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AHEAD

Volume 21

Issue 2

Winter 2009

KAREN HARRISON NAMED AS NEW EXECUTIVE DIRECTOR Jeness Roth Embarks on New Journey

The Board of Directors of STEP, Inc. is pleased to announce that Karen Harrison has accepted the position of Executive Director of STEP, Inc., effective immediately, filling the post previously occupied by Jenness Roth, who has moved on to new professional opportunities at the Boling Center at the University of Tennessee at Memphis. The announcement was made on November 4, 2009 at the annual STEP staff retreat and board meeting held at Evins Mill, near Nashville, TN.

This appointment is especially welcomed by the Board since Karen has worked as a dedicated and respected member of the STEP family since 1994 when she began as a contract district parent trainer, eventually moving into positions of greater responsibility and higher authority, first as East TN Regional Training Coordinator and then Project Director. Through her tireless work on behalf of families and her involvement in parent training, Karen has become well known among many groups active within the disability and education communities, locally, regionally, and across the country: the STEP board and families served by STEP; the State of Tennessee Special Education system; Parent Training & Information Center (PTI) colleagues; and professionals from many disciplines.

Responding to the news, leaders from across the state congratulated Ms. Harrison and were effusive in their support. Shirley Shea, Executive Director of DLAC wrote, "I couldn't think of a more qualified person to take over the leadership at STEP." Mr. Fisher, Assistant Commissioner of the Dept. Of Education, Division

of Special Education responded, "I know Karen will do a great job. I look forward to working with Karen in her new capacity". Ms. Harrison shared her vision for STEP with the Board of Directors and STEP staff and was quick to inject that "serving families across TN is a team effort; the dedication of the STEP staff along with continued collaboration with the many organizations that share our vision is key to meeting the needs of families of children with disabilities". She added, "I believe in STEP's mission! I know first hand that an informed parent participating in their child's education can have amazing results".

In addition to her work with STEP, she also serves on many boards, and is serving her second term on the TN State Rehabilitation Council. A resident of Greene County, Karen is the parent of a daughter who has benefited and thrived as a result of her depth of knowledge and inclusion advocacy.



Karen Harrison with husband, Jim; daughter, Sarah; and "Snowman"

Our mission is to empower parents to become effective partners with professionals in planning appropriate educational programs for their children.

STEP WORKSHOPS ACROSS TENNESSEE

Call (800) 280-STEP or e-mail us at information@tnstep.org Spanish (800) 975-2929
Preregistration is requested for all workshops.

Date	Time	Workshop	TN	Location	Contact
01/13/10	1:00 pm	Basic	E	Chattanooga/Hamilton Co.	(423) 624-6887
01/14/10	9:00 am	Basic	M	Nashville/Davidson Co.	(615) 743-1547
01/16/10	10:00 am	LRE	W	Martin/Weakley Co.	(731) 514-0797
01/19/10	6:00 pm	Transition	E	Chattanooga/Hamilton Co.	(423) 991-4525
01/21/10	5:30 pm	Basic	M	Tullahoma/Coffee Co.	(931) 454-0050x3
01/25/10	5:30 pm	Spanish Basic	E	Knoxville/Knox Co.	(865) 594-5042
01/26/10	5:30 pm	Basic	E	Dayton/Rhea Co.	(423) 775-5003
01/26/10	6:00 pm	Basic	W	Memphis/Shelby Co.	(901) 795-7544x1318
01/28/10	6:00 pm	Basic	M	Murfreesboro/Rutherford Co.	(615) 631-0181
02/04/10	6:00 pm	Basic	W	Memphis/Shelby Co.	(901) 507-8568
02/09/10	6:00 pm	Transition	E	Knoxville/Knox Co.	(865) 824-2897
02/25/10	5:30 pm	IEP	M	Tullahoma/Coffee Co.	(931) 632-0042
03/09/10	6:00 pm	Basic	M	Ft. Campbell/KY	(270) 798-2727
04/09/10	9:00 am	Basic	M	Tullahoma/Coffee Co	(931) 454-0050x3
09/14/10	6:00 pm	Basic	M	Ft. Campbell/KY	(270) 798-2727

This list is as of 12/21/09, more workshops are being added daily!
Please call us or go to our Website (www.tnstep.org) to see most current list.

