



Inclusion Solutions

A Note from the Editor

Another school year is coming to an end. I breathe a sigh of relief despite the fact that my son, Gene, had a good year surrounded by school staff who were friendly, caring and willing to learn. It is just time for a little rest and relaxation, isn't it? Gene continues to love to go to school, each morning saying "Marrow school?" which means "Do I have school today?" When I tell him "yes" his whole face lights up in a big smile. I look at this happy Gene while all the time there is a pit of fear in my stomach not only for him, but all children with disabilities educated in the public school system.

New challenges lie before all of us related to the reauthorization of IDEA (Individuals with Disabilities Education Act). It is with great sorrow that I have seen IDEA being gutted by the United States Congress. For 28 years, IDEA has allowed our children a free and appropriate public education (FAPE) in the least restrictive environment (LRE). However, changes in the new law will reverse the progress so many children with disabilities have made in becoming part of their neighborhood schools and communities. More information about the reauthorization and what you can do to affect it over the next few weeks can be found in this newsletter (page 7). I urge everyone who cares about children and the future of special education to get actively involved in the legislative process. Within two weeks, the United States Senate will be introducing their form

of the reauthorization legislation. Now is the time to become educated about what is at stake and to call or fax our state Senators. This is particularly true if you are the parent of a child with a disability. They need to hear from YOU!

The aspect of the IDEA legislation HR 1350 recently passed in the Congress that most frightens me is the removal of the behavior provisions such as manifestation determination reviews, functional behavior assessments and requirements for positive behavior support plans. The removal of this language is largely supported by school administrators in the nation who feel the behavior of students with disabilities shouldn't be measured by a different yardstick than those students without disabilities. So, for instance, a child with Tourettes syndrome could be punished for shouting out in class or a child with autism could be punished for making socially inappropriate comments or acting in a socially unacceptable way. They could even be expelled. While many educators (and legislators) will deny that these children will receive the same punishment, I know that in many school systems, without a law to protect them, their disability will not be a consideration.

Why does this matter so much? Because our children will be victims and not
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Education as a means to achieve valued life outcomes

An Inclusion Solution

By Carolyn Das

Too often our special education system allows IEP goals to supersede and replace academic/curriculum goals rather than support progress within the curriculum. This is almost always the case for children with disabilities that are categorized as “severe” or “multiple.” This reality undercuts the intent of IDEA, which is to support the ability of ALL children to make academic progress. IEP goals are meant to *support* the child’s ability to make aca-

ademic progress, not to *replace academic goals*.

Doing this properly requires a great deal of work to integrate the “general education” and “special education” systems. Because “special education” has in fact developed in our nation as a place (not a service) and is delivered by a completely separate system of professionals, it has proven to be very difficult to integrate services. School professionals tend to see “special ed” goals as the IEP goals and academic goals as curriculum/report

card progress. Contrary to the intent of IDEA, the two systems are too often not mutually supportive; in the worst cases they are in fact mutually exclusive.

I realized the truth of this several years ago. My son, who is now 12 and has “severe” and “multiple” disabilities, is fully included in 5th grade; next year he will be moving to middle school and 6th grade. It was only in the last two years, as I began to investigate middle school, that I realized that the educational paths our children follow increas-

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MISSION STATEMENT

The mission of WIN is to promote effective inclusion of students with disabilities into general education classrooms with appropriate services and supports.

Contact WIN at:

West Michigan Inclusion Network
P.O. Box 889
Ada, MI 49301

www.wmin.org

E-mail us at wmichinclusion@aol.com or
call our offices at: 616-954-9424

WIN is supported by time, energy and funding from those who support our mission. As a 501(c)(3) organization, all donations to WIN are tax-deductible.

We could use your help! Please call or email us if you would like to be a volunteer for WIN. Every single person makes a difference!

Board Members

- ◆ Robin Pegg
- ◆ Mary Davis
- ◆ Clark Goodrich
- ◆ Dr. Barbara Doumanian
- ◆ Shaun Walters
- ◆ Lauri Stein
- ◆ Jeff Pellerito
- ◆ Michelle Smith

Advocacy Consultants

- ◆ Deanna Cowden
- ◆ Karen Kehrwecker

- Do you or someone you know need an advocate at school meetings or an IEP? We serve parents and children in a nine county West Michigan area for no charge. Our advocates, who are parents of children who have been successfully included, can address strategies and services necessary for successful inclusion.
- Do you want more info on how to include a student with a disability into a general education classroom? Attend our WIN educational meetings and our annual Inclusive Education Conference held in the fall.
- Is your school interested in staff training regarding inclusion strategies? We can provide you with a list of knowledgeable professionals who can address a large array of topics.

(Continued from page 1)

perpetrators. They will be victims of a law that seeks to exclude them and not understand them. Just this week I read about a 9-year-old boy named Jacob Matulo. Jacob lives in Wisconsin and has Down Syndrome and Attention Deficit/Hyperactivity Disorder. His parents put a voice-activated tape recorder in his backpack because they suspected the bus driver was abusing him. Jacob is unable to communicate enough to answer his parents' questions and they noticed he was hitting things more at home. Jacob rode a special education bus and perhaps, had he ridden a general education bus, the bus driver's behavior would not have continued over such a long period of time. Jacob was the victim of the bus driver's temper. He could be heard on tape swearing at the child and hitting him. He admitted later that he would hit him on the legs or slap his face. He told police Jacob was a bad boy.

