

ISEAS Cable

ISEAS Project • School of Education, Rm 701 • Indiana State University • Terre Haute, IN 47809

Supporting Special Education Administrators in Solution Seeking

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March 1997 - volume 18 number 3

IDEA Amendments 1997

The following is the statement made January 28 by Sen. James Jeffords during his introduction of The Individuals with Disabilities Education Act Amendments of 1997:

Mr. President: With my colleague Senator Frist, I am introducing the Individuals with Disabilities Education Act Amendments of 1997. This legislation is identical to S. 1578 which was reported out of the Labor and Human Resources Committee in the last Congress.

We are introducing this

legislation today so that everyone will have a common frame of reference. However, I want to make it clear to my colleagues in the Senate and to my colleagues and friends within the education and disability communities across the nation, that this legislation is not perfect and it can and will be improved. This is the beginning of the process, not the end. I am well aware that there are still issues to be resolved, and I intend to work with my colleagues to examine those issues and move forward with revisions to this important law that are common sense solutions to issues which are very

real at the local school level.

We are aided in this effort by the Majority Leader who is committed to helping us achieve a broad-based consensus on a final product, one that has the support of families of children with disabilities and educators, but also all members of Congress and the president. We have set an ambitious schedule for completing our work on IDEA, and by introducing the IDEA amendments of 1997 today, we are taking a very important first step.

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IDEA was originally enacted in 1975. I was a member of the House at the time and participated in the development of this landmark law. It was a response to court decisions that created a patchwork of legal standings, which in turn generated considerable uncertainty about rights and responsibilities. IDEA guaranteed each child with a disability access to a free appropriate public education and we all support that goal. In that sense the legislation has clearly stood the test of time, but has not in terms of the level of funding support that we promised to states to assist them in meeting their obligation to educate children with disabilities.

In IDEA Congress promised to contribute 40 percent of the cost of educating children with disabilities. Our colleague, Senator Gregg, has kept our feet to the fire reminding us that we should keep our promise. In last years appropriations measure we were able to garner large increases for this program. We must continue our effort to reach our full federal commitment.

After 22 years, I think it is appropriate to thoroughly review the administrative and fiscal demands that are associated with providing a free and appropriate public education to children with disabilities. The population of students demanding assistance has changed significantly but the law has not provided enough flexibility to states to meet those changing demands.

The writing is on the wall. If we don't make needed changes to

IDEA now, based on common sense, school districts will do so in hope of getting relief from or clarification of their responsibilities. Parents will do so in hope of securing services that they believe their child needs. Since the genesis of IDEA lay in avoiding litigation, true to its intent to do so today, we have an opportunity through the reauthorization of IDEA to ensure the emphasis will shift once again and remain on educating children, well into the next century.

If we work together we have the power to ease the pressure on local communities and states. Through the reauthorization of IDEA we have the power to give educators incentives and opportunities to educate children with disabilities, including those at risk of failing, with less bureaucracy and meaningful accountability. Lets do it. Now is the time to do it.

IDEA Hearing 1997

A short vacation from IDEA reauthorization talks have calmed discussions on the bill and perhaps led to more conciliatory views.

Witnesses at the January 30 hearing of the Senate Labor and Human Resources Committee rehashed some familiar issues that have been hanging like a cloud over the nation's special education law. Concerns ranged from cessation of services for violent and disruptive students and attorney's fees to funding and mediation.

Senators largely avoided the more passionate issues like cessation and attorney's fees and

displayed considerable unity on a movement to increase the federal share of funding special education. Conservative Republican Judd Gregg, R-N.H., has made increased federal funding his pet issue in recent years and found agreement from Sen. Tom Harkin, D-Iowa, that feds should fulfill the original promise to provide 40 percent of the average per pupil expenditure.

Harkin, an original co-sponsor of the legislation and historically the lead Democrat on the issue, said he would support Coats in the quest as long as the bill ensures that states do not offset federal increases with decreased funding from state budgets. He asked witnesses whether they objected to a state maintenance of effort provision, and no objections were voiced.

Coats voiced pleasure that the GOP decided to make IDEA federal funding one of its priorities in a separate bill, "The Safe and Affordable Schools Act of 1997." Among other provisions, the bill would increase special education appropriations by \$10 billion in the next seven years by adding \$1 billion in FY 98, and \$1.5 billion per year in the subsequent six years.

As many will vividly recall, Sens. John Ashcroft, R-Mo., and Slade Gorton, R-Wash., put holds on the bill in the 104th Congress due to objections with discipline and attorneys' fees provisions. Coats noted that Ashcroft and

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Gorton are no longer on the committee to raise these issues. “I don’t know if that makes our jobs harder or easier,” he said. Early indications show that Ashcroft and Gorton are still interested in these issues, but it is still unclear whether they will be active in reauthorization efforts.

