

## Letter from Over 185 Organizations Asking Congress to Pass the IDEA Fairness Restoration Act

We, the undersigned organizations, strongly urge Congress to pass the IDEA Fairness Restoration Act, H.R. 2740. The bill will allow parents who prevail in hearings and litigation under the Individuals with Disabilities Education Act (IDEA) to recoup their expert witness fees. In 2006, the Supreme Court held in *Arlington Central School District v. Murphy* that parents could not recover expert fees. H.R. 2740 will overturn that decision. It will restore Congress' original intent in enacting the Handicapped Children's Protection Act of 1986 to allow prevailing parents to recover expert witness fees along with attorneys' fees.

The IDEA Fairness Restoration Act will make a difference to the millions of parents of students with disabilities in America. Few parents can afford to pay the thousands of dollars needed to pay qualified medical, educational, and technical experts. Approximately 36% of children with disabilities live in families whose income falls below the poverty line; approximately 2/3 live in families earning less than \$50,000 a year. While parents must hire expert witnesses to testify, school districts can use therapists, psychologists, and other expert witnesses on their payroll or hire witnesses at public expense. Congress should allow parents in IDEA cases to recover expert fees just as prevailing plaintiffs in ADA, Title VII, and other civil rights cases do.

Of course, parents proceed to litigation only as a last resort. In 2003, the GAO reported that there were only 5 hearings per 10,000 special education students. And only parents who prevail could recover fees; parents who do not prevail could not. It is important to pass H.R. 2740 to ensure that parents are not deprived of their right to due process for lack of resources. We strongly urge members of Congress to cosponsor the bill and to work to pass it.

Thank you very much for your support.

### **NATIONAL ORGANIZATIONS**

Council of Parent Attorneys & Advocates, Inc.  
(COPAA)

National Disability Rights Network (NDRN)  
Disability Rights Education and Defense Fund  
Autism Society of America

Cherab Foundation  
Communication Help, Education, Research, Apraxia  
Base

Autism National Committee  
Center for Law and Education  
Childhood Apraxia of Speech Association of North  
American (CASANA)  
International Dyslexia Association

League of Special Education Voters  
 National Down Syndrome Congress  
 National Down Syndrome Society  
 Nonverbal Learning Disorders Association  
 Our Children Left Behind.com

Prader-Willi Syndrome Association (USA)  
 Southern Poverty Law Center  
 School-to-Prison Reform Project  
 TASH  
 Tourette Syndrome Association, Inc. (National)

## STATE AND LOCAL ORGANIZATIONS

Alabama Disabilities Advocacy Program	Tuscaloosa	AL
Arizona TASH	Scottsdale	AZ
Solano Families for Effective Autism Treatment, Inc.	Vacaville	CA
California Association for Parent-Child Advocacy (CAPCA)	Berkeley	CA
Disability Rights Education and Defense Fund	Berkeley	CA
K.E.N. Project	Calabasas	CA
Special Education Community Advisory Committee of Los Angeles Unified School District (82,000 students)	Los Angeles	CA
Sacramento Asperger Syndrome Information and Support	Elk Grove	CA
Faces of Hope Charitable Fund, Inc.	Ripon	CA
Special Needs Advocates for Understanding	Ripon	CA
Families For Early Autism Treatment (FEAT)	Sacramento	CA
Learning Disabilities Association of California	Sacramento	CA
La Jolla Learning Foundation "Parents Advocating Together"	San Diego	CA
Bay Area Lawyers for Children	San Francisco	CA
Community Alliance for Special Education (CASE)	San Francisco	CA
Legal Advocates for Children & Youth	San Jose	CA
Burlingame Mother's Group of Kids with Special Needs	San Mateo	CA
Special Education Law	Santa Cruz	CA
Mills Legal Clinic - Youth & Education Law Project		
Stanford Law School	Stanford	CA
Friends in Common.yuku.com	Sunnyvale	CA
California Association for Parents of the Visually Impaired	Ukiah	CA
Solano Families for Effective Autism Treatment, Inc.	Vacaville	CA
Twice Exceptional 2E Network Supporting Families of Gifted Children with Special Needs	Winnetka	CA
Autism Society of Boulder County	Louisville	CO
Fairfield Special Education Parent Teacher Association	Fairfield	CT
Connecticut Down Syndrome Congress	Farmington	CT
African Caribbean American Parents of Children with Disabilities, Inc.	Hartford	CT
Learning Disabilities Association of Connecticut	Hartford	CT
S.E.P.T.A. Network	Milford	CT
SPED*NET, Special Education Network of New Canaan, Ltd.	New Canaan	CT