While the above illustrates an extreme case of abuse and the culprit wasn't a teacher, it brings up two important points I believe. First, Jacob isn't a "bad" boy. He has ADHD and the people who work with him on a daily basis, including bus drivers, need to understand his disability and seek ways to prevent difficulties from occurring... not punish him after the fact. I have seen first hand many districts in Michigan having "time out" rooms in special education classrooms. These rooms are often small boxes without windows that lock from the outside. It is acceptable practice for children who misbehave to be put into those rooms

to learn to be "compliant". These rooms exist for children with mild to very significant disabilities. They are used without positive behavior support plans in place and without a true and valuable assessment being done as to why the child may be misbehaving.

This brings me to my second point. I see the above as a major reason why inclusive education is so important for my son, Gene, and should be important to other parents of children with disabilities, especially those children who have difficulty communicating. When included, it is difficult to hide abuse of vulnerable children whether it is in our schools or on our buses. Children without disabilities will report abuse to staff and their parents. When they get to know a child as a classmate, it will hurt them to see a child mistreated. They will stand up for each other and speak for the child who cannot. This is how we build safe and strong communities and community building starts in our schools.

For all the Jacobs out there who cannot communicate, please get involved. Don't let them take away rights that help keep our children safe and included. Please read more about the reauthorization of IDEA and become part of creating a better law than is currently being proposed. You may feel helpless in this vast country, but without a single voice we would not have a collective voice.

-Lauri Stein

Join Us for our 4th *Walk for WIN!!!*



When? Saturday, May 31, 2003

Where? Wyoming Pinery Park (¼ North of Roger's Plaza on DeHoop Ave)

What Time? Registration 9:30AM Walk at 10:00AM

Why? To have fun, to meet other people who support inclusion, to get some exercise, to win a door prize, to enjoy some food, to get a tee-shirt and to promote inclusive schools and communities. Need we say more??!!

For more information and/or a pledge form, call us at 616-954-9424
or email wmichinclusion@aol.com

See you there!!!

Inclusion Solution: achieving valued life outcomes

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ingly diverge as our children progress through school. In my son's case, when I evaluated the supportive "special education" options that are typically offered in our district for kids like Stephen, I realized that the increasing emphasis on academic progress was viewed seen by the professional educators as an adequate justification for separation and segregation of kids with disabilities. The older the kids get, the higher the "grade level," the more kids are relegated to pull-out instruction, resource rooms, self-contained classrooms, and even to segregated center programs.

It seemed that "all roads led back to segregation." It was a demoralizing and disheartening realization. I began to wonder how I could ever hope for my son to be included in a society—a community—that could not even find a way to include him in the very first community where we as people learn to play, work, and live together: our public schools.

I realized that I had to find a way to bring the two divergent paths—general education and special education—back together. Because I am not an education expert, but only a Mom who seeks to be a good advocate for my son, I decided to look to experts for guidance and began to read. I found philosophical and moral support for my belief in inclusion, and for Stephen's right to belong in all aspects of the community, in Norman Kunc's writing. I found practical support and strategies in books like Including Students with Severe and Multiple Disabilities in Typical Classrooms by June Downing. I found a way to bring the philosophy and the strategies together by using the COACH plan (Choosing Outcomes and Accommodations for Children: A Guide to Educational Planning for Students with Disabilities) by Michael F. Giancreco.

When I looked carefully at the writings of these very respected professionals, I realized that it is indeed possible not only for kids with disabilities (even the most significant disabilities) to benefit from inclusion and to make curriculum and social and self-help progress, but that it is possible to do that in a very person-centered, holistic way. In order to do this, you must step back and really think about the life you are preparing your child for. What is the big picture? What will make him happy? Fulfilled? Give his life meaning? How will he develop a sense of belonging in his community—the kind of belonging all human beings desire? How will the community learn to embrace him?

COACH helped me to think through these "life questions" for my son in a structured way. I was able to identify that Stephen's ability to participate in life is the single most important valued life outcome. I view Stephen's very ability to participate to be the basic foundation of other valued life outcomes for him. Without participation, Stephen will certainly not have the opportunity to develop relationships, be as inde-

pendent as possible, choose a lifestyle and possibly a profession, or to live in safety with people of his own choosing. Without participation, it is more likely that Stephen will evolve into a being that is relegated to the sidelines of life, marginalized, whom others see as a pitiable recipient of benevolent charity—the kind of life no one wants to lead.

Beginning with the valued life outcome of participation, and using the COACH model for structure, I realized that Stephen's IEP goals tended to fall into two distinct categories: either curricular ("Stephen will learn the numbers 1 - 10") or self-help/activity of daily living (toilet training, shoe tying, appropriate responses, etc.) Frankly, the more "disabled" the child (or the more limiting his disability is perceived to be) the less focus there is on curriculum and the more focus there is on self-help. This is one of the reasons inclusion for kids with significant or multiple disabilities, like Stephen, is so often viewed as a purely "social" exercise.

I was fortunate that as I was going through the COACH process, I landed a job working on the *Everyone Together* project for UCP Michigan/Metro Detroit. In my work on the project with Lauri Stein, we developed a different philosophy, which I believe is supported by IDEA. This philosophy is that "Universal Education," in which each child learns according to his/her own ability and needs, is the only appropriate educational method. It is supported by the use and practice of authentic multi-level teaching and differentiated instruction *within* the classroom. It seemed obvious to me that Universal Education supports the learning of all students (not just those who have labels) and that, moreover, it provides a framework for understanding how valued life outcomes can impact and shape the educational plan for a child with disabilities.