These trainings are free to parents or other family members!

Professionals are welcome to attend, there may be a nominal charge for some materials.



STEP Awarded Staff Values Courage Award

STEP, Inc. received the Staff Values Courage Award from The Arc of Tennessee during the Tennessee Disability MegaConference Awards Banquet and Dance held Friday, May 29 at the Nashville Airport Marriott.

The Courage Award honors an individual or organization that has made a noteworthy contribution by demonstrating fearless disability advocacy despite popular trends or odds; whose words and actions both are reflective of bravely speaking out. Their actions should openly welcome challenge while providing leadership without fear.



Founded in 1989, STEP is a statewide Parent Training & Information Program that demonstrates fearless advocacy throughout the state of Tennessee. They train parents in Special Education rights, responsibilities, and services that are provided to children with disabilities. This program believes that parents possess unique information about the development, nature and needs of their children and works to empower them to have the courage to be their children's best advocates.

The Arc of Tennessee [www.thearc.org] is a non-profit, charitable organization. The Arc of Tennessee advocates for the rights and full participation of all people with intellectual and/or developmental disabilities. Through our family-based network of members and chapters, we support and empower individuals and families; connect and inform individuals and families; improve support and service systems; influence public policy; increase public awareness; and inspire inclusive communities.

Pictured on the right: Patricia Valladares, STEP Outreach Coordinator accepts the award from Scott Finney of The Arc.

This edition of the STEP Ahead Newsletter bringing in the New Year is a great opportunity to introduce our readers to the STEP staff that are now serving families across TN. Jacqueline Sakho joined the STEP team as the Project Assistant in July, 2009 and recently accepted the position of West TN Regional Coordinator.

Pictured below with colleagues Sally Ottinger (on left) and Donna Jennings (on right) having some "studious fun", Jacqueline is serious about serving families in West TN and working toward systemic change.



Meet Jacqueline:

"I am many roles...a mother, wife, advocate. My newest role as the West Tn Coordinator of STEP, Inc. allows for greater depth and breadth to expand my many roles while serving our families in the West. I am passionate about building community and bridging relationships".

**Addressing Overrepresentation of Youth with Disabilities in the Juvenile Justice System
Strategies for Families and Advocates**

By Jacqueline Sakho



The National Association of State Directors of Special Education in partnership with the Office of Special Education reported staggering numbers of youth represented in the Juvenile Justice System who can be identified as eligible to receive special education

services. The most significant eligibility categories are Specific Learning Disability (SLD); Emotional Disturbance (ED), and Mental Retardation (MR). Youth with both identified and undiscovered disabilities resulting from learning and emotional disabilities are more likely to be arrested than their typical peers.

Contributing Factors

School Discipline Policies: It is standard of practice for school systems to implement a Zero Tolerance Policy resulting in suspension as a response to inappropriate behavior. The provisions of IDEA state that a child with an IEP cannot be suspended more than 10 consecutive days and thereafter must continue

to receive a free and appropriate public education (FAPE). There are conditions to this regulation. If a student's behavior resulted in a weapon being brought to school or the student knowingly possesses, sells, or uses illegal drugs on the school grounds, then the IEP team can request a change in placement for that child to an interim alternative educational setting for up to 45 days.

Behavioral Manifestations: A school system can not implement a long-term suspension nor expel a child receiving special education services if it can be determined that his/her behavior was a "manifestation" of their disability. Robert E. Crabtree, Esq. reports on Wrightslaw.com, "(§1415(k)(4)(B),(C)) IDEA provides that the IEP team must find that behavior was a manifestation of the child's disability if:

- the IEP was inappropriate with respect to the behavior or was not being implemented, including appropriate behavior intervention strategies;
- the child was unable to understand the impact and consequences of his/her behavior because of her disability; or
- the child's disability impaired her ability to control his/her behavior" (continued on page 7)

"Educational disability does not cause delinquency, but learning and behavioral disorders place youth at greater risk for involvement with the juvenile courts and for incarceration. School failure, poorly developed social skills, and inadequate school and community supports are associated with the over-representation of youth with disabilities at all stages of the juvenile justice system. "

The National Center on Education, Disability and Juvenile Justice

FOCUS CONFERENCE HELD IN EAST TENNESSEE

By Jenness Roth

The Siskin Children's Institute in downtown Chattanooga was the generously donated site for the 2009 FOCUS Conference, held on Saturday, August 29. The "whole village" involved in making this conference a success included a host of funding partners, STEP staff and board members, family members, students, and other good-hearted volunteers that care about children and families.

