



The Learning Disabilities Association of Maine



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Dear Friend of LDA of Maine,

Here is our E-NEWS for February, which we hope you will find both informative and useful. We update our web site weekly with new information and resources to serve you, our customer, so check often for educational news and resources on learning and attention disabilities.

If you have an item about learning or attention disabilities that you believe may be helpful to others, please let us know.

Thank you!

DISCLAIMER: Any information or list provided by us is non inclusive and does not imply an endorsement or recommendation of LDA-ME; we encourage readers to do that for themselves.

LIST SERVE: Please advise us at anytime if you wish to be removed from our "Friends of LDA-ME" list serve.

E-NEWS from LDA of Maine for February

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Lead test should not be a condition for kindergarten

Lead poisoning is a serious problem, but keeping kids out of school will not fix it.

December 21, 2007

– A well-intentioned piece of legislation has been submitted to help fight lead poisoning among children.

While the aim is worthwhile, the mechanism is flawed, and the bill should be considerably revised before it becomes law.

Rep. Gary Connor, D-Kennebunk, has proposed adding proof of a blood test for lead poisoning to the list of conditions required for entering kindergarten, along with proof of immunization.

Connor rightly points out that lead poisoning is a major public health problem that can have serious long-term impact on a child's development. However, unlike the infectious diseases that require vaccinations, it is not contagious.

There are solid reasons for keeping children out of school who might carry diseases like diphtheria or measles. Those same issues are not presented by children who have been exposed to lead, however.

Connor points out flaws with the current law that may prevent children from getting lead tests.

Health-care providers determine which children should get a lead test by using a questionnaire that probes their exposure to old houses, where lead paint is most likely to be found.

Recent studies have revealed, however, that imported toys can also be a source of lead, and children who play with them can be poisoned, regardless of how old their house is.

So that more children are tested for lead exposure, some questions should be added to the form. If that requires a change in the law, then that would be a good target for the Legislature's attention.

But statutes designed to prevent the spread of infectious diseases should not be amended to make parents have their children tested for lead, even though most of us agree that's

what they should do.

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MAINE VOICES Every child needs a blood test for lead

A pending bill would require such a test before any child could enter kindergarten.

<http://pressherald.maintoday.com/story.php?id=156704&ac=PHedi>

Rep. Gary Connor December 20, 2007

ABOUT THE AUTHOR

Rep. Gary Connor

(RepGary.Connor@legislature.maine.gov)

of Kennebunk is a Democrat who represents Arundel, Dayton and portions of Lyman and Kennebunk.

– With the holiday season upon us, my wife and I are among many parents dutifully heading to the store to buy gifts for our six young children. As we recently worked our way through the toy aisle, I kept remembering headline after headline about massive recalls of toys laden with lead paint.

While the most common way for children to be lead poisoned is from lead paint found in and around the home, we are now learning that toys we previously thought to be safe in fact are not. The risks are changing, and we need to respond accordingly.

Currently, the U.S. Centers for Disease Control recommends that doctors provide medical intervention when the amount of lead in a child's blood reaches or exceeds 10 micrograms per deciliter. However, a recent report by the CDC reveals that a child's development can be impaired by any level of lead in their blood.

For example, studies show that at just 5 micrograms of lead per deciliter of blood, babies in the womb will have a decreased IQ through age 10.

Several years ago, the state of Maine took an important step toward addressing the problem of childhood lead exposure. In the Lead Poisoning Control Act, the state established a goal to eradicate childhood lead poisoning by the year 2010 through the elimination of potential sources of environmental lead.

The program requires that children get tested for blood lead levels at 1 and 2 years of age unless the primary medical care provider determines that a child is

not at risk by performing a risk assessment.

Here's the problem: Maine's lead risk screening questionnaire only assesses environment-specific risk factors. The four questions that comprise Maine's standard risk evaluation include:

- 1) Does your child live in, or visit more than 10 hours per week, any house built before 1950?
- 2) Does your child live in, or visit for more than 10 hours per week, any house built before 1978 that was renovated or remodeled within the last 6 months?
- 3) Does your child spend time with an adult whose job is in construction, painting or fishing?
- 4) Is your child enrolled in MaineCare?

As Maine's questionnaire demonstrates, typical risk assessments do not take into account other pervasive sources of lead exposure, like lead-laden toys.

Those toys know no demographic boundary. They are in old and new houses alike, being played with and chewed on by children of all socioeconomic backgrounds. And there are still unsafe toys on the shelves without any warnings attached.

Recent reports from the U.S. Public Interest Research Group and healthytoys.org reveal there are still toys on the market with 50 to 500 times the legal limit of lead. Visit www.cpsc.gov/cpsc/pub/prerel/category/toy.html for recalls.

One of the most important questions to ask now is, "Does your child play with toys and does he or she have a mouth?"

Since the federal government and toy manufacturers cannot guarantee the supply chain of the toys on shelves, it is not within the means of medical providers to determine that you're child is risk free if he or she plays with toys.

For this reason, I have submitted a bill for the upcoming legislative session requiring that proof of a blood lead level test be included in the vaccination records submitted when a child registers for kindergarten.

If the child has not yet had the test, one must be performed prior to entry into kindergarten. This bill would be instrumental in helping Maine achieve its goal of

eradicating childhood lead poisoning.

I wish I had a better holiday message, but with more accurate diagnosis and treatment of lead poisoning, I am hopeful that our children's future will be merrier and brighter.

– Special to the Press Herald

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The Case for Consolidation

Saturday, January 05, 2008 - Bangor Daily News

A report by the Maine Children's Alliance helpfully points out that there are educational, as well as financial, benefits to school consolidation. The idea that reducing administrative costs would free up some money to spend in the classroom has been overshadowed by criticism of the mechanics of the consolidation plan approved by lawmakers last year. As the alliance notes, the mechanics can and should be smoothed which the Department of Education and Legislature are already doing but those working on local consolidation can't let obstacles cloud the benefits that will come from their work.

For example, the alliance says that many regional planning committees are hung up on the fact that districts that are considering consolidation pay differing teacher salaries. Districts with lower salaries assume they will have to pay more, therefore negating the savings from consolidation. This is only part of the picture, the report points out.

Since school enrollments have been declining for years, many districts have struggled with how to keep teachers employed. Creating larger districts will create more flexibility to move teachers to classrooms and subject areas where they are most needed. The result likely will be fewer teachers statewide, however, they will be better paid, which should contribute to higher teaching standards.

