



YEAR END REVIEW

2021



SAN JOAQUIN  
COLLEGE OF LAW  
BREN CLINIC

# A MESSAGE FROM OUR DIRECTOR

Students with disabilities, and their families, have been and are continuing to face insurmountable challenges as a result of the COVID-19 pandemic and the everchanging educational landscape it left in its wake. Many of our families were unable to adequately participate in online learning; some special education services could not be delivered through computer screens. Transitioning back to in-person learning and adjusting to the “new normal” has been a struggle for many of our community’s most vulnerable students, those with learning disabilities, special needs, and those who face educational discrimination.

Navigating the legal realm within special education was complex and confusing before the pandemic; it is even more so now. The BREN Clinic has continued its programming including online advocacy courses, virtual consultations, and online representation to assist families in this labyrinth. Even though we are not able to meet with our families in person, we are working to ensure our clients receive the educational services and supports they need to continue to learn and thrive.

In 2021, the BREN Clinic was able to serve nearly 1,000 individuals and families. We helped 87 families receive an action plan through free legal consultations. 52 more families received legal services through free representation. More than 500 people participated in our online advocacy courses, offered in both English and Spanish. And 335 individuals attended our Webinars.

Our programs can make a huge difference in the lives of students with disabilities. However, none of our efforts are possible without the generosity of our community of donors. Our start-up funds were donated by Growing Resources for Autism and Neurodevelopmental Disabilities (GRAND). Without their incredible contributions the BREN Clinic would still be nothing more than a dream. Through additional donations and grants we are able to continue helping individuals and families enforce their right to a free appropriate public education.

This Annual Report is a snapshot of some of the work we have done together. We hope you will find the following descriptions of our work and accomplishments– and some of the personal stories that drive them – as inspiring as we have. They are proof of how much we can achieve when we work together to reach our common goal: Helping Individuals with Intellectual and Developmental Disabilities Reach Their Full Potential.



**JODIE HOWARD**



# MISSION

The mission of the BREN Clinic is to help individuals with Intellectual and Developmental Disabilities (I/DD) to obtain the education services, community services, and related support they need to reach their full potential.

# FOCUS

This is accomplished through a four-part focus inspired by our name.

- B**olster partnerships between families and schools
- R**eform special education services within communities
- E**mpower families and individuals to self-advocate
- N**etwork peer-to-peer advocates



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## WHAT WE DO

### CONSULTATIONS

The BREN Clinic counsels and advises parents and develops individualized action plans that parents can use to address their child's education issues. In 2021, we helped more than 120 families through this program.

### SPECIAL EDUCATION ADVOCACY

The BREN Clinic helps families enforce their right to a free appropriate public education by providing legal services that communicate violations of education law directly to key school administrators or to state and federal government agencies. In 2021, we helped 52 families through this program.

### ADVOCACY CLASSES

BREN's chief training program is a 33-hour comprehensive advocacy course that spans 11 class sessions. It is designed to empower parents and other caretakers to more effectively advocate for their children with disabilities and bring about social change within the education system. The course is offered in both English and Spanish. In 2020 we helped nearly 500 students and families through this program.

### FUTURE ATTORNEY CLINIC

BREN introduces future lawyers to the niche area of Special Education Law and provides training through opportunities to serve real clients. In 2020-2021, 17 law students took a Special Education Law course at SJCL or worked in the BREN Clinic.

## WHO WE SERVE

*"The BREN Clinic helped my son start in a mainstream kindergarten class this year and get a 1:1 aide."*

– Isabel, Parent/Advocate

*"The BREN Clinic is an excellent source for advice and guidance when it comes to taking care of your special little one's school needs. Jodie and her team helped open my eyes to things that I was not aware of. Thank you so much for all of your help."*

– Anonymous, Parent/Advocate

*"We really appreciated how easy it was to schedule a consultation with the BREN Clinic. The staff were knowledgeable and spent quality time listening to our concerns regarding our son's IEP. They gave us excellent counsel and promptly sent us forms and emails."*

– Diana, Parent/Advocate

*"The BREN Clinic was so helpful in understanding our child's IEP and special needs services. I would highly recommend anyone with questions and concerns to reach out to them."*