Because of the proximity of Chattanooga to northern Georgia, STEP partnered with the parent training and information center in Atlanta (Parent to Parent of Georgia) and invited families from the area to join us in Tennessee. Through this partnership, Georgia families received stipends to travel and hotel rooms if needed; we also utilized Georgia's audio system to provide translation services to Hispanic families that needed the conference presented in Spanish.

Through generous support from the Tennessee Council on Developmental Disabilities and from the Tennessee State Department of Education, we were able to bring in Al Swain as keynote speaker. Al spoke several years ago at the Nashville Megaconference. He is a man who, because of multiple sclerosis, uses a wheelchair and is blind. He also happens to be African-American. His stories of inclusion and his perspectives on diversity both entertained and inspired the audience. While he now calls Lansing, Michigan, his home, he felt very welcomed back to the south as a native of Arkansas.

Joseph Fisher, from our own state department of education, welcomed all conference attendees with a statistics-filled presentation about minorities and special education. Mr. Fisher also spent time talking with individual family members who approached him with questions about their children's unique situations.

Workshops both in English and in Spanish on the Individuals with Disabilities Education Act were presented by STEP staff. There were also presentations made (and translated into Spanish) about TennCare, health care, the Medicaid waiver, and conservatorship/wills/trusts. A resource panel also made short presentations about their agencies, which included: Tennessee Voices for Children, Disability Law and Advocacy Center, Tennessee's Early Intervention System, Family Voices, Division of Intellectual Disabilities Services, Tennessee DOE Regional Resource Center, Family Pathfinder, and the State of Tennessee Improvement Grant. The audience then was able to address personal questions to these panel members. The conference was wrapped up by Kimberly Trent, former STEP employee, who talked about her own experiences advocating for her son with autism—an inspirational and heartwarming story.

The 175 participants received a wonderful lunch, catered by Cakeman Catering; superb lunchtime entertainment was provided by Angela Mosley, who played keyboard and took audience requests. Feedback about the conference was overwhelmingly positive! Families were particularly appreciative of the childcare that was offered. One husband and wife said "this is the first time we have been able to attend and learn together and it was a blessing". Many families said they would not have been able to attend if childcare and travel assistance was not provided.

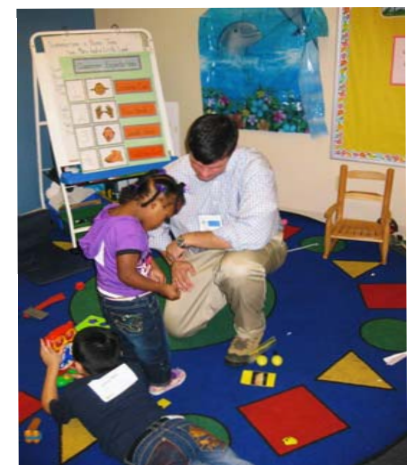
Thank you to all of our partners for helping us with our third FOCUS conference. We couldn't have done it without all of you!

Change will not come if we wait for some other person or some other time.

We are the ones we've been waiting for.

We are the change that we seek.

Barack Obama



Enjoy a few scenes from our conference!

TN Awarded Special Education Professional Development Grant

The Division of Special Education, at the Tennessee Department of Education, announced receipt of funding for a State Personnel Development Grant (SPDG). The purpose of this grant is to improve Tennessee's system of personnel preparation and professional development in early intervention and educational services in order to improve results for children with disabilities.

Five initiatives were identified which are directly aligned with Tennessee's State Performance Plan (SPP).