To help my son's educators understand this I did a lot of work on my own. First, I developed a life plan for Stephen. It is meant to answer the questions of WHY inclusive and universal education is important in Stephen's life. Secondly, I combed through the elementary curriculum guides for our school district grades 1 - 5. I noticed that there were common threads in each curricular area and also a great deal of overlap from grade to grade. Using the district's own words as a template, I extracted Summary Objectives for each curricular area. This clearly set Stephen's curriculum up to MATCH the general education curriculum. From each area I then identified key curriculum goals for Stephen. These unique curriculum goals were also taken verbatim from the district's curriculum guides for grades 1 - 5. The difference between Stephen's

"Adaptive Curriculum" and a typical 5th grade curriculum is that his unique curriculum goals are specific to HIS learning needs, which tie ultimately to his valued life outcomes.

So, for example:

Curricular area: English Language Arts Annual Goal: (taken from district's verbiage for ALL elementary students) "Stephen will acquire optimal literacy in personal, social, occupational and civic contexts."

Sample Curricular Goals:

1. Reading Objective: "Stephen will identify central purpose, major ideas, and supporting details contained within informational text."
2. Listening Objective: "Stephen will sustain focused listening through discussion."
3. Writing Objective: "Stephen will create written pieces that reflect unity, order, and completeness."

ALL of the objectives reflect real objectives for elementary students. There are more objectives than the ones listed above...and they are from all grade levels.

I call this complete document "Stephen's Adaptive 5th Grade Curriculum." While it is absolutely consistent with the curriculum for ALL students, it is adapted to his unique learning needs.

Now, the question is how the IEP goals fit into this. I believe IEP goals are misused in our academic system and that they have become entities unto themselves, when their real purpose is to support curricular/academic learning (whatever that level of learning is!).

To help me develop IEP goals that would *support Stephen's progress in his Adaptive 5th Grade Curriculum* I used the COACH process (it is similar to MAPS) to:

1. Identify "priority learning outcomes" (I lined these up with the main curricular objectives)
2. Identify short-term instructional goals that support each priority learning outcome.
3. Clearly identify each short-term instructional objective's conditions (setting, situation), behavior expected, and criteria for measurement.

So, supporting the English Language Arts curricular area we developed one IEP goal as follows:

Priority Learning Outcome: Stephen will acquire optimal independent literacy skills in personal, social, occupational and civic contexts.

STIO example: In instructional and group settings, Stephen will demonstrate focused listening behaviors. Criteria: Stephen will present as quiet, attentive and receptive and alert (not distracted, disruptive or sleeping) 80% of the time.

The IEP goals are clearly labeled as "Annual IEP Goals Supporting Adaptive 5th Grade Curriculum" for Stephen. I used repetitive verbiage as much as possible,

to link the IEP goals to the broader curricular goals.

This technique can be used for ALL curricular areas (including things like physical education) and allows you to dispense with standalone IEP goals and purely therapeutic goals that are more clinical than educational. We have PT and OT and speech clearly written into Stephen's IEP as supporting curriculum...and have had great success with PT, for example, partnering

with the gym teacher about how Stephen can participate in gym and using gym time as an opportunity for some things that would have otherwise been done in the "PT room" for example: if the kids are rope jumping (Stephen uses a wheelchair!) he participates by turning the rope. This is participatory, inclusive, AND Stephen gets range-of-motion exercise in his arms/shoulders.

The opportunities are ENDLESS...

This has been a strategy that is working for me, as an advocate, and for Stephen, as a student. By linking Stephen's life to school curriculum to his individual goals, we have been able to develop a plan that self-justifies inclusion for Stephen and supports the long term valued life outcome of participation. This strategy is a dramatic departure in the way many professionals, no matter how well-intentioned, are taught to teach our chil-



Stephen Das and friends. Stephen is fully included in 5th grade at William Grace Elementary school. Next year he will be fully included in middle school.

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- * **Are you a parent of a child with a developmental disability living in Kent or Muskegon County?**
- * **Do you want to improve your skills in supporting your child with a developmental disability?**
- * **Do you want to learn more about self-determination?**

If you answered "Yes" to any of these questions, then you may want to join our new peer-mentoring group for families of children with developmental disabilities. This group is forming to assist families who would like to gain knowledge and resources to support the developing Self-Determination in their child.

Please contact WIN at (616)954-9424 or WMICHINCLUSION@aol.com if you would like to join our group. CALL TODAY, space is limited and the group begins June 4.

This project has been created by the Developmental Disabilities Institute at Wayne State University, Detroit, Michigan and is funded through the Michigan Developmental Disabilities Council.

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dren. Yet the benefits of relating education, today, to community life, tomorrow, seem obvious. I cannot stress enough how important it is to develop the links between the life plan, curriculum, and goals.

As your child's parent and as their primary advocate, it may be that you need to take the lead role in this process. Although my son attends a very progressive and forward-thinking elementary school where inclusion is clearly supported, even those professionals are new to the reality of integrating school goals with life outcomes, and how to develop strategies to directly relate IEP goals to curriculum goals. I found that I was the primary author of the program, although once I was able to show it to the educators I received significant buy-in and support.

I do not know of any model out there for doing this. Although I used the COACH process as a catalyst, I believe you need to look at your district's curriculum and correlate it to YOUR CHILD'S learning needs. To me it made a lot of sense to use the district's own words as substantiation that their curriculum objectives COULD be appropriate for my son! It took me hours of research and work. I don't think it's perfect, but I have seen a huge change in Stephen's school program and I have gotten a ton of support for this

from the school personnel. It was frustrating to an extent because I had to lead the way and, truly, do all the "work" to pull this together. But then again, I don't think anyone else COULD have done it because no one else has the same "big picture" that I do for Stephen.

