

MASSACHUSETTS ADVOCATES for CHILDREN



Issue #5 • Summer 2005

Changing conditions for many . . . Helping one at a time.

MAC's Mission

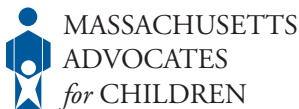
MAC's mission is to be an independent and effective voice for children who face significant barriers to equal educational and life opportunities. MAC works to overcome these barriers by changing conditions for many children, while also helping one child at a time. For over 30 years, MAC has responded to the needs of children who are vulnerable because of race, poverty, disability or limited English.



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"We do not merely have a social responsibility to assure that our children and youth have decent life chances and prosper. We have a sacred obligation to do so."

—HUBIE JONES,
MAC FOUNDER

Successful Advocacy for Massachusetts Children

MAC Leads Fight to Halt Proposed Changes in State Special Education Regulations:

Late last year, the state Board of Education proposed major changes to the 766 special education regulations which eliminated key rights and protections for children with disabilities. MAC spearheaded the statewide public awareness and legislative campaign to fight the proposed changes. We created an alert that was sent out to families through our parent and professional coalitions and networks. The information was posted on our website, and other organizations directed parents and others to our site. Hearings were held in Springfield on February 7th and in Malden on February 14th where over 400 parents attended to voice their concerns regarding the changes. We also worked extensively at the State House, developing a fact sheet and other informational materials for legislators concerned about the proposed changes. Sixty-five House members signed a letter to the Board of Education organized by Rep. Alice Wolf, Rep. Barbara L'Italien, and Rep. Tom Sannicandro, and 29 (out of 40) Senators sent a letter organized by Sen. Cynthia Creem. In a stunning victory, the Board of Education then announced that it was withdrawing all of the proposed regulations in controversy, for at least a year. We remain on high alert, though, for it is anticipated that the state Board of Education will again propose changes to the state special education regulations some time next year.

Grants to Schools for Trauma-Sensitive Environments: As a result of legislation MAC helped pass last year (in its role as a statewide center to the Massachusetts civil legal aid system), the state Department of Education created a \$1 million program for both Alternative Education and Safe and Supportive Learning Environments. Nine school districts received grants to create supports for students traumatized by the exposure to violence. (12 districts received alternative education grants.) MAC's Trauma and Learning Policy Initiative (TLPI) was invited to serve on the program's advisory committee. Through our leadership role with the Governor's Commission on Domestic Violence and Sexual Assault, we advocated for and won the support of the governor's office to include the same program in this year's budget. On March 22, TLPI organized a legislative briefing organized by Rep. Alice Wolf, keynoted by Dr. Bessel van der Kolk, sponsored by prominent members of the Massachusetts House and Senate, and attended by over 70 legislative offices. (See p. 5 for an excerpt from the proceedings.) Many thanks to the Legislature for increasing the grant programs by \$250,000 in the FY06 budget.

BPS to Strengthen Family and Community Engagement System: The MAC Boston School Reform Project with others, including Voices for Children and the Boston Parent Organizing Network, successfully advocated with the Boston School Committee and the Boston City Council to allocate \$895,000 to hire full-time Family and Community Outreach Coordinators in 15 Boston Public Schools next year. The schools will be selected through an RFP process this summer, and staff will be in place by the start of school in the fall. MAC/BSR has always believed that parent engagement must be encouraged at the school level with family centers and school-based staff to help parents become more involved in their children's learning and in school governance. These fifteen staff positions represent a pilot effort to demonstrate the effectiveness of this approach, which, if successful, would be expanded to all schools in the future.