1. To increase literacy skills for all students, including those with disabilities. (SPP Indicator 3)
2. To improve math outcomes for all children K - 3.
3. To improve school and instructional climate for all students, including those with disabilities. (SPP 4)
4. To improve early childhood outcomes for young children diagnosed with autism. (SPP Indicator 7)
5. To identify and remedy existing inequities in the distribution of highly qualified teachers, including special education teachers, ensuring that lower income and minority children with disabilities are not taught at higher rates than other children by inexperienced, unqualified, or out-of-field teachers. (SPP Indicators 9 and 10)

STEP is pleased to be a funded collaborative partner on the SPDG. Training events aligned with these initiatives will be coming soon. For more information visit the SPDG (formerly SIG) website at www.sig.cls.utk.edu/

Make plans to attend the Eighth Annual Tennessee Disability MegaConference
June 3 & 4, 2010
Nashville Airport Marriott
www.tndisabilitymegaconference.org
or call The ARC at 1/800-835-7077



New Community Parent Resource Center Funded in TN

LifeLine, Inc. located in Chattanooga, has been serving families affected by disabilities for over six years. They have been collaborating with STEP since that time providing workshops and training to parents on the IDEA. This year they were awarded a grant through the U.S. Department of Education to fund a Community Parent Resource Center.

LifeLine's Parent Center will serve families living in the six county region that makes up Metro Chattanooga- Hamilton, Marion, Sequatchie in Tennessee and Walker, Catoosa, and Dade, in Georgia. For resources and education as well as support for your family please call Virginia Piper, Project Director @ 423-991-4525 or Lisa Mattheiss, Executive Director @ 423-645-0504. A schedule of workshops can be found on their website www.lifelinefamilies.org.

STEP looks forward to continued collaboration in meeting the needs of families of children with disabilities.

STEP Transition Institutes 5

Over the last year STEP held two Transition Institutes and there was great attendance and excitement at both events. The Institute held in Nashville featured two informational strands: high school services and adult services. There was a great mix of attendees including families, students, and service providers.

The Knoxville Transition Institute and Information Fair is an event that is becoming well known in the East. This Institute was a collaborative effort between STEP and Knox County Schools along with several other partner agencies. The conference strands were developed by using information received from evaluations of previous Institutes. The strands included Self Advocacy, College/Postsecondary, Independent Living, Employment, and Transition Toolkit. We also featured roundtable discussions in the afternoon. Feedback from the over 300 participants indicated that this Institute met a need and they would use the information they received. Knox County Schools was able to use some stimulus funds to assist with the event.

If you are interested in replicating this type of transition initiative in your area, in partnership with your school system, please contact STEP and we will assist with the planning process.

STEP offers information packets on a variety of topics related to transition. These include:

- Employment Options for Young Adults
- Home Ownership in TN and other options
- Medicaid Waiver
- Microboards
- Planning Tools: for Transition, for Life
- Post Secondary Education Options
- Section 504 and the ADA: Beyond HS
- Self Advocacy and Self Determination
- SSI/SSDI/Work Incentives
- Supported Employment
- Transition: High School Focus
- Transition into Adult Service Systems
- Wills, Trusts and Conservatorships
- Vocational Rehabilitation
- Health Information

We hope to have these packets on our website in electronic format soon. Until then you can request two packets at a time from the website or call our toll free number 1 (800) 280-7837 to request information.

There are several initiatives around transition being offered across the state. Please watch for the next edition of Breaking Ground from the TN Council on Developmental Disabilities which will showcase these initiatives.



STEP Into the Question and Answer Corner!

TOPIC: Placement Vs. Location



I am very upset and need your help! At my daughter's end of the year IEP meeting, we all decided that she needed to stay in a self-contained special education class most of the day at the school where she has been for two years. It isn't her neighborhood school, and the bus has always transported her there. We love her teacher, and she has been making progress there. Shortly before school started this year, we got a letter from our school district saying that she would be at a different school this year, which is actually a bit closer to our home, but with a different teacher. The type of classroom is the same. I am worried because she doesn't transition very well. Shouldn't I have been involved in a discussion before they changed my daughter's placement? Is it legal for them to just notify me this way?



