourage parents to call and talk to a MSPTI representative before filing a complaint, just in case we can help them resolve the problem at the local level. It is very helpful, both for parents and advocates if the parent has constructed a timeline of the events leading up to the complaint before calling.

Anyone who is aware of a violation can file a state-level special education complaint within one year of the incident, unless the violation has been ongoing.

A complaint must be made in writing and contain the following:

Basic Information:

- Current date, your name, address, email address (if applicable) and a phone number to reach you if the complaint investigator needs to ask for additional information.
- Student's name and grade
- School district name

Statement of Violation

- State why you believe a state or federal law was violated and that it occurred during the last calendar year (12 months form current date).
- Keep your focus on facts, events and people involved.
- Make a list of each violation you believe the school committed.

Statement of Facts

- For each violation, list the facts to support your claim.
- Describe events with specific dates, names of individuals involved or contacted and a brief description of what happened. Include any additional facts to support your claim.

Proposed Solution

- Identify proposed solutions to your complaint.
- List solutions that would be acceptable to you in resolving the complaint.

The Mississippi Department of Education's Office of Special Education will conduct an investigation, propose solutions and consider you're the solutions that you proposed in the complaint.

It is also very important to note that the person filing the complaint must also send a copy to the school district serving the child at the same time the state complaint is filed with the Mississippi Department of Education. This is to ensure that the district involved has knowledge of the issues and an opportunity to resolve them directly with the complaining party at the earliest possible time. The sooner the district knows that a complaint is filed and the nature of the issue(s), the quicker the they can work directly with the complainant to resolve the complaint.

We recommend that the person filing the complaint also request a copy of all documents submitted between the school district and the MDE Office of Special Education also be sent to the person filing the complaint.

Example Statement:

I am requesting that a copy of all information send and received between the MDE Office of Special Education and (school district name) School District be sent to me so that I may stay informed of the proceedings. My contact information is below:

The Department of Education must resolve the state complaint within 60 days after the complaint is filed. The specific activities associated with resolving the complaint must take place within that time limit. This includes:

- conducting an independent on-site investigation, if the MDE Office of Special Education determines that an investigation is necessary;
- giving the complainant the opportunity to submit additional information, either orally or in writing;
- providing the district with the opportunity to respond to the complaint;
- having the agency responsible for resolving the complaint review all relevant information and make an independent determination; and
- issuing a final decision on the allegations in the state complaint.

The complaint procedures must permit that 60-day timeline to be extended, only if exceptional circumstances exist or if the parent and the district agree to extend the time to engage in mediation (or other alternative means of dispute resolution, if available).

Examples of Possible Violations

- A. The school district did not complete a comprehensive evaluation with the 60 calendar day timeline. It took 90 calendar days to complete. My son has now failed his math class.
- **B.** The classroom teacher has not been providing the accommodations listed on my daughter's IEP, so she hasn't received assistive technology for written assignments.
- **C.** For the last three months, my son's special education teacher has been on leave. He has not received the special education instruction written in his IEP.

Examples of Possible Resolutions

- A. Since the evaluation was not completed within the timelines required, I fell it needs to be completed immediately.
- **B.** Because my child could not use assistive technology for written assignments, she should be allowed to redo those assignments for an accurate grade.
- C. My son has not received his special education instruction in more than three months. Services need to be provided to compensate my child for the specialized instruction he has missed.

The Part C provider for Mississippi is the Department of Health's First Steps Program.

Visit their website at www.msdh.state.ms.us

To learn more about First Steps and to find out whether you are eligible, contact your local health office or call 1-800-451-3903

If you do not have internet access and need assistance you may contact the MSPTI office at 1-800-721-7255 to speak to a representative.

The Importance of Early Intervention for Infants and Toddlers with Disabilities and Their Families ~Adapted from NECTAC Fact Sheet

The Infants and Toddlers with Disabilities Program (Part C) of the Individuals with Disabilities Education Act (IDEA) was created in 1986 to enhance the development of infants and toddlers with disabilities, minimize potential developmental delay, and reduce educational costs to our society by minimizing the need for special education services as children with disabilities reach school age. Part C provides early intervention (EI) services to children from birth to age three with developmental delays or medical conditions likely to lead to developmental delay. Some states also serve infants and toddlers who are at heightened risk for developmental delay due to biological/ medical factors or their environmental/caregiving circumstances.

