

Hello, my name is Melissa Atchley, I am a homeschooling mom of a child on the spectrum and live in Douglas county.

A recent US supreme court decision Endrew F vs Douglas County emphasizes the need to pass this bill.

The case surrounded the idea of how much education the schools are required to give to special needs kids. Endrew, a child on the spectrum, was pulled from his school and sent to an autism specific school because his parents didn't feel that the Douglas county schools were doing enough academically for their child.

In 2012 they filed a complaint with the Colorado Dept of Education to recover tuition costs, currently at \$70,000 per year. The case went all the way to the US Supreme Court and Endrew F won.

The issue here isn't the money, but rather the level of education required by the IDEA, The Individuals with Disabilities Education Act.

Lower courts have been split on the standard of education required, some saying (including the lower court in CO that originally saw this case) that an IEP

(Individualized Education Plan) satisfies the IDEA if it provides a child with a "just -above-trivial" educational benefit. Some say the standard should be higher.

In an extremely rare UNANIMOUS US Supreme court decision, the court ruled that schools only need to provide a non-trivial benefit.

Chief Justice Roberts said "When all is said and done, a student offered an educational program providing merely more than de minimis progress from year to year can hardly be said to have been offered an education at all. For children with disabilities, receiving instruction that aims so low would be tantamount to sitting idly, awaiting the time when they were old enough to drop out. The IDEA demands more.

"Schools must provide a program that is appropriately ambitious in light of the child's circumstances...every child should have the chance to meet challenging objectives."

The impact of this decision will be felt immediately in schools with parents demanding IEPs that are more robust and educationally challenging.

Are schools ready for this? I don't think so.

Based on census data from 2016, we can extrapolate that there are 925,271 school aged children in CO. If we use the most current numbers from the CDC on autism of 1 in 36, that is 25,701 kids on the spectrum in our school districts.

Just for reference, if the Dept of Education were required to pay tuition for each of these children at a specialized school, that would equate to 1.8 BILLION dollars per year.

The Colorado Autism Commission outlined strategies for dealing with this 10 years ago. For education, they recommended establishing a statewide training system for all educators and staff, certification programs within higher education and increase the number of specialized/high quality school programs to serve all children on the spectrum, include those with severe behavioral issues.

What I can tell you as a parent of a low-verbal, previously non verbal child, my son is a genius, who taught himself negative integer math at 5 years old. Like the vast majority of our non and low

verbal kids, educators and sometimes even parents are unaware of the intelligence our kids have based their inability to communicate or control their bodies. These kids CRAVE education and challenges and schools do not know how to give this.

How long can we keep our heads in the sand and hope this goes away? What we need are REAL numbers. Even the autism commission from 10 years ago stated that the numbers were unreliable and we needed a better way to gather the data.

We cannot implement the already existing, robust plan for the future of this exponentially growing population without numbers. We will not get real numbers unless we declare an epidemic and statistically accurate data is required to be gathered.