I understand your concern; it is true that parents are part of the decision-making team in regards to eligibility, contents of the program, and ultimately the placement. But it is important to look at how "placement" is defined and regarded in the law. IDEA at 300.115 speaks about a "continuum of alternative placements" and suggests some of those as instruction in regular classes, special classes, special schools, home instruction and instruction in hospitals and institutions. So, at an IEP meeting when everyone is discussing placement, they are really talking about the type of classroom in which the child is to get the agreed upon services. Will that be a general education classroom? Will it be a self-contained class—or in a hospital setting? The other mandate (at 300.116) is that placements be determined at least annually, are based on the child's IEP, and are as close as possible to the child's home.

It seems that what the school district has done in this case is to change the location of the services, not the placement of the child. If the type of classroom offered at the new school is consistent with what is listed in the IEP, and if the school is as close to the child's home as is possible, the school system has done its duty—and parents would not have been mandated to be part of that decision. It would, however, be reasonable to ask for an IEP meeting quickly to discuss the specific transition needs that your child has, and to devise a plan to support your daughter as she gets used to a new school building, a new teacher, and possibly new classmates.

Pregunta y Respuesta

Estoy muy preocupada y necesito su ayuda. En el IEP de fin de año de mi hija decidimos que estaría en una clase de educación especial la mayor parte del día en la misma escuela donde ha asistido por dos años, aunque es fuera de nuestro vecindario ella se ha ido en bus y el transporte ha sido bueno, también ha tenido una maravillosa maestra, mi hija ha progresado allí. Poco tiempo después de iniciadas las clases, recibimos una carta de la Superintendencia de escuelas de nuestro distrito donde nos notifican que mi hija tiene que ir a otra escuela que está un poco más cerca de la casa, con otra maestra en el mismo tipo de aula. Me preocupa pues ella no reacciona bien con transiciones. ¿No debí de haber estado involucrada en la discusión del cambio de colocación Y no solo haber sido notificada? ¿Es legal haberlo hecho de esta forma?

Su preocupación es entendible, y sí es cierto que los padres son parte del equipo de decisiones sobre calificación, servicios del programa y hasta de colocación, pero en este caso hay que ver como define la ley IDEA at 300.1155 "colocación" (placement), habla de la continuidad de colocación alternativa, y sugiere que sean instrucciones en aulas regulares, aulas especiales, escuelas especiales,

educación en hospitales O instituciones. Así que cuando en la reunión de IEP, se discute la colocación están hablando en realidad en el tipo de aula en que se ha acordado estará el niño recibiendo servicios. Podría ser, un aula regular, aula especial o algún hospital, el otro mandato (at 300.116) dice que la colocación debiera ser decidida anualmente en el IEP del niño, y deberá ser lo más cerca de la casa, parece ser que la superintendencia de escuelas de su distrito ha cumplido con su trabajo, ha cambiado la colocación o lugar, pero no los servicios, si va a tener el mismo tipo de aula estipulada en el IEP, y la nueva escuela está lo más cercano posible a su casa, el sistema educativo ha cumplido con su obligación y no es necesario la participación de los padres para esta decisión. Usted puede pedir una reunión de IEP, lo antes posible para verificar que su hija tenga los servicios y planificar una transición y apoyo de adaptación para la nueva escuela, maestro y hasta posiblemente nuevos compañeros.



Possible Interventions

Functional Behavior Assessment & Behavior Intervention Plan:

A Functional Behavior Assessment is a process to determine the causes of problems or inappropriate behaviors before developing an intervention plan. Crabtree advises, "In addition to, or as part of, this review (and regardless whether the behavior is found to be a manifestation of the child's disability), the school system must conduct a "functional behavioral assessment" and develop or modify a behavioral intervention plan as necessary to address the behavior for which the student is being disciplined. (§ 1415(k)(1)(B))"

If A Child Is Arrested

With an IEP in Place:

Pete Wright, Esq. at Wrightslaw.com advises parents and advocates to utilize the "power of the Juvenile Court" to develop and implement an IEP that is appropriate to meet the needs of the child. A parent should meet with the Probation Officer or other staff of the Juvenile Court as soon as possible to provide significant information about the IEP and how their disability affects their access to education. Wright suggests asking the following questions:

1. Did the school complete a functional behavioral assessment on the child?
2. Did the IEP team develop a behavior intervention plan?
3. Did the IEP team determine the positive behavioral interventions and strategies to address the behavior?
4. Did school staff actually implement these positive behavioral interventions and strategies?
5. Did the school revise the child's IEP and behavior plan to address the behavior that led the school staff to have the child arrested?
6. Did the school train the child's teachers to use positive behavior interventions, as required by law?

