

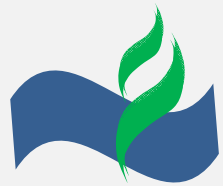


**THE COUNCIL OF PARENT
ATTORNEYS AND ADVOCATES, INC.**

2012 -2013 ANNUAL REPORT

COPAA's mission is to be a national voice for special education rights and to promote excellence in advocacy. Our primary goal is to secure high quality educational services for children with disabilities.

COPAA is grounded in the belief that every child deserves the right to a quality education that prepares him or her for meaningful employment, higher education, and lifelong learning, as well as full participation in his or her community. The key to effective educational programs for children with disabilities is collaboration - as equals - between parents and educators. This is the premise of the Individuals with Disabilities Education Act (IDEA) and Section 504 of the 1973 Rehabilitation Act, the federal statutes that guarantee children with disabilities a free appropriate public education. Access to quality representation protects student and parent rights and levels the playing field to enable full and meaningful participation as equal members of the child's team.



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Strategic Plan

The COPAA Board adopted the following goals in the Strategic Plan for 2012-2017:

GOAL 1: Increase Membership to 2000

GOAL 2: Increase Revenue to \$500,000 per year

GOAL 3: Become the Leading National Information Dissemination Network on Educational Rights of Students with Disabilities and Their Families.

GOAL 4: Protect Civil Rights and Promote Excellence in Education for Students with Disabilities

GOAL 5: Assure Each Child Eligible for Services and Supports Has Equal Access to a Quality Education

**Co-Chairs: Selene Almazan and
Catherine Merino Reisman**

Amicus Committee

The Amicus Committee continues its important work filing amicus briefs in cases of national significance and providing technical assistance to members. On February 21, 2012, COPAA filed an Amicus brief in [Jefferson Bd. Ed. v. Phillip Angie C., 11th Cir.](#) As Amicus, COPAA's interest is to offer its experience on the IEE issue, including the use of publicly-funded IEEs in the provision of FAPE, to aid in the protection of the rights of children with disabilities. The IEE provides an essential balance in the parent-school relationship to ensure FAPE by permitting input from independent professionals. COPAA members understand that publicly-funded IEEs have brought to bear necessary expertise and researched-based scientific practices for children and have generally enhanced parent-school collaboration.

Also of significance this year was the opinion in *Anchorage v. M.P.*, 9th Cir., a case in which COPAA had filed an Amicus brief before the Ninth Circuit Court of Appeals. In that case, the district court had originally (11/1/11) found in favor of the parents on the issue of appropriateness, upholding the Hearing Officer's determination that the school district did not satisfy the Rowley "meaningful benefit" standard when it utilized an outdated IEP. However, the district court ultimately ruled against the parents, finding that their behavior – their vigorous advocacy - excused the inappropriateness of the IEP. The Ninth Circuit reversed, finding that the district court had erred legally by concluding that the parents' behavior excused the



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inappropriateness of the IEP. Understanding the importance of this ruling to other cases, COPAA and its Amicus partner filed a Motion asking the Ninth Circuit to publish its decision in this matter. On July 19, 2012, the Ninth Circuit granted that motion and [issued a new opinion in *Anchorage Sch. Dist. v. M.P.*](#) that was substantially more complete than the original, relying heavily on the arguments presented in COPAA's brief.

Awards Committee

Chair: Leslie Seid Margolis

This year the Diane Lipton Award Committee revised the criteria and purpose of the award, ultimately restructuring the call for nominations. The Diane Lipton Award recognizes outstanding achievement by a member of the special education advocacy community. The Committee considers, among other things, the criteria set forth in the application form. These criteria includes questions related to direct interaction/effect of work on students or children with disabilities and/or their families, education/public awareness efforts, legislation/public policy organizing efforts, and whether the applicant has championed a specific cause that embodies the mission of COPAA. For 2013, the Committee recommended recipient Terrie A. Rymer to the Board. The Committee has also recommended that the Board consider creating a workgroup to explore the possibility of additional COPAA Awards in future years.

