MISSION POSSIBLE

Your mission, should you choose to accept it is…
To come & empower yourself with more information on your rights and your child’s disability to support their learning and partnership with schools!

Parent Information Center’s Family Conference on disAbilities is Feb 2-3, 2013 in Casper at the Parkway Plaza. Register online at www.wpic.org or by calling PIC at (307) 684-2277.

Conference Costs: Family Child w/Disability: $25 single/$35 for family up to 4 family members. Educators & Other Pros:$100 / $150 for two, Purchase orders/vouchers accepted

Hotel reservations for rooms at $65/night can be made by calling the Parkway Plaza at 307-235-1777 under the block: Parent Conference-PIC.

Conference Speakers

Patrick Schwarz’s book “From Disability to Possibility” leads the way in presenting the specific kinds of teaching, classroom practices, and support approaches that allows the model of varied teaching and learning styles transform disability into possibility. As one of the keynote speakers for our PIC conference, Patrick will illustrate, through stories of struggle and success, how creative, conscientious teachers can work with everyone involved in a student's learning to make special education work, and how families can support that learning. His ideas and passion will inspire us to look at diverse learners and the social world of school from a new perspective—making inclusive classrooms the mission possible.

Laura Kaloi, is the public policy director at the National Center for Learning Disabilities (NCLD), where she has led NCLD’s legislative advocacy program since 1999. She has 18 years of legislative and policy experience and works extensively with the U.S. Congress and the U.S. Department of Education to ensure students with learning disabilities are fully considered in legislation and regulations. Laura brings her practical, family voice to public policy.

Jennifer McIlwee Myers is the author on two books about Autism and Asperger’s. As a woman with Asperger Syndrome, who has a brother with Autism, Jennifer’s Life goal is to promote understanding between those who have Autism Spectrum Disorders and everybody else. She will share us her insights on how to teach life skills to kids with Autism or Asperger's and will discuss meltdowns, shut-downs, and tantrums: which is which and how to survive! More on next page….
Confidentiality—Who Is It For?

At the Parent Information Center, we support and provide training to hundreds of families across Wyoming each year. The new FERPA regulations bring to mind many examples of situations where misunderstanding or lack of knowledge of confidentiality has gotten in the way of services and support to students; in addition, to invading their privacy rights. Here are some of the more troublesome examples we have heard.

When a parent asked about the progress of Jane*, her middle school daughter with cognitive impairment, the regular education teacher said she could not tell the (custodial) parent anything about Jane, it was confidential.

When a para-educator, assigned to a student with Autism in a typical elementary classroom, was asked by the child’s parent if an incident involving harsh discipline had followed the steps outlined in the student’s behavior plan, the para-educator told the parent she didn’t know what was on the plan, it was confidential.

When a (custodial) mom asked the school for a copy of her daughter’s special education records/IEP for the prior school year, the staff told the mom she couldn’t have a copy, they were confidential.

The last two examples are of information that SHOULD NOT be discussed or provided to anyone other than parents/guardians, teachers, related services providers and others who are providing services to the student.

Included on the next page are changes to the regulations for the Family Education and Privacy Rights Act (FERPA). Other resources for confidentiality under the Individuals with Disabilities Education Act are:

http://IDEA.ed.gov
www.ed.gov
www.wrightslaw.com

We hope families, schools and others will seek additional information and training on confidentiality. The provisions of confidentiality are not meant to keep relevant information and educational records from teachers, related service providers and others who work with the student. They all need accurate information to provide complete and appropriate services and supports, while protecting the privacy rights of students with disabilities.

*Names have been changed for confidentiality reasons
Last month, the U.S. Department of Education announced new regulations to safeguard student privacy while giving states the flexibility to share school data that can be helpful in judging the effectiveness of government investments in education.

"Data are a powerful tool needed to improve the state of education in this country," said U.S. Secretary of Education Arne Duncan. "At the same time, the benefits of using student data must always be balanced with the need to protect students' privacy rights and ensure their information is protected."

The regulations announced today will strengthen the Family Educational Rights and Privacy Act (FERPA) by protecting the safety of student information, increasing the Department’s ability to hold those who misuse or abuse student data accountable and ensuring our taxpayer funds are invested wisely and effectively.

In the past, uncertainty about where state sunshine laws left off and where FERPA picked up created confusion for institutions about when and with whom student information could and should be shared. Schools need the flexibility to pursue routine uses of information without getting prior consent while allowing them to prevent those who may misuse or abuse student information from accessing it. The regulations announced today allow schools to do that.