*The COACH Manual can be ordered through www.brookespublishing.com

Other reading:

Inclusive Teaching: Creating Effective Schools for All Learners (J. Michael Peterson and Mishael Marie Hittie)

Inclusive Schooling Practices: Pedagogical and Research Foundations (Gail McGregor and R. Timm Vogelsberg)

Inclusion: A Service, Not a Place (Alan Gartner and Dorothy Kerzner Lipsky)

Inclusive Classrooms from A to Z: A Handbook for Educators (Gretchen Goodman)

URGENT ACTION ALERT!!!

From the Disability Rights Education and Defense Fund (DREDF)

CONTACT YOUR SENATORS!

Please call or fax your Senators and tell them why the House (HR 1350) version of IDEA is a bad law. Use personal stories to show how the law would affect your child.

The bill is being discussed in the Senate Health, Education, Labor, and Pensions (HELP) Committee. Members of the Committee need to hear parents say in a loud and unified voice that this version of IDEA harms our children.

If you listened to the IDEA debate in the House on April 30, you heard Representatives say they'd heard from school boards and school administrators but NOT FROM PARENTS. It is IMPERATIVE that parents speak out NOW, loudly and in one voice, to explain why the House bill WILL NOT WORK FOR OUR KIDS.

The Senate is drafting an IDEA bill, and we hope it will be better than the House bill. We need to urge them to ensure that it IS better. They are trying to introduce the bill before Memorial Day; it remains to be seen if that will occur.

Even if an improved IDEA passes in the Senate, it will have to be negotiated with the House version afterwards.

Washington lobbyists WILL NOT GET A GOOD IDEA ENACTED. We need you to work locally, in your communities, with your Representatives and Senators. Over the Memorial Day recess, visit members' offices, corner them at picnics and barbecues, and TELL THEM ABOUT YOUR CHILDREN.

*****It is critical that we raise our voices.*****

You can find a brief list of objections to the House version of IDEA and a list of the HELP Committee members and contact numbers below. A more detailed analysis of the bill's objectionable provisions is at the bottom of this Alert.

Grassroots organizing is the only hope for stopping damaging changes to IDEA that will hurt our kids. We thank the thousands of you who wrote, faxed, or called your Representatives. Please now target your Senators.

We want to keep track of the number of calls and faxes, so please email us at preserveidea@dredf.org and let us know which Senators you contacted.

WHAT TO DO TODAY:

1. **Call the Congressional switchboard at 202-224-3121** and ask to be connected to your Senator's office or **send a fax to your Senators.**
2. **State your objections to the House bill, misleadingly called: "Improving Education Results for Children with Disabilities Act," with your own child's story - how would these**

changes affect your child? How would they have affected your child had they been in place earlier? You don't need to cover all the issues discussed below - focus on those issues closest to your situation.

Key issues:

- * Elimination of short-term objectives and benchmarks.
- * Change from annual to three-year IEPs.
- * Limiting the availability of lawyers to represent parents.
- * Changes in discipline provisions that punish kids for their disabilities: schools can remove a student unilaterally for infractions of any school rule even if the behavior is caused by the child's disability.
- * The bill eliminates all attempts to identify and remediate the behavior such as requirements for manifestation determinations, functional behavior assessments, and behavior intervention plans contained in the current law.
- * A companion bill includes a voucher program for public schools to send children to private schools that are not accountable under IDEA.
- * There is no full funding, and 15% of the inadequate funding there is can be diverted to programs for non-IDEA-eligible children.
- * Procedural changes cut back forcefully on the ability of parents to participate in or monitor the process: voluntary binding arbitration, a one-month waiting period, a one-year statute of limitations.
- * Ten states will be given "paperwork reduction" incentives that allow them to change documentation requirements without public review.

3. **Send a fax or call the key members of the HELP Committee**

Note: Calls and faxes are more powerful than emails. Surface mail to Congress is very slow following the anthrax scare, and there may not be time for mailed letters.

CONTACT INFORMATION: THE HELP COMMITTEE
(All members of the Senate need to hear from parents, but it is especially crucial that Republicans hear our voices. The vote in the House fell largely along party lines, with Republicans supporting the bill and Democrats opposing it).

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Everyone Together - All Children, All Together, All the Time

In the fall of 2002, UCP Michigan was awarded funding from the Michigan Developmental Disabilities Council to establish sixteen parent networks throughout Michigan that create the need for and support inclusive education. Through “Universal Education” *Everyone Together* proposes that all children can truly be educated together with the use of authentic multi-level teaching and differentiated instruction. Networks are in the process of being formed and have already been established in the following counties: Midland, St. Clair, Saginaw, Kent, Livingston and Monroe. These locations will be provided exciting workshops on Universal/Inclusive Education and technical assistance from the project parent coordinators. If you are interested in learning more about *Everyone Together* or how you can be involved, contact Parent Coordinators, Carolyn Das at UCP Detroit: 248-557-5070 or Lauri Stein at UCP Michigan: 800-828-2714.

POSITION PAPER

All Children, All Together, All the Time

It is the position of *Everyone Together* that children are best educated in natural educational settings that are comprised of all children, all together, all the time.

We believe that building educational communities that are truly inclusive—where children are universally welcomed not despite their differences but with respect for them—is a worthwhile effort that will lay the foundation for an inclusive community: a community that values the attributes of all its diverse members.