– Robert, Parent/Advocate

*"Thank you for your plan of action which helped us understand the different ways we could approach our son's case."*

– Melissa, Parent/Advocate

*"I am very impressed with the BREN Clinic. They are extremely easy to communicate with, they always respond quickly to questions, and above all else... they actually listen to our needs! It's such a relief to have them on our side!"*

– Rusty, Parent/Advocate

## Beating the Odds



### ANDRES' STORY

Hello everyone, my name is Andres Diaz and I'm a 24-year-old man with Autism. Being diagnosed with Autism hasn't stopped me from achieving my life goals. I spent 13 years in the special education system, and I've overcome many challenges that I faced throughout my Pre K-12 years while attending school in the Clovis Unified School District. Thanks to my parents and a strong support system, I have persevered throughout every obstacle that has been placed in front of me. I have recently reached my goal of earning my bachelor's degree in communication studies from Fresno

State. My parents have been such amazing advocates for me, and they have done everything they can to ensure that I got the help I needed. The challenges they faced in helping me through my education is why we need to address the special education system and make it more efficient for other families in need.

I believe that it is very important for other kids like me to have parents with a strong knowledge of the special education system. This knowledge can allow opportunities to open for their kids, and it can allow them to see what their kids can do in their educational careers. Some parents may not have a clear understanding of the special education system, and it can make teachers and staff mistakenly underestimate the child's skills and abilities. Reaching my life goals after graduating high school was very important to me because I am seen as different from others. Graduating from a 4-year university was one thing I really wanted to accomplish since most of my friends and former classmates were planning on attending college at a 4-year univer-

sity when they left high school. I wanted to do the same. If it wasn't for my loving, supportive, and caring parents fighting for me, I wouldn't have made it this far.

I strongly encourage parents who have kids with disabilities to push them to fulfill their dreams. I would advise other parents who have kids that are struggling with their education to try and fight for them to ensure that they get the help they need to succeed in both the classroom and in life. Education is very important, and it gives kids like me a chance to accomplish their life goals.

My advice to young people who are enrolled in the special education system would be to continue their dreams no matter how difficult the journey may be. The key to success and overcoming obstacles is to continue putting in your best effort and never give up on the things you set your mind to. Because my parents had knowledge of the special education system, it helped me achieve in school and allowed me to get to where I am today. I wish you all the best of luck in your future endeavors.



## Striving for Understanding and Acceptance



### ARTI'S STORY

Like all parents, Arti Nayar wants the best possible public education for her kids. Unlike most parents, however, she finds herself embroiled in a battle to obtain it. A veterinarian who runs her own private practice, Arti is the proud mother of two children. Her son Kabir, now six, was diagnosed with autism when he was three. With no prior knowledge about the condition, Arti felt overwhelmed and lost with the diagnoses, unsure how to find the proper resources for Kabir's education.

She met Jodie Howard at a seminar on inclusion and Individual Education Plans (IEPs) for special needs children. In her presentation, Jodie shared her experiences in pursuit of her own son's rights to an appropriate education. Jodie's son Bren is autistic too.

For Arti, meeting Jodie confirmed the need to learn all she could about navigating this puzzling new world. Sadly, the first thing most parents learn is that the behavioral, social, and education issues of children within the autistic spectrum often become fodder for battle.

Upon witnessing the damaging effects of excluding children whose progress is dependent upon inclusion among their peers, parents find that the very programs created to assist their children can sometimes become their undoing. The path to attaining what is best for special needs kids necessitates arming oneself with knowledge about the legal right of each and every child to a free and appropriate education, and a fair chance to reach their full potential.

For Jodie that meant becoming an attorney herself. Her determination to obtain support and equity for her son led her to become the valedictorian of her graduating law class, and to create the BREN clinic, named after her son, on the campus of San Joaquin College of Law.

Jodie's mission as Director of the BREN clinic and the volunteers and law students who help staff it, is to provide the knowledge and assistance that can help individuals with intellectual and developmental disabilities obtain the education, community services, and related support they

need to reach their full potential.

Arti says she took the BREN training program (33 hours of comprehensive advocacy training spread over 11 class sessions) for parents and caregivers – twice - because it was so full of information. It was only after learning the terminology, the procedures, and the limitations of school districts to fully serve special needs children, did she know how to go about defending her son's rights.