Focusing on teaching and learning, not solely finances, was a major factor in the completion of the state's only approved new school district, designated RSU 1. "Every time we got away from education, there was trouble. Whenever we got back to educational excellence, we could agree," said James Omo, a Bath councilor.

The same day the Children's Alliance released its report, the Legislature's

Prosperity Committee unanimously voted to look for cuts, worth \$75 million, in state government. As it examines the state budget, expect it to come to the conclusion the state's K-12 system, which accounts for about a third of the state's annual expenditures, is not sustainable.

According to figures from Education Week, a national publication about K-12 education, growth in per pupil spending in Maine has far outpaced the national average in the last decade. In 1995, the U.S. average per pupil expenditure was \$5,541. Maine's was \$5,623. By 2005, the national average had risen to \$8,973, while Maine's average per student expenditure had ballooned to \$10,539, according to Education Week.

A large reason for Maine's increase is that the number of school-aged students has steadily declined while the number of administrators serving them has not.

In a state that ranks 38th nationally in terms of income, such high education costs are not affordable. Gov. John Baldacci and legislators have reached this conclusion, but many local school boards and residents have not.

Understanding economic reality is a necessary first step. The second is to decide what to do about it. Since importing thousands of kids isn't realistic, reducing costs is the only option.

Rather than investing so much time and effort in opposing consolidation, opponents must consider what other realistic alternatives exist and compare them against the benefits of consolidation. They'll likely reach the same conclusion as Elinor Goldberg, president of the Maine Children's Alliance: "Consolidation is a goal that has to be reached in order to improve the quality of education and contain taxes."

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Waiting Too Late to Test?

Parents Protest as Area Schools Delay Learning-Disability Screening in Hopes Of Avoiding Costly Special Education

By Michael Alison Chandler
Washington Post Staff Writer
Monday, December 31, 2007; B01

Third-grader Tylor Goshorn sometimes writes letters or numbers backward. She has trouble with simple directions and lags a year behind her class in reading. Her parents suspect that she might have a learning disability and that she would

be better served by smaller classes and more intensive instruction from special education.

But the Loudoun County school system has balked at testing Tylor for a possible disability. Instead, the schools have arranged for a reading specialist for the 9-year-old, a special computer program for math, even a seat in the front of her classroom. These alternative steps reflect a growing national movement to contain one of the costliest programs in public education. After three years of such efforts, the Goshorns aren't satisfied.

"We feel like we are chasing our tails here," said Jereme Goshorn, her mother. "It's obvious there's something wrong."

Since a 1975 federal law gave students with learning disabilities a right to special education, the number of learning-disabled students who receive such services has risen to 6 percent of the public school population. The figure was less than 2 percent in 1977.

Many educators say learning disabilities have been over-diagnosed and are seeking ways to address learning difficulties in mainstream classrooms, rather than addressing them through special education for as much as twice the cost. Loudoun officials estimate their cost per pupil in special education is \$22,000 a year, compared with \$12,000 for most students. One cost-saving method drawing attention is known as "response to intervention."

For many school systems, RTI-influenced strategies have led to a significant drop in the number of special education students. In Charles County, special education enrollment has fallen to 8 percent from 12 percent in 1999. In Frederick County over the same period, the rate dropped to 11 percent from 17 percent. Loudoun's rate fell to 10 percent from 12 percent in 2001. The national average is about 14 percent.

The new approach has led to a backlash among parents who say their children aren't getting the help they need. A parent-led advisory committee told the Loudoun School Board in the fall that the school system appeared to be under-identifying students who should qualify for special education.

The shifts in Loudoun and elsewhere have been propelled by a 2004 rewrite of the federal special education law. The revisions allowed school systems to use the RTI model as a path toward identifying learning-disabled students. Schools also were allowed to redirect up to 15 percent of their special education money to help struggling students in regular classrooms.

To identify learning-disabled students, schools traditionally have compared IQ scores with achievement test results. Sometimes it can take years for significant disparities to surface. The RTI model targets students with problems early on, offering them instruction beyond the general curriculum, such as tutoring or

additional math or reading programs. Teachers carefully monitor progress. If students don't improve after a series of increasingly intensive measures, they are considered for special education.

This month, the U.S. Education Department organized a national summit in Arlington County for educators to learn about the RTI strategy. The government plans to spend \$14 million over five years to help states launch the new approach.

Many Washington area systems are headed in that direction. In Prince George's County, where 10 percent of students are in special education, schools offer struggling students multiple levels of instruction and support before considering special education. The Montgomery County system, with a 12 percent special education rate, has launched a similar initiative in more than a quarter of its schools. Alexandria, with a 17 percent rate, is piloting an alternative approach in one school. In the District, where the rate is 18 percent, officials plan to roll out a new program in 16 elementary schools by next fall. In Fairfax and Prince William counties, where 15 and 11 percent of students, respectively, are in special education, officials say plans for a new approach are afoot.

The national movement reflects the emphasis on quality teaching and on raising student achievement in the federal No Child Left Behind law, said William W. Knudsen, deputy assistant secretary for special education and rehabilitative services. Too many students, he said, are funneled to special education because they have not been taught appropriately or have not been well prepared for school.

"Maybe their parents work two jobs and just don't have time to read a book to them at night," he said.

Many school systems, including Loudoun, have sought to revamp general education programs in response to concerns about high numbers of minority students who flow into special education. African Americans make up about 8 percent of Loudoun students, but they constituted about 12 percent of the county's special education population last year.

"It's easy to reduce the numbers of children in special education programs. You just have to stop referring them," said Douglas Fuchs, a professor of special education at Vanderbilt University. What's harder, he said, is finding and implementing programs that will help students in the classroom.

Advocates for students with learning disabilities say there is too little research about how the RTI strategy works for middle or high school students and not enough teacher preparation. Many parents worry that their children will tread water in regular classrooms while disabilities go undiagnosed.

"So much is placed upon teachers today. Here's yet another burden for the teacher to get kids lined up and identified. . . . Are they just management problems? Are they late bloomers? Are there sociological issues? There's a tremendous amount of information teachers need to sift through," said Charles Giglio, president of the Learning Disabilities Association of America, a group that represents parents of learning-disabled children.