Yet, the unfortunate reality of our education system today is that many children, primarily children with disabilities, are systematically excluded from their natural educational settings—general education classrooms, with same-age peers, in their neighborhood schools. This exclusion from the very community of childhood sets a precedent for exclusion from the larger social community that extends into adulthood. Furthermore, this exclusion, which begins so early, becomes ingrained in all the community members’ ways of thinking, so that exclusion and segregation of people with disabilities, from childhood through adulthood, becomes a socially acceptable concept.

It is the position of *Everyone Together* that exclusion, separation and segregation based on disability is unacceptable. This pattern of exclusion begins within the natural social communities of our youngest children; that is, within our school systems. For the sake of building social communities and a culture that values and embraces all differences, including disability, this pattern of exclusion must be clearly identified as detrimental and divisive. It must be stopped. Our society does not accept “separate but equal” as a justification for segregation based on race, ethnicity, religion, gender, sexual preference or any other human condition. It is equally unacceptable

and in fact intolerable to continue to accept, condone, and support “separate but equal” as a justification for separating children and people with disabilities from their communities.

Therefore, *Everyone Together* and its member networks hold the following truths to be self-evident:

1. That Universal Education, where the natural settings of childhood are utilized to educate all our children, all together, all the time, is a worthy goal.
2. That our public education system must begin to address how to recreate itself to support Universal Education.
3. That educational segregation based on disability is inherently and morally wrong.
4. That the right of children with disabilities to be included in their natural educational settings is an issue of civil rights, not merely disability.
5. That all children belong in all schools with their same-age peers: no child should have to “earn” the right to belong. (Kunc 1992)
6. That all children can and do learn.
7. That all children learn differently and need different supports to succeed.
8. That Universal Education benefits all community members.

This paper cannot and will not begin to address the many complex systemic, social and financial obstacles that nay Sayers could use to argue that Universal Education is not attainable. *Everyone Together* and its member networks acknowledge that these obstacles exist and that they will require significant effort and commitment to overcome. However, we also assert the fact that they are merely obstacles, not dead-end barriers, and thus are surmountable.

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Everyone Together maintains that obstacles to inclusive communities are best and most effectively addressed at the point when they first begin to appear. Therefore, it is most beneficial to do our work in the social community in which we as citizens first learn how to play, work, and act as members of a community: in our school systems.

Everyone Together is committed to building inclusive communities where all people, no matter what their differences, disabilities, or innate human conditions may be, are welcomed and, moreover, valued. We are committed to starting that building process in our schools. The premise of Universal Education, which truly benefits *all children* and truly values *all children* as community members, is a concept whose time has come. All children, all together, all the time. *Everyone Together*. **That** is our mission.

CONCEPT PAPER

Universal Education: A Design for Learning

Adopted February 13, 2003

Everyone Together and its member networks define *Universal Education: A Design for Learning* as:

“An approach to education that creates learning environments which are inherently designed for diversity, thus making natural educational settings accessible to all children, all together, all the time.”

This definition represents a conscious decision to move away from a teaching methodology that directs instruction to an “average” student in a “traditional” classroom. Universal Education embraces a differentiated approach to learning that acknowledges that all children learn differently, enter the classroom at different academic levels, and have very diverse abilities, disabilities, and innate skills, gifts and talents. The myth of general education classrooms where all children are performing at grade level must be dispelled. *Universal Education: A Design for Learning* is a philosophy that would build learning environments that are inherently flexible and accessible, thus benefiting all learners.

The *Everyone Together* concept of Universal Education embraces techniques like *authentic* multi-level teaching and differentiated instruction so that classrooms are inherently designed to meet the needs of all our diverse learners without ability groupings and pull-out programs. **All** students, not only those with educational “labels,” benefit from educational environments which are flexible and serve a wide range of student learning styles and needs, thus enabling students to learn in the ways that are the most natural, comfortable and effective for them.

We conclude that *Universal Education: A Design for Learning* benefits all students. It is the right thing to do for **all children, all together, all the time**.

Everyone Together:

Linda Potter, *Everyone Together* Project Director

Carolyn Das, *Everyone Together* Parent Coordinator

Lauri Stein, *Everyone Together* Parent Coordinator

Everyone Together Advisory Council

Everyone Together is a joint project of UCP Michigan and UCP Metro Detroit and is funded by the Michigan Developmental Disabilities Council.

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DREDF ANALYSIS OF THE HOUSE IDEA BILL

The Individuals with Disabilities Education Act (IDEA) is the most important piece of civil rights legislation for children with disabilities ever passed in this country. Prior to its passage in 1975, at least one million children with disabilities in the United States were denied any public education, and at least 4 million more were segregated from their non-disabled peers.

H.R. 1350 - the "Improving Education Results for Children with Disabilities Act" - passed out of the House Subcommittee on Education Reform and the House Committee on Education and the Workforce and was approved on the floor on April 30 in a vote of 251 – 171, with 34 Democrats voting for the bill and 7 Republicans and 1 Independent member voting against it.

The IDEA bill as passed by the House contains dangerous provisions that will weaken the law and damage the civil rights of children with disabilities in every school district in the United States. The Disability Rights Education and Defense Fund (DREDF) is working with parents and advocates across the country to defeat H.R. 1350. DREDF is a national cross-disability law and policy center and a Parent Training and Information Center (PTI). DREDF has worked with over 3000 parents a year over more than two decades, as well as with special educators, school administrators, and advocates and attorneys for children with disabilities. The provisions in H.R. 1350 and in its companion bill, H.R. 1373, the IDEA Parental Choice Act of 2003, jeopardize educational quality for the most vulnerable children in our public schools. In this era of "Leave No Child Behind," the House is proposing to do just that: to leave behind children with disabilities.