Two MAC Publications Forthcoming

MAC is readying the publication of two important documents that will further its advocacy work. First, in its role as a statewide center conducting advocacy and providing support to the state's civil legal aid system, MAC has produced a manual for legal services and pro bono attorneys and advocates, *Staying Safe and Succeeding in School: Helping Children and Families Affected by Domestic Violence or Homelessness*, which provides critical information for attorneys in disparate fields (family law, benefits, housing, education, etc.) about the education rights of the children of their clients. Providing a stable and quality school experience for children who are suffering the effects of homelessness and/or domestic violence not only helps them succeed in school but also helps their parents hold jobs and seek housing so they can turn their lives around. This manual will be published this summer and disseminated broadly to legal services and related community based organizations. (It is currently available on MAC's website.) Trainings based upon the manual will be conducted to interested groups of attorneys and advocates starting in the fall. The manual's principal author is **Michelle Lerner, Esq.**, who has served as a consultant to MAC in this process. Researching and writing the manual involved a number of legal services attorneys, including members of the Domestic Violence and School Safety Committee (DVASS) of the Task Force on Children Affected by Domestic Violence, a MAC-initiated coalition through the Children's Law Support Project.

Second, MAC will be releasing *Helping Traumatized Children Learn*, the centerpiece of the Trauma and Learning Policy Initiative (TLPI), at a press conference planned for the fall. This report consists of three major components: a) a description of the research which so convincingly links childhood trauma to problems with learning and behavior; b) a "flexible framework" that provides a blueprint for schools to help these children by creating a trauma-sensitive environment (see p.1, for description of the state-funded grant program. The Framingham Public Schools are using the HTCL Framework in its grant.); and c) a policy agenda to provide support for schools to become safe and supportive learning environments. Major leaders in the education field are endorsing the report. The release of the report will be the springboard for a major educational campaign to take place starting in the fall.

Advocacy Briefs

As of April 2005, 95% of eligible students in BPS have received **Individualized Student Success Plans**, up from 68% in May 2004... Two **autism-related bills** filed by MAC are moving through the legislative process: one to direct the Commonwealth to apply for a federal Medicaid waiver for children with Autism Spectrum Disorder and another to ensure that IEP teams consider the full range of a child with autism's complex and unique academic, literacy, social, behavioral and communication needs... **Voices for Children** has formed **Community Partners for a New Superintendent**, composed of 30 parent, church and community leaders to develop a strategy on involving the community in the recruitment, screening, and hiring of a new school Superintendent in Boston. The group has already met with the mayor and school committee chairperson... Through its role on the Governor's Commission on Domestic Violence and Sexual Assault, MAC is assisting Horizons for Homeless Children to start a project to develop guidelines for **trauma sensitive pre-schools**, based on MAC's flexible framework which will be produced in *Helping Traumatized Children Learn*... LEAN (the Latino Education Action Network, part of Boston School Reform) organized a **Latino education summit** in East Boston with community partner organizations to provide training for parents to increase their level of participation in the local public schools... The **Racial Justice Project** has completed the five-part training for 25 Jamaica Plain Latino parents about their special education rights... The statewide Special Education Collaborative has decided to focus on **transition issues for older students**, and is working initially on strategies to improve compliance with "Chapter 688" transition procedures.

Grants Update

MAC's programmatic work continues to earn the confidence of its funders, as almost all of our last year's foundation donors and non-profit contractors are maintaining their support. New grants are being received this year from the Herman and Frieda L. Miller Foundation to support the Boston School Reform Project, an anonymous foundation to support the Trauma and Learning Policy Initiative, and the Foley Hoag Foundation to support the Racial Justice Project in Jamaica Plain. Thank you to all our funders on behalf of the children and families we serve.

From the Executive Director

Unfinished Business: Special Education in the Boston Public Schools

It was the Boston Public Schools' exclusion of children that was the basis of the first MAC report in 1970 and the genesis of the first-in-the-nation state special education law, Chapter 766. It was the Boston Public Schools' recalcitrance in following that law which led to MAC's class-action lawsuit, *Allen v. McDonough*, and court oversight that lasted over 20 years.