Co-Chairs: Naomi Grossman, Cynthia Daniels-Hall, and David Beinke

Advocates Committee

The Advocates Committee has continued to meet this past year on a semi-monthly basis. Starting in March of 2013, however, the committee began using the following new format:

- 1) Hold quarterly meetings based on the schedules of the committee members, with meetings occurring more frequently if requested or necessary.
- 2) Continue the monthly toolbox.
- 3) Rotate topics of monthly conference calls (*e.g.*, ask an advocate, board member, executive director, neuropsych, and attorney).
- 4) Schedule "Welcome New Advocate" meeting.



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The Committee continues to explore the feasibility of advocate certification, recognizing that this is a complex issue and a monumental undertaking.

Many advocate members are reporting a serious increase in advocate activity with school districts. Emerging challenges appear to include eligibility determinations, especially for the autism category, LRE issues, schools pushing more students out of IEPs and into 504s, and an increase in school-initiated due process hearings to challenge parent requests for IEEs.

The Committee will also explore ongoing Advanced Advocate Training – with the number of SEAT graduates expected to grow over the next couple of years, as well as for those experienced advocates within COPAA, it will be important to continue to offer advanced advocate training.

Conference Committee

Co-Chairs: Selene A. Almazan and Catherine Merino Reisman

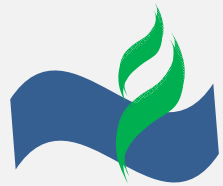
Our 2013 Annual Conference in Albuquerque, New Mexico boasted 354 registrants. We were fortunate to have **Andrea Friedman** as our Friday evening speaker. As is our tradition, our Friday evening speaker inspired and informed our work. Our Saturday general session speaker, **Brian Reichow, Ph.D.**, is an Associate Research Scientist at the Yale Child Study Center. The Conference Committee was very excited to have Dr. Reichow address the then-pending changes to the DSM-V. As a service to our membership, COPAA – through the work of Pro Bono Coordinator, Caroline Heller of Greenberg Traurig - developed additional materials for members' use once the revisions were published. Finally, as always, Judith Gran provided The Year in Review!



This year an additional 2-day Pre-Conference session was added, geared towards parents and new advocates. Our Pre-Conference sessions tend to be very well attended, with approximately 60% of registrants attending these sessions. There were four two-day Pre-Conference options this year, and seven one-day sessions available. The Conference Program itself featured 40 sessions from which to choose. And, for the first time ever, we are proud to announce an exciting development: We have an App for that!

Conference 2014: Baltimore, Maryland, March 6-10, 2014

Conference 2015: San Diego, California, March 5-8, 2015



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Development Committee

Co-Chairs: Michele Kule-Korgood and Dana Jonson

In 2012, the Development Committee was resurrected. Six additional COPAA members who have experience in this area were solicited to provide input/expertise/assistance to the Development Committee. The Committee discussed a variety of topics, including the following:

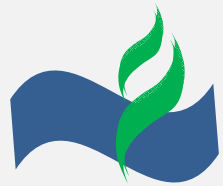
1. Mission Statement – the Committee revised the mission statement through the lens of development.
2. Purpose of Development - the Committee discussed the need to identify certain COPAA projects and target potential avenues of funding for those projects.
3. Publications – the Committee briefly discussed the possibility of using publications, such as parent manuals, as a potential revenue source.
4. End of Year Donation Letter – the Committee discussed both the historical revenue associated with the letter as well as the content of the letter.
5. Policy on Accepting Donations – the Committee discussed the policy both in terms of its origin in response to a specific grant in 2007, and in terms of review and possible need for updating in response to changes in COPAA.

Governmental Relations Committee

Co-Chairs: Robert Berlow and Andrew Feinstein

COPAA's Government Relations Committee oversees policy, encourages grassroots action, and engages in direct meetings. Virtually the entire job of hands-on advocacy, both with congressional staff and with federal agencies, as well as with other disability rights organizations, is handled by COPAA's Executive Director, Denise Marshall. Over the last few years, COPAA has developed strong relationships with numerous critical players in the fields of education and disability. Unfortunately, COPAA currently lacks the resources to have a full-time governmental relations staff person in Washington. We continue to work towards that goal to increase impact.

COPAA supplements direct contacts with our grassroots network of members. We multiply our voice through the networks of our members, through coalitions with other groups, and through connecting elected officials to personal stories. Our goal is for every COPAA member to meet with his or her local members of Congress and their education staffers, to develop relationships with these staffers, and to have the tools necessary to push for policy agendas that are aligned with the national organization's mission.