The changes contained in H.R. 1350 will have a lasting impact on the lives of students with disabilities and their families, and parents are overwhelmingly opposed to the bill. This bill weakens services and supports for children and undermines their protections and rights.

These are some of the reasons that the disability community finds this bill to be dangerous and to curtail the hard-won civil rights protections children with disabilities have enjoyed since 1975:

* **ELIMINATING SHORT-TERM OBJECTIVES:** The rationale for this provision is that No Child Left Behind (NCLB) makes short-term objectives and benchmarks unnecessary, yet NCLB nowhere provides for measuring progress toward IEP goals. Short-term objectives give parents useful information about their student's progress on important academic and non-academic goals. Without them, no reporting mechanism exists to mark a student's progress. The idea to eliminate short-term objectives was debated during the 1997-reauthorization discussions and defeated. It should be defeated again.

* **THREE-YEAR IEPs:** Three-year IEPs remove school accountability for educating children with disabilities.

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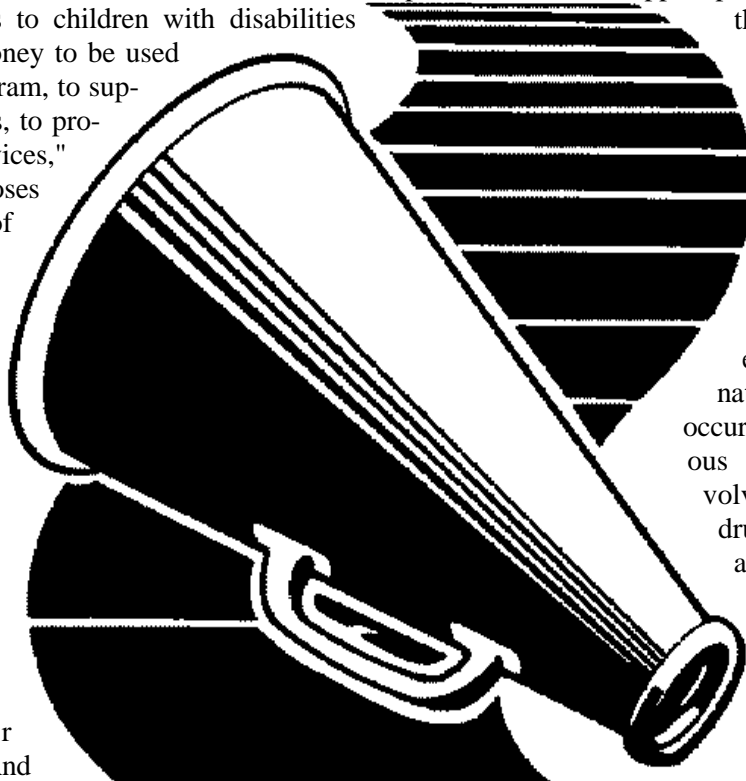
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Children change and grow rapidly and their educational programs need to be thoroughly reviewed at least annually. Waiting three years for a comprehensive program evaluation is indefensible. The bill uses the phrase "paperwork reduction" to gut the core provisions of IDEA. While this is an optional choice for parents, many parents will either be confused by it or feel coerced to accept this option. We believe that an annual IEP is necessary to review the child's progress and to make necessary modifications. If parents are pressured to accept a three-year IEP, parental participation and the school's accountability to parents will decrease. This proposal purports to "streamline" the annual review, but given the cursory nature of most IEP reviews currently, the proposal panders to "paperwork" complaints with no benefit, and a likely detriment to children. There are better ways to make the IEP process and paperwork more user-friendly for parents, teachers, and administrators.

* DILUTION OF FUNDS: H.R. 1350 diverts funds away from direct services to children with disabilities and allows 15% of the money to be used for a new pre-referral program, to supplant local education funds, to provide "supplemental services," and to be used for purposes other than the provision of services for children with disabilities. Given that IDEA funding is woefully inadequate, this proposal takes already scarce funding from IDEA-eligible students, the very students the law was enacted to serve. In addition, H.R. 1350 does not contain full funding for IDEA and thus does nothing to ensure that additional resources will accompany these major changes to the law. And nothing in the bill precludes schools from keeping children in a pre-referral category

indefinitely, whereas those with disabilities should receive the full protections of IDEA as soon as possible.

* DISCIPLINE PROVISIONS: The discipline provisions of H.R. 1350 punish children with disabilities for disability-related behaviors, remove manifestation determination reviews, and deny children with disabilities the appropriate supports they need to succeed in school by removing functional behavior assessments and positive behavior support plans. This bill allows school personnel to unilaterally remove a disabled child from his or her current placement for the violation of ANY school rule, EVEN IF the behavior is a manifestation of the child's disability; manifestation determinations are eliminated. The bill punishes children for behaviors they cannot control (for example, a child with Tourette Syndrome who shouts out in class). This is a repudiation of everything IDEA stands for. By also removing the requirement to develop positive behavior support plans, the bill lacks even



the pretense of concern for the well being of children with disabilities. Many of these proposals were brought forward in 1997 and replaced with a compromise that unilateral actions and alternative placements can occur only in the most serious situations, those involving weapons and drugs. In no other arena are there proposals to make procedures for students with disabilities exactly the same as those for non-disabled students, whether or not the student can control the behavior or understand its consequences. Cur-

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rent law contains provisions for functional behavioral assessments and behavior intervention plans, and these provisions are crucial for children with disabilities.