Giglio said schools should offer students who show signs of possible disabilities a battery of psychological and educational tests as early as possible to pinpoint problem areas and help guide teachers. Federal law allows parents to request an evaluation at any time, but many parents are unaware of that right, he said.

Loudoun special education officials said they are reluctant to refer anyone to testing before trying interventions first. "We try to make smart referrals," said John J. Lody, diagnostic services supervisor.

Last year, of about 2,200 students monitored in the classroom, 1,800 were referred for special education evaluations, he said. About three-fourths of those were found eligible.

Some parents seek help from professional advocates or pay for outside testing, which can cost thousands of dollars. Stacey Russello of Lovettsville took her son Miles Banister to be tested at Yale University two years ago. Results showed that the sixth-grader performed at or above grade level in many areas but was at the second-grade level in spelling and written expression.

When he was younger, Miles had attention-deficit disorder diagnosed, and he attended a private school for learning-disabled students, as did his brother, Christian, who had dyslexia diagnosed. When they came to Loudoun more than two years ago, both were enrolled in general education. His younger brother adapted easily to a regular classroom with a little help.

Miles had a harder time. He needed more help in the classroom, and the support was inconsistent, his mother said. So were his grades. He came close to failing last school year.

One recent evening, Miles, 14, glued plastic parts to a Styrofoam car he was building for physical science class, and his mother pointed to an open weekly assignment book on the kitchen counter with several past-due assignments written in barely legible handwriting. Miles said he is distracted by the tiniest sounds from the computer or the air conditioning in his classrooms at Harmony Intermediate. Even with extra help from the school -- he can use his laptop in class and is given extra time on tests -- he said that homework piles up in his locker and that he feels overwhelmed by the workload.

"At first it was hard to manage. Now I just can't seem to get it right," he said.

Russello said she thinks Miles would be better served in special education, with a longer-term, Individualized Education Plan. At her request, a team of teachers and school system staff members recently agreed to refer him for eligibility screening, and a meeting is scheduled for February.

Philip and Jereme Goshorn are hoping for a similar meeting but said they are still in "wait and see" mode, watching for signs of improvement in the regular classrooms. Tylor's grades, usually average or better, took a dip this term.

Philip Goshorn said he struggled through school himself when he was growing up in Loudoun. At the time, he remembers feeling less capable than his classmates, like he was "not college material."

He repeated his junior year and saw a specialist at the University of Virginia, who identified some short-term learning problems. He is worried his daughter might have to wait too long for the right kind of help.

Goshorn said he and his wife have been looking for answers for three years now. "Instead of looking at symptoms, let's look at the cause of the problems," he said.

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Make sure to check out the EVENTS page of our website for upcoming conferences and workshops! The page is updated regularly.

<http://www.ldame.org/events.html>

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Pine Tree Camp Increase Capacity

Applications for the 2008 season are now available

Pine Tree Camp is pleased to announce the addition of a third camping session for children with physical and developmental disabilities. This means there are 90 more openings for campers between the ages of eight and 18.

Pine Tree Camp has been providing a traditional summer camp experience to Maine children and adults with disabilities since 1945. This special place is fully adapted to meet the special needs of each individual camper.

Applications can be downloaded on Pine Tree Society's website, www.pinetreesociety.org. You may also request an application by calling 443-3341.

For more information about Pine Tree Camp, please visit www.pinetreesociety.org or call (207) 443-3341.

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Dear Friends of LDA of Maine:

I would like to inform you of an important conference concerning the link between toxic chemicals and children's physical and developmental health. Please feel free to distribute news of this conference as broadly as possible. THANKS and hope to see you there on the 14th of March!

Check out our web site to learn more about this topic; specifically our Maine Healthy Children's Project (MHCP). If you would like to become more involved with our MHCP contact us at info@ldame.org. We have a variety of ways for you to volunteer here at LDA of Maine and welcome you to join us not only on our MHCP but of others that may be of interest to you such as our Youth, Family, and/or Adult Committees. Join us & make a difference!

**Making the Connection III: Toxics and Tomorrow's Children
March 14, 2008- USM in Portland Maine**

REGISTER TODAY at www.psrmaine.org

Since its inception in 2003, the Making the Connection conferences have become a major means of translating environmental health research into effective action. The conference will connect the work of organizations and individuals concerned about the impact of toxics on Maine children's health including the important connection between exposure to toxic chemicals and learning and developmental disabilities.

Providing scientific research and hands on applications will provide participants with the tools to assist in reducing toxics in children in Maine by creating awareness and effecting choices that limit exposure while shifting current policies related to toxins. Top-notch, cutting edge presenters will be sought for all workshop sessions and keynote speakers will be invited to share innovative solutions.

Keynote Speaker: Philip J. Landrigan, M.D., M.Sc. is a pediatrician and the Ethel H. Wise Professor and Chair of the Department of Community and Preventive Medicine of the Mount Sinai School of Medicine in New York City. Dr. Landrigan is a member of the Institute of Medicine of the National Academy of Sciences. He is Editor-in-Chief of the *American Journal of Industrial Medicine* and previously was Editor of *Environmental Research*. He has chaired

committees at the National Academy of Sciences on *Environmental Neurotoxicology* and on *Pesticides in the Diets of Infants and Children*. Dr. Landrigan's report on pesticides and children's health was instrumental in securing passage of the Food Quality Protection Act of 1996, the major federal pesticide law in the United States.

A project of the Learning Disabilities Association of Maine, Environmental Health Strategy Center, American Lung Association of Maine, Maine Council of Churches, Toxics Action Center, University of Southern Maine Department of Environmental Science, and Physicians for Social Responsibility/Maine Chapter

REGISTER: Today for the March 14th Toxics and Tomorrow's Children Conference by visiting www.psrmaine.org

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NEWS RELEASE

Maine Department of Education, Susan A. Gendron, Commissioner

FOR IMMEDIATE RELEASE - January 17, 2008

Contact: David Connerty-Marin, 624-6880/831-3313

Education Committee Sends LD1932 to Senate

Revised bill removes financial barriers, allows some waivers

AUGUSTA - A bill that removes financial and other barriers to school districts trying to reorganize administrative functions is poised for action in the Senate, perhaps as early as Tuesday. The Legislature's Education Committee, which had voted 10-3 "ought-to-pass" last Friday, reviewed and agreed to the final language of the proposed revisions Wednesday. The legislation had received a favorable vote from the committee last month but was brought back last week for additional discussion and revisions.