Child Law Unit - New Haven Legal Assistance Association, Inc.	New Haven	CT
NorwalkSEEKS.org	Norwalk	CT
Smart Kids with Learning Disabilities, Inc.	Westport	CT
Connecticut Legal Services, Inc.	Willimantic	CT
SPED*NET Wilton	Wilton	CT
Advocates for Justice and Education, Inc.	Washington	DC
Autistic Self-Advocacy Network	Washington	DC
Bread for the City	Washington	DC
Children's Law Center	Washington	DC
Juvenile and Special Education Law Clinic		
Univ. of the District of Columbia - David A. Clarke School of Law	Washington	DC
University Legal Services	Washington	DC
National Leadership Consortium		
University of Delaware	Newark	DE
Gold Coast Down Syndrome Organization	Boca Raton	FL
Celebrating Abilities Incorporated	Cape Coral	FL
Disability Law Center of Alaska	Anchorage	AK
Center for Independent Living of SouthWest Florida, Inc	Fort Myers	FL
Southern Legal Counsel, Inc.	Gainesville	FL
Center for Independent Living of South Florida, Inc.	Miami	FL
Broward Children's Center, Inc.	Pompano Beach	FL
Parents in Action, PIA, Inc.	Port Charlotte	FL
Florida Association of Special Education Attorneys	St. Petersburg	FL
Statewide Advocacy Network on Disabilities (STAND)	St. Petersburg	FL
Florida Association of Special Education Attorneys	Tampa	FL
Self Reliance Center for Independent Living	Tampa	FL
	West Palm Beach	FL
Legal Aid Society of Palm Beach County, Inc.	Beach	FL
Collier County Parents Seeking Reform	Naples	FL
GA Children's Network	Woodstock	GA
LIFE Center for Independent Living	Bloomington	IL
Special Kids, Special Families	Buffalo Grove	IL
Parents Reviewing Education Plans	Charleston	IL
Advocacy Services of the Jewish Federation of Metropolitan Chicago	Chicago	IL
Chicago Medical Legal Partnership for Children (Health & Disability Advocates)	Chicago	IL
Equip for Equality	Chicago	IL
Evanston Citizens for Appropriate Special Education (CASE)	Evanston	IL
South Suburban Chicago CHADD Chapter	Homewood	IL
Will-Grundy Center for Independent Living	Joliet	IL
Voice-Advocacy	Mikena	IL
Learning Disabilities Association of Illinois	Palos Hills	IL
Mothers from Hell 2	Peru	IL
Northwestern Illinois Center for Independent Living	Rock Falls	IL
Self Advocacy Council of Northern Illinois	Woodstock	IL
Kentucky Protection and Advocacy	Frankfort	KY
First Steps of Louisville, KY	Louisville	KY

Partners in Education	Baton Rouge	LA
Southern Poverty Law Center		
School-to-Prison Reform Project	New Orleans	LA
Center for Law and Education	Boston	MA
Disability Law Center of Massachusetts	Boston	MA
Federation for Children with Special Needs	Boston	MA
Disability Law Center (Mass.)	Boston	MA
Integrated Center for Child Development	Newton	MA
Single Parenting Plus	Northborough	MA
Berkshire Count Educational Associates	Pittsfield	MA
Maryland Developmental Disabilities Council	Baltimore	MD
Maryland Disability Law Center	Baltimore	MD
Maryland Special Education Lawyers (MDSEL)	Baltimore	MD
Mid Atlantic Chapter of TASH	Baltimore	MD
Shared Support Maryland, Inc.	Baltimore	MD
Maryland Coalition for Inclusive Education Inc.	Hanover	MD
Attachment & Trauma Network, Inc.	Jefferson	MD
Anne Arundel County Chapter, Autism Society of America	Millersville	MD
Learning Disabilities Assoc. of Calvert County, Inc.	Prince Frederick	MD
Disability Rights Center of Maine	Augusta	ME
Maine Center on Deafness	Portland	ME
Education Law Center, PLC of Michigan	Brighton	MI
Michigan Alliance for Special Education	Franklin	MI
Michigan Protection and Advocacy Service, Inc.	Lansing	MI
	Madison	
Michigan Tourette Syndrome Association	Heights	MI
Down Syndrome Guild of Southeast Michigan	Royal Oak	MI
Paraquad Independent Living Center	St. Louis	MO
Living Independence For Everyone (LIFE) of Mississippi, Inc.	Jackson	MS
Parents United Together	Madison	MS
Montana Advocacy Program	Helena	MT
Council for Children's Rights	Charlotte	NC
Alliance of Disability Advocates	Raleigh	NC
Special Education Navigation	Manchester	NH
Special Teachers Exceptional Parents and Students of NJ	Haddon Heights	NJ
Parent2Parent Group of Jackson New Jersey	Jackson	NJ
Education Law Center of New Jersey	Newark	NJ
Excellent Education for Everyone	Newark	NJ
New Jersey Special Education Practitioners (NJSEP)	Newark	NJ
Seton Hall Law School Center for Social Justice	Newark	NJ
Special Education Clinic		
Rutgers University School of Law	Newark	NJ
Special Education Clinic -Rutgers University School of Law- Newark	Newark	NJ
Statewide Parent Advocacy Network of New Jersey	Newark	NJ
Arc of New Jersey	North Brunswick	NJ
Apraxia Network of Bergen County	Paramus	NJ
Mr. G's Kids, Inc.	Paterson	NJ
Disability Rights New Jersey	Trenton	NJ
Parents Reaching Out	Albuquerque	NM
Pegasus Legal Services for Children	Albuquerque	NM