It is unfortunate that most families learn they must fight for the kinds of opportunities general education inclusion offers in public schools. While it is not the intention of school districts to become adversaries of children with special needs, most parents straddling the worlds of autism and general education (Gen Ed) are forced to take aim against slights that seem to occur routinely.

With assistance from the BREN clinic, Arti was able to get a knowledgeable and legal review of her son's IEP. Armed with the knowledge of how to request what she felt was the best course of education for her son, Arti was able to get the school to agree to let Kabir participate in Gen Ed as a kindergartner.

"Children at that age are naturally inclusive, and forgiving," she said. "When you go into a classroom of the younger children, you won't find judgement or cruelty. Just understanding and accep-

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## First and Foremost, Do No Harm



### HEATHER'S STORY

Michael Cohen was diagnosed with mild to moderate autism when he was just two years old. With the definition of what constitutes mild to moderate autism as varied as the opinions on how to assist those who exhibit it, some forms of “treatment” can actually do more harm than good.

Michael’s mom Heather is all too aware of such harmful effects. Once he was ready for school, at age five, Michael was assessed by an Individual Education Plan (IEP) team at a nearby public school. The team determined that Michael required placement in their class for severely autistic children.

Heather knew for certain this determination was wrong. As his mother, she knew what her son really needed was a special day class for mildly autistic kids, where he could learn and develop the same as the neurotypical (non-autistic) kids. Inclusion for various activi-

ties with kids in General Education classes was another solution Heather knew would greatly benefit her son.

In general, people who are mildly autistic may have trouble with certain daily-life functions, might be inflexible in patterns of behavior, and often find it difficult to handle change. While many are in need of a degree of support or assistance to manage everyday situations, some are highly functional and seen simply as a little “quirky” in their behavior.

By contrast, those with severe autism are mostly non-communicative and experience great difficulty interacting or accomplishing tasks. At this level there can be extreme difficulty coping with change, and a need for repetitive actions can cause severe discomfort amid any disruption of routine.

It is easy to see how placing a mildly autistic child in a classroom for severely autistic children can have damaging results. When Heather tried to find alternative solutions for Michael’s placement in school, she was met with resistance and a culture that she says felt like bullying by the “experts”.

“They were so dismissive of my son. They insisted on placing him in what they called the only option they could offer, which was not at all what he needed,” Heather says.

From her mommy group for parents of special needs kids, Heather heard about Jodie Howard and the BREN clinic. When

Jodie reviewed Michael’s IEP, it was clear he should not be placed in a severely disabled classroom. “Having someone on your side who knows every nook and cranny of the law is everything,” Heather says. “With Jodie’s help we were able to get that original assessment amended so Michel could be placed in a classroom that was appropriate for his age and his level of autism.”

“He is now learning something new every day and making great progress,” Heather says. “He gets time with non-autistic kids at lunch and recess, in addition to music time. He is able to be included in both groups, which for him is huge. His team at school is beyond amazing.”

The useful resources on Michael’s schedule include behavioral health, speech therapy, meetings with the school psychologist and extra teacher’s aides. His teachers and support staff dedicate their time and patience to the kids in this class. They set goals, make plans, and monitor progress, unlike programs that offer more of a daycare setting where little learning takes place.

Heather says without the help of the BREN clinic and Jodie, her family would still be fighting the system to get Michael the help he needed. “We have so much love and gratitude for the knowledge and help we have received – we feel like Jodie and her team have saved Michael, and improved the outlook for his future.”