Committee members agreed on all of the key elements of the bill but one; the minority report, supported by three committee members, adds a provision to allow for a union-like governance structure, called a "union school association,"

Perhaps the most significant change in the bill would authorize the commissioner of education to grant a waiver to school systems and allow regional school units of as few as 1,000 students under certain circumstances. Currently, RSUs must have 2,500 students unless circumstances such as geography or population density justify an exception and, even in those cases must have at least 1,200 students.

The new waiver provision could allow reorganizations that are not currently permissible in areas such as Machias, East Machias and other central Washington County communities, several communities around Presque Isle; and the geographically-isolated communities around Rangeley and Bethel. Units would still have to submit a plan that meets the applicable requirements in the law and demonstrates the need for a waiver. Committee members said they wanted to allow for these exceptions where they make sense, but not to open the door to widespread applications for waivers in areas where other solutions are possible and should be pursued.

Other changes in LD1932 include:

- **Local referendum ballot on reorganization plans.** The committee voted to remove wording currently required on the referendum ballot that would set forth the financial penalties resulting from a “no” vote. The penalties still exist, but voters will not be informed of those penalties on the ballot. Critics of the penalties language complained the wording could sway voters to vote “yes.” Supporters of keeping the language on the ballot want to be sure voters are aware of the consequences of a “no” vote. Committee members said they expect information about the advantages and disadvantages of reorganization plans will be part of the public hearings held before the referendum vote.
- **Responsibilities of local school committees.** Language in the revised LD1932 clarifies those responsibilities that RSU boards cannot delegate to local school committees and those they can. This was largely in response to the initial reorganization plan submitted by school units on Mount Desert Island which was found by Commissioner Susan Gendron not to comply with the law because it assigned significant financial and other responsibilities to local school committees in a way that was not envisioned in the law. The new language clarifies the respective roles and responsibilities.
- **Financial barriers.** The bill still contains the core provisions agreed to last month that: allow local cost-sharing agreements; retain minimum subsidies for units that reorganize; and eliminate the requirement for school units to raise a minimum of \$2 per \$1,000 of valuation.
- **Budget validation referendum.** Committee members agreed to give school systems the choice to use the new budget validation referendum process this year or next, with the expectation that most will choose to wait a year. In the case of school administrative districts (SADs) and consolidated school districts (CSDs), the school board may opt to hold a budget validation referendum this year. In the case of municipal school units, the municipal governing body - usually a city or town council or board of selectmen - may opt for the budget validation referendum to be held this year.

The bill also clarifies issues of debt liability and the initial election of RSU board members and makes other minor changes.

Committee members heard from a number of people working in the field last week and were impressed by the sense of urgency expressed regarding passage of the bill. One facilitator who works with regional planning committees noted there is a proposed RSU with a completed plan waiting only for the legislative changes needed to allow the local cost-sharing formula included in their plan. In other areas, planning committees have halted discussions while they wait for the Legislature to act. In still others, units are proceeding, but with uncertainty as to what solutions will be allowed for them locally. By Friday committee members made clear they appreciated the urgency and they wanted to move quickly to finalize the bill and get it to the full Legislature.

“The committee’s action demonstrates a positive response to the barriers identified by the Department and by school units,” Gendron said Thursday. “This bill removes those financial barriers, especially, and others that were significant barriers to units coming together in some places. We fully expect that regional planning committees can now move forward, knowing the bill is headed to the full Legislature.”

Once the revised language goes through the Revisor’s Office for finalization, it will be available under “Reorganization Law” on the Department’s reorganization website: www.maine.gov/education/supportingschools .

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713.520.0232, jbrennan@bcm.edu

DISABILITY LAW LOWDOWN PODCAST LAUNCH

January, 9 2008 - On January 9, the first episode of the Disability Law Lowdown Podcast series was available for free download on both iTunes and the Disability Law Lowdown website at <http://dll.ada-podcast.com>. The Disability Law Lowdown podcasts will deliver the latest in disability law information every other week. Listeners can subscribe to the podcasts to have shows automatically delivered to them. The podcasts are also available on the DLL website, where transcripts of the shows are simultaneously available.

The hosts for the Disability Law Lowdown are Lex Frieden and Jacquie Brennan. Reporters from around the country will bring listeners the latest information about disability rights, disability case law updates, obligations under the Americans with

Disabilities Act, and other disability-related topics. You can subscribe now and listen to a preview podcast with information about upcoming shows. During 2008, Disability Law Lowdown will begin offering podcasts in both Spanish and American Sign Language.

Disability Law Lowdown is brought to you by the national network of Disability Business Technical Assistance Centers (DBTACs). All ten Centers are funded by the National Institute on Disability Rehabilitation and Research to provide technical assistance and training in the Americans with Disabilities Act and other disability-related laws. Find out about the resources your regional center offers by calling 1-800-949-4232 (V/TTY).

To subscribe, look for the Disability Law Lowdown podcast on iTunes, or go to our website at dll.ada-podcast.com.

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The Senate Finance Committee has scheduled a markup to consider the economic stimulus on Wednesday 1/30 at 2:30 PM, in 215 Dirksen. With the markup set, getting as many Senators to sign onto the bi-partisan Rockefeller-Collins letter is even more vital for our short and long term efforts to secure fiscal relief in the form of a boost to the federal share of Medicaid funding (FMAP).

Thank you for all your ongoing efforts in trying to get Senators to sign on. (The letter is below.)

All Senators are welcome, but key targets include Senators Snowe, Smith, Coleman, Warner, Specter, Feinstein, Harkin, Lincoln, Landrieu, McCaskill, Murray, Ben Nelson, Bill Nelson, Obama, Pryor and Salazar.

The following Senators have already signed the letter: Akaka, Biden Boxer Brown Cantwell Casey Clinton Dodd Durbin Feingold Johnson Kennedy Kerry Klobuchar Kohl Lautenberg Leahy Levin Menendez Mikulski Reed Rockefeller Sanders Schumer Stabenow Whitehouse Wyden.

January 28, 2008

Senator Max Baucus
Senator Charles Grassley

Chairman, Senate Finance Committee Ranking Member, Senate Finance Committee

United States Senate

United States Senate

Washington, D.C. 20510

Washington, D.C. 20510

Dear Chairman Baucus and Ranking Member Grassley,

We are concerned by recent press reports that the House of Representatives is considering an economic stimulus package that will exclude a number of important priorities to help low-income Americans.