The new regulations announced last month will also help the Department of Education more effectively hold those who misuse or abuse student information accountable for violating FERPA. When FERPA was first conceived in the 1970s, it only applied to institutions with students in attendance—like high schools and colleges. Since then, a growing number of institutions and entities without students in attendance—like student lenders for example—have access to student records that should be protected by FERPA, but aren’t. December’s announcement fixes that gap in student protection.

The changes will also help policymakers determine if state and federally funded education programs are adequately preparing children for success in the next stage of life, whether that is in kindergarten or the workforce. States will be able to determine which early childhood programs prepare kids for kindergarten. High school administrators will now be able to tell how their graduates did in college. And states will be able to enter into research agreements on behalf of their districts to determine how best to use limited education funding during tough economic times.

December’s announcement comes on the heels of several efforts undertaken by the Obama Administration to ensure that private student data is protected. These include the appointment of Kathleen Styles as the Department’s Chief Privacy Officer, the establishment of a Privacy Technical Assistance Center, and the publication of guidance documents on best practices for protecting confidential information about students.


Additional info is available at: [www.ed.gov/fpco](http://www.ed.gov/fpco).
Head Start Impact Study Results Released

On December 21, 2012, the Office of Planning, Research & Evaluation at the Administration for Children and Families released the results from the 3rd grade follow-up to the Head Start Impact Study, a nationally representative evaluation of the federal Head Start program. The evaluation studied children who entered the program in the fall of 2002. The report presents impacts on children and families through the children's third grade year, as well as impacts on subgroups of children and families.


A very short summary: Looking across the full study period, from the beginning of Head Start through 3rd grade, the evidence clearly demonstrates that access to Head Start improved children’s preschool outcomes across developmental domains, but had few impacts on children in kindergarten through 3rd grade.

While there is likely to be much public discourse about the implications of this research, it is important to keep several things in mind:

- Children's participation in Head Start has important, significant, and immediate positive impacts on their learning and development;
- Knowing that these children's Head Start experiences were followed by enrollment in "average" elementary schools suggests that we need to be much more intentional about understanding and improving learning opportunities in Kindergarten, 1st, 2nd, and 3rd grades; and
- A rich body of research conducted by economists shows that there are "sleeper effects" for Head Start. This means that, although some child outcomes may not appear to persist during the primary grades, there are clear advantages when children reach adolescence and early adulthood.

Wyoming Assistive Technology Resources

Wyoming Assistive Technology Resources (WATR) AT4ALL assistive technology information & reutilization has assistive technology available for loan at www.wy.at4all.com. The Anna Maria Weston Therapeutic Equipment Lending Library’s inventory of items is available for loan through AT4ALL. One such available item is the:

Print 'N Eat-for use with Boardmaker
Simplify the ordering process with 18 different popular fast food menus (featuring 51 menu boards)!
Print 'n Eat includes menu boards made with Picture Communication Symbols (PCS) that are ready to print. To read more about Print ‘N Eat or to view more items available for loan in all the assistive technology categories, visit: https://www.wy.at4all.com/.


WATR is pleased to host Vendor Venue for a second year. April 18-19, 2013 Laramie, Wyoming at the Hilton Garden Inn,


Friday, April 19: immerse yourself with the latest assistive technology (AT) and augmentative alternative communication (AAC). For more info: www.uwyo.edu/wind/watr
Scientists at the University of Western Ontario have discovered that perhaps IQ is not the best measure of cognitive performance.

Instead, they found that verbal language, short-term memory, and logical reasoning were the most important predictors of cognitive performance.

In the largest online intelligence study on record, over 100,000 participants completed 12 cognitive tests focusing on memory, reasoning, attention and planning abilities, as well as a survey about their background and lifestyle habits.

The findings reveal that when many different cognitive abilities are taken into account, the variations in performance can be explained by three distinct components: short-term memory, reasoning and a verbal component.

No one component, or IQ, is responsible for everything. Furthermore, the researchers used functional magnetic resonance imaging (fMRI) to demonstrate that these variations in cognitive ability are associated with distinct circuits in the brain.

With so many study participants, the results offered a wealth of new information regarding how factors such as age, gender and the tendency to play computer games influence our brain function.

“The uptake was astonishing,” said Adrian M. Owen, the Canada Excellence Research Chair in Cognitive Neuroscience and Imaging and senior investigator on the project.

“We expected a few hundred responses, but thousands and thousands of people took part, including people of all ages, cultures and creeds from every corner of the world.”

