



Advocates for Justice and Education, Inc.

The Parent Training and Information Center for the District of Columbia

AJE UPDATE

Volume 13, Issue 3 • Warming Up • Spring 2015

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Mission

The mission of AJE is to educate parents, youth, and the community about the laws governing public education, specifically for children with special needs. We seek to empower youth and parents to be effective advocates and youth to self advocate to ensure that children receive an appropriate education. It is also our mission to make the public aware of the consequences of institutional negligence of children with or without disabilities to promote school accountability.

About AJE

AJE is home to the Parent Training and Information Center, DC Parent Information Network, DC Health Information Center, and the DC Parent Center.

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New Special Education Laws in the District

In 2014, the DC Council passed three bills aimed at reforming DC's special education system: The Special Education Student Rights Act, the Enhanced Special Education Services Act, and the Special Education Quality Improvement Act. Each of these bills will take effect after a mandatory period of Congressional review, which is required for all legislation passed by the DC Council. Once that review period passes in early 2015, some of the provisions will take effect immediately and others will take effect either at a specified later date or when funding is available for the program. Below is more information about each bill:

The Special Education Student Rights Act:

- Requires that schools give prior written notice of any proposals or refusals to change a student's location of services (i.e. school building). The notice must include an explanation of the change, information about a parent's procedural protections, and contact information for resources that can help parents resolve issues with their child's education.
- Requires schools to provide parents with copies of all documents to be discussed at an Individualized Education Program (IEP) or Individualized Family Service Plan (IFSP) meeting, no less than 5 business days before the meeting, and to provide a copy of the completed IEP or IFSP within 5 days after the meeting occurs. If a meeting on these topics is scheduled within less than 5 business days' notice, then schools must provide the documents to parents at least 24 hours before the meeting. In no case should a school take more than 15 days to provide parents with a final copy of the IEP or IFSP.
- Allows parents to observe their child in her/his current or proposed special education classroom or to designate a person to observe on their behalf. Parents can bring with them to observe, or send in their place, a person with professional expertise in the area being observed or a person who can facilitate observation for a parent with a disability or language translation needs. The designee cannot be a person representing the parent in active litigation against the school, or with a financial interest in the litigation.
- In due process hearings, generally the party filing a

complaint and requesting a hearing bears the burden of production and persuasion. Under the new law, whenever the dispute is about a student's educational placement, this bill shifts the burden of persuasion to the school or other public agency instead of the parent to prove that its proposed educational placement is appropriate (Effective Date: July 1, 2016)

- Expert Fees. Parents who win their special education hearing can recover reasonable expert fees up to \$6,000 for the cost of retaining an expert witness (Effective Date: This will apply to due process proceedings initiated after July 1, 2016).
- Transfer of Rights. Explicitly recognizes the rights of adult students with disabilities to permit others to make, or assist them in making, important educational decisions as follows: (i) Appoint an educational power of attorney; (ii) appoint a person to represent their interest while retaining the right to challenge decisions; or (iii) choose to receive support from and include in meetings another adult to help make educational decisions. Additionally, parents must be notified of that adult students are presumed competent and notified about the options regarding assisted decision making and transfer of rights.
- Creates a new seven-member community panel to review hearing officer candidates for special education due process hearings.
- Permits the chief hearing officer to restrict attorneys from special education due process hearings if they are found to engage in a pattern of frivolous pleadings.

The Enhanced Special Education Services Act:

- Requires schools to begin transition planning at age 14 instead of 16. Also, at least one year before a student completes high school; the IEP team must identify any adult services that may be appropriate for the student and what evaluations are needed to determine eligibility for those services. (Effective date: July 1, 2016 or when funding is available, whichever is later).
- Expands eligibility for early intervention services to children up to age 3 who have a 25% delay in just one developmental area. The current standard required infants and toddlers to display a 50% delay in any

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one area or a 25% delay in two or more areas. (Effective date: July 1, 2017 or when funding is available, whichever is later).

- Reduces the timeframe schools have to complete special education evaluations from 120 days to 60 days from parental consent, or 90 days from a referral for evaluations (the referrals may be made orally or in writing). (Effective Date: July 1, 2017).