We are particularly concerned about growing state budget deficits and strongly urge you to consider including at least \$15 billion in state aid - equally divided between Medicaid and targeted grants to states - in any economic stimulus package considered by the Senate.

Millions of working families depend on the health and education services provided by their state and local governments. However, we know that Medicaid and other social programs are the first in line for cuts in cash-strapped states desperate for revenue. The risk to Medicaid is even greater because the business tax relief that is likely to be included in any stimulus package will decrease state revenues and increase state deficits.

In a recent survey of state fiscal conditions, the National Conference of State Legislatures concludes that states are facing growing budget challenges due to the slowing national economy. Several states are already facing billions in financial shortfalls in the current fiscal year. More are expected to face serious budget gaps as this year progresses. We cannot afford to stand by while states cut vital programs that help millions of working families stay afloat.

You will recall that Congress overwhelmingly passed a similar measure to aid states in response to the economic downturn following September 11. The Jobs and Growth Tax Relief Reconciliation Act of 2003, which was signed into law by the President, included \$20 billion in state fiscal relief over 18 months - with \$10 billion going directly to the Federal Medical Assistance Percentage (FMAP) and \$10 billion in targeted grants to states and local governments. Several economic experts have cited aid to states as an effective way to stimulate the economy.

The Congressional Budget Office's January 18 report, entitled Options for Responding to Short-Term Economic Weakness, states that "More than half of the states reported that the increased matching rates enabled them to avoid or delay making cuts - or to make smaller cuts - to their Medicaid program." Earlier this week, Mark Zandi, chief economist of Moody's Economy.com, examined the effectiveness of the various stimulus options that Congress is considering. Dr. Zandi's analysis gives a high rating to temporary state fiscal relief, finding that targeted state aid would generate increased economic activity of \$1.36 for each

dollar of cost, because it would lessen state and local government budget cuts that "are sure to become a substantial drag on the economy later this year and into 2009."

As you work to craft an economic stimulus package, we strongly encourage you to include at least \$15 billion in state fiscal relief. We cannot afford to wait. In 2003, by the time the economic stimulus bill passed, states were already in dire fiscal straits. One million low-income people had already been added to the ranks of the uninsured because of substantial state cuts to Medicaid between 2001 and 2003. This occurred in Democratic and Republican states alike. We must act quickly to protect low-income families. We understand that there are a number of meritorious proposals to stimulate the economy, but state fiscal relief is a proven approach that works and works well. It is an approach that has been endorsed by our nation's Governors and health advocates alike.

We look forward to your prompt consideration of this request and are confident that you will act in the best interest of our country.

Maine Parent Federation * P.O. Box 2067 * Augusta, ME 04338
1-800-870-7746 * (207) 623-2144

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SAD 17 may lose \$450K in next year

By Leslie H. Dixon, *Staff Writer*
Wednesday, February 6, 2008

OXFORD - SAD 17 stands to lose as much as \$450,000 over the next fiscal year under new Medicaid regulation changes, Special Education Director Marcye Gray told school board members Monday night. That will affect services for special needs children.

"Needless to say it is extraordinarily worrisome," Gray said.

SAD 17 provides 470 children with special needs services.

The federal Centers for Medicaid and Medicare Services plans to adopt five rule changes that eliminate federal money that has supported health care services for the elderly, people with developmental disabilities, school-age children and people with mental illnesses.

For SAD 17 and others, the new regulations would impact federal reimbursement for special education services such as physical therapy, occupational therapy, mental health services and some transportation costs for children going to therapeutic programs.

"It has an extraordinary impact for our children with disabilities and their families all the way from birth up," Gray said.

The total fiscal impact to the state general fund for fiscal years 2008 and 2009 is \$45 million, according to information from the state Department of Education. The total fiscal impact to communities, including nonprofit providers and schools, is \$141 million.

Gray said it is unclear now how the regulations will play out, but there is discussion on the state level about shifting some of the lost revenue from another account.

"But we don't know where the state will make that (money loss) up," Gray said.

Although a two-year moratorium was supposed to have been enacted, President George Bush vetoed that moratorium, and unless the Senate votes to override it, school districts are faced with the consequences as early as March 1.

If the district must absorb the loss, Gray told directors it likely means a reduction in programming or the cost will have to be picked up in town budgets.

Under the current situation, the district will have to absorb about \$40,000 by March 1 in this year's budget with the remaining \$400,000 coming out of the next year's budget that starts July 1.

Budget Committee members, who thought they had two years to deal with the situation, will now have to plan for the loss quickly.

"The bottom line is we're still required to provide the services," Gray said.

In a statement last week, Department of Education Commissioner Susan Gendron also expressed her concern about the situation, saying "Federal law rightly requires schools to provide rehabilitation services, such as occupational therapy, physical therapy and speech therapy, that are necessary for students with special needs to be able to access an appropriate education. In fact, federal law even requires us to maximize all revenue sources, including the federal government, to make those services available. Now we are being told that Medicaid will no longer fund some of those services that are required."

Superintendent Mark Eastman said as the situation changes he will keep the board apprised.

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February 8, 2007

Baby's Toxic Bottle

New report finds plastic baby bottles leach toxic chemical

Yesterday the Environmental Health Strategy Center and our partners in the Alliance for a Clean and Healthy Maine released a new national study of plastic baby bottles tested for the toxic chemical bisphenol-A (BPA).

Bottles from across the United States and Canada, including one bottle purchased in Topsham, Maine were tested and shown to leach BPA when heated.

Read the news coverage:

- [Maine Public Radio story](#) (audio)
- [Bangor Daily News story](#) (print)

Learn more:

- [Baby's Toxic Bottle](#) report and resources

Help get BPA and other toxic chemicals out of children's products:

- Join dozens of other Mainers at the State Capitol on Tuesday, March 4 for Environmental Healthy Day. You'll learn about the issues, share your concerns with your representatives, and meet "Quack" the Rubber Ducky.

** [Click here to sign up for Lobby Day.](#) **

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NEWS FROM WASHINGTON JANUARY 14, 2008

LEGISLATION

Congress is in recess. The House will reconvene on January 15, the Senate on January 22.

