

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

**Seth N. Broder, Esq.**

[sbroder@broderlawgroup.com](mailto:sbroder@broderlawgroup.com)  
[www.broderlawgroup.com](http://www.broderlawgroup.com)

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

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

## Supreme Court sides with parents, spells out parental rights to involvement

The U.S. Supreme Court has ruled that parents are parties — not bystanders — in IEPs. Justices sided with the parents of a boy with autism when they issued their decision.

The court considered rules that had prevented parents of children with disabilities from presenting their cases in court without an attorney. Federal law had required that children have legal representation. But in a case from Parma, Ohio, parents claimed they also had rights to contest the IEP; they just couldn't afford a lawyer to take the school district to court.

Attorneys intent on preserving court access to everyone took up the case without charge. Read more about the Winkelman case in the [New York Times](#).

► Noted special education advocates **Pete and Pamela Wright** say the ruling had broad reach, since the Court detailed the ways parents are involved in the IEP. Read their [analysis](#).

## Bill to secure Special Education funding referred to second House committee

A bill to improve funding for special education was sent to a second committee last week as it makes its way through the U.S. House. Formally called H.R. 821, it is also known as EDUCATE or Everyone Deserves Unconditional Access To Education.

Variations have been presented to each Congressional session since 2001. The effort seeks to guarantee the federal government's payment of 40% of special education costs, an amount called for in 1975's IDEA but never met. While the current system requires annual Congressional approval of special education costs, EDUCATE would make funding automatic. Estimates say the bill would

Boost federal funding of special education costs to more than \$30 billion by 2016.

The bill was re-introduced in February and sent to the Committee. On Friday, it was moved from one subcommittee to another. A similar bill in the U.S. Senate is S.1159, the IDEA Full Funding Act.

**Find out why the National Education Association supports these measures by visiting its [website](#), where you can click links to learn the financial impact on each state and to urge your representatives to sign on as supporters.**