Special Education Quality Improvement Act:

- Allows charter schools, with the agreement and oversight of the Public Charter School Board, to provide a lottery preference for students with IEPs or particular disabilities. This provision is meant to assist the charter school sector to plan for and build meaningful and targeted special education programs.
- Eliminates new charter schools’ ability to choose to have DCPS be legally responsible for their compliance with special education laws and requires the schools that currently are dependent on DCPS for this to become its own independent Local Educational Agency for the purpose of complying

with special education laws no later than August 1, 2017. The Public Charter School Board can make an exception for a school with more than 90% of its students entitled to receive services through an IEP.

- Establish a funding mechanism where unused special education funds can be reinvested to expand special education capacity and service offerings.
- Authorizes the Ombudsman for Public Education to observe classroom instruction and identify school level concerns.

How will these New Laws affect Parents in the District?

The new legislation provides several protections, tools and resources that you can use to ensure your children are receiving appropriate educational services and hold schools accountable if they are not.

For more specific information about how this legislation might impact your child’s educational services contact Advocates for Justice and Education, Inc. (AJE) at (202) 678-8060 or visit our Parent Center at 25 E St. NW, 4th Floor. Washington, DC 20001.

Youth Corner: Transition Advocacy Project (TAP)



The Transition Advocacy Project (TAP) at AJE provides transition-age youth with disabilities and their parents with support, advocacy, information and training in order to improve youth’s involvement in their educational planning. We are excited to highlight three of our initiatives: Transition to Adulthood: Navigating my Community, Youth-to-Youth Support Group, and the Life Enrichment Awards Program (LEAP).

Transition to Adulthood: Navigating my Community

With funding from Autism Speaks, the Transition Advocacy Project (TAP) has launched a travel-readiness initiative called the “Transition to Adulthood: Navigating My Community”, for youth

aged 14 through 26 diagnosed with Autism. Youth enrolled in this initiative will participate in monthly informational workshops to improve their ability to be independent. These workshops will cover a wide range of transition topics including, Choices and Decision-Making, Emergency Preparedness, Travel Protocol and Etiquette, Personal and Public Safety and Self-Awareness, Advocacy and Independence.

In partnership with the “On the Move” travel training program of Medical Transportation Management (MTM), Inc., AJE will also connect youth with travel trainers to receive individualized travel training to safely use transportation options, including Metrorail and Metro bus. Interested youth and parents are encouraged to contact AJE

at (202) 678-8060 for more information about the initiative and to register. All workshops will take place on Saturday mornings. Individualized travel training will also take place outside of school hours based on the needs of the youth and their family.

Youth-to-Youth Support Group

The Transition Advocacy Project (TAP) also offers a supportive network for youth to share ideas, resources and provide support to each other during monthly Youth-to-Youth Support Group Meetings. This support group is open to all middle and high-school youth. The support group meets once a month on Fridays at 4:30PM to 6:00PM at 25 E. Street, NW (near Union Station). Below are meeting dates for 2015.

- January 23rd • February 27th • March 27th • April 24th • May 22nd • June 26th • July 24th • August 28th • September 25th • October 23rd • November 20th • December 18th

Life Enrichment Awards Program (LEAP) Award

AJE is pleased to announce our partnership with The HSC Foundation in providing appropriate transition related services and products to our transition aged clients through the Life Enrichment Awards Program (LEAP) Award. The purpose of the LEAP Award is to enrich the lives of youth and young adults with disabilities and chronic illnesses in the D.C. area. LEAP provides awards in the form of goods and services that are directly linked to youth transition planning and implementation that are usually not available from public service and government agencies. Additionally, the awards

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(goods and services) cannot be covered by Medicaid or private insurance and cannot be “medically necessary” (e.g. goods and services provided for the diagnosis or direct care of the medical condition).

Eligibility:

- The youth must be between 14-26 years of age.
- Youth must have one of the following disabilities: Intellectual Disabilities, Hearing Impairments (including deafness), Speech or Language Impairments, Visual Impairments (including blindness), Emotional Disturbance, Orthopedic Impairments, Autism, Traumatic

Brain Injury, Developmental Delays, and Other Health Impairments.

- The youth must be actively engaged in the transition process and their requested good or service must be directly linked to transition planning and implementation.
- Youth should not have received a LEAP award within the past 3 years from any LEAP partner organization.
- Eligible youth must complete the LEAP Award application for consideration.

Examples of awards :

- Youth interested in attending a vocational art

program after high school graduation could be awarded professional art supplies for school..

- Youth interested in the construction field could receive professional grade construction tools.
- Youth who want to pursue a musical career could receive related instrument or software.

To learn more about the LEAP Award and to obtain an application, contact AJE at (202) 678-8060 or email us at information@aje-dc.org.