Bills passed before Congress recessed include APPROPRIATIONS

A \$555 billion omnibus spending bill (HR 2764) was passed by the Senate on December 18, by the House on December 19, and sent to the President for his signature. Congress passed another continuing resolution (HJ Res 72) keep the government open until the President signed the bill, which he did on December 26. The bill increases overall education funding by \$1.94 billion (+3.4%). This includes a \$1.1 billion (+4.6%) increase in NLCB programs; a \$259 million (+17.3%) increase in IDEA funding; and restoration of much of the funding for Career and Technical Education. Funding for the National Children's Study is \$111 million.

MEDICARE/MEDICAID/SCHIP

The Medicare, Medicaid, and SCHIP (State Children's Health Insurance Program) Extension Act of 2007 (S 2499) passed by Congress and signed into law on December 29 includes

- * A six month 0.5% increase in Medicare physician reimbursements, averting a 10% decrease scheduled to take effect on January 1, 2008
- * A six month moratorium on the proposed regulations limiting rehabilitation options and school based services/transportation.
- * An extension of the SCHIP program through March 31, 2009 which provides sufficient funding to avoid funding shortfalls in 2008

On December 28, the federal Centers for Medicare and Medicaid Services (CMS) issued a final regulation stipulating that schools may not bill Medicaid for certain school-based administrative and transportation activities. The regulations were to go into effect on February 26, 2008. However, the exact status of the regulation is unclear because of the bill signed on December 29 which imposes a six month moratorium on any regulatory guidance concerning payment for school based administration and transportation.

NEW NAME

Congress passed and the President signed into law S.2484 which renames the National Institute of Child Health and Human Development (NICHD) the Eunice Kennedy Shriver National Institute of Child Health and Human Development.

Bills Awaiting Action in the Second Session of the 110th Congress

THE AMERICANS WITH DISABILITIES RESTORATION ACT (H.R. 3195; S. 1881) would override recent Supreme Court decisions which have seriously eroded the rights of people with disabilities under the ADA, by allowing employers to say either a person is too disabled to do a job or is not disabled enough to be protected by the law.

REAUTHORIZATION OF NCLB (ESEA)

The NEA website lists current bills on the reauthorization of ESEA/NCLB, which includes those supported by NEA (41 in the Senate and 87 in the House), those opposed by NEA and those on which NEA has no position. On January 7, 2008. President Bush said if Congress doesn't reauthorize the No Child Left Behind Act, he will make as many changes as he can on his own. He also said that if Congress does renew the law but weakens it in the process, he'd strongly oppose it and veto it.

TOXIC RIGHT TO KNOW PROTECTION ACT (S 595. H.R. 1055) would undo reporting requirement roll-backs the Environmental Protection Agency (EPA) implemented in a January 2007 rule change, which would allow companies to release ten time more pollution before filing detailed reports and create an unprecedented exemption for reporting low-level disposals of persistent bioaccumulative toxins (PBTs), including lead and mercury.

DEPARTMENT OF EDUCATION

APPOINTMENTS Dr Tracy Justesen has been appointed Assistant Secretary for Special Education and Related Services

REGULATIONS FOR PART C (EARLY CHILDHOOD) OF IDEA may not come out until late summer 2008.

27th ANNUAL REPORT TO CONGRESS ON THE IMPLEMENTATION OF IDEA is available at <http://www.ed.gov/about/reports/annual/osep/2005/parts-b-c/index.html>

The report consists of two volumes. Volume 1 focuses on the children and students being served under IDEA. Topics covered include trends in numbers and percentages of infants, toddlers, preschool, and school-age children served; educational environments of preschool-age children; declassification of elementary school-age students; and characteristics of secondary students served for emotional disturbance. Volume 2 contains state-level data profiles. The report is available at.

GROWTH MODEL NOW AVAILABLE TO ALL STATES

The Department of Education announced that all states that meet federal criteria can now use a growth model to measure student achievement instead of the current Adequate Yearly Progress system. The Department's [press release](#), [additional details about the pilot project](#), and [letter sent to all chief state school officers](#) can be found at <http://www.ed.gov/admins/lead/account/growthmodel/proficiency.html>.

RIGHTS OF QUALIFIED STUDENTS WITH DISABILITIES TO ACCESS ACCELERATED PROGRAMS

On December 26. the U.S. Department of Education's Office for Civil Rights issued a policy letter stating that Section 504 of the Rehabilitation Act of 1973 (prohibiting discrimination on the basis of disability in programs or activities

receiving Federal financial assistance) and Title II of the Americans with Disabilities Act of 1990 (which prohibits discrimination on the basis of disability by entities of State and local government.) and the Individuals with Disabilities Education Act require that qualified students with disabilities be given the same opportunities to compete for and benefit from accelerated programs and classes as are given to students without disabilities. *To read more see* <http://www.ed.gov/about/offices/list/ocr/letters/colleague-20071226.html>.

GRANT TO PROVIDE STUDENTS WITH DISABILITIES ACCESS TO

ELECTRONIC BOOKS "The Office of Special Education Programs of the U.S.

Department of Education has awarded Bookshare (<http://www.bookshare.org/web/Welcome.html>) a \$32 million five-year grant to dramatically expand the Bookshare collection and provide all U.S. students with qualifying print disabilities free access to the service. Students of any age, in K-12 and beyond, can use the entire Bookshare.org collection of accessible electronic books and the software for reading those. Bookshare is working with publishers, authors and technology companies to gain access to books in digital formats that can be converted to DAISY (digital talking book format)

Copyrighted books are only available for download in the specialized formats of digital Braille (BRF) and the digital talking book format (DAISY), and are only available to people with disabilities who have provided certification of disability. A tool for Microsoft Word, to be released as a downloadable plug-in at no charge early next year, will enable the translation of millions of Open XML documents into DAISY XML, the lingua franca of the globally accepted standard for digital talking. See "Microsoft and DAISY Help Enhance Reading Experience for People with Print.

DEPARTMENT OF LABOR

The President was expected to nominate Neil Romano, of Maryland, to be Assistant Secretary of Labor (Disability Employment Policy).