“Regular brain training didn’t help people’s cognitive performance at all yet aging had a profound negative effect on both memory and reasoning abilities,” said Owen.

Adam Hampshire from Western’s Brain and Mind Institute said, “Intriguingly, people who regularly played computer games did perform significantly better in terms of both reasoning and short-term memory.

“And smokers performed poorly on the short-term memory and the verbal factors, while people who frequently suffer from anxiety performed badly on the short-term memory factor in particular.”

The findings from the landmark study were published Dec. 19, 2012 in the journal Neuron.

The basis of Patrick Schwarz keynote session at the PIC parent conference will be from his book From Disability to Possibility: The Power of Inclusive Classrooms. Schwarz. Copies of this book will be available to purchase at the Mission Possible: PIC Parent Conference on disAbility in Casper in February. Patrick will speak the morning of February 2, 2013 and will also have a breakout session on inclusive classrooms and universal design.
Wyoming Protection & Advocacy System, Inc. (P&A), established in 1977, is the official non-profit corporation authorized to implement certain mandates of several federal laws. Enacted by Congress, these laws provide various protection and advocacy services.

P&A Systems are in each state and territory. They provide protection of the rights of persons with disabilities through legally based advocacy. The P&A network is the largest provider of legally-based advocacy services for persons with disabilities in the United States. P&A's were established to address public outcry in response to the abuse, neglect, and lack of programming in institutions for persons with disabilities. Congress has created distinct statutory programs to address the needs of different populations of persons with disabilities. Below is a listing of some of their projects. For more information on all of P&A projects, go to www.wypanda.com or call the P&A at (307) 632-3496.

**PADD** The Protection & Advocacy for Developmental Disabilities (Program was created by the Developmental Disabilities Assistance and Bill of Rights (DD) Act of 1975. P&As are required by the Act to pursue legal, administrative and other appropriate remedies to protect and advocate for the rights of individuals with developmental disabilities under all applicable federal and state laws. In 1994, amendments to the DD Act expanded the system to include a Native American P&A program.

**CAP** The Client Assistance Program was established as a mandatory program by the 1984 Amendments to the Rehabilitation Act. Every state and territory, as a condition for receiving allotments under Section 110 of the Rehabilitation Act, must have a CAP. CAP services include assistance in pursuing administrative, legal and other appropriate remedies to ensure the protection of persons receiving or seeking services under the Rehabilitation Act.

**PAIMI** The Protection & Advocacy for Individuals with Mental Illness Program was established in 1986. Each state has a PAIMI program which receives funding from the national Center for Mental Health Services. Agencies are mandated to (1) protect and advocate for the rights of people with mental illness and (2) investigate reports of abuse and neglect in facilities that care for or treat individuals with mental illness.

**PAIR** The Protection & Advocacy of Individual Rights Program was established by Congress as a national program under the Rehabilitation Act in 1993. PAIR programs were established to protect and advocate for the legal and human rights of persons with disabilities. Although PAIR is funded at a lower level than PADD and PAIMI, it represents an important component of a comprehensive system to advocate for the rights of all persons with disabilities.

**PAAT** The Protection & Advocacy for Assistive Technology Program was created in 1994 when Congress expanded the Technology-Related Assistance for Individuals with Disabilities Act (Tech Act) to include funding for P&As to "assist individuals with disabilities and their family members, guardians,
Adult Protective Services is authorized by W.S. § 35-20-101 et. seq. to respond to allegations of physical and emotional abuse, neglect, self-neglect, intimidation, abandonment and financial exploitation of vulnerable adults. A “vulnerable adult” is any person eighteen (18) years of age or older who is unable to manage and take care of himself or his property without assistance as a result of advanced age or physical or mental disability. Self–neglect is the most commonly occurring type of APS case both nationally and in Wyoming with financial exploitation noted to be the crime that is on the increase in all states.

Why are vulnerable adults mistreated?
Mistreatment of vulnerable adults can be an extremely complex problem. Some of the possible contributory factors include:

- Dependency or impairment of the vulnerable adult
- External stress
- Social Isolation
- Intergenerational transmission of violence
- Family dynamics or personal problems of the abuser
- Caregiver stress

Who uses adult protective services?
- Most victims are older, 76-85 years old (31%)
- Most victims are women (62%)
- The most common type of report is financial exploitation (54%)

Most perpetrators are family members, intimate partners and/or caregivers (45%) (nationally this is projected to be 80% of the perpetrators).