Parent’s Corner: “Understood” A New Resource for Parents of Children with Learning and Attention Issues

In early 2015, the U.S. Department of Education released a new online resource called “Understood”. This free tool was created by 15 non-profit organizations and is designed to support parents of children who struggle with learning and attention issues. “Understood” seeks to empower parents to understand their child’s struggles and relate to their experiences by providing:

- Evidence-based strategies for parents to assist students in overcoming challenges;
- Daily access to an expert to seek advice;
- A secure community where parents can trade tips and experiences with other parents who’ve faced similar challenges;
- Assistance to parents to recognize and develop their child’s strengths;
- Ways to partner with their child’s school;
- Monthly online trainings;
- Acknowledgement that parents know what is best for their children and family; and
- An open door to provide feedback on the materials that are available on the online resource.

“Understood” also offers resources on various topics including but not limited to:

Learning and Attention issues;

- Treatment options, therapies and approaches;
- Resources on how to effectively work with clinicians;
- Information about your right to obtain appropriate accommodations in the school setting for your child;
- Resources about evaluations and assessments;
- Resources on how to support your child with improving their social skills;
- Managing emotions and everyday challenges for the family; and
- Community events and support groups;

For more information about this resource, please visit www.understood.org or call Advocates for Justice and Education Inc. at (202) 678-8060

Common Core Assessments FAQs: PARCC and NCSC

This school year, for the first time District of Columbia students will take the Partnership for Assessment of Readiness for College and Careers (PARCC) and the National Center and State Collaborative (NCSC), in replacement of the former DC-CAS (DC Comprehensive Assessment System) and DC-CAS Alternate (DC-CAS Alt). The PARCC and NCSC assessments are based on the Common Core State Standards. Below are Frequently Asked Questions (FAQs) for parents regarding the new Common Core Assessments.

What is the Common Core State Standards?

The Common Core State Standards (CCSS) are a

set of clear college and career-ready standards for students in kindergarten through 12th grade in English Language Arts/Literacy and Mathematics.

What is the Partnership for Assessment of Readiness for College and Careers (PARCC)?

PARCC is a new computer-based assessment, aligned with the Common Core State Standards. It replaces the DC-CAS.

Who will the PARCC be administered to?

All District of Columbia students enrolled in District of Columbia Public Schools (DCPS) and at Public Charter Schools in the 3rd through

8th grades. As well, students enrolled in Algebra, Geometry, English I & II.

When is PARCC assessments scheduled to happen?

The PARCC assessment is administered in two parts. Part I is the Performance-Based Assessment (reading and math) which will take place March 10th through April 8th, 2015. Part I measures writing, research skills, and the student’s ability to solve multistep math problems. Part II, which is the End-of-Year Assessment (reading and math), measures reading comprehension and math concepts and skills through multiple-choice and



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short-answer questions. Part II will be administered May 7th through June 5th, 2015. Please note that students are not testing every day during the date ranges; each school will determine its testing days and will inform parents exactly when their child will participate in testing.

What accommodations do the PARCC assessments provide?

PARCC provides access accommodations for English Language Learner (ELL) students; students with Individualized Education Program (IEP) and for students who have accommodation plans through Section 504. Students with IEPs and English Language Learners will be offered additional time when appropriate.

What is the National Center and State Collaborative (NCSC) assessment?

NCSC is an alternate online assessment for students with significant cognitive impairments who're unable to participate in large-scale statewide assessments even when given the best instruction and appropriate accommodations.

Are students who are administered the NCSC still expected to achieve the Common Core State Standards?

Yes. The NCSC alternate assessments are based on the alternate achievement standards, which must be linked to the General Education curriculum, in other words the Common Core State Standards.

Who decides whether a student takes the NCSC?

The IEP team, which includes the parent or guardian, will use established guidelines to determine, on an individual basis, whether a student will participate in this alternate assessment.

Additional resources for PARCC and NCSC:

- Partnership for Assessment of Readiness for College and Careers (PARCC)
www.parcconline.org
- National Center and State Collaborative (NCSC)
www.ncscpartners.org
- Office of the State Superintendent of Education (OSSE)
www.osse.dc.gov

- District of Columbia Public Schools (DCPS)
www.dcps.dc.gov
- District of Columbia Public Charter School Board
www.dcpsb.org

Parents seeking more information and resources about Common Core Assessments are encouraged to contact us at (202) 678-8060 or email information@aje-dc.org.