The Part C program recognizes that families play a crucial role in optimizing their child's development and aims to enhance the capacity of families to meet the special needs of their infants and toddlers. Services are based on an Individualized Family Service Plan (IFSP) that is jointly developed by family members and service providers, taking into account the child's developmental needs and family's concerns and priorities.

Part C recognizes that infants and toddlers have a right to receive service in their homes or in other community places and programs that are available to all young children. This assures that learning takes place during everyday activities with familiar people in typical settins, which best supports early development.

Part C is not intended to be a stand alone program. The intent is to build interagency partnerships among state agencies and programs in health, education, human services and developmental disabilities.

Why Early Intervention?

Decades of rigorous research show that children's earliest experiences play a critical role in brain development. The Center on the Developing Child at Harvard University has summarized this research:

- Neural circuits, which create the foundation for learning, behavior and health, are most flexible during the first three years of life.
- Stable relationships with caring and responsive adults, safe and supportive environments, and appropriate nutrition are key elements of healthy brain development.
- Early social/emotional development and physical health provide the foundation upon which cognitive and language skills develop.

What are the Benefits?

High quality early intervention services can change a child's developmental trajectory and improve outcomes for children, families, and communities. Services to young children who have or are at risk for developmental delays have been shownt to positively impact outcomes across developmental domains, including health, language, communication, cognitive development and social/emotional development.

Families benefit by being able to better meet their children's special needs from an early age and throughout their lives. Benefits to society include reducing economic burden through academic success and decreased needs for special education.

Mississippi To Welcome Paula Kluth At The 2011 Imagine Conference

The Mississippi Coalition for Citizens with Disabilities and The Mississippi Parent Training and Information Center would like to invite you to the 2011 "Imagine Conference". This year's focus is *Inclusion Through The Lifespan*. Participants will have an opportunity to explore and learn about pertinent issues related to individuals with disabilities being included in and having access to education, housing, transportation and community involvement.

This years keynote speaker is Dr. Paula Kluth. Dr. Kluth is a consultant, author, advocate, and independent scholar who works with teachers and families to provide inclusive opportunities for students with disabilities and to create more responsive and engaging schooling experiences for all learners. Paula is a former special educator who has served as a classroom teacher and inclusion facilitator. Her professional interests include differentiating instruction and inclusive schooling. She is the author or co-author of ten books including: "You're Going to Love This Kid": Teaching Students with Autism in Inclusive Classrooms; A Land We Can Share: Teaching Literacy to Students with Autism; The Autism Checklist; Joyful Learning: Active and Collaborative Learning in the Inclusive Classroom; and From Tutor Scripts to Talking Sticks: 100 Ways to Differentiate Instruction in K-12 Inclusive Classrooms. Paula is also a director of a documentary film titled

"We Thought You'd Never Ask": Voices of People with Autism.

Dr. Kluth has been awarded numerous honors in her field and community. Most recently she was a recipient of the 20 Under 40 University of Wisconsin Alumni Achievement Award for her work with students with autism. She was also named the National Down Syndrome Congress Educator of the Year in 2007 and the Belle Center of Chicago's Inclusion Advocate of the Year in 2006.

This conference will benefit parents, teachers, paraprofessionals, individuals with disabilities and others interested in creating a more inclusive society for children and adults with disabilities. You don't want to miss it!



www.paulakluth.com

SAVE THE DATE!



October 13-14 2011

Hilton Hotel Jackson, MS

Registration and conference agenda coming soon!

www.msccd.org

Here are some online resources that offer summertime learning activities and games that can help students maintain the skills they developed during the school year:

- www.pbskids.org
- www.thinkfinity.org
- www.funbrain.com
- www.learningplanet.com
- www.eduplace.com
- www.education.com

Try some quick online search using keywords like "educational", "learning", "lessons", "resources", "activities", and "games" to find other useful websites.