# 2021 YEAR END REVIEW

## IMPACT ON STUDENTS

**2,929** Hours of compensatory remediation services obtained for clients

**2,664** Hours of weekly, ongoing services at school (academic support, speech & language, occupational therapy, and health/nursing services) obtained for clients

**37** IEP meetings attended with clients

**18** Independent Educational Evaluations obtained for clients

**11** Clients received 1:1 aides in their IEPs

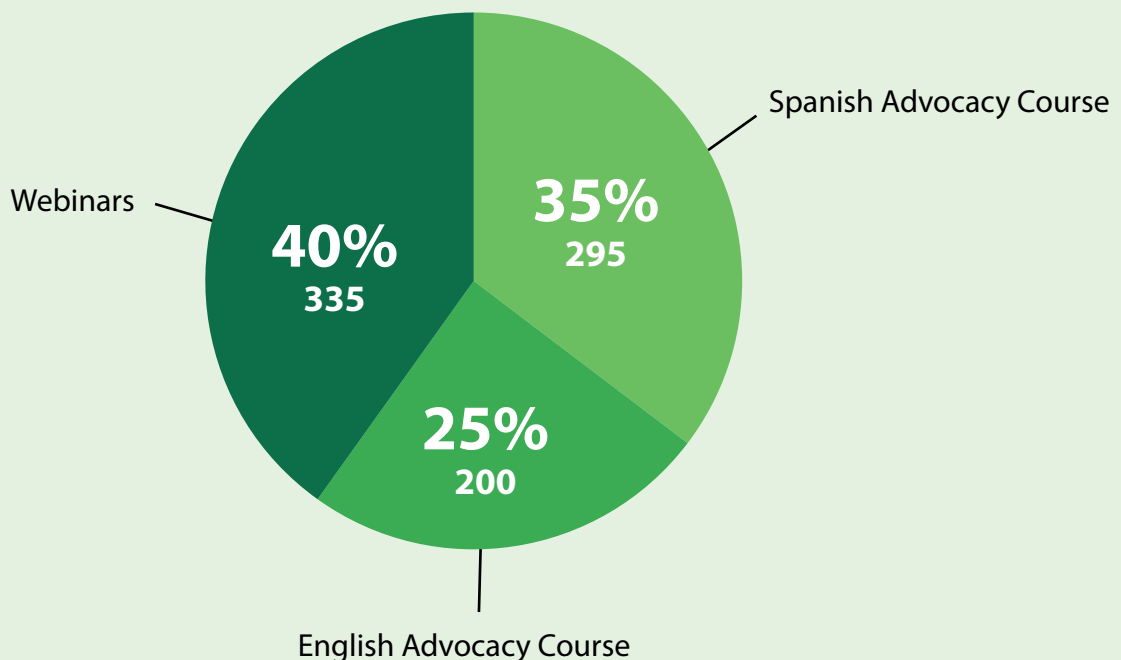
**9** Clients moved to a Less Restrictive Environment (LRE)/included in a general education placement

**8** Clients found eligible for Special Education and Related Services

## IMPACT ON ADVOCATES

### Class Attendees

Of the 835 attendees of BREN events, over a third (35%) attended classes in Spanish.



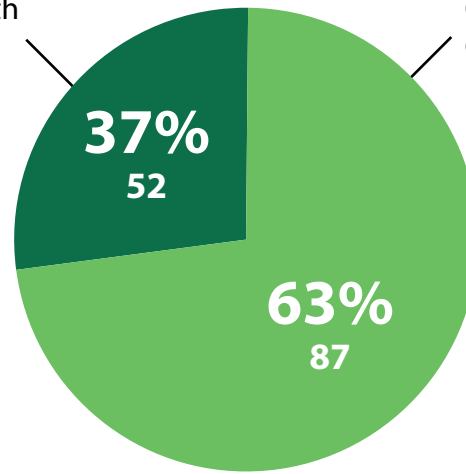


## 139 Total Consultations

Of the 139 consultations that BREN completed, over a third (52) received legal services.