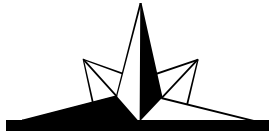
* **VOUCHERS**: H.R. 1350 permits the development of state voucher programs that would send some students with disabilities to private schools that are not accountable under the law. This bill allows local public school districts to use federal IDEA funds to give partial "scholarships" for use in private schools, including those that are faith-based. The funds may also be used for tutoring and other private services for students in schools deemed to be failing. DREDF and People for the American Way have co-authored a detailed analysis of the McKay voucher program in Florida and the ways in which it has failed students with disabilities and their families. The report is entitled "Jeopardizing a Legacy: A Closer Look at IDEA and Florida's Disability Voucher Program" and can be read at http://www.dredf.org/press_releases/Vouchers.pdf.

* **PAPERWORK REDUCTION**: The 10-state "demonstration" project allows the Secretary to waive IDEA statutory and regulatory provisions with no public review process.

* **PROCEDURAL CHANGES**: The House version of IDEA contains several provisions that significantly weaken parent involvement and the ability of parents to ensure that their children receive an appropriate education.

+ **Voluntary binding arbitration** means that parents will be asked to give up their right to appeal. Civil rights advocates have been arguing against binding arbitration in a variety of contexts. The bargaining positions of the parties are too unequal to rely on binding arbitration.

+ **Forced settlement discussions without an attorney**: The bill requires all parents



The IDEA bill as passed by the House contains dangerous provisions that will weaken the law and damage the civil rights of children with disabilities in every school district in the United States.

Web resources for IDEA

Our Children Left Behind:
www.ourchildrenleftbehind.com

Education News:
www.educationnews.org/faces_and_facts_about_idea.htm

Kids Together:
www.kidstogether.org/reauthorization_of_idea.htm

DREDF:
www.dredf.org

All US Senate listings and contact info:
www.senate.gov

who file for due process to go to a meeting to explain their complaint. The purported reason for this is to see if resolution can be reached without going to hearing. Yet in most cases the district is not only well aware of the problem, but has also refused to take the requested action. So why should a parent have to go to another (most likely unpleasant) meeting to discuss the complaint? To add insult to injury, the bill does not allow for attorney fees for these meetings. So, the bill is forcing a parent to go to a settlement negotiation underrepresented (unless they happen to have enough money to pay an attorney out of pocket).

+ The bill mandates a one-month waiting period before any parent complaint can go to due process regardless of the problem or issue.

+ The bill establishes a one-year statute of limitations on complaints for violations. This term can expire before parents even realize that a service is not being provided or that a student has not been receiving appropriate accommodations. Many children with disabilities cannot communicate these things to their parents. Statutes of limitations make it impossible for parents to participate in the process, to monitor school services and supports, or to adequately protect their children.

Each of these provisions makes it more difficult for parents to work with school districts to obtain services for their children.

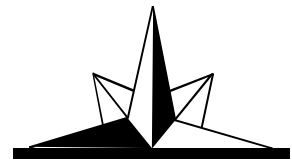
* GOVERNORS SET ATTORNEY FEE RATES: The Case amendment to regulate fees for attorneys who represent parents and prevail, makes it clear that H.R. 1350 is not looking out for the rights of families. There is no concomitant regulation of what school districts can pay the attorneys they retain. It is already difficult for many parents to find representation and this provision makes it even harder. It severely restricts the availability of lawyers to represent parents and children while having no affect on school districts' ability to find and pay legal counsel.

Children with disabilities deserve civil rights protections so that they have an equal opportunity to an education that can help them to become contributing citizens.

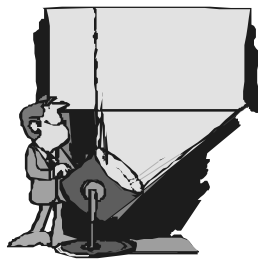
LET YOUR VOICE BE HEARD AND WEAR IT ON YOUR SLEEVE:

Whose IDEA is it anyway?

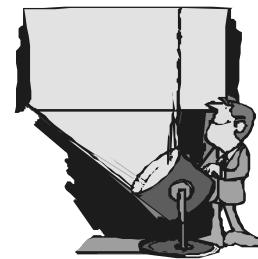
Text taken from www.dredft.org



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Upcoming Events



“Strategies for Successful Inclusion” with an emphasis on students with autism and related impairments

Presenter: Nicole Beurkens, M.Ed, Director

Horizons Autism Intervention Center, Byron Center

Strategies to be discussed will include: visual organizers, schedules, peer involvement, staff training, sensory and communication strategies and curriculum accommodations/modifications.

Late September, 2003. Date to be announced in August

7 pm – 9 pm

Yankee Clipper Library

Grand Rapids, MI

Nicole has a Master's Degree in Special Education with an emphasis on autism, and holds a professional teaching certificate with endorsements in autism and learning disabilities. She currently serves as an autism consultant to numerous schools in West Michigan. Nicole also provides training on autism and educational interventions to hundreds of parents and professionals each year. Nicole works with children of all ages, and is specially trained in a variety of research based intervention techniques.

Fourth Annual WIN Inclusive Education Conference:

“Creating Inclusive Communities”

Keynote Speaker: Paula Kluth, Ph.D.