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- **The following is a list of our major policy areas for advocacy over the past years (note that our website contains detailed descriptions, as well as policy statements, on many of these issues):**

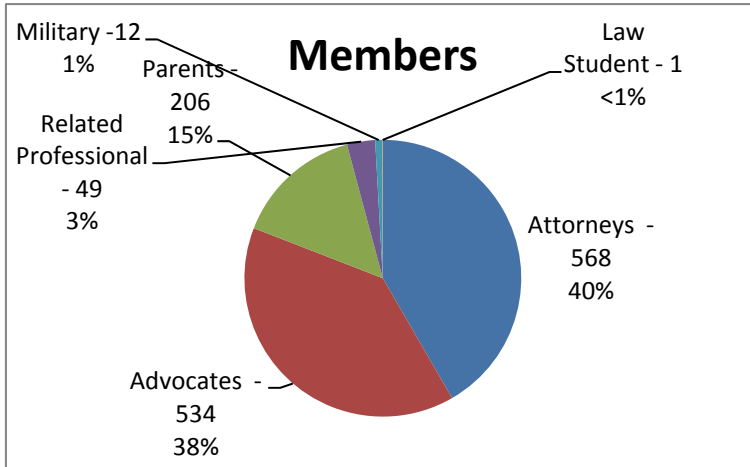
- A. Provide safe, positive learning environments for children with disabilities.
- B. Protect the due process rights of parents and students.
- C. End the use of aversive interventions, including restraint and seclusion.
- D. Ensure that the reauthorizations of ESEA (a.k.a NCLB) and IDEA provide for meaningful and measureable education for children with disabilities.
- E. Ensure that all students have access to high quality teachers who are well trained, particularly in the services needed by children with disabilities.
- F. Block ESEA waivers that shortchange students with disabilities.
- G. Require charter schools to provide equal access and high quality education to children with disabilities.
- H. Prevent schools from using discipline as an excuse not to provide education to students with disabilities.
- I. Prevent schools from using Response to Intervention (RTI) procedures to deny or delay

students' eligibility for special education services.

- J. Require schools to provide the type of outcome-based transitional services mandated by Congress in 2004.
- K. Ensure that IEPs have measureable, challenging goals.
- L. Stop out-of-level testing.
- M. Ensure that children are evaluated promptly in all areas of suspected disability and that the right of parents to independent educational evaluations at public expense is safeguarded and enforced.
- N. Ensure that FAPE requires the student to make real, measureable progress on challenging and relevant goals.
- O. Reinststate the right of prevailing parents to recover expert witness fees from school boards.
- P. Require school boards to carry the burden of proof in hearings to show that their proposed IEPs are appropriate.
- Q. Restore the right of parents to recover attorneys' fees from school district when their bringing of a due process hearing forces the district to provide what the student needs.
- R. Make sure systemic progress monitoring is outcome-based, not process-based.



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Membership Committee

Co-Chairs: Carrie Watts and Jennifer Laviano

Total members: **1403**

Organizations = 41

The COPAA Membership Committee continues to work hard on COPAA's 2012-2017 Strategic Goals:

- 1. Reduce member attrition to 5% per year to a norm of 25%.**
 - New website launched and outreach to existing members regarding benefits
- 2. Establish an effective membership recruitment system.**
 - Proposal to launch a membership drive for the 2013-2014 year
- 3. Value, respect, and encourage diversity in all aspects of the organization.**
 - Diversity data collected through member profile on new website
- 4. Expand COPAA Community Tools.**
 - New website launched with much more robust online community features
- 5. Review dues structure and consider increasing amount.**
 - Board approved increase in dues in 2012

Publications Committee

Co-Chairs: Jon Zimring and Alice Nelson

The Publications Committee published two checklists this year, the IEP Checklist and the Due Process Checklist. Additional checklists and short briefs are planned for the coming year. The Committee is also considering policy recommendations on related issues, such as limits on the use and republication or duplication of COPAA publication by members (for example, for advocacy use vs. personal use).