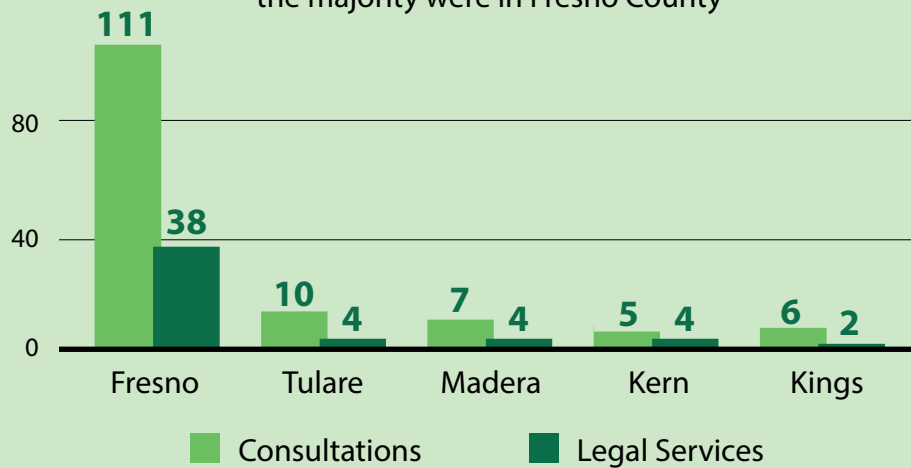
Consultations with  
Legal Services

Only  
Consultations



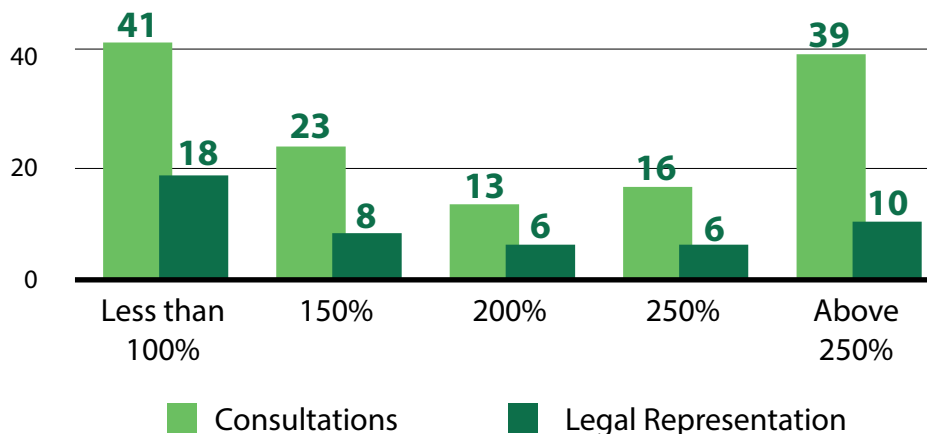
## Consultations by County

Of the 139 consultations that BREN completed, the majority were in Fresno County



## Federal Poverty Levels Served

Of the 52 clients who received legal services, over a third (18) were from households with income below the Federal Poverty Line.



## Piggy-Backing Services for the Sake of the Children



### PAULA'S STORY

According to his mom, Matthew - age 8 - has gotten the short end of the stick in his life thus far. Matthew is a twin who was born with Waardenburg Type 2A, a very rare condition (only 28 others in the United States share this condition), that caused him to have deafness and severe vision impairment. In addition, Matthew has intellectual disability, and autism.

As mom Paula describes it, Matthew's story was heartbreaking even before he was born. "We knew he had problems when he was in-utero, but when he was born, they told us he was normal. Then he failed the newborn hearing test. That was the point at which we should have received some information and assistance about resources for our child, but the system failed us," she said.

Paula recounted through silent tears, how her family was not made aware of any resources that should have been offered as they

learned of Matthew's additional medical and developmental issues.

"When a deaf child is born, you are supposed to receive help from the county with resources. We were left completely on our own. I felt like we went to war in that instant with the agencies and services that were meant to help."

And the refrain, familiar to so many families with special needs children, continued as Matthew grew.

"Matthew now is like a one-and-a-half-year-old living in an 8-year-old's body. He has so many issues. I just want him to have the services and help he is entitled to, like everybody else. I want him to learn to the best of his ability, to one day be able to do the basic things." Paula said. Even though he has been in school since the age of two or three, Paula says Matthew has progressed very little. He has no ability to use language, cannot feed or care for himself, or communicate his needs. "We work with him in specific ways here at home, but then he digresses at school because there is no cohesion to the process."

"It is important," Paula says, "that everyone (the school district, the teachers and aids, anyone who is involved in Matthew's education or care) be on the same page with good communication between home and school, not to mention the use of resources."

As so many parents of special needs kids have experienced, when a parent requests the resources or

extra help that is available through government funding, they are often accused of asking for special treatment. That is simply not the case.