And now it is the Boston Public Schools whose students with disabilities have the widest achievement gap and the largest drop-out rate of any group in the school system. It is the Boston Public Schools which places an unusually high proportion of its special education students in substantially separate settings, even compared to other urban districts in Massachusetts. It is the Boston Public Schools which routinely denies services, eligibility or evaluation requests, and which unconscionably drags out cases for months at a time while the child languishes in an inappropriate setting or without services, all too frequently at home.

A severely disabled three-year-old placed in a classroom of 12 without an aide and only one teacher... a six-year-old suspended repeatedly by a school that also refused to evaluate him... a 14-year-old teen with disabilities refused a transfer to a safer school after being bullied and threatened by a gang of girls... a 10-year-old boy with ADHD whose guardian was told to keep him at home without a suspension or expulsion hearing... children with autism who face regression in communication and social skills because they are denied vital home or summer services. These are among the casualties of the unfinished business in Boston special education, and there is a particularly disturbing pattern of an increasing number of children whose parents keep them home for concerns about their safety, while the school does nothing or little to provide the services that will enable them to attend.

The ferment in education reform over the past 15 years has largely passed by special education in Boston. Its administration appears to be managed in a separate universe, driven by a singular focus on reducing enrollment and costs, frozen in an adversarial posture dictated by school lawyers. Well-established strategies such as partnerships, community engagement, and parent involvement are absent from special education. It is astonishing that in an internal special education achievement gap report written in May 2004, the word "parent" or "IEP" is not mentioned once. There is also

nothing in the report about assuring the quality and timeliness of the services the children might need that will enable them to take advantage of any improvements in instruction and curriculum.

To be sure, there are hidden gems. The Patrick O'Hearn School in Dorchester and the Mary Lyon School in Brighton are renowned models of inclusion, with dual-certified teachers, small class sizes, enlightened leadership, and supportive cultures. And yet, in a recent meeting with the new Citizens Commission on Academic Success for Boston Children, Superintendent Thomas Payzant acknowledged the problem with scale—purportedly the models are too expensive to ever benefit the vast majority of children with disabilities in Boston.

There are parents, teachers and advocates who are struggling to assure quality services for children with disabilities, one by one, school by school. Yet without major systemic reform, these will remain as valiant, even heroic, efforts to save individual children, without changing conditions or improving opportunities for so many others.

Finishing the business, the promise, of quality in special education in Boston must be one of the top priorities for the new superintendent.

Finishing the business, the promise, of quality in special education in Boston must be one of the top priorities for the new superintendent who is chosen to lead the school system as anticipated in September 2006. He or she must break down the isolation of the current special education system and reintegrate it into the mainstream of education reform; change the mandate from a singular focus on cost-cutting to one on quality services and high standards; and reach out to parents and the community for advice and guidance. Failure to do so will continue the suffering of many children and will render the goals of education reform and closing the achievement gap as elusive as ever for Boston children.

MAC will continue to work over the next year to improve special education services in Boston through our outreach to families of children with autism, our partnership with Harvard's Legal Services Center to advocate for parents of children experiencing trauma from exposure to domestic violence, our work with Latino families in Jamaica Plain as part of the Racial Justice Project, and our intake line to assist all parents or professionals who call with concerns about a child with disabilities needing services.