Stay Sharp with Summer Activities that Promote Skills Maintenance!

For many children and families, summer is a nice break from the routines and demands of the regular school year. However, there is evidence that most students experience some loss of skills during this extended vacation, and that some students with disabilities show significant skills regression in the absence of structured, daily instruction. So while summer is a time for children to relax and play, it can also provide many unique and rich opportunities for learning, skill-building and skills-maintenance.

Before a student's summer vacation begins, parents and educators should work together to identify areas of potential regression and skills-loss, and to plan activities and interventions that address the student's individual needs:

- For students who are likely to lose important, fundamental math and language arts skills over the summer, plan a weekly, or even daily, routine of academic exercises to address those skills. These exercises should be relatively short and target both basic and higher-order skills. For example, a student might reinforce a wide range of math competencies by practicing computation for 10 – 20 minutes and then using those same operations to solve a few related word problems.
- Help students identify high-interest reading materials for the summer, and set goals to encourage regular reading practice.
- Give students opportunities to reinforce their writing and composition skills. Journal writing and weekly reflections are excellent ways to build regular writing practice into a student's summer routine. Students can also develop their writing skills by corresponding with friends and family in letters, postcards, and even by email.

Summer is also a great time to explore a variety of alternative learning and enrichment opportunities:

- Not all summer camps are the same! Some camps are specifically designed to meet the needs of students with disabilities, or have supports in place to help those students participate with their non-disabled peers. Also, some camps and summer programs have a specific focus or theme (sports, computers, writing, theatre, etc.). Explore the range of options available for the student and consider his/her needs and interests in selecting an appropriate program.
- Many public institutions, such as libraries, parks and museums, offer various summer programs for children. Look to these institutions within your community for unique, high-interest enrichment opportunities.
- The internet can be a great resource for supporting children in skill-building and independent learning during the summer and throughout the school year. Some free educational websites offer games and activities for children to use online, and also provide information and ideas to support parents and educators in planning learning activities for children:
- Many commercial educational websites host some free sample-versions of activities and games, or provide limited access to their resources with free trial subscriptions.

The National Dissemination Center for Children with Disabilities (NICHCY)

NICHCY offers a wealth of information on disabilities! They serve the nation as a central source of information on disabilities in infants, toddlers, children, and youth. On their website you will also find easy-to-read information on IDEA, the law authorizing early intervention services and special education. Their State Resource Sheets help families connect with the disability agencies and organizations in their state. You can read and freely share their many articles and publications, sign up for their newsletter, and write or call them for more personalized assistance. They are here to help.

If you're looking for information about disabilities in infants, toddlers, children, and youth with disabilities, NICHCY is the right place! NICHCY offers information and connections to the full spectrum of disabilities in children, including developmental delays and rare disorders.

Parents will also find great information on Early Intervention, an effective way for to help children catch up or address developmental concerns as soon as possible. Get an overview of Early Intervention, learn about parent participation, services in your state and how to write an effective Individualized Family Support Plan (IFSP).

NICHCY also offers easy explanations of the special education process: evaluations, eligibility, IEPs, placement, discipline policies, and resolving disagreements.

Their website is extremely easy to navigate and all of the information is offered free of charge. There is also information translated into Spanish.

"NICHCY is one of the first resources I go to when researching or looking for information to help families we work with at the Mississippi PTI" said Jason Lee, Assistant Project Director. "I recommend the website to every parent with whom I speak."



www.nichcy.org

RESOURCE

The Mississippi Attorney General's Office-Cyber Crimes Unit of the Public Integrity Division provides comprehensive investigation, prosecution, training and public awareness on crimes involving the use of a computer and the Internet. The Unit also provides technical assistance to state, local and federal law enforcement officials in the investigation of electronic crimes as well as the seizure of computers and other digital evidence.

Visit their website at: www. ago.state.ms.us

Contact Info: Karl Pree, Chief Investigator P.O. Box 2 Jackson, MS 39205

Telephone: 601-359-4258 Fax: 601-359-4254

Is Your Child Being Bullied In Cyberspace? By Marcia Kelly ~Adapted from PACER

If the word "bullying" makes you think of one child picking on another in the schoolyard, it may be time to update your image of this important problem. While such face-to-face harassment certainly still exists, new ways of bullying have emerged. With the proliferation of cell phones, instant messaging, social networking Web sites such as MySpace, and other technologies, bullying has muscled its way into cyberspace.