How often does mistreatment or exploitation of adults occur?
Each year, Adult Protective Services programs in all states receive more than 500,000 reports of vulnerable adult mistreatment. Estimates are that 84% of all vulnerable abuse cases are never reported and as many as 5 million seniors are abused each year in the United States.

The number of accepted reports for vulnerable adults in Wyoming 2007 was 539, 2008 was 679, 2009 was 848, 2010 was 882 and 2011 was 923.

This number is not on intakes but is on the number of cases accepted that fit the criteria for a response from the Department of Family Services (DFS).

How Does DFS respond?
DFS response to a report varies considerably depending on the type of case. In cases involving self-neglect, the caseworker assesses the individual’s needs, attempts to develop rapport and trust, while working cooperatively with the adult to improve their situation. Some cases involve a more investigative approach, such as teaming with law enforcement to prosecute allegations of financial exploitation. In the most extreme situations where an emergency exists and the vulnerable adult needs help but is unable to consent to services, court involvement may be indicated. In all instances the caseworker is guided by the following principle:

Guiding Value: Every action taken by Adult Protective Services must balance the duty to protect the safety of the vulnerable adult with the adult’s right to self-determination.

How are adult protective services funded?
There is no federal funding dedicated to APS. However, federal legislation, the Elder Justice Act, has been proposed which would provide federal resources to support state and community efforts. The budget for APS currently is $346,227 and this is from the State of Wyoming General Funds.

Continued Page 9
Federal Appeals Court Backs Parents in Special Education Placement

By: Nirvi Shaw, Education Week on LD Online

A Colorado school district must reimburse the parents of a student with learning disabilities as well as emotional and behavioral difficulties for the costs of the student's enrollment at an out-of-state residential treatment facility, a federal appeals court has ruled.

The case has been watched closely by school board groups and President Barack Obama's administration because it involves the standard for "unilateral" private school placements under the Individuals with Disabilities Education Act.

Under the federal law, parents who unilaterally place a child with disabilities in a private school may win reimbursement from their local school district if the district failed to provide a free, appropriate public education, or FAPE, and certain other conditions are met.

At particular issue in the case is whether a school district may be liable for such reimbursement when a child's educational and mental-health needs are closely intertwined and the residential placement is addressing both needs.

A panel of the U.S. Court of Appeals for the 10th Circuit, in Denver, ruled 3-0 in favor of the parents of a girl who is described in court papers as having severe emotional and mental-health needs. In 2008, her parents clashed with the Jefferson County district over her education plan under the IDEA before enrolling her at Innercept, an Idaho residential facility that charges $9,800 per month, court papers say.

The parents sought reimbursement from the Jefferson County district, a request that the district rejected because it viewed the student as being hospitalized out of state and thus not a responsibility of the district. After an administrative-hearing officer ruled for the parents, the district filed a federal lawsuit. A federal district court held that the school district must reimburse the parents for the costs at Innercept except for those medical expenses involving a licensed physician.

The school district appealed to the 10th Circuit court, where it was joined in a friend-of-the-court brief by the National School Boards Association and the state school boards' groups for five of the six states that make up the 10th Circuit: Colorado, Kansas, New Mexico, Oklahoma, and Utah. (Wyoming is the sixth state in the circuit.)

"School districts should not be responsible for unilateral residential placements made for medical purposes," the NSBA brief says. "Such responsibility is not only beyond the range of their competence and funding but also exceeds the requirements of the IDEA."

Meanwhile, the parents drew the support of the Obama administration, with the U.S. Department of Justice filing a friend-of-the-court brief on their side that was also signed by a lawyer for the U.S. Department of Education.

"This court should join the majority of circuit courts of appeals and adopt a test that a school district is liable under the IDEA for the cost of a residential placement, less the cost of medical treatment that can be provided only by a licensed physician, if the child's mental-health needs are so significantly intertwined with his or her educational needs that educational services cannot be provided without some mental-health treatment," the federal brief says.

While residential placements can be costly, the brief adds, "the very small number of children for whom residential placement is the least restrictive environment are among the most vulnerable and historically underserved children in need of IDEA services."

In its Dec. 28 decision in Jefferson County School District v. Elizabeth E., the 10th Circuit panel weighed whether it should adopt the "significantly intertwined" test urged by the Obama administration (and used by several other federal courts of appeals)
APS caseloads continue to grow and will do so in the years ahead as the population ages. By 2020, Wyoming is projected to have the highest percentage of residents age 65 and over in the entire United States. By the year 2030, Wyoming’s elder population is projected to double. Another factor will be those younger adults who “age out” of foster placements and may subsequently be “vulnerable” as well as programs that support individuals living in their communities, rather than institutions and needing in home services.