COURT CASES

SUPREME COURT TO HEAR ADA CASE

The Supreme Court will hear the case of Huber vs Wal-Mart in the spring of 2009. Huber was an order filer earning \$13 an hour when she was hurt in an on-the-job accident. She applied for a job as a router, which paid \$12.50, but the job went to another employee Wal-Mart considered more qualified. Huber was offered a job which paid \$6.50 an hour. The issue is whether Wal-Mart is required to provide Huber with an equivalent job after she could no longer perform her job due to a disability or whether Wal-Mart simply had to allow her to compete for an equivalent job.

FEDERAL APPEALS COURT ON FUNDING FOR NCLB

On January 7, the Sixth Circuit federal Court of Appeals ruled that the No Child Left Behind Act is violating the Spending Clause of the Constitution by requiring states and school districts to spend their own funds to comply with the law. The lawsuit, filed by the National Education Association, nine school

districts, and nine NEA state affiliates, does not challenge the goals of the law or call for its dismantling. Instead it wants to make clear that if states and districts cannot fully comply with all the law's regulations and mandates due to lack of federal funds, they cannot be penalized by the Department of Education.

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FOR IMMEDIATE RELEASE

Contact: Sheila A. Buckley, Executive Director
412-341-1515 x 201
sbuckley@ldaamerica.org

Nation's Leading Conference on Learning Disabilities

February 22, 2008 - Learning Disabilities Association of America (LDA) will host its 45th annual international conference in Chicago February 27 - March 1, 2008. All conference events will take place at the Hilton Chicago, 720 South Michigan Avenue.

Attendees will discover the latest research on learning disabilities (LD), hear from leading experts in the field and gain information on critical policy issues. Parents and teachers will learn effective teaching techniques and strategies.

Adults with learning disabilities, principals, administrators, counselors, social workers, researchers, medical and mental health professionals, education policy advocates, and college student support personnel are also welcome to attend the four-day conference.

More than 300 workshops will be conducted on medical and mental health issues, teacher preparation and public policy. Reg Weaver, President of the National Education Association, based in Washington, D.C., is one of several keynote speakers. Author and Advocate Anne Ford, chairman emeritus of the National Center for Learning Disabilities in New York City, is scheduled to speak at the LDA awards banquet on Friday, February 29 at 7 p.m.

Other conference events include exhibits from publishing companies, private schools, summer camp programs, service organizations and software/educational product vendors. The LDA bookstore, which features books, pamphlets and teaching materials, will be open as well. Graduate and/or continuing education credits (CEUs) are available.

LDA is the largest non-profit volunteer organization advocating for individuals with learning disabilities.

For prices, hotel information, to download the complete conference brochure or to register, visit www.ldaamerica.org

About Learning Disabilities Association of America

LDA is the largest non-profit volunteer organization advocating for individuals with learning disabilities.

Headquartered in Pittsburgh, Pa., LDA is the leading parent-based advocacy organization for learning disabilities with more than 200 affiliates and 10,000 members from all 50 states and 27 countries worldwide. Members include individuals with learning disabilities, family members concerned professionals, and advocates.

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Care & Comfort
Delivering quality home health and mental
health services to families in Maine.

We are excited to announce that we are now providing Case Management services in Northern Androscoggin, Franklin, Oxford, Kennebec and Somerset counties.

Deb Levenseller, LMSW, has joined our team as our Case Management Supervisor. Deb comes to us with over 20 years of experience in the field of behavioral health services. Deb is an experienced case manager having provided case management services for school-aged children with mental retardation or autism and supportive services to their families.

Deb has additional experience in children's mental health services and was Mental Health Program Coordinator at Children's Behavioral Health Services for several years. Deb also has experience with the birth to five population, having previously been an Early Intervention Specialist with the Bureau of Children with Special Needs.

If you have questions or would like information regarding making a referral or learning more about Care & Comfort's services please contact Deb at our Waterville office at 872-5300 or 1-800-366-5302.

Sincerely,

Lee Jellison
Chief Operating Officer

Care & Comfort's mission is to provide quality home and behavioral health care delivered by skilled, compassionate professionals and to meet and exceed nationally recognized standards of care while serving as a reputable health care resource for the community at large.

For more information about Care & Comfort, please visit their website at <http://www.careandcomfort.com/>.

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February 14, 2008

New Cooperative Purchasing Consortium for Assistive Technology and Specialized Software Announced

The Department of Education's Maine CITE Program, has partnered with ACTEM (Association of Computer Technology Educators of Maine) to offer Maine K-12 schools reduced pricing on specialized software and specific assistive technology devices. Working in collaboration with MADSEC (Maine Administrators of Services for Children with Disabilities) this new partnership will expand products available to school districts.

ACTEM is the professional organization representing over 800 Maine educators. MADSEC (www.madsec.org) is the professional association for administrators of special education in Maine. Maine CITE (www.mainecite.org) is the statewide assistive technology program, with the Coordinating Center located at University College in Augusta.

Product lines and links to sources are available on the software page at www.actem.org: <http://www.actem.org/Pages/ACTEMPartners/software>

Schools must be ACTEM District members to submit orders. Over 150 Maine districts have already paid the \$25 annual fee for ACTEM district membership.

Among ACTEM offerings are Dragon Naturally Speaking, Inspiration, the new Kidspiration v.3, FileMaker, and NoteShare.

Titles from Tool Factory, Inc. of Vermont are also discounted. Known internationally for their expertise in software recommendations for special needs, Tool Factory offers an online tool for matching appropriate software to specific needs. Tool Factory also offers specific bundles with such titles as Dyslexia, ESL,

Speech & Language, Autism, Switches, PMLD, Touch Screens, and Assessment and Screener.

Products from Origin Instruments (www.orin.com), specialists in assistive technology, are also included. Origin offers many Macintosh specific hardware and software solutions for mobility, speech and vision impairments.

Through existing partnerships with the University of Maine System and the Maine Department of Education, ACTEM also offers steep discounts on titles from Adobe and Microsoft.

Over 800 Maine educators currently belong to ACTEM. ACTEM members are eligible to apply annually for up to \$400 in technology-related professional development reimbursement not covered by their district. The popular MAINEducation Technology Conference organized and managed by ACTEM is scheduled for October 16-17, 2008 at the Augusta Civic Center.

For additional information about the products available through the Cooperative Purchasing Consortium, please contact Craig Dickinson at cdickinson@actem.org.

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LDA of Maine is Proud to be an Affiliate of LDAA

www.ldaamerica.org

Annual Conference on Friday, April 11, 2008!

