



Good morning, my name is Nagla Moussa and I am a parent of a 20 yr old son diagnosed with Autism. I am also a volunteer parent advocate who attends many ARD/IEP meetings on behalf of parents. I am here today representing The Arc of Texas , the states oldest and largest non -profit organization representing people with intellectual and developmental disabilities.

I appreciate this opportunity to testify and I am pleased to see the senate education committee's interest and dedication to improving education for all students with disabilities across our great state.

The Federal **Individuals with Disabilities Education Act** (IDEA) entitles every student with disabilities who meets the eligibility requirements to a **Free Appropriate Public Education or as we like to say FAPE**. This is a zero reject law. Schools do not get to choose their students or say we can only do it for some and not others. If a school does not know how to serve a child a multitude of resources, training and information through their district, education service center, TEA, private resources and the internet are available to them to learn what they need.. It is their job to use the resources to figure out how to do it. In most cases when one school district says they cannot successfully serve a child you can find a similar school district successfully serving a student with similar needs. . It is not usually about can't but won't. It is about the attitudes and willingness of the people involved to get the information and training they need to do it right. In the instance when a school district has truly tried to provide appropriate educational services, when they have provided training and mentoring for staff, brought in outside experts when necessary, researched and implemented scientific researched based best practices and methods, and listened to parents concerns, experience and ideas, and still cannot provide FAPE they are obligated to pay for someone else to do so. Parents should not have to leave the school and pay for a service the school is obligated to provide.

Unfortunately we know that there are schools who do not provide FAPE to every student and that parents have sought other ways to ensure their child's needs were met.

So how do we as a very large state with very diverse cultures and geographies make sure that every school is equipped to provide a free appropriate public education to every student with disabilities.

We must be vigilant in our statewide leadership and our development and enforcement of laws and policies that will show schools and parents that we hold schools accountable for implementing both IDEA and NCLB. We believe that the only way to help the majority of students with disabilities is by improving special education services in our public schools. It is vital that we make sure special education is consistently provided to every student with disabilities across Texas.

Specifically we must improve the communication between schools and parents. We must make sure schools know how important it is to see the parent as a valued partner to be listened to and respected. Many parents are afraid to ask questions or to bring up problems or concerns. Many parents do not know the importance of their involvement and many do not have the training or knowledge needed to participate effectively or to advocate for their child's interests in ARD Meetings. Schools who develop positive relationships with parents see positive outcomes for students. Some of the important things Schools should do to improve communication and parent involvement is to

1. Actively partner with local parent and advocacy groups to provide training for parents on the special education process.
2. Provide parent liaisons or an ombudsman so parents have someone they trust to answer their questions, listen to them or help them understand the process.
3. develop local special education advisory committees who can work with the school to plan trainings and other venues for parents to be heard
4. Routinely ask parents through surveys or other means how they feel about the communication process and success of special education services for their child.
5. Use person centered planning to help schools see the whole student, who they are, what motivates them, what they like and don't like and how they learn best. This process done outside of an IEP meeting puts everyone on an even playing field and lets the student's strengths, needs and interests drive the process.
6. Provide IEP facilitators when a possible disagreement is contemplated. We have the 10 day recess process in state rule that allows parents and schools to reconvene in 10 days when they disagree. At a minimum we know when this happens that it is time to get an IEP facilitator to help ensure the process is correctly followed and the lines of communication stay open and positive so everyone can come to an agreeable solution that will benefit the child.

If all of these things were in place we would have far less need for formal dispute resolution processes and better services for students.

Once the lawyers get involved It sets up an attitude of us against them and dooms IDEA implementation We need to find ways to avoid this whenever possible. Even though most school districts aren't involved in formal dispute resolution they almost all send staff to training by Attorneys that represent school districts. This may be necessary but you must know that the attitudes presented at these trainings does trickle down to the ARD meeting where the spirit of the law is many times sacrificed in favor of doing the bare minimum to satisfy the attorney's interpretation of IDEA.

The due process system in Texas is a broken system that is unresponsive to the needs of students or parents. Parents believe the system is biased against them and that parents rarely win on the substantive issues. Parents see schools spending what ever is necessary in a due process

hearing while their child is not getting the services they need. Most parents lack the resources to hire an attorney or the time and energy to pursue it without an attorney. As long as schools know that parents are reluctant to go the distance to a due process hearing the school may be more willing to not provide what the parent is requesting because they are fairly confident the parent will either 1. give up, 2. take their child out of their school or 3. the parent will lose at the due process hearing. In addition to improving communication and adding more alternative dispute resolution processes we believe the due process system itself needs reform to ensure a fair and balanced system. You have heard about some of these things in previous testimony such as moving the due process hearings to SOAH, changing the statute of limitations to 2 years, changing the burden of proof to the school districts and allowing lay advocates to represent parents in due process hearings.

Teacher training is another area that can help to improve services for all students with disabilities. All students deserve to be taught by highly trained regular and special education teachers in scientifically proven methods, Many successful schools use mentoring programs with highly trained teachers mentoring new and less experienced teachers. We need to provide incentives for principals to ensure they have these highly trained teachers on their campus who are expected to mentor and support other teachers on their campus. With the high level of discipline referrals of students with disabilities we must have school wide training on positive behavior intervention strategies. When schools need more specific or intense training related to a specific need they should be able to access grants like the high cost funds to send teachers to training and to contract with appropriate outside services or with the education service center to provide hands on training and technical assistance over an appropriate period of time to ensure the teachers can appropriately implement the program.

We believe the planning for transition from school to after school is not happening appropriately for many students with disabilities. We support the recommendations of HB 1230 specifically to collect more data and to add monitoring indicators that will measure what schools are providing students with disabilities before they leave school to prepare them for employment and independent living. Schools must ensure all students with disabilities are aware early on about SSI, work incentives and the adult service system and how to access it. When students are still in school, especially between the ages of 18-22, they should be receiving supported employment services and/or attending community college or other technical schools with support from the school. We also believe it is important to require transition planning beginning at age 14 when a student enters high school so they can plan their courses and have enough time to plan what they need to do to successfully transition to life after high school. It is very important that TEA hold schools responsible for implementing the transition requirements in IDEA and for the senate education committee to hold TEA responsible for IDEA implementation and school outcomes for special education students.

Our energy, funds and resources need to be spent successfully educating all students attending special education in our great state of Texas, and ensuring that all students have access to a free and appropriate public education. We need to concentrate on improving special education in public schools and on holding schools accountable for IDEA and NCLB. Thank you for allowing me to testify.