Legislation in 2007 created 4 positions designated to APS issues, funding for these positions, mandated training for all investigative personnel and mandated community teams to address issues related to vulnerable adults. The focus of the teams and the agency is on prevention and the collaboration and coordination of services and resources within the communities.

Released September 2012 on behalf of Dorothy Thomas, DFS
ABOUT US:

**Parent Information Center (PIC):**

Outreach Parent Liaisons (OPL) provide information and support to families of children with disabilities, on their rights under special education law, IDEA. Our Outreach Parent Liaisons can attend IEPs with families to help empower them to partner with schools effectively. We provide workshops on IDEA, IEPs, and specific disabilities such as attention disorders and autism.

For more info check out our website at [www.wpic.org](http://www.wpic.org) or call PIC at (307) 684-2277:

**Terri Dawson**, Director, [tdawson@wpic.org](mailto:tdawson@wpic.org) (307) 217-1321

**Juanita Bybee**, Operations Manager, [jbybee@wpen.net](mailto:jbybee@wpen.net)

**Betty Carmon**, Powell, 272-1153, [bcarmon@wpic.org](mailto:bcarmon@wpic.org) Serves Cody, Powell, Greybull, Worland & Thermopolis area

**Janet Kinstetter**, Moorcroft, 756-9605, [jkinstetter@wpic.org](mailto:jkinstetter@wpic.org) Serves Moorcroft, Gillette, Sundance & Newcastle area

**Tammy Wilson**, [twilson@wpic.org](mailto:twilson@wpic.org) Green River, 217-2244 Serves Green River, Rock Springs Kemmerer and Evanston

**Parent Education Network (PEN):**

The 5 year grant for PEN ended Oct 2011, so we currently have no funding for this project. However, we will continue to update our fact sheets at [www.wpen.net](http://www.wpen.net). We will also develop new fact sheets on educational issues and reform and distribute them electronically. To sign up for our e-newsletter list, go to [www.wpic.org](http://www.wpic.org).

Some titles of fact sheets available are:

**PEN Notes**
- Progress Monitoring
- Universal Design for Learning
- Activity Overload
- Cyberbullying

**Education Extras**
- Title I
- Highly Qualified Teachers
- School Wellness Programs

**Thoughts for Tots**
- Teachable Moments
- Bedtime Battles
- Tempering Temper Tantrums

**TOGETHER We Make a Difference!**
Parents Helping Parents of WY, Inc. (PHP), because of rising production costs, we must charge a $20/year subscription fee to professionals and other interested individuals.

The newsletter remains free to parents of children with disabilities, however any donation is appreciated.

Please complete and return the form below so that we may update our mailing list:

______ I am a parent of a child with a disability and a Wyoming resident. Please keep me on/add me to the list.

If your child has a disability, please list disability: __________________________ Child’s age _________

______ I am a professional, teacher or other interested person. Enclosed is $20 for a one year subscription.

My organization/school name is____________________________ My role/position is_____________________

______ I am the parent of a child with disabilities, but do not live in Wyoming. Enclosed is $20 for 1 year subscription.

Name: ________________________________________ Phone: (H) _______________ (W)__________________

Address: ________________________________________________________________ Zip: ________________

      Street           City          State

This is my: ___ Home address ___ Work address (Please check one)

E-mail address: ______________________________________________________________________

______ I would like to subscribe to PHP’s new electronic news brief to be distributed 4-6 times/year
      (Please note; this e-news does not have the same content as the PIC’s n Pieces newsletter).

      Additional Donation amount________________. Thank you!

Please Send PHP a Change of Address if You Move. The Post Office Does Not Forward or Return Bulk Mail.

Mail to: Parents Helping Parents of WY, Inc. For more information:
        500 W. Lott St, Suite A Contact PHP at (307) 684-2277
        Buffalo, WY 82834     or e-mail tdawson@wpic.org

You gain strength, courage and confidence by every experience in which you really stop to look fear in the face.
You are able to say to yourself, ‘I have lived through this horror.
I can take the next thing that comes along.’
You must do the thing you think you cannot do.

—Eleanor Roosevelt
Feb 2 & 3, 2013 in Casper at the Parkway Plaza
Register NOW!!!

MISSION: POSSIBLE

Feb 2-3, 2013 Casper
PIC Family Conference on disAbilities

Registration available online at www.wpic.org
or call PIC at (307) 684-2277