Grandeur Sun Banquet & Conference ✪ 6 Jefferson Street, Waterville, ME 04901

Specific Learning Disabilities & Co-existing Emotional Disorders"

Presented by author & LD/ADHD mental health specialist Dr. Larry Silver, MD!

Join us for this intense mental health program on the continuum of neurologically-based disorders often found within individuals with specific learning disabilities (SLD/LD). Research shows up to a 50% possibility that a child or adult with SLD will have one or more co-morbid disorder such as Anxiety, Depression, Obsessive Compulsive Disorder, Attention Deficit/Hyperactivity Disorder (ADHD), and Anger Control/Bipolar Disorder. Dr. Silver focuses on the clinical description, diagnosis, and treatment of these disorders ending the day with a group discussion responding to your individual questions.

Special Feature:

"SLD/ADHD: Trauma & School Failure, Pathways to the Criminal Justice System"

Trauma in a child's life frequently and unnecessarily may lead to school failure. In fact school failure itself may cause the trauma resulting in life long effects (unemployment, welfare, substance abuse, etc.). The National Council on Disability estimates that approximately 36% of children in the juvenile justice system have SLD, up to 50% with ADHD. Unless our children with these neurological disorders experience success in education and life, their future may lead them to the door of our Criminal Justice System.

LDA of ME is sponsored in part thanks to funding by the Maine Department of Special Education <http://www.maine.gov/education/speced/>

Opening Remarks with [David Nobel Stockford](#), Policy Director MDOE Special Education, [James Beougher](#), Director DHHS Office of Child & Family Services
plus our LDA Sylvester Award: [Gene Kucinkas, Jr.](#), President, LDA of Maine Board of Directors.

CEU's are available at the conclusion of the day, for a total of **7 contact hours**. (Social Services & Special Education UMO).

Pre-Registrant Discounts: School/Organization/Business Deduct 10% when 5 or more register together; Families Deduct 15% when parents of a school age child register together. **LDA provides it members with conference scholarships to parents of school-age children with specific learning and attention disabilities as well as adults with specific learning disabilities;** contact us for more information.

INFORMATIVE EXHIBITORS & BOOK STORE available for your enjoyment featuring popular titles (credit cards/POs accepted).

\$\$\$ Silent Auction & 50/50 Raffle!!! \$\$\$ YOU DO NOT NEED TO BE PRESENT TO WIN!

Biography Dr. Larry Silver, MD

Dr. Silver, a Child Adolescent Psychiatrist, is in the private practice in the Washington, D.C. area. He is Clinical Professor of Psychiatry at Georgetown University Medical Center. Prior to his current activities he was Acting Director and Deputy Director of the National Institute of Mental Health. Prior to his position at the National Institute of Mental Health he was Professor of Psychiatry, Professor of Pediatrics, and Chief of the Division of Child and Adolescent Psychiatry at the Robert Wood Johnson School of Medicine.

For more than thirty years his primary areas of research, clinical, and teaching interest have focused on the psychological, social, and family impact of a group of related, neurologically-based disorders - Learning Disabilities, Language Disabilities, Sensory Integration Dysfunction, and Attention Deficit Hyperactivity Disorder.

He has more than 150 publications, including his popular book, *The Misunderstood Child: A Guide for Parents of Children with Learning Disabilities* in its Third Edition. His other books include, *Attention Deficit Hyperactivity Disorder: a Clinical Guide to Diagnosis and Treatment for Health and Mental Health Professionals*- Third Edition and *Dr. Larry Silver's Advice to Parents on Attention Deficit Hyperactivity Disorder* - Second Edition.

His two most recent books are co-edited by Dr. Frank Kline and are intended for general education teachers. Each is published by Brookes Publishing Company: *The Educator's Guide to Medical Issues in the Classroom* (2001) and *The Educator's Guide to Mental Health Issues in the Classroom* (2004).

He is active with the Learning Disabilities Association of America and is a Past-President of this organization. In 1992 he received this Association's highest award, The Learning Disability Association Award, for outstanding leadership in the field of Learning Disabilities. In 1996 he received the American Academy of Child and Adolescent Psychiatry's Berman Lifetime Achievement Award for his contributions to the study and treatment of Learning Disabilities.

Please help us by sponsoring our Silent Auction!!!

Proceeds go directly to support our Mission to assist Maine children and adults with learning and attention disabilities through support, education, and advocacy (sea).

Donors will be acknowledged through

- 1) A handout in each conference attendee's packet (over 250 last year),
- 2) A special Thank-You posting on our web site
- 3) A special thank-you in our E-NEW and/or LDA newsletter plus,
- 4) In the Bangor Daily News & the Portland Press Herald !

Silent Auction Contribution Sheet GIFT CERTIFICATES (if possible).

Send in a Silent Auction Gift Certificate and/or by sponsoring an adult with LD/ADHD or the parents of a school-aged child with LD/ADHD to attend our conference as an expression of collaboration with the LDA Mission!

We can print your gift certificate just send us a description or picture of your item/gift.

Don't personally have a product or service? Consider a gift certificate to your favorite place or give an LDA membership/ scholarship.

THANK YOU FOR YOUR SUPPORT! LDA is a non-profit 501(c) 3 Organization

April 7th Deadline MAIL Certificate or item/service description directly to:

LDA of Maine, PO BOX 67(Physical: 97 Rocky Shore Lane), Oakland, ME 04963

LDA of Maine is the only statewide nonprofit grassroots organization whose mission is to serve individuals with specific learning disabilities (SLD/LD) and attention disabilities. Since 1980, Maine individuals, families, schools, providers, and community members have turned to LDA for our expertise and resources.

Most services are free to families of school aged children thanks to funding by the Maine Department of Special Education. <http://www.maine.gov/education/speced/>

JOIN LDA & BECOME INVOLVED TODAY YOU CAN MAKE A DIFFERENCE!

Thank you!

Thanks,

Laura Soule
Executive Assistant
Learning Disabilities Assoc. of Maine (LDA of ME)
PO Box 67
Oakland, ME 04963
Phone: 1.877.208.4059 or 207.465.7700
Fax: 207.465.4844
Web Site: <http://www.ldame.org>

Attachments

MISSION STATEMENT

The Learning Disabilities Association of Maine is dedicated to assisting individuals with learning and attention disabilities through support, education, and advocacy (SEA).