No IEP and Not Identified as Eligible for Special Education:

If your child is arrested but does not have an IEP they may still have some protections under IDEA. School systems are required to do ongoing "child find" to identify children that could need special education services. A school may be held to the standard of "knowing" or considered that they "should have known" of a child's need for special education services if:

- ➡ a parent expressed concern that his/her child needs special education (this must be in writing unless the parent is illiterate or unable to write because of a disability);
- ➡ the behavior or performance of the child shows s/he needs such services;
- ➡ a parent requested an evaluation of his/her child; or
- ➡ a teacher or other school employee has expressed concern about behavior or performance to other school staff (1415(k)(8))

Remember, an eligible child who has an IEP has the right to a free and appropriate public education (FAPE), even if they have been arrested. This issue is complex and state law can often have broader interpretations around the definitions of discipline. It is important to check in with STEP and special education law experts to insure that your child's rights are protected.

www.tnstep.org ~ www.edjj.org (Education, Disabilities and Juvenile Justice) ~ www.wrightslaw.com

Wayne Parker Advocate of the Year Awarded to Trudy Sanders

Trudy Sanders, parent of a young son with a disability, has been named the Wayne Parker Advocate Award recipient for this year. This award is given each year to a person who has exemplified using information to assist their own child or someone else's child with a disability to receive a free appropriate public education. STEP also seeks recipients who demonstrate teamwork and collaboration and the zeal to share the information they have learned with others.



Ms. Sanders worked on becoming an advocate since her son's first IEP. She states, "As we got in the truck (after a 15 min. meeting) my husband said "so, that is what an IEP meeting is." I replied "I don't think so, what I have read is nothing like the meeting we just attended". From that time Trudy continued to learn her rights, bring ideas to the IEP team to ensure her son was included with peers and doing grade level work. She continued to work with STEP staff to learn strategies to build relationships with school personnel and to be prepared for her son's IEP meetings. The process for Trudy involved keeping records, gathering data, and being confident and positive in the process. She continued to be persistent in her stance that her son had a right to be with educated with his typical peers and receive the related services needed to provide outcomes, even when the school personnel and she were not in agreement. Adam now is on grade level in all subjects .He has been on field trips with supports provided to make that successful. Trudy stated, "From these experiences I have continued learning and receiving training". She is now a volunteer advocate for the ARC of TN. She also enjoys leading STEP workshops as a STEP District Parent Trainer. Trudy shares information freely with others; she keeps her library and local resource areas stocked with information pamphlets useful to the disability community and is always willing to help a family learn how to navigate the special education maze.

Congratulations Trudy!

Trudy is shown in the photo with her husband Scoot and son Adam. Trudy wanted us to wrap us the article with this: "Adam is not the same child. This is Adam's success story. At this point I am confident that the sky is the limit for Adam, all due to the amazing training I got from STEP and its staff".



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STEP AHEAD

The Gift Goes On!

During this very special time of year, please remember STEP in your gift list. While we are each one thankful for our blessings and sharing with friends and family during these joyful, yet busy Holidays, take just a few moments to give to STEP. A check for \$10, \$25, \$50 or more can mean a great deal in our ability to provide the services that are in such great demand from families of children with special needs.

When you donate to STEP, your gift will help us give information, support and mentoring to more families across TN.

The gift goes on...when families have received the tools they need, they in turn can use that information to enhance their children's opportunities. As many of you know, without the knowledge and skills that STEP provides, many often find it difficult to overcome obstacles to successful educational experiences.

Your letters describing how STEP has been helpful to you and your family are valuable to us as well. Take a moment to send an email and a picture so that we can celebrate the successes you are making by using information STEP has provided!

During this season of thanks and gift-giving,
give the gift that gives and gives and gives.

Your gift is a tax deductible contribution if made by December 31. Please mail your check or donate through PayPal at our website www.tnstep.org

Don't Delay! Contribute Today!