Friday, November 21, 2003

Eberhard Center, Grand Valley State University in downtown Grand Rapids, MI

Paula Kluth, Ph.D., is an Assistant Professor in the Department of Teaching and Leadership at Syracuse University. Formerly a special educator, she has served as a classroom teacher and inclusion facilitator. Dr. Kluth engages in research in both elementary and secondary schools. She is the author of the recently published book, *“You’re Going to Love This Kid!” Teaching Students with Autism in the Inclusive Classroom.*”

Registration Information can be requested by contacting WIN. A complete listing of breakout sessions and other conference information will available in September 2003.

Thank you to those individuals and families who have so graciously contributed to our WIN appeal this year!!!

- * Deanna and Gary Cowden
- * Brenda and Michael Hall
- * Douglas and Sandra McClennen
- * William and Mary Scott
- * Mary Davis
- * Jill England
- * Timothy and Carol Popma
- * Shawn and Kathryn McCabe
- * Jennifer and Joseph Perkins-Behun
- * Anita O'Connor
- * Angela Plante
- * Donald and Lisa Crossley
- * Tim and Lauri Stein
- * Mike and Mary Keller
- * Deb and Mike Zoppa
- * Kathleen Church-Vogel and Brian Vogel

Thanks

Check us out online at:

www.wmin.org



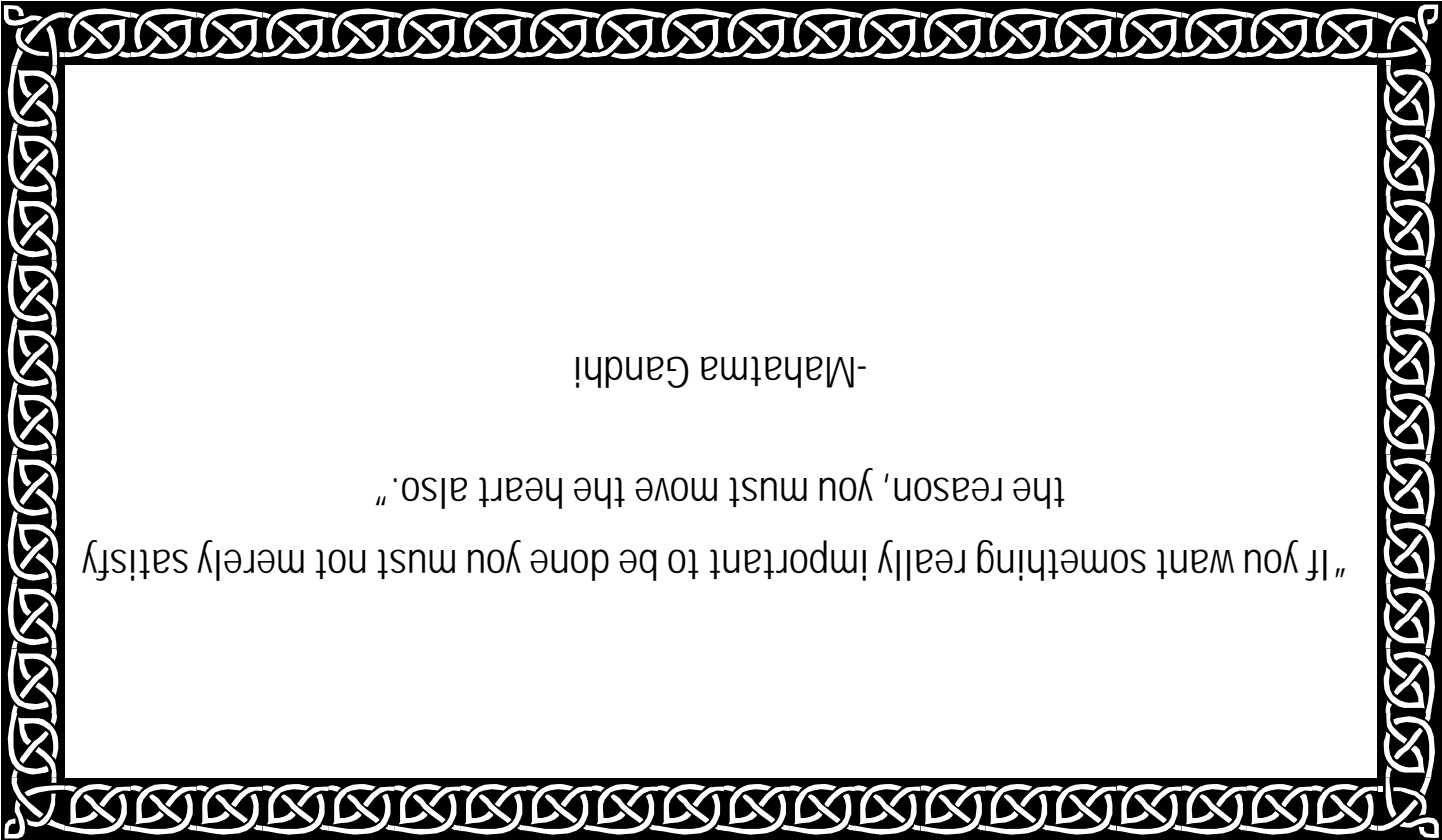
Show your support with WIN embroidered shirts

In an effort to raise funds WIN is selling shirts! Ordering information as well as color photos of the products are available online.

Right: "With Inclusion Everybody WINS!" available in denim or tan as a button-up or on a black sweat-shirt for \$23 (postage included). All shirts are 100% cotton.



Left: "Together We Are Better!" sweatshirts are available for \$33 (postage included). Sweatshirts are high quality cotton.



“If you want something really important to be done you must not merely satisfy
the reason, you must move the heart also.”
-Mahatma Gandhi!



**West Michigan
Inclusion Network**

P.O. Box 889, Ada, MI 49301

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