Cyber bullying, as this new technological danger is called, may already have happened to your child. According to a study done by wiredsafety.org, 90 percent of middle-school students say they have been the victims of this new form of bullying. Perhaps more sobering, only 15 percent of parents even know what cyber bullying is, according to another study by the group.

Cyber bullying: What it is and how it works:

Cyberbullying is the use of technology to harass, hurt, embarrass, humiliate, or intimidate another person. It can be done anonymously, which makes it easy for one child to hurt another and not be held accountable or see the impact of his or her actions. Because this technology reaches a wider audience than just the person who is targeted, its effects can be devastating.

This form of bullying can take place in many ways. For example, some young people have discovered sites where they can create a free Web page—including one intended to bully another child. Embarrassing pictures, private instant messaging (IM) exchanges, and hateful or threatening messages can be posted on these sites. Some young people also post mean comments at legitimate Web sites' guest books. Others post blogs (short for "Web logs"), information that is instantly published to a Web site. Bullies have found blogging to be a powerful tool when encouraging peers to gang up on another child.

Cyber bullies, like schoolyard bullies, look for targets who are vulnerable, socially isolated, and may not understand social norms. Many children with disabilities have these characteristics, and so they may be especially vulnerable to cyber bullying.

Your 3-step plan to protect your children from cyber bullying

Today's children are the first generation to experience cyber bullying. Today's parents are the first to figure out how to respond to the problem. As you venture into this new territory, here are some tips that you may find helpful.

1. Raise the topic of cyber bullying with your children.

Many children are afraid to initiate such a conversation because they fear that their access to the Web and cell phones will be eliminated; others are scared to admit that they are being bullied. Open the subject for discussion and let your children know that you want them to have some cyber freedom—but that it needs to be safe.

2. Set cyber safety rules.

You set safety rules for your children in the physical world. Do the same in cyberspace. Remind your children that they never really know who is on the other end of cyber communication. It could be the person they think it is, or it could be a predator or a bully. With that in mind, two good guidelines are, "Don't do or say anything online that you wouldn't do or say in person. Don't reveal anything that you wouldn't tell a stranger."

Specific advice for your children might include:

- Never give out your e-mail password, a photo, or any personal data, such as a physical description, phone number, or address. A bully could use that information to harass you in many ways.
- Never share too many personal details. For example, if you keep an online diary, someone could use that information to bully or ridicule you.
- Never share your IM account password with anyone, even your best friend. That friend may share it with other people, or the friendship may end—and your private messages could suddenly become very public. Also, a cyber bully with your password can sign on, pretend to be you, and behave inappropriately with others to embarrass and humiliate you.

Privacy is important, but safety is more important. As a parent, you have a responsibility to know what your children are doing online. Keep your children's computer in an open spot, such as the family room, where you can supervise Web activity. If your children have an account on a social networking site such as MySpace or Facebook, for example, know how to access it so you can monitor the communications. If you do discover that your children are subjected to cyber bullying, document it by printing the e-mails or Web pages, saving electronic copies, and contacting your children's school or the police.

Technology offers your children many advantages and benefits—and, occasionally, some risks. The solution is not to

remove their access to technology but rather to manage the risks. You

can do that by being aware of your children's cyber

activities, learning about new technologies, and adding "cyber parenting" to your list of talents.

Cyber life by the numbers-a new world for many parents

Cyber bullying

- 22% of students know someone who has been bullied online.*
- 19% of students admit to saying something hurtful to others online.*
- 12% of students have personally become upset by strangers online.* Based on a 2005–06 survey of 13,000 students in grades 5-12.

Kids Online

- 58% of students admit to using the Internet unsafely, inappropriately, or illegally.
- 55% of students report having given out personal information (e.g. name, age, gender, home address) to someone they have only met online.***
- 31% of students have a personal Web page. ***
 ** Based on a 2005–06 survey of 11,900 students in grades 5-12.
 *** Based on a 2005–06 survey of 12,000 students in grades 5 12.