—Jerry Mogul, Executive Director

News from the Board of Directors

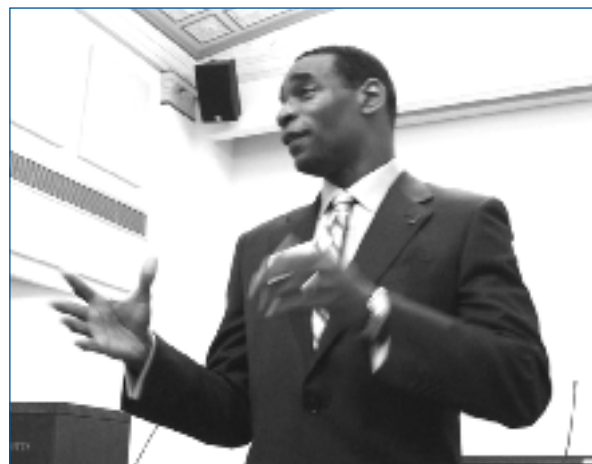
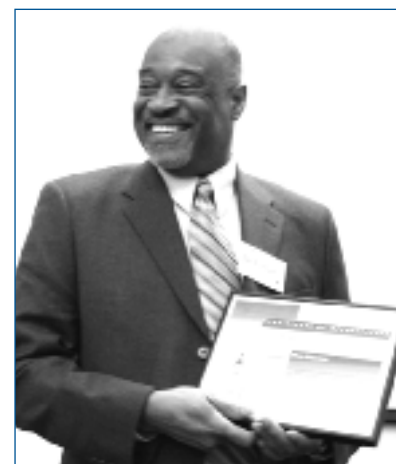
The Nominating/Board Development Committee of MAC's Board of Directors will be submitting the following slate of officers for the September annual meeting: **Ron Eskin, Esq.**, and **Eileen Hagerty, Esq.**, Co-chairs; **Edie Howe**, Clerk; and **Bob Fallon**, Treasurer. After over 10 years of extraordinary leadership on MAC's board, serving all but one year as its chairperson, **Stephen Rosenfeld** is leaving the board to pursue other pro bono interests in the non-profit world related to children, health, and disability. Steve's leadership transformed MAC and provided it with much-needed financial stability. He

worked tirelessly through the years, provided extraordinary vision, and was instrumental in holding two gala fundraising events, attracting new board members, and increasing MAC's fundraising capacity. He will be greatly missed by the organization. **Aden Hussein**, parent board member, is also leaving MAC, as he and his family are relocating to Minneapolis. The board wishes both Aden and Steve the very best of success in their new endeavors. The Nominating Committee is in the process of recruiting new board members.

MAC Appreciates Former Board Members

On February 2, over 50 members of the MAC family came together to honor six former board members for their service and advocacy on behalf of children in the Commonwealth. **Ron Ancrum**, **Doug Foy**, **Mary Kay Leonard**, **Rob Restuccia**, and **Kathy Ryan** each received a certificate of appreciation and well wishes from current board chairs, Ron Eskin and Edie Howe. **Larry Kotin** also received the certificate with the distinction of being named "Board Emeritus" by MAC founder, Hubie Jones, for his 30+ years on the MAC board, and more important, his seminal role in working on the legislation in 1972 that led to the first special education law in the country, Chapter 766.

United Way of Mass Bay President and CEO, **Milton J. Little**, was the keynote speaker and was eloquent in his call for schools to become places of educational excellence for all children.



Clockwise from top left: Larry Kotin (left) receiving congratulations from Hubie Jones; Ron Ancrum proudly displaying his certificate; Milton Little, United Way CEO, delivering keynote address; Rob Restuccia being greeted by Edie Howe.

Legislative Agenda—Removing Trauma as a Barrier to Learning

(Excerpts from the remarks by Susan Cole, Esq., of MAC at the Legislative Briefing for the Alternative Education Grant Program, March 22, 2005)

There is nothing new about trauma in our schools. Often without realizing it, teachers have been dealing with trauma's impact for generations. What is new is that trauma researchers can now explain the hidden story behind many of the classroom difficulties plaguing our educational system.

When I taught in the Watertown public schools, I, like many teachers, wondered why there were students I just couldn't reach. They stared out the window, they acted out for reasons no one, including they, could explain. And they failed, when success seemed to be within reach.

I changed careers from teacher to attorney, and pursued this question as a staff member at Massachusetts Advocates for Children. Working within the legal services network, I represented families in suspension and expulsion hearings as well as special education matters. Again, I wondered if something could have been done to prevent the problems that were occurring.

“Teachers need the backing of experts and a dynamic school community where children can form strong relationships with adults, learn to modulate their emotions and behaviors and achieve at their highest levels.”

Then we began reading the trauma research and started asking clients whose children were disciplined for behavioral problems if there had been exposure to violence. We were astonished at how many said yes.