With the focus away from the heated issue of discipline during this hearing, some interest groups think the committee is prepared to find common ground and not continue to publicly debate that issue. One lobbyist speculated that the panel will stick with the Jeffords amendment, and broaden the language to allow schools to place students in interim alternative placements when they possess or use drugs or cause serious bodily harm at school. Currently the Jeffords amendment only allows alternative placement for student who bring guns to school.

Senate Majority Leader Trent

Lott, R-Miss., reportedly wants to move the bill as quickly as possible, and is mulling over a plan to organize a bicameral, bi-partisan group to resolve differences between the House and Senate bills before the process gains speed. Such a move is unusual but not unprecedented, one House aide said.

Many interest groups also are calling for expediency in the reauthorization, showing little patience for the process that has been reflective of a bumpy rollercoaster ride. The Council for Exceptional Children is now urging lawmakers to pass a simple extension with little or no changes to alleviate confusion they say is occurring in the nation’s school systems.

Committee Chair James Jeffords, R-Vt., — considered a moderate consensus builder — made it clear early in the hearing that a simple extension will not be

considered. “To those who say to us, ‘do nothing,’ I say think again. Please work with us. To those who say ‘no good will come from a reauthorization and civil rights of children will be diminished,’ I say not under my stewardship. To those who have the inclination to argue for alternative, divisive provisions, when consensus is at hand, I say you have lost focus, you have forgotten the children and their teachers. At this point, those of you who don’t trust us must talk with us.”

The only two scheduled hearings by the House Education and Workforce Committee are Feb. 4 and 6. Lawmakers are expected to talk about discipline, cost issues and providing special education services to incarcerated youth.

SOURCE: Posting to Division News & Notes bulletin board on Indiana SECN 1/31/97.

Happy Birthday!

March 12
Brett Bollinger
New Albany-Floyd County
Consolidated School
Corporation

March 12
Bob Baltzell
ICASE Honorary Member

March 18
Jeaniene Garrison
Northwestern School
Corporation

March 27
Shirley Amond
West Central Joint Services

March 27
Lenny Irons
Division of Special Education



ADMINISTRATORS' CORNER

- Hank Binder has announced that the Division has prepared a report for the General Assembly which represents a review and analysis of the December 1 special education child count. This report includes various tables/charts showing count and funding data for planning districts and individual school corporations. In addition, the Education Policy Center at Indiana University completed a report for the Division which provides projections (by corporation) of special education child counts over the next three years. These projections are determined using a difference model based upon incidence rates in order to factor in actual and projected school enrollment changes.

If you would like a copy of either of these reports, contact Hank or Robin (preferably via E-mail) at the Indiana DOE Division of Special Education 317/232-0570.

- **Ted Tibbets** retired February 14, 1997 as director of the New Castle Area Programs for Exceptional Children. (He said Valentine's Day was as good as any to end his career in special education.) Ted said he began as director in the New Castle district in 1972 with four total staff members. Oh, how things changed ... Happy trails, Ted.

- The following administrators were recognized at the awards luncheon during the ICASE 1997 Annual Spring Conference on February 20, 1997. Honorary Service awards were granted to: Suzann Hengstler Montovani, Dr. William Mittendorf, and Ted Tibbets in honor of a career dedicated to students with disabilities. Meritorious Service awards were presented to: Dr. Janice Rees, Sharon Knoth, and Vicki Hershman in appreciation for the dedication shown on behalf of students with disabilities in Indiana.

- Dr. Linda Nolan, executive director of Very Special Arts Indiana for the past four years, has announced her resignation effective in March. Linda has taken the position of director of the Museum of Arts in Pensacola, Florida. Jim Nulty will serve as interim director.

- The position of Director of Special Education is now available at Boone-Clinton-North West Hendricks Joint Services, Frankfort, Indiana. Qualifications include Indiana license as Director of Special Education; Masters Degree in Special Education; and Three years successful special education teaching. Preferences include Administrative Experience including budgeting. Terms are 210 Day Administrative Contract; Salary commensurate with education & experience and Fringe Benefits.

Closing date for applications is March 31, 1997 and the start date is August 1, 1997.

For more information or to apply send: Resume, letter of interest, copy of license and transcripts to: Dr. R. Joseph Dixon, Superintendent, Community Schools of Frankfort, 50 South Maish Road, Frankfort, IN 46041; Telephone: 317-654-5585 ☐

ISEAS Steering Committee Meeting Minutes

January 29, 1997

[These minutes are considered unofficial until approval at the next meeting on February 19, 1997]

Members Present: Brett Bollinger, Southeast Representative; Phyllis Craig, North Central Representative; Mary Jo Dare, Central Representative; Sheila Decaroli, East Representative; Muriel Downey, Northeast Representative; Saundra Lange, Southwest Representative; Joan Machuca, Northwest Representative; Bob Marra, Director, Division of Special Education; and, Jeff Young, ICASE Representative

Staff Present: Gary Collings, ISEAS Executive Director and Susie Thacker, ISEAS Executive Assistant

The meeting was called to order at 8:30 AM by Gary Collings as ISEAS Executive Director.

