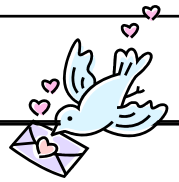




SPINNING WHEEL

February 2009



National News:

- **28th Annual Report to Congress on the Individuals with Disabilities Education Act** The U.S. Department of Education's Office of Special Education Programs (OSEP) has released its 28th Annual Report to Congress on the Implementation of the Individuals with Disabilities Education Act (IDEA). This report provides an overview of national activities to improve the education of children with disabilities funded in fiscal year (FY) 2006 under IDEA Parts B and C (P.L. 108-446). An additional report on Part D is also available. For more information go to <http://www.ed.gov/about/reports/annual/osep/2006/index.html>
- **Americans with Disabilities Act Amendment Act (ADAAA) Resources** Job Accommodation Network's (JAN) Accommodation and Compliance Series Association on Higher Education and Disability's ADAAA Policy Implications for Accommodating Students with Disabilities <http://ahead.org/resources/government-relations>
- **Improving Transitions for Youth Involved with the Juvenile Justice System** The National Collaborative on Workforce and Disability for Youth (NCWD/Youth) recently released a new report on youth with disabilities in the corrections system. The report provides facts, promising practices, and recommendations for policymakers. http://www.ncwd-youth.info/assets/juvenile_justice/10301_yj.pdf

Did you Know

Important Changes in IDEA Federal Regulations Adopted by US Department of Education took effect on December 31, 2008.

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

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

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

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

By: Monahan & Cohen Special Education ENews Local and National News December 2008- Vol 14 Issue 1

SPIN (Special Parent Involvement Network) is a statewide project of KY-SPIN, Inc. that "HELPS YOU HELP YOUR CHILD." SPIN PTI (Parent Training & Information Project) is funded by the U.S. Dept. of Education. **SPIN** provides training, information and support to people with disabilities, their parents and families, and information on all types of disabilities and topics for all age groups. There are no fees for **SPIN** services. Consultation, resource materials, and referral services are also available.

You can call us toll-free at 800-525-7746 or at 502-937-6894, our e-mail address is spininc@kyspin.com and our website is www.kyspin.com ; our main office is located at 10301-B Deering Road / Louisville, KY 40272.





* **New Fact Sheet on EPSDT** The National Health Law Program (NHelp) published a fact sheet (<http://www.healthlaw.org/library/attachment.134266>) on Medicaid Early and Periodic Screening, Diagnosis and Treatment (EPSDT). The fact sheet provides background on EPSTD and presents information on how the program addresses screening and treatment services. In addition, it discusses how the Deficit Reduction Act of 2005 affects EPSDT, how states should outreach to children and families, and how to measure EPSDT performance and accountability.

* **Food Insecurity Among Children and It's Impact on Young Children** *Reading, Writing, and Hungry: The consequences of food insecurity on children and on our nation's economic success* (http://www.partnershipforsuccess.org/docs/researchproject_foodinsecurity_200811_brief.pdf) is a new report by the Partnership for America's Economic Success that discusses research on food insecurity, health, and nutrition within an economic framework. Authored by the Food Research and Action Center (FRAC) and the Children's Sentinel Nutrition Assessment Program (C-SNAP), the report discusses the impact of food insecurity on the physical health of children zero to five and offers cost-benefit analysis of prevention efforts.

* **Zero to Three: From Baby to Big Kid** Our newest resource is an e-newsletter that showcases how children learn and grow each month from birth to 3 years. *From Baby to Big Kid* translates the science of early childhood and offers strategies parents can tailor to their unique family situation and to the needs of their child. To subscribe and receive this monthly age-based resource delivered right to your inbox, <http://www.zerotothree.org/site/PageServer?pagename=FromBabytoBigKid>. Don't want to wait to watch development unfold? Go to http://www.zerotothree.org/site/PageServer?pagename=FromBabytoBigKid_Archive to access the full archive of newsletters.

Spotlight on Kentucky: Department for Aging and Independent Living

The Kentucky Department for Aging and Independent Living (DAIL) oversees and monitors the administration of programs and services at the local and regional level, establishes policy and advocates on behalf of Kentucky's elders and people with disabilities. DAIL works to support and enhance freedom of choice and independence.

In partnership with Kentucky's 15 Area Agencies on Aging and community partners, DAIL addresses issues and circumstances that stand in the way of elders and people with disabilities achieving the best possible quality of life.

Because locating, understanding and accessing public programs and services can be difficult, DAIL helps streamline processes and provides one-on-one assistance by phone. We help clients find the most appropriate programs and services for their needs.

We have also tried to make our Web site as user-friendly and functional as possible by providing information and links to other resources of interest to elder Kentuckians, people with disabilities and their families.

For additional information, please contact us. Department for Aging and Independent Living/275 East Main Street, 3W-F/ Frankfort, Ky. 40621/Phone: (502) 564-6930/Fax: (502) 564-4595/ TTY: (888) 642-1137/ <http://chfs.ky.gov/dail/default.htm>

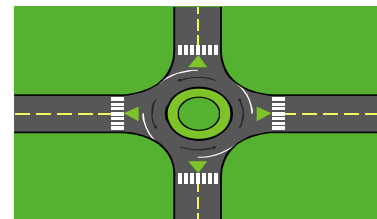
KY-SPIN Consultants are present at the Commission for Children with Special Health Care Needs (CCSHCN) Clinics throughout the state at various times each month. For information on clinic visits & SPIN workshops contact us toll-free at 1-800-525-7746 or by e-mail at spininc@kyspin.com. All events are subject to change.

Transition: What Is Healthcare Transition?

Health plays such an important role in everyone's life. It has a direct affect on learning, working, and quality of life. Healthcare transition is about taking responsibility for your own health needs and not depending on others to do things for you. This is something that can be learned over a period of time.

Healthcare transition includes the following:

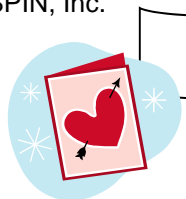
1. understanding your health condition/diagnosis
2. becoming responsible for your medications
3. scheduling your own appointments
4. taking part in your doctor appointments
5. developing a medical history/summary



The development of a transition plan will provide guidance and support throughout the entire process.

Developed by Judy Blackwell, MSW at the Commission For Children With Special Health Care Needs in Lexington, Ky.

This newsletter, published by Kentucky Special Parent Involvement Network, Inc.'s Parent Training and Information Project (SPIN), is funded through a grant from the U.S. Department of Education, and does not necessarily reflect the views of the Department of Education. Articles contained herein are for informational purposes only and do not imply endorsement by SPIN or KY-SPIN, Inc.



Happy Valentines!