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Training Committee

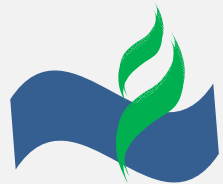
Co-Chairs: Eileen Crumm and Mandy Favaloro

The Training Committee continues to offer a successful series of webinars throughout the year on topics of interest to COPAA members and the special education advocacy community. SEAT training classes started last January, with Eileen Crumm and Mandy Favaloro teaching 38 students in Cohort A and Mark Kameleiter and Claudia Roberts teaching 36 students in Cohort B. The students seem excited by the material, engaged in the discussions, and eager to learn more about advocacy. It took some time for the students (and the instructors!) to get used to the various modalities (as we use SmarterU Online self-Study, Webex for Live Classes and Discussion Groups, Webex and Advocate Academy for recorded webinars on specific sub-topics, and the COPAA new group pages on the website). The Committee will evaluate the value added by each of these modalities to decide whether to continue to use them in future cohorts. Overall, the SEAT hybrid experience has been a learning experience for us all and is going well.

Volunteers

Our sincere thanks to COPAA's many Committee Volunteers. Without you, COPAA would not be able to sustain such a high level of progress!

Margaret Adams, Melissa Alexander, Selene A. Almazan, Sandra Alperstein, Susan Bardet, Jo Ann Behm, David Beinke, Robert Berlow, Sherri Bianchin, Mark Bishop, Mary Broadhurst, Susan Bruce, Alexis Casillas, Matt Cohen, Eileen Crumm, Gina DeCresendo, Cynthia Daniels-Hall, Michelle Davis, Becca Devine, Lisa Eastwood, Barbara Ebenstein, Mary Eaddy, Paul Eisenberg, Matthew Engel, Melissa Farrell, Mandy Favaloro, Andrew Feinstein, Paula Flower, Hadassah Foster, Julie Gaughran, Stephanie Glaser, Louis Geigerman, Craig Goodmark, Judith Gran, Naomi Grossman, Sharon Gudger, Franklin Hickman, Stephanie Glaser, Kelly Hetzer, Sherry Hudson, Felicia Hurewitz, Stephanie James, Dana Jonson, Mark Kamleiter, Sonja Kerr, Barbara Klutchin, Michele Kule-Korgood, Heike Lasoski, Stephanie Langer, Jennifer Laviano, Marcie Lipsitt, Leslie Lipson, Tricia Luker, Leslie Seid Margolis, Mark Martin, Melonie Matjeka, Sara Mauk, Ann Mergler, Amber Mintz, Alice K. Nelson, Richard O'Meara, Piper Paul, Gloria Perez-Walker, Dorene Philpot, Cheryl Poe, Renee Portnell, Stacy Rebello, Catherine Merino Reisman, Robin Rettie, Claudia Roberts, Elizabeth Robinson, Stephen Rosenbaum, Daniel Shaw, Jodi Siegel, Dawn Smith, Wayne Steedman, Maureen Van Stone, Jill Stover, Lana Traynor, Joseph Tullman, Carrie Watts, Renee Wachtel, Melanie Watson, Mary Jo Whateley, Sandee Winkleman, David Wong, Mark Woodsmall, and Sharman Word Dennis.



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Thank you, Donors!

COPAA Benefactors

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M. Martin
J. Schunk
V. Vanaman

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J. Laviano	



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COPAA Board of Directors

COPAA Board of Directors (2013-2014)

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Jennifer D. Laviano, Chair (CT)
Carolina Watts, Vice Chair (CA)
Mark Martin, Esq., Treasurer (MD)
Dana Jonson, Esq. Secretary (CT)

Board Members:

Missy Alexander (MD) **IMMEDIATE PAST CHAIR**
Selene Almazan, Esq. (MD)
David Beinke (TX)
Robert Berlow, Esq. (MD)
Susan Bruce (SC)
Alexis Casillas, Esq.(CA)
Eileen Crumm (CA)
Cynthia Daniels-Hall (NC)
Mandy Favaloro, Esq. (CA)
Andrew Feinstein, Esq. (CT)

Sharon Gudger (GA)
Franklin J. Hickman, Esq. (OH)
Mark S. Kamleiter, Esq. (FL)
Sonja D. Kerr, Esq. (PA)
Michele Kule-Korgood, Esq. (NY)
Catherine Merino Reisman (NJ)
Mark Martin, Esq. (MD)
Alice Nelson, Esq. (FL)
Lana Traynor, Esq. (OR)
Jonathan Zimring, Esq. (GA)

Our sincere thanks to long time COPAA Board members Leslie Seid Margolis and Dawn Smith, whose terms expired in 2013. Your dedication to the field and to COPAA is very much appreciated. We look forward to your continued contributions to the work of COPAA and its Committees.