For more information on FERPA you may call 1-800-USA-LEARN

For TDD users, call 1-800-437-0833

Or you may write to: Family Compliance Office U.S. Department of Education 400 Maryland Avenue, SW Washington DC 20202-8520

You may obtain a FERPA complaint form by calling (202) 260-3887

Get To Know FERPA...

The Family Educational Rights and Privacy Act (FERPA) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."

Parents or eligible students have the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.

Parents or eligible students have the right to request that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.

Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):

- School officials with legitimate educational interest;
- Other schools to which a student is transferring;
- Specified officials for audit or evaluation purposes;
- Appropriate parties in connection with financial aid to a student;
- Organizations conducting certain studies for or on behalf of the school;
- Accrediting organizations;
- To comply with a judicial order or lawfully issued subpoena;
- · Appropriate officials in cases of health and safety emergencies; and
- State and local authorities, within a juvenile justice system, pursuant to specific State law.

Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, schools must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify parents and eligible students annually of their rights under FERPA. The actual means of notification (special letter, inclusion in a PTA bulletin, student handbook, or newspaper article) is left to the discretion of each school.

Department of Education Issues Guidance on Rights of Students With Disabilities When Educational Institutions Use Technology

On May 26, 2011, the U.S. Department of Education's Office for Civil Rights (OCR) issued guidance through Dear Colleague Letters to elementary and secondary schools and institutions of higher education along with a Frequently Asked Questions document on the legal obligation to provide students with disabilities an equal opportunity to enjoy the benefits of technology. This guidance is a critical step in the Department's ongoing efforts to ensure that students with disabilities receive equal access to the educational benefits and services provided by their schools, colleges and universities. All students, including those with disabilities, must have the tools needed to obtain a world-class education that prepares them for success in college and careers.

The guidance provides information to schools about their responsibilities under Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act. The guidance supplements a June 2010 letter issued jointly by OCR and the Civil Rights Division of the U.S. Department of Justice. The June letter explains that technological devices must be accessible to students with disabilities, including students who are blind or have low vision, unless the benefits of the technology are provided equally through other means. The guidance highlights what educational institutions need to know and take into consideration in order to ensure that students with disabilities enjoy equal access when information and resources are provided through technology.

"Technology can be a critical investment in enhancing educational opportunities for all students," said Russlynn Ali, assistant secretary for civil rights. "The Department is firmly committed to ensuring that schools provide students with disabilities equal access to the benefits of technological advances."



The guidance is part of a larger effort by the

Department and Obama administration to better serve the needs of people with disabilities. Last month, U.S. Secretary of Education Arne Duncan joined Kareem Dale, associate director for the White House Office of Public Engagement and special assistant to the President for disability policy, for a conference call with stakeholders to talk about some of the Department's efforts. During the call, Duncan discussed the Department's commitment to maintaining accountability in No Child Left Behind for all subgroups, including students with disabilities, and highlighted the Department's proposal to increase funding for students with disabilities in the fiscal year 2012 budget. Ali will also join Dale for a stakeholder conference call where she will discuss the guidance and address the Department's work to ensure that all schools are fulfilling their responsibilities under the federal disability laws that OCR enforces.

To read the Dear Colleague Letter to elementary and secondary schools, see http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201105-ese.html.

To read the Dear Colleague Letter to institutions of higher education, see http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201105-pse.html.

The FAQ is available at http://www2.ed.gov/about/offices/list/ocr/docs/dcl-ebook-faq-201105.html.

*If you do not have internet access and would like copies of the above documents, contact the MSPTI and request the documents be mailed to you.





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Visit our website www.mspti.org to sign up to receive our newsletter by email or check the appropriate statement below.

www.mspti.org

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** Professionals, please submit a \$10.00 subscription fee (payable to MS PTI)

Return this form to: Mississippi Parent Training and Information Center, 2 Old River Place, Suite A, Jackson, MS 39202; phone 601-969-0601 or 800-721-7255

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