Approvals: Motion: Minutes from the December 18, 1996 meeting were presented. With a motion by Bollinger/second by Machuca the minutes were approved as written.

Mini-Grants: Expenditures to date of \$500 mini-grants:



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Central Roundtable	\$	0.00
East Roundtable		0.00
North Central Roundtable		361.82
Northeast Roundtable		0.00
Northwest Roundtable		0.00
Southeast Roundtable		0.00
Southwest Roundtable		0.00

Representatives were reminded about the ICASE president's request to conduct focus group discussions about the IPSB draft standards for teachers of exceptional needs.

Mini-Grant Reports: East - As Decaroli was unable to attend last meeting, there was no report.

Southeast - Members discussed possible uses for their \$500 mini-grant at the January 17 roundtable meeting. Final plans should be made at the next meeting.

North Central - The roundtable did not meet last month.

Central - January 30 is the next Central Roundtable meeting.

Southwest - North Central will meet January 30 at Terre Haute.

Northwest - Northwest Roundtable has scheduled their next meeting for February 6 at Michigan City.

Lighthouse Applications: No new Lighthouse applications have been received to date.

Administrative Study Keyclub (ASK): No applications have been received.

1996-97 Events/Reports:

LEASE Academy II: The second session of ISEAS Academy II was held at the Kitselman Center, Ball State University campus, on January 20-21, 1997. A list of those participating and a copy of a memo of appreciation to each was reviewed. Evaluation results are still being received and will be compiled by the ISEAS office. Certificates from both ISEAS and BSU were presented to all participants.

LEASE Academy III: A survey from the ISEAS Steering Committee regarding the theme, timing, and costs of the 1997-98 Leadership Academy III was mailed to Indiana special education directors January 6. The surveys are to be returned to the ISEAS office by the middle of February. A preliminary report based on the 42 surveys returned to date was distributed. After reviewing the responses, Collings asked if the Committee felt he should proceed exploring the Teacher Perceiver Interview process training and the Strategic Alliances as had been discussed at the December meeting. **Consensus: It was the consensus of the Committee that Collings proceed with the planning of the third Academy as two discrete parts: one stand alone session in the summer of 1997 on the Teacher Perceiver Interview process by the Gallup organization, and a February 1998 session on Strategic Alliances to be held at I.U. Bloomington.** Collings plans to meet with Joanne Miller of the Gallup organization when she is Indianapolis February 11 or 12.

The Committee will also continue to explore long-range plans for future Academies. In response to the survey, such considerations as an intact group of participants who meet periodically over a two or three year period and the inclusion of both general and special educators (including principals) in training sessions were discussed.

Bollinger noted he would like to see future Academies continue the concept of personal growth, even if it means stepping outside special/general education into business/community leadership, etc.

Trainers' Bureau: A survey will be mailed at the end of February to directors asking them to list any members of their staff they would nominate to conduct training sessions in another district. The completed forms should be returned to the ISEAS office. A list will be compiled and made available to directors across the state.

School-Based Therapies Training Session: At the December meeting the Steering Committee agreed ISEAS should pursue a statewide topical on school-based therapies and that a team approach should be emphasized. Collings will look into planning the topical in conjunction with CEC and the ICASE Winter/Spring Conference February 20-22, 1998.

A copy of the first edition of *Crossings*, a newsletter for occu-



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pational and physical therapists in Indiana schools, was provided. Collings noted Paul Ash has been working with OTs and PTs on this newsletter.

ISEAS Internet Web Page:

Collings announced Cinda Long, ISEAS-Terre Haute office, has developed an ISEAS home page on the Internet web. The address is <http://www.indstate.edu/iseas>. The ISEAS home page offers a link to pages for the ISEAS University Forum, Division of Special Education and Indiana State University Department of Education. Long is now working on another link to a job vacancy board, modeled after the Michigan board, on which special education employers can post all job vacancies and candidates can post jobs wanted. Long is also assisting the Division in developing a home page which will also be linked to the ISEAS page.

Conference Sponsorships/

Reports: An updated list of ISEAS conference sponsorships for 1990-1997 was distributed.

CEC: Salt Lake City will be the site for the International CEC Convention April 9-13, 1997. The theme for this year's convention is "Celebrating 75 Years of Serving Exceptional Children". Collings asked that roundtable representatives submit the name of any roundtable member interested in attending as ISEAS representative. It was suggested roundtable alternates be first offered the opportunity.

