



PO Box 69635, Portland, OR 97239
Telephone: 503 636 1676
Toll-free: 1 888 AUTISM 1 (1-888-288-4761)

email: info@AutismSocietyOregon.org
website: www.AutismSocietyOregon.org

Federal Tax ID #: 93-0771249

March 2, 2015

**House Committee on Education
Testimony of Tobi Rates on HB 2673**

Dear Chair Doherty and members of the Committee:

My name is Tobi Rates, and I reside at 8306 NE Thompson St, Portland, OR 97220. I am here in my capacity as the Executive Director of the Autism Society of Oregon and the mother of two children on the autism spectrum who receive special education services.

The Autism Society of Oregon is the state's largest autism group and the only one that operates state-wide. We represent everyone affected by autism, including individuals on the autism spectrum and their families, across the autism spectrum and throughout the life span. Our mission is to empower these individuals to improve the quality of their lives through resources, education, advocacy and support. Over 5,600 people access ASO as a resource and participate in ASO activities, in all regions of the state.

I am here in support of HB 2673 which would decrease the time that children have to wait to access special education services and promote better communication between schools and families to provide more information on available special education services to children.

HB2673 aligns Oregon law with the national standard on timing for an initial evaluation or reevaluation at 60 calendar days, rather than 60 school days. Under the current 60 school day provision, a family that requested an initial evaluation or re-evaluation of an IEP on the first day of school would not receive the completed evaluation until Dec 4th. Practically speaking, even if the child is eligible, he or she would not receive special education services until after the school year resumes in January. These are services that the child needs to be success in school. Completing these evaluations in 60 calendar days would result in services being available to the children who need them in a much more timely manner.

We understand that this requirement would increase the burden on schools to complete the IEP evaluations faster. However, it's important to note that the majority of school districts across the country use the standard set in HB 2673. Rather than saying it can't be done here in Oregon, we would be more interested in determining what needs to happen to get special education services

to our children who need them in Oregon in a more timely manner when they can be more effective.

HB 2673 would also require school districts to provide families with an annual summary of special education services provided to students during the previous year. As a parent, this seems like common sense. Under this bill, our families are not asking for additional services, but for information on what services are currently available. The IDEA, the federal law creating IEPs, specifically envisions parents as integral members of the IEP team and requires we be able to meaningfully participate in the IEP meetings. Without information on what services are being provided, parents are not participating in a meaningful way.

I have been a volunteer supporting other parents at IEP meetings. They run the gamut from “my child is at your school 6 hours a day, why haven’t you cured him?” to “I didn’t know that I could ask for anything for my child.” By requiring that a summary of the special education services provided to students in the previous year be compiled, the parents have information on what to ask for and the schools are not faced with parents demanding services that simply don’t exist.

HB 2673 would also increase information to families about available special education services by disallowing confidential agreements between school districts and families who have successfully sued to obtain special education services for their child. These confidentiality agreements are often a standard part of a settlement agreement. Confidentiality in monetary or compensatory awards would still be retained. By preventing families from sharing information with other parents about the accommodations or services they have received, the inequities between otherwise similarly situated students are increased. This disparity in access to services only serves to increase the disparity in outcomes for children with special needs. A child’s access to special education services should not depend on his family’s financial ability to afford expensive legal services.

Again, we urge the passage of HB 2673.

Thank you.

A handwritten signature in black ink, appearing to read "Tobi Rates". The signature is fluid and cursive, with the first name "Tobi" being more prominent than the last name "Rates".

Tobi Rates
Executive Director