Gradually we're learning to put this research to work. Not by asking teachers to figure it out alone, but as part of a concerted public policy agenda.

For no longer can we send teachers into a classroom with a little information and tell them to deal with trauma themselves. Teachers need the backing of experts and a dynamic school community where children can form strong relationships with adults, learn to modulate their emotions and behaviors and achieve at their highest levels. This requires a school-wide structure where trauma is a regular part of the

discussion and teachers are recognized as front line professionals receiving clinical supports and consultations as needed.

But whole schools by themselves cannot solve the problem alone either. A strong public

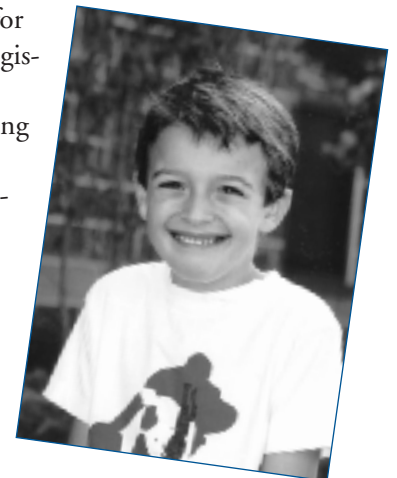
policy agenda is needed to ensure that all schools have the resources to develop school-wide trauma action plans for creating supportive environments. Teachers and mental health professionals in school must have adequate training on trauma's impact on learning at the pre-and post-certification and licensing levels. Guidelines must be adopted to make special education evaluations and services more trauma-sensitive. Finally, we need to expand this program into early education, for we know that the earlier we can address trauma the better the prognosis.

If we don't address trauma symptoms early, we face the consequences of our short-sightedness when children fail to learn to read, when they have difficulty processing information or forming relationships—and when they end up in the juvenile justice system for acts that could have been prevented.

By passing this law, An Act for Alternative Education, the legislature has placed the Commonwealth on the cutting edge in recognizing and meeting the needs of traumatized children. We look forward to working with the Legislature to help all traumatized children succeed in school.



Cambridge Public Schools representatives, Dr. Mary Cazabon and Dr. Corine Varon, with Rep. Alice Wolf, D-Twenty-fifth Middlesex (Cambridge), receiving award from Susan Cole, Director of the Trauma and Learning Initiative.




Intake and Case Advocacy Report

MAC responded to 366 requests for assistance through its intake telephone service, providing technical assistance, brief advice, direct representation and referrals to pro bono and legal services attorneys during the first six months of 2005, a dramatic increase from 179 during the same period last year. MAC, and its partner the Harvard Law School Legal Services Center, opened 17 cases and referred 63 to pro bono or legal services attorneys. All cases handled or referred by MAC met low-income guidelines. Among the trends MAC is seeing in its intake are increasing mental health needs, including for children with autism, and a disturbing number of children who are being kept home from school because their parents don't feel that they are getting the services or support they need to keep them safe.

A 12-year-old boy who was a Bosnian refugee had anxiety and seizures. His school would not install a safety plan if he had a seizure and did not provide accommodations for his anxiety, so it was not safe for him to be in school. We secured the services of a pro bono attorney who helped the family get an IEP for the boy with needed accommodations and a safety plan to protect him in case of a seizure. He is back in school.

A 5-year-old homeless boy was suicidal with severe behavior problems. Although he was in a therapeutic setting as a pre-schooler, the school placed him in a regular kindergarten class with no IEP and few services. His teacher was unable to manage his behavior and teach the class. MAC intervened and immediately got the school district to place him in a small classroom where he is receiving the attention and support he needs.



Because MAC is an independent advocacy organization, we do not accept any public funds that will compromise our ability to advocate effectively on behalf of children or families.

Therefore, we rely very much on private donors—individuals and foundations—to support our high quality advocacy work. Your contribution will help us continue the work described in this newsletter. Visit www.massadvocates.org/donate to learn ways in which you can contribute to MAC.

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