LRP: The annual LRP Legal Conference will be held May 4-7,

1997 in San Diego. Joan Machuca, North Central Roundtable, indicated her interest in attending. **Motion: A motion by Young/Dare that Machuca represent ISEAS at the 1997 LRP Legal Conference was approved.**

Midwest Special Education Leadership Conference: The 14th Annual Midwest Special Education Leadership Conference will be held in Breckenridge, Colorado on June 24-27, 1997. The theme of the conference is Unified Leadership: Facing the Challenges of Tomorrow's Schools. In the past, ISEAS has sponsored the participation of the ICASE President-elect.

University Forum: December 6, 1996 Meeting: Copies of the full minutes from the December 6, 1996 University Forum meeting are available upon request from the ISEAS office.

Next Meeting: Members of the University Forum have arranged to meet Friday, February 7 at the ISDD office at Indiana University Bloomington so special education faculty can join in a discussion about personnel preparation. Directors from Southeast and Southwest Roundtables have also been invited to participate.

Other Business: Home Schooling: Phyllis Craig noted that the IAPSS position was they were not going to track "home schoolers". She has been allowed to track home schoolers for purposes of annual child count and three year reevaluations. Dis-

cussed were what, if any, are the parallels to private schooling, and can home schooling ever be considered "appropriate" under the regulations? The question was asked if ICASE could seek an attorney opinion and perhaps bring the issue to IAPSS Special Education Committee for discussion.

Decaroli briefed the group on the current status of the K.R. case.

Program Review On-Sites: A list of the 15 planning districts scheduled for DOE Program Review On-Site Visitations during 1997-98 was provided.

IDEAS Videotape Series: The videotape series "Indiana Designs for Educating All Students (IDEAS) is now completed and is being distributed by the Division of Special Education. Directors may pick up their district's copies of the videotapes at the Division or at the IFCEC Conference February 20-22 at the Radisson Hotel at Keystone Crossing. The thirteen-tape series is facilitated by Marilyn Friend, IUPUI.

Special Education Law and Practice: The LRP manual "Special Education Law and Practice" has been purchased by ISEAS and is available for rotation throughout the roundtables. Sheila Decaroli, East Roundtable, has the manual first as it bears on the K.R. court case in which Anderson is involved.

"Who are the Children Being Born Today": Jacki Lynn, Pike



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Township, currently has the video.

“Look Who’s Laughing”:

The video is now with Jacki Lynn, Pike Township.

Next Meeting: The next

meeting will be held on February 19, 1997 (Wednesday) schedule as follows:

- 2:00 PM - ISEAS Steering Committee
- 3:00 PM - ICASE

- Executive Committee
- 5:00 PM - Joint Dinner Session with ICASE Executive Committee
- Radisson at Keystone Crossing
- Keystone Board Room

ISEAS University Forum

December 6, 1996

Notes from **Indiana Association of Colleges for Teacher Education (IACTE) Meeting**

Cathy Shea, Lyle Lloyd and Gary Collings attended the IACTE Winter Meeting held at the Indiana Wesleyan University building in Indianapolis on December 6, 1996. Participants included representatives from institutions of higher education described as private <1500 enrollment, private >1500 enrollment, public regionals, and public flagships.

Cathy Shea was asked to brief the group of approximately 50 participants about the University Forum and its activities. She explained the relationship between the University Forum and ISEAS and expressed the membership’s interest in broad educational issues such as those being discussed at this meeting.

In addition to distributing the tri-folds about ISEAS and the

University Forum, she indicated that all IHEs with special education are welcome to send representatives to Forum meetings.

Furthermore, she stated a desire for the Forum and IACTE to keep the lines of communication open.

Dr. Marilyn Scannell, executive director of the Indiana Professional Standards Board, was the guest presenter. Marilyn reported that Indiana is one of eight partner states in the National Commission on Teaching and America’s Future.

The New Professional Teacher Project for which IPSB is the fiscal agent is one of this Commission’s activities. Marilyn commented that Linda Darling-Hammond had approached her about the project because of

- (1) Indiana’s current licensing revisions linking ICATE and INTASC standards and
- (2) Indiana’s reputation for productive partnerships with various statewide associations.

Through this project a policy

group is to be established; a policy inventory about all aspects of teacher development will be conducted; and a five-year plan to support teacher development will be formulated.

A report from the Teacher Education Accreditation Council (TEAC) of the Council of Independent Colleges was distributed for review. It was noted that there are 1,263 institutions of higher education across the country which offer Teacher Education Programs. NCATE only certifies less than 50% of all these colleges/universities. The Council of Independent Colleges was presented as an option to NCATE. A TEAC paper was presented for review by the participants.

After lunch participants divided into groups by institution size for general reactions to the report, comments on any perceived impact for respective campuses, and any future role of IACTE. The participants reconvened into a larger group for discussion of small group reports.





Information from ICASE

ICASE Executive Committee Meeting

January 29, 1997

ISEAS Office - Indianapolis

[These minutes are considered a draft until approved at the next scheduled meeting.]

