

Do you have confidence in your child's IEP? Broder Law Group offers a primer on the process.

Stay Tuned: U.S. Supreme Court scheduled to hear case re: private program payments

Parents won't have to subject a child to inadequate education just to qualify for reimbursed private services, if the Supreme Court rules in favor a little boy in New York.

Hearings before the Court are scheduled to start Oct. 1 in the case, which will have an impact for families across the country. If the Court sides with the family of Gilbert F., as he is identified, children won't have to start a public school program that doesn't meet their needs just to qualify for district-paid private programs that do.

Gilbert's dad enrolled the boy in a private kindergarten while asking for a formal IEP from his public school. The district complied, and paid for

two years of private education before advising that the boy should be placed in a public school classroom for children with learning disabilities. The father disagreed, and for two years he battled the district for a decision in Gilbert's favor. When a hearing officer decided in the family's favor, the district took the case to court.

Now the question before the Supreme Court is whether a child has to experience a public school program to "prove" that it is not an appropriate setting for them. If the Court rejects that idea, the concept of a Free Appropriate Public Education will apply to a child in a private program even if he or she has never floundered in a public one.

Broder Law Group, P.C. will keep you up to date on legal issues affecting special education.

Seth N. Broder, Esq.

sbroder@broderlawgroup.com
www.broderlawgroup.com

901 Route 168, Ste. 110
Turnersville, NJ
(856) 227-5100 Phone
(856) 227-4124 Fax

To unsubscribe, send an email [here](#).

New laws addressing Autism could make N.J. a model

New Jersey has a new set of laws that address autism from several angles, including how to forecast the number of preschoolers due to enter the public school system and how to serve adults with the disorder.

Governor Jon S. Corzine signed seven bills last week, saying the state has the opportunity to become "a model for other states in researching the nature of autism and its causes as well as in treating those with these disorders."

Together, the new laws:

- Provide for teacher training in awareness about autism and instruction methods for children with the disability.
- Require the state's Early Intervention Program to address the needs of these children, so services can begin before they are school-age.
- Establish a task force to make recommendations on supporting the needs of adults with autism.

- Extend funding for medical research and treatment by continuing a \$1 surcharge on court-imposed motor vehicle fines. Money from that surcharge has gone toward the state's Autism Medical Research and Treatment Fund, but it had been due to expire

after five years.

- Require a registry of autism diagnoses so there can be complete studies of the disorder and so the state can plan for future cases.
- Create an Asperger's Syndrome Pilot Initiative to provide vocational, educational and social training services.
- Change the name of the Governor's Council for Medical

The Flip Side:

In her commentary for About.com, [Lisa Jo Rudy](#) points out some of the potential pitfalls of this package of new laws.

Research and Treatment of Infantile Autism to delete the reference to "infantile," recognizing that autism is a lifelong disorder.

Read more about the new laws at the [governor's official home page](#).