"The Individuals with Disabilities Education Act (IDEA) provides funding for resources and assistance for special needs children in public schools. It shouldn't be like pulling teeth to get them the help they need," Paula says. She also notes that parents often don't know what help is available or what to ask for, so it's not offered. This is why advocacy is essential.

Through a friend of a friend, Paula was connected with Jodie Howard and the BREN clinic at San Joaquin College of Law. Upon inspecting a summary of what had and had not been provided for Matthew, Jodie was able to identify which services and programs could benefit him. By asking for a Behavior Intervention Plan (BIP), Matthew's daily schedule could be improved.

"It has taken the influence of an attorney (someone who knows the legal rights of each child to an equitable education), to get Matthew the services he should have had from the start. It has been the difference of night and day in the six months that we have been working with Jodie (and BREN)," Paula said.

Research has shown that inclusion in general education classrooms is an important element in the education of special needs children. Paula says Matthew has

never had the chance to be in an inclusive classroom. “There should be meetings, like an open forum, that include parents, the school district, school staff, In Home Supportive Services (IHSS) and Central Valley Regional Center (CVRC), attorneys, and anyone who has a hand in the education and care of special needs kids,” Paula added. It takes knowledge and understanding by all involved, including those families without special needs kids, so they can all be part of the solution.

She describes the feeling that many families face, of being on the “opposing side” in a battle to obtain the best education possible for their child. “We already have so much on our plates just trying to care for our special needs kids. We are struggling. Why does our child’s legally granted education have to be a struggle too?”

And Paula is not fighting for Mathew alone. A self-described bleeding heart, she says she feels strongly for all special needs kids and their families. “Some of the parents are just too overwhelmed to help their children, some don’t know where to turn. Some of the children may not be receiving the love and support they need at home. It breaks my heart every day.” she says. “Until you’ve walked an inch in our shoes, you have no idea what it’s like.”

The very nature of having a special needs child causes many families to live secluded lives. “We aren’t able to do things like other people do, we can’t go many public places,” she said. It shouldn’t

follow that these families must also fight for the assistance their children need to grow and learn.

Like any parent, Paula worries about Matthew in the future. “I worry constantly about him. What will happen when my husband and I are no longer here? More than anything he needs to learn as much as he can.”

With Jodie Howard’s “plethora of people, resources, and groups

to reach out to” Paula says things have improved a great deal for her family. “Everyone should be piggy-backing and trying to help these families through their difficulties, for the sake of the children.”

For Jodie Howard and the BREN clinic, that is precisely the point.

## ARTI’S STORY FROM PAGE 4

tance, which is what special needs kids, need most.”

If an autistic child is struggling in a Gen Ed class that is too challenging, the answer is often to place him in the autism class. If the autism class is not challenging enough for him, he will flounder. If his best option is to be placed in a general education grade below where the school thinks he should go, a battle ensues where factors like budget, resources, regulations, and bias often rear their ugly heads.

In the classes set up for those children who need separate instruction, like an autism classroom, the range of ability level is quite diverse. Arti says her son was too advanced for that sort of setting, even without having attended in-person kindergarten due to COVID. Even with that chunk of schooling missing, she says he was close to being at 1st grade level when the schools opened again, but she wanted him to begin, like all kids do, with kindergarten. The school district didn’t agree. The frustration he is experiencing from being placed above his grade level is what Arti says brings out the negative behavior. Arti says he has none of those issues when he is not being challenged in an unfairly difficult situation, so she continues to fight, with the BREN clinic’s guidance, for what is best for Kabir.

# GIVING BACK

In the Central Valley, more than 70,000 children are enrolled in special education every year — yet many do not receive needed services. We are proud of the work we have done this year, but we are just getting started. We have so much more work to do. Every donation gets us closer to that mark. With your help, we can get there.

The BREN Clinic is grateful for the following supporters

PARTNER (\$100,000+)



PATRONS (\$5,000-\$10,000)



BENEFACTORS (\$1,001-\$4,999)

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JENNA SHRINER SNEDDEN**

FRIENDS (UNDER \$100)

**SARAH BARTLEY  
CHRISTINE OYAKAWA**

The BREN Clinic would like to recognize the time and effort donated by Centro La Familia Advocacy Services in helping us translate teaching materials into Spanish.