Members Present: Daena Richmond (President), Russ Dawson (President-Elect), Jan Rees (Treasurer), Gary Collings (Secretary), Jeff Young (Past-President), Joan Machuca (NW), Muriel Downey (NE), Mary Jo Dare (C), Brett Bollinger (SE), Sheila Decaroli (E), Phyllis Craig (NC), Saundra Lange (SW)

Others Present: Bob Marra, Roger Williams, Tom Doyle, Pat Pierce, Sharon Henderson, Jim Murray, Judy Flowers, Claire Thorsen

I. Approvals

A. **MOTION: After a motion by Doyle/Young, the December 18, 1996 Executive Committee minutes were approved as submitted.**

B. Rees presented a comprehensive balance sheet and docket of outstanding bills. **MOTION: After a motion by Decaroli/**

Bollinger, the December 31, 1996 Treasurer's Report showing a balance of \$42,304.89 and the January 1, 1997 docket of bills for \$1,352.20 + late Columbus conference expenses were approved for payment.

II. Strategic Plan: 1996-97

A. Goal I: Encourage communication, support, and promotion of administrators of special education.

1. Technology Survey Update - Patti Kem forwarded a copy of preliminary results of the Internet survey dated January 27, 1997. Collings reported about the ISEAS home page <<http://www.indstate.edu/iseas> which has been created by Cinda Long. The ISEAS page not only includes a project description but links to the Division home page and University Forum. It will also link to the future ICASE home page which Dawson is constructing. Long is also developing a Jobs Board from a Michigan model which will allow both Indiana directors to post vacancies of all types as well as job seekers in Indiana to post their interests.

Dawson requested a \$500 commitment for costs related to an Internet service provider to accommodate the ICASE home page. **MOTION: The motion by Flowers/Lange to approve the**

\$500 request was approved.

2. Membership Report/ Recommendations - Judy Flowers submitted clarification language for COCASE membership.

ACTION: After discussion it was agreed that Flowers would re-draft the COCASE language around the contractual status of the applicant, e.g. if the applicant is contracted under the planning district, he/she would be eligible for COCASE membership.

3. LRP Law Conference - Jan Rees was nominated by Richmond as the ICASE representative to attend the LRP Conference on May 4 - 7, 1997 in San Diego. **MOTION: The motion by Young/Decaroli to accept the nomination was approved.**

4. Awards Committee - Jeff Young noted that Michael Livovich is running for a second term as secretary of international CASE. Bev McCoun has also been nominated to continue as governor-at-large for CASE. Richmond reminded the Indiana directors that our votes in their behalf will make the difference in their election bids.

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Young presented recommendations from the Awards committee to present three Meritorious awards (Jan Rees, Sharon Knoth, Vicki Hershman) and three Honorary Membership Awards (Suzanne Hengstler Montovani, Bill Mittendorf, Ted Tibbets) and one Retirement Certificate (Norman Murphy - Elkhart County). **MOTION: The motion by Dawson/Downey to accept the Awards Committee nominations was approved.**

Young distributed a five-page paper delineating the ICASE Recognitions/Awards and plaque inscriptions.

B. Goal II: Promote the improvement of the education profession.

1. Roundtable Guidelines - Rees presented a draft report prepared by Livovich and her. The discussions lead to the follow considerations: 1) pool 50% of the roundtable net proceeds from all regional activities from the current fiscal year, (2) divide the roundtable net proceeds by seven to be made available in equal amounts to each roundtable for expenditure the following year (1997-98); (3) offset any shortfall from a roundtable topical conference from the ICASE treasury. It was agreed that all requests for expending money must have prior approval of the Executive Committee to assure the money is being spent in a manner that supports the not-for-profit status of the organization. **ACTION: Roundtable representatives are to discuss the proposed guidelines for roundtable disburse-**

ment of professional development funds.

2. ICASE/ISHA Speech Committee Update - Richmond reported in Leonard Jozwiak's behalf that the next meeting of the speech committee is scheduled for March 7. Richmond presented the ISHA proposal to share the \$400 cost for 250 copies of a recruitment brochure for speech pathologists. **MOTION: The motion by Young/Bollinger to pay an estimated \$200 as the ICASE share for the brochures was approved.**

3. Professional Development Report - tabled

C. Goal III: Support the acquisition of adequate funding at local, state, and federal levels to meet the needs of children and youth with disabilities.

1. Legislative Update - Tom Doyle reported on the status of various bills from a handout prepared by Roger Williams. The legislative committee is particularly monitoring any discipline and charter school bills for the inclusion of special education provisions.

Doyle noted that Linda Simmons, Paul Roahrig, and Janet White Mountain recently met with Lisa Tanselle (ISBA) to review the transfer tuition language. They have proposed legislation that would in essence give a local school corporation the authority to count all students who are enrolled and receiving educational services in their district regardless of the residential status of the student.