Executive Director: Denise Marshall
Meetings and Membership Coordinator: Marcie Hipple
Consulting Accountant: Mary Fornoff

COPAA Staff

THE COUNCIL OF PARENT ATTORNEYS
AND ADVOCATES, INC.

STATEMENTS OF FINANCIAL POSITION
December 31, 2012 and 2011

	2012	2011
ASSETS		
<i>CURRENT ASSETS</i>		
Cash	\$ 229,839	\$ 211,917
Grants and other receivables	275	1,629
Prepaid expenses	7,189	7,646
Deferred costs	<u>43,400</u>	<u>-</u>
Total current assets	<u>280,703</u>	<u>221,192</u>
<i>PROPERTY AND EQUIPMENT</i>		
Computer equipment	1,525	1,525
Website	<u>11,844</u>	<u>10,325</u>
	13,369	11,850
Less accumulated depreciation	<u>10,455</u>	<u>7,043</u>
Total property and equipment	<u>2,914</u>	<u>4,807</u>
<i>DEPOSIT</i>	<u>200</u>	<u>200</u>
Total assets	<u>\$ 283,817</u>	<u>\$ 226,199</u>
 LIABILITIES AND NET ASSETS		
<i>CURRENT LIABILITIES</i>		
Accounts payable	\$ 7,617	\$ 13,904
Accrued expenses	10,742	7,529
Deferred revenue	<u>124,119</u>	<u>73,756</u>
Total current liabilities	<u>142,478</u>	<u>95,189</u>
 <i>COMMITMENTS</i>		
<i>NET ASSETS</i>		
Unrestricted	130,937	117,829
Temporarily restricted	<u>10,402</u>	<u>13,181</u>
Total net assets	<u>141,339</u>	<u>131,010</u>
Total liabilities and net assets	<u>\$ 283,817</u>	<u>\$ 226,199</u>

THE COUNCIL OF PARENT ATTORNEYS
AND ADVOCATES, INC.

STATEMENTS OF ACTIVITIES
Years Ended December 31, 2012 and 2011

	2012	2011
UNRESTRICTED NET ASSETS		
<i>SUPPORT AND REVENUE</i>		
Donated services	\$ 446,722	\$ 880,820
Conference fees, net of refunds of \$1,630 in 2012 and \$3,880 in 2011	157,490	154,910
Membership dues, net of refunds of \$400 in 2012 and \$500 in 2011	99,647	91,732
Webinar training	12,278	10,498
Contributions	5,597	9,734
Interest	807	1,429
Other	<u>2,642</u>	<u>2,292</u>
	725,183	1,151,415
 <i>NET ASSETS RELEASED FROM RESTRICTION</i>		
Satisfaction of restriction	<u>7,894</u>	<u>4,792</u>
Total unrestricted support and revenue	<u>733,077</u>	<u>1,156,207</u>
 <i>EXPENSES</i>		
Program services	634,173	1,102,436
Management and general	<u>85,796</u>	<u>91,687</u>
Total expenses	<u>719,969</u>	<u>1,194,123</u>
 Change in unrestricted net assets	 <u>13,108</u>	 <u>(37,916)</u>
 <i>TEMPORARILY RESTRICTED NET ASSETS</i>		
Contributions	5,115	6,032
 <i>NET ASSETS RELEASED FROM RESTRICTION</i>		
Satisfaction of restriction	<u>(7,894)</u>	<u>(4,792)</u>
 Change in temporarily restricted net assets	 <u>(2,779)</u>	 <u>1,240</u>
 Change in net assets	 <u>10,329</u>	 <u>(36,676)</u>
 Net assets, beginning of year	 <u>131,010</u>	 <u>167,686</u>
 Net assets, end of year	 <u>\$ 141,339</u>	 <u>\$ 131,010</u>

*The complete independently audited 2012 COPAA Financial Statement is available to members upon request.