Down Syndrome Foundation of Southeastern New Mexico	Roswell	NM
Prader-Willi Alliance of NY, Inc.	Baldwinsville	NY
North Bellmore Special Education PTA	bellmore	NY
Brooklyn Special Needs Consulting, LLC.	Brooklyn	NY
Center for Learning Differences, Inc.	Great Neck	NY
Suffolk Parent Support Group for Disabilities	Islip	NY
East End Special Education Parents, Inc.	Mattituck	NY
New York Branch of the International Dyslexia Association	New York	NY
Families Helping Families Resource and Recreation Center	Staten Island	NY
ASPIES Greater Akron	Akron	OH
Ohio Legal Rights Service	Columbus	OH
Ability Center of Greater Toledo	Sylvania	OH
Ohio Families of ASD Children	Columbus	OH
Northwest Special Educational Services	Saint Helens	OR
TEAMinclusion	Ardmore	PA
Global and Regional Asperger Syndrome Partnership of Philadelphia	Berwyn	PA
ARC of Erie County, PA	Erie	PA
Pennsylvania Tourette Syndrome Association	Gettysburg	PA
Arc of Pennsylvania	Harrisburg	PA
Disability Rights Network of Pennsylvania	Harrisburg	PA
Education Law Center of Pennsylvania	Philadelphia	PA
Jewish Family & Children's Service of Greater Philadelphia	Philadelphia	PA
Mental Health Association of Southeastern Pennsylvania	Philadelphia	PA
Parent Learning Support Network	Pittsburgh	PA
Community Justice Project	Pittsburgh	PA
Kids Together, Inc.	Quakertown	PA
Mental Health Association of Reading and Berks County	Shillington	PA
Rhode Island Disability Law Center, Inc.	Providence	RI
Protection and Advocacy for People with Disabilities, Inc.	Columbia	SC
disABILITY Resource Center	Knoxville	TN
Down Syndrome Policy Network of Tennessee	Nashville	TN
Tennessee Disability Coalition on Education	Nashville	TN
Advocacy, Incorporated	Austin	TX
Houston Federation of Families for Children's Mental Health	Houston	TX
Spina Bifida Association of Houston Gulf Coast	Houston	TX
Texas A&M University Kingsville College of Education	Kingsville	TX
Raising Special Needs Kids Meetup of NW Dallas/Denton County	Lake Dallas	TX
Father's Joy	Sugar Land	TX
INCIID Inc.	Arlington	VA
Franklin Autism Community Enrichment Services	Callaway	VA
Autism Society of Northern Virginia	Fairfax	VA
Jester and Williams	Great Falls	VA
Endependence Center, Inc.,	Norfolk	VA
Disability Advocacy & Services	Bedford	VA
disAbilities Resource Network	Virginia Beach	VA
Advocating 4 Kids LLC	Montpelier	VT
Vermont Protection & Advocacy, Inc.	Rutland	VT
Disability Law Project, Vermont		

Autism Society of Washington	Olympia	WA
Disability Rights Wisconsin	Madison	WI
Families for Early Autism Treatment(FEAT)--WI	Madison	WI
Wisconsin Family Assistance Center for Education, Training, and Support (FACETS)	Milwaukee	WI
Arc of Racine County, Inc.	Racine	WI