Although members discussed that this would seem to make all placements consistent with the current alternative residential services process, it was agreed that the legislative committee should first get the state director's input in keeping with our agreed upon team decision-making approach. Members thought it important to see how such revisions might fit into the overall political agenda even though other associations were thought likely to support the proposal.

2. Policy Committee Update - Sharon Henderson provided a draft paper of Issues of Importance Relative to Reauthorization of IDEA for use with congressmen. **ACTION: After discussion it was agreed Henderson would make additions for discussion at next month's meeting.**

Henderson presented constitutional changes to combine the current ad hoc Policy Committee with the standing Legislative Committee. **ACTION: Since constitutional changes require 30 day prior notice to the membership, Richmond will mail position statements to the membership for discussion at the General Business meeting on February 20.**

Henderson presented a draft of a position statement on Professional Development. After discussion she will make additions and re-submit this paper at a future meeting.



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D. Goal IV: Encourage the development of an infrastructure to support persons with disabilities in their local communities.

1. COVOH Request - Michael Dalrymple noted that COVOH has worked for many years in the field of special education particularly the funding area. COVOH has now introduced the option for Individual membership at the general level (\$35/year) to Sustaining (\$500) as well as the Organizational membership levels. He circulated a list of legislative bills which represent the broad-base of interests that COVOH represents. COVOH would like to strengthen the lines of communication with directors to increase local level involvement.

2. University Forum Dialogue - Richmond reported on her conversation with Cathy Shea about the February 7 Forum meeting to be held at ISDD in Bloomington. The purpose is for Forum members to discuss personnel preparation issues with both the IU special education faculty and local directors who have been invited from the Southeast and Southwest roundtables. Brett Bollinger noted his intent to attend the Forum meeting.

E. Goal V: Promote Collaboration with Department of Education and the Division of Special Education.

1. Continuum of Services for HI/EH Students - Claire Thorsen gave the report from the Committee on Continuum of Services for Deaf Individuals with

Emotional/Behavioral Disorders. When the committee was formed there were 10 such students being served out-of-state. She was accompanied by Denny Morrison from the South Central Mental Health Center (name to be changed to the Center for Behavioral Health) based in Bloomington and Norm Miner from Tri-County Mental Health Center based in Carmel. Both Centers have previously initiated services for such students. Jeff Richards and David Gesslin from the Indiana School for the Deaf were also present.

Hope House as an adolescent facility located in Indianapolis is now open for this population with a capacity for eight males. The group home is managed by the Bloomington center. Morrison noted that the mission of comprehensive mental health centers is changing to being more business oriented with state reimbursement by capitated contract limited to those with serious mental illnesses, seriously emotionally disturbed children, and the chronically ill. The "working poor" seem to be the ones who will fall through the cracks. With different funding expectations the mental health centers are no longer confined to catchment areas. An application to Hope House (317/924-9456) will be similar to the wrap around process. For additional information contact Rebecca Carl (812/337-2361) at the Center for Behavioral Health in Bloomington.

2. Division Report - Daena Richmond introduced Bob Marra and congratulated him on

his new DOE appointment as assistant to the assistant superintendent of the Center for Community Relations and Special Populations. Marra emphasized that he will continue as the state director of the division of special education along with his new duties. Linda Miller, former director of the Division of Compensatory Education and ESEA Title I, has replaced Marcella Taylor as the Center's assistant superintendent.

Marra reminded the members of the February 10 session on the new Alternative Residential Services form. He distributed a November 20 handout of his presentation at the Budget Committee Hearing.

Marra presented copies of the 1997-99 Biennium Budget recommendations dated January, 7, 1997. He was pleased to report that the budget agency recommendations for both special education preschool and Alternative Residential Services were at his requested levels. Members were complimentary to Marra for recognizing the needs in the field, collecting the supportive data and going for the dollars. Marra, in turn, expressed his appreciation for the teamwork with directors providing the necessary data sometimes on short notice.

Marra distributed copies of SB 256 which proposes that the Department of Education conduct a study in essence to "assist public

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school corporations in evaluating practices to determine which administrative practices are the most efficient and cost effective for administering current programs.”

Marra suggested that this is the opportunity to review what planning districts are currently expected to do and how those expectations may change in the future. This legislative study, if approved, would likely involve a cross-section of six local districts as data collection sites. Members responded that the initial reaction is to be defensive about what we are currently doing; after we weigh the options, however, the proposal would present a timely opportunity to look at future delivery systems. Members noted that it will be critical how this aspect of the study is implemented so that fellow directors can look beyond local turfism. There was agreement that this study will likely go forth and it is up to the directors to be out in front of it. An observation was made of the importance to standardize the questions and format the process for individual local corporation responses in contrast to a collective planning district reply.

In regard to child count Marra reported that the OHI census increased 33% and he has been asked to account for the increase. He emphasized that his recent letter to 14 local directors was not intended as a negative audit but a necessary request for descriptive information to assist in his response to the budget agency. The questions that Marra raised for the funding formula are whether to

move OHI down a level from \$7,000, or split it between “OHI - medical” and “OHI - ADD” as well as separate considerations for the MoMH classification. There was a general consensus among the members that the ADD phenomenon in the OHI category needs to be addressed and not allowed to continue unchecked. In reply to Richmond’s request of what Marra needs from the directors, he responded that it would be helpful to have descriptive OHI data from all planning districts regarding type (medical vs. ADD), personnel serving the OHI, why any reclassification were required, from where move-ins are coming, etc. **ACTION: An ICASE survey for the OHI study will be prepared by representatives of the ICASE executive committee and mailed to all directors with a February 7 deadline due to the Division’s time constraints.**

F. Other Business - Members were reminded to pick up their Co-teaching videotape series presented by Marilyn Friend and produced by the DOE Division of Special Education. The videotapes will be available for all other directors at the ICASE Topical during the IFCEC Convention next month.

ACTION: Roundtable representatives were reminded to conduct the requested Focus Group discussion on the Draft Standards for Teachers of Exceptional Needs paper as prepared by the Indiana Professional Standards Board.

Collings brought up the

ISEAS Steering Committee’s morning discussion about home schooling. The concern was whether there was a need for legal clarification around the potential special education/related service entanglements with students who are in home schools. No legal clarification was considered appropriate at this time.

Young apprised the group of his January 15 attendance with Richmond in a focus group on professional development and special education discussion chaired by Leonard Burrello. Representatives of the Indiana Policy Center were also in attendance. This initiative is under the auspices of the Division of Special Education to primarily identify what’s working with local CSPD projects. Young noted that his district will be participating in a longitudinal study on graduates sponsored by the Indiana Transition Initiative group affiliated with the Institute for the Study of Developmental Disabilities. Young also distributed a brochure from Chalkware Education Solutions describing their IEPMaker Pro.

G. **Next Meeting:** February 19, 1997 at Radisson - Keystone at the Crossing with the following schedule: 2:00 PM ISEAS Steering Committee Meeting
3:00 PM ICASE Executive Board Meeting
5:00 PM Dinner - Division Report



Assistive Technology Higher Education Project

[**Editor's Note:** This article appeared in the Winter 1997 issue of the *ATTAIN News* and is reprinted with permission.]

The Assistive Technology Higher Education Consortium continues to gather valuable data and information that will influence forthcoming recommendations for future assistive technology curricula for the State of Indiana. To further the research phase of the project, consortium members conducted a telephone conference with Jean Minkle of RESNA on July 1, 1996. The audioconference was valuable in that it gave consortium members the opportunity to ask direct questions about the RESNA credentialing process of Assistive Technology Practitioners and Suppliers. Ms. Minkle explained that the overall purpose of the credentialing process is to improve the quality of assistive technology services and additionally improve the potential of a person with a disability through the use of technology. The credentialing exams give individuals now involved in assistive technology service delivery the mechanism to demonstrate their competence needed to provide safe and effective services to persons with disabilities. This is a value-added credential that will indicate to consumers that the provider has met the criteria for a foundation level of knowledge. The charter credentialing exam was adminis-

tered at the annual Closing the Gap National Conference in October, and also administered in November at the Atlanta MEDTRADE conference.

During the July meeting, consortium members also reviewed their draft copy of assistive technology-related competencies for General Educators, Special Educators, and Speech-Language Pathologists. The proposed competencies were then disseminated to all consortium members for final review, and the final copy was submitted to the Indiana Professional Standards Board in September. The recommended competencies for General Educators, Special Educators, and Speech-Language Pathologists address the need for a scope of knowledge of assistive technology devices, services, and systems. The assessment of individual strengths and needs, evaluation of individual outcomes and progress, and applications of low and high technologies in various environments were also identified as mandatory professional skills to successfully assist individuals with disabilities to progress into the Twenty-First Century.

Members of the consortium have also been enlightened about various out-of-state assistive technology projects. Colleen Thoma, IUPUI faculty member, researched several assistive

technology educational projects, and shared information about the format and respective strengths and weaknesses of the programs. She provided the group a written summary of all the projects that she had researched. Five educational approaches were recognized:

- * Infusion model – infusion of assistive technology instruction into different courses at post-secondary institutions
- * Masters Degree Program(s) in Assistive Technology
- * Professional Development/ Inservice Training for Professionals
- * Distance Education Delivery
- * Combination of the Approaches

The purpose of the research was for Indiana representatives to assimilate the successes of other states at providing preservice and ongoing training in assistive technology so that the best possible strategies may be implemented in Indiana. As a result of the research and initial phase of the Assistive Technology Higher Education Consortium, members have identified five initiatives in which committees are in the process of formulating related

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goals. The five initiatives are:

1. Delivery of Assistive Technology Courses and Training Program through Distance Education (IHETS, picturetel, multi-campus systems)

2. Development of Faculty Training Programs

3. Development of Assistive Technology Courses at the Undergraduate and Graduate Levels

4. Development of Mini-modules for Faculty Training and Other Related Assistive Technology Preservice and

Inservice Training

5. Implementation of an Assistive Technology Conference and Exhibition in the State of Indiana

Assistive technology empowers and removes limitations for people with disabilities. However, what individuals with disabilities can do with technology depends upon the guidance and training that they receive from professionals. Through the collaborative movement of the Assistive Technology Higher Education Consortium, the need to infuse assistive technology instruction into the

undergraduate and graduate disability-related curricula is being aggressively addressed. The ultimate commitment of the consortium is to improve the quality of life of those with disabilities.

For additional information, contact Hope Clausman, ATHE Project Coordinator, at Vincennes University at 812/888-4149.

NEW LOCATION ATTAIN has moved: 1815 North Meridian Street, Suite 200, Indianapolis, Indiana 46202; 800/528-8246 or 317/921-8766; 800/743-3333 TDD, 317/921-8774 FAX □

OSERS/OSEP . . .

Assistive Technology and Speech Pathology — [Editor’s Note: The following is the text of a May 10, 1996 letter to a U.S. Senator from Tom Hehir, Director of the federal Office of Special Education Programs, as posted on the Division News & Notes bulletin board of the Indiana SECN 2/3/97.]

This is in response to your letter to the U.S. Department of Education, which has been referred to the office of Special Education Programs (“OSEP”) for response. You wrote the Department on behalf of your constituent, []. OSEP is responsible for administering the Individuals with Disabilities Education Act (“IDEA”), which provides Federal financial assistance to State educational

agencies (“SEAs”), and through them to local educational agencies (“LEAs”), to ensure that a free appropriate public education (“FAPE”) is made available in the least restrictive environment to all children with specified disabilities.

[] contacted your office about the provision of a speech specialist by the public school system for [] child with special needs. [] stated that [] has been told by a professional in the field of speech pathology that [] needs a “speech pathologist who is certified in assistive technology.” As a result of this advice, [] is concerned that, although the public school system has offered [] speech therapy by a speech pathologist who is a member of the public school staff, the speech

therapist is not certified in assistive technology. Mr. Martin Benton of my staff contacted your office for further clarification of []’s concerns and was informed that information about the provision of special education and related services under the IDEA would be useful in answering your constituent’s inquiry.

Under Part B, the provision of FAPE to a child with a disability includes the provision of special education and related services. See 34 CFR 300.8 (copy omitted). “Related Services” are defined as “transportation and such developmental, corrective, and other supportive services as are required to assist a child with a disability to benefit from special education, and includes speech pathology and audiology, psychological services,

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physical and occupational therapy, recreation, including therapeutic recreation, early identification and assessment of disabilities in children, counseling services . . .” See 34 CFR 300-16(a). “Speech therapy” is one of the related services that a child might need in order to receive FAPE.

In addition, under the part B regulations, at 34 CFR 300.308, each agency must assure that assistive devices and services, or both, as those terms are defined in 34 CFR 300.5 and 300.6, are made available to a child with a disability if required as part of the child’s special education under 34 CFR 300.17, related services under 34 CFR 300.16, or supplementary aids and services under 34 CFR 300.550(b)(2). The determination of whether a child with a disability requires an assistive technology device and/or service in order to receive FAPE must be made by the participants on that child’s individualized education program (IEP) team. Participants at the IEP team meeting to develop a child’s IEP must determine, whether in light of a particular child’s educational needs, the public agency must make an assistive technology device and/or service available in order for the child to receive FAPE.

Thus, “speech therapy” and “assistive technology device and/or services” are distinct services that a child may need in order to receive FAPE. However, Part B contains no requirement that a speech therapist be certified in “assistive technology.” If [] feels that []’s child needs an assistive technology device and/or service, [] should request that the LEA conduct an

assistive technology evaluation. If the LEA refuses to conduct an assistive technology evaluation, [] may request a due process hearing under 34 CFR Sec. 300.506.

Thomas Hehir and Federal Panelists Stress Need for School Psychological Services

— More than 2000 school psychologists cheered Dr. Thomas Hehir, Director of the U.S. Department of Education’s Office of Special Education Programs (OSEP) when he recommend that more of their time be spent providing consultation and direct services to students and less time on traditional reevaluations. His keynote speech at NASP’s 27th Annual Convention led into a panel of federal leaders on interagency programming. Dr. Hehir spoke of the value of special education law for increