

The Council of Parent Attorneys and Advocates, Inc. (COPAA) is an independent, nonprofit, §501(c)(3) tax-exempt organization of attorneys, advocates and parents. Our primary mission is to secure high quality educational services for children with disabilities.

COPAA is the leading national organization for special education attorneys and advocates. COPAA promotes excellence in education advocacy on behalf of the 7.1 million children with disabilities in America.

COPAA is premised on the belief that the key to effective educational programs for children with disabilities is collaboration -as equals- by parents and educators.

COPAA continues to grow as a recognized national leader in special education advocacy, with 1200 members in 47 states and the District of Columbia.

COPAA is a strong voice the federal level; shaping policy, filing amicus curiae briefs for cases of national significance, and providing quality training and technical assistance to members. Individual contributions and the collective strength of the membership serve to keep COPAA strong, effective and forward moving.

The COPAA Board continues to pursue the following strategic goals for the organization:

- GOAL 1: Increase Membership through enhanced member services.
- GOAL 2: Increase Active Participation of Membership in COPAA.
- GOAL 3: Effect Positive Change in Special Education Law and Public Policy, and Related Issues of Concern.
- GOAL 4: Increase skills and substantive knowledge of attorneys, advocates, and parents.
- GOAL 5: Ensure that COPAA has the infrastructure to perform and sustain its mission.

2010-2011 Board of Directors and Staff

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Term Ending in 2014 : Robert Berlow, Eileen Crumm, Andrew Feinstein, Mark Kamleiter, Sonja Kerr, Dawn Smith, Carrie Watts

Staff

Denise Marshall, Executive Director
 Marcie Hipple, Membership and Conference Coordinator

ADVOCATES

Co-Chairs: Missy Alexander and David Beinke

The Advocates Committee, with 17 active members from across the country, meets monthly. Committee focus continues to be on two primary objectives in line with COPAA strategic plan:

1) Support and facilitate the initiation of SEAT (Special Education Advocate Training) as a professional training curriculum for advocates.

2) Have a structured system of welcoming and connecting with new advocate members as well supporting existing advocate members. The following activities are slated for the upcoming year:

a) Start a sub-committee on seeking greater diversity within the advocate community.

b) Organize an advocate networking activity in conjunction with COPAA Conference.

c) The monthly advocate phone conference was initiated on February 12, 2011 on the topic of autism. The phone conferences are being held on the 2nd Sunday of each month from 7-9PM (EST).

d) Discussion of having regions within the Advocate committee is ongoing. Monthly information goes out to committee members on hot topics and trends in special education. Members are also meeting monthly to "staff" a case currently confronting an Advocate Member. The Committee will be working towards archiving advocate committee minutes or recordings on the Members Only Area of the web site.

AMICUS

Co-Chairs: Selene Almazan and Catherine Merino Reisman

The Amicus Committee had a very busy year, with over 20 referrals for briefs and multiple requests for technical assistance. COPAA filed or signed onto the following briefs this past year:

- *Jamie S. v. Milwaukee Bd. of Sch. Directors.* The amicus brief, authored by National Disability Rights Network, focused on the need for an exception to the exhaustion requirement under IDEA in cases seeking to resolve systemic problems.
- *M.S. v. New York City Dep't of Educ.* COPAA filed brief in the Second Circuit Court of Appeals discussing the appropriate standard of review in an appeal of a case brought under IDEA. Pro bono counsel from Greenberg Traurig, Caroline Heller, authored the brief for COPAA.
- *M.S. v. New York City Dep't of Educ.,* COPAA filed brief addressing the issue of deference due to the Impartial Hearing Officer and the second tier, State Review Officer, in New York. Pro bono counsel from Greenberg Traurig, Caroline Heller, authored the brief for COPAA.
- *Ka.D. v. Solana Beach Sch. Dist.* COPAA filed an amicus curiae brief in the Ninth Circuit Court of Appeals, outlining the legal and research basis for education in the least restrictive environment. Selene Almazan, Maryland Coalition on Inclusive Education, represented COPAA pro bono.

Decisions in previously filed cases:

- Eleventh Circuit Court of Appeals decided against the plaintiffs in *T.W. v. Seminole County Bd. of Educ.*, 610 F.3d 588 (11th Cir. 2010). COPAA's brief was in support of T.W., a student with autism subject to abusive restraint and seclusion.
- Ninth Circuit Court of Appeals issued its decision in *A.M. v. Monrovia Unified Sch. Dist.*, On the issue briefed by COPAA, the court agreed with our arguments, holding "Neither the IDEA claim nor the Section 504 claim was mooted by A.M.'s death because the parents sought reimbursement and damages." In his concurring and dissenting opinion, Judge Bennett disagreed that a remand was necessary but agreed with the conclusion on mootness. Judge Bennett specifically cited to COPAA's brief, stating: "I am particularly persuaded by the reasoning presented in the brief of amicus curiae Council of Parent Attorney Advocates, Inc."

Upcoming Briefs:

- *Anchorage Sch. Dist. v. M.P.*, pending in the Ninth Circuit. COPAA's brief will make the following arguments: (1) clear precedent holds that a failure to update an IEP for multiple years violates both the procedural and substantive requirements of the IDEA. (2) The district court's opinion would undermine IDEA's purpose, by deterring parents from advocacy.
- *Dowler v. Clover Park Sch. District.*, an amicus brief related to legal requirements for exhaustion of non-IDEA claims in the Washington Supreme Court, also in the Ninth Circuit.

The Committee also provided technical support in *Hansen v. Republic R-III Sch. Dist.*, No. 10-1514; input to an attorney who was deciding whether to petition for certiorari in a least restrictive environment case arising in the Fifth Circuit; and a member seeking assistance and amicus support for a family un-represented in an appeal in the Fifth Circuit. Amicus Committee activities continue to support the goals outlined in the strategic plan to effect positive change in special education law and public policy, and related issues of concern and increase skills and substantive knowledge of attorneys, advocates, and parents. The Committee is able to accomplish its work through the continued dedication and time of our committee volunteers and the pro bono donation of the following firms: Baker and Mackenzie, Covington & Burling, and Greenberg Traurig.

CONFERENCE

Co-Chairs: Selene Almazan and Missy Alexander

The 2011 Conference, held in San Antonio, Texas from March 3-6, met all projected goals and exceeded many milestones, such as number of RFP's (74); selling out the main hotel prior to Feb 1st; number of registrants at early bird cut off (260); and, over 40 participants in the Fun Run/Walk. Over 390 people attended and were a vital to the success of the conference; making sessions informative, and filling the atmosphere with energy and warmth. It was great to see founding members, old friends, and to welcome new attendees and members.

Attendees gained new knowledge and returned home feeling energized, refreshed, and excited about all the incredible activities happening throughout the COPAA network.

Some of the highlights of the Conference included the Opening Keynote by Keith Jones; Saturday morning Keynote by Dr. Carol Quirk; The Annual Case Law Review by Judith Gran; forty-one diverse and informative sessions, and quality exhibitors. We are pleased to say that the Conference Committee requires that each exhibitor's policy and procedures for Restraint and Seclusion adhere 100% to the COPAA Declaration of Principles.

Thank you to all COPAA Conference Attendees who chose to "Go Green" this year (over 1/3 of participants chose this option) - a move that saved many trees, saved the organization money, and allowed participants to access compendium materials early and store files electronically for future use.

This year the Pre-Conference Subcommittee met and conducted an online survey of the membership and determined our 2 day and 1 day sessions. We made some changes based upon the survey results and the response was excellent. This year over 70% of attendees attended pre-conference sessions.

Many thanks to our new Sub-Committee for the Silent Auction, who did a fantastic job gathering donations and organizing the event; and to our attendees who participated and supported the Beth Goodman Scholarship Fund - raising close to \$6,000.00 over the year. Thanks also to our Conference Sponsors: Baker and Mackenzie, Law Offices of Myrna Silver, Law Offices of Michele Kule Korgood, Berkshire Hills Music Academy, MetLife, The Glenholme School, F.L. Chamberlain School, Law Offices of Regina Skyer, Vista Vocational and Life Skills Center, Texas Organization of Parent Attorneys and Advocates (TOPAA) and Chapel Haven.



GOVERNMENTAL AFFAIRS

Co-Chairs: Robert Berlow and Leslie Seid Margolis

COPAA's expertise and our unique perspective in understanding the challenges faced each and every day by students with and their families continues to drive policy objectives. COPAA's voice is being heard in Washington on many important issues. COPAA has entered into an agreement with the Center for Law and Education to assist in informing our policy briefs and activities for the upcoming year.

COPAA supported the passage of Rosa's Law. This important legislation, passed in October, 2010, removes variations of the term 'mental retardation' from all Federal laws and replaces it with variations of the term 'intellectual disability.'

COPAA remains intently focused on leveling the playing field and assuring that children with disabilities and their parents have access to rights under the law. Much of the Committee's effort in the past year focused on Keeping All Students Safe in School Act and the IDEA Fairness Restoration Act. In August, 2010 COPAA joined other advocates in sending a letter to Department of Education Secretary Arne Duncan urging federal action to prevent and confront bullying, cyberbullying and harassment in our nation's schools. Bullying is an issue which continues to disproportionately affect students with disabilities. In January, 2011 COPAA joined over 60 other national advocacy organizations to express deep concern in a letter to President Obama about a provision inserted in H.R. 3082, the Continuing Resolution for government funding passed in December, which undermined the federal definition of a "highly qualified teacher" in the No Child Left Behind Act by allowing states to label teachers as "highly qualified" when they are still in training – and, in many cases, just beginning training.

IDEA Fairness Restoration Act - This issue remains one of COPAA's major legislative priorities. We are working towards passage of an Act which will allow a prevailing party to recover expert witness fees and certain other expenses, effectively overturning the decision in *Arlington Central School District Board of Education v. Murphy*. COPAA's previous efforts sponsored a national call-in day, and obtained support from over 110 organizations. This is an issue that has broad support in the Disability Community and which we will continue to strongly push in 2011. We also continue to work towards legislative fixes to harmful court decisions that erode rights, such as: *Buchannon Bd. v. W. Va Department of Health and Human Services* and *Schaffer v. Weast*.

Restraint and Seclusion - COPAA supports passage of a federal bill aimed at reducing and preventing the use of aversive interventions, seclusion, and restraint in schools. Importantly, COPAA supports passage of critical provisions that provide a minimum floor of protection; protection that does not yet exist in many states. We feel it is important to raise the bar of protection and safety in every state, for all students. COPAA is working closely as a member of the coalition APRAIS (Alliance for the Prevention of Restraint, Aversive Interventions and Seclusion) and Consortium for Citizens with Disabilities (CCD).



Reauthorization of ESEA and IDEA - Congress is currently moving toward reauthorization of ESEA. COPAA continues our work to urge Congress to protect students with disabilities in the reauthorization of the Elementary and Secondary Education Act (ESEA). Students with disabilities have benefited greatly from ESEA because the law requires academic achievement to be measured and reported. As a result, more students with disabilities have been afforded the opportunity to learn and master grade level academic content. We were active in urging Congress and the Department of Education to reject using the Individualized Education Program (IEP) as a primary accountability tool for measuring whether schools, LEA's or States are successfully educating students with disabilities.

COPAA actively continues its work to assure that students and parents realize the promise of the Individuals with Disabilities Education Act (IDEA); to close the gap between that promise and the realities facing students and their parents; and to level the playing field to assure access to rights under this and other federal laws.

MEMBERSHIP

Co-Chairs: Jennifer Laviano and Carrie Watts

COPAA's Membership Committee continues to work towards the identified goals in COPAA's Strategic Plan, which includes goal for increasing membership, with two related parts: (1) increasing new membership; and (2) increasing member retention. These goals are the core of the Membership Committee's global focus.

The committee's primary task during the past year was addressing the issue of development of a Membership Revocation Policy and related procedures, which the Board and the Committee felt was an important and necessary task. Having finalized that task, the Committee looks forward to returning to our global goals of increasing membership, increasing retention of members, and outreach both to COPAA's members and to potential members. The committee was also focused on increasing number of active committee member (increasing from 6-12), new member welcome and outreach to Law Schools.

Membership Committee Goals for 2011-2012

- a. Overview / Focus: We will focus in the coming year on implementation of activities and goals that work towards greater membership growth and retention.
- b. Specific Goals / Activities for the Next Year:
 - i. Continue to work towards overall goals for growth as established by COPAA's Strategic Planning.
 - ii. Continue to promote and increase awareness of COPAA in the public and with potential members:
 - a) As related to increasing new membership rates, implement specific strategies for outreach to low membership states and Law school clinics (see above).
 - b) As a means of increasing retention; contact new members upon joining.

Membership Data (as of February 2011)

Current Membership Numbers

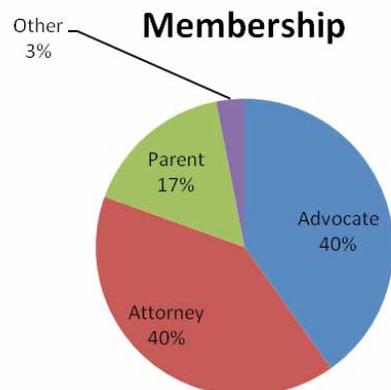
Total: 1,122

Attorneys: 460

Advocates: 443

Parents: 182

Other Professional: 37



THE COUNCIL OF PARENT ATTORNEYS
AND ADVOCATES, INC.

STATEMENTS OF FINANCIAL POSITION
December 31, 2010 and 2009

	2010	2009 (Restated)
ASSETS		
<i>CURRENT ASSETS</i>		
Cash	\$ 177,829	\$ 213,843
Certificates of deposit	35,361	35,238
Grants and other receivables	50	432
Prepaid expenses	<u>5,854</u>	<u>7,627</u>
Total current assets	<u>219,094</u>	<u>257,140</u>
<i>PROPERTY AND EQUIPMENT</i>		
Computer equipment	1,525	1,525
Website	<u>8,535</u>	<u>-</u>
	10,060	1,525
Less accumulated depreciation	<u>3,601</u>	<u>1,122</u>
Total property and equipment	<u>6,459</u>	<u>403</u>
<i>DEPOSIT</i>	<u>200</u>	<u>200</u>
Total assets	<u>\$ 225,753</u>	<u>\$ 257,743</u>

	2010	2009 (Restated)
LIABILITES AND NET ASSETS		
<i>CURRENT LIABILITIES</i>		
Accounts payable	\$ 4,899	\$ 2,684
Accrued expenses	9,238	8,093
Deferred revenue	<u>43,930</u>	<u>37,269</u>
Total current liabilities	<u>58,067</u>	<u>48,046</u>
<i>COMMITMENTS</i>		
<i>NET ASSETS</i>		
Unrestricted	155,745	195,202
Temporarily restricted	<u>11,941</u>	<u>14,495</u>
Total net assets	<u>167,686</u>	<u>209,697</u>
Total liabilities and net assets	<u>\$ 225,753</u>	<u>\$ 257,743</u>

THE COUNCIL OF PARENT ATTORNEYS
AND ADVOCATES, INC.

STATEMENTS OF ACTIVITIES
Years Ended December 31, 2010 and 2009

	2010	2009 (Restated)
UNRESTRICTED NET ASSETS		
<i>SUPPORT AND REVENUE</i>		
Donated services	\$ 451,538	\$ 633,210
Conference fees, net of refunds of \$3,290 in 2010 and \$6,590 in 2009	127,969	158,654
Membership dues, net of refunds of \$700 in 2010 and \$450 in 2009	90,405	92,502
Contributions	2,493	3,945
Interest	1,985	4,209
Other	<u>12,845</u>	<u>5,053</u>
	687,235	897,573
 <i>NET ASSETS RELEASED FROM RESTRICTION</i>		
Satisfaction of restriction	<u>8,218</u>	<u>7,500</u>
Total unrestricted support and revenue	<u>695,453</u>	<u>905,073</u>
 <i>EXPENSES</i>		
Program services	641,101	855,939
Management and general	<u>93,809</u>	<u>82,275</u>
Total expenses	<u>734,910</u>	<u>938,214</u>
 Change in unrestricted net assets	 <u>(39,457)</u>	 <u>(33,141)</u>
 TEMPORARILY RESTRICTED NET ASSETS		
Contributions	5,664	5,489
 <i>NET ASSETS RELEASED FROM RESTRICTION</i>		
Satisfaction of restriction	<u>(8,218)</u>	<u>(7,500)</u>
 Change in temporarily restricted net assets	 <u>(2,554)</u>	 <u>(2,011)</u>
 Change in net assets	 <u>(42,011)</u>	 <u>(35,152)</u>
Net assets, beginning of year	<u>209,697</u>	<u>244,849</u>
Net assets, end of year	<u>\$ 167,686</u>	<u>\$ 209,697</u>

Thank you Donors

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Thank you to COPAA Conference Attendees for your support of the Beth Goodman Scholarship Fund.

THANK YOU
COPAA COMMITTEE AND WORKGROUP
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***COPAA is your national voice for excellence in
Special Education Advocacy.***

2010 - 2011

The Council of Parent Attorneys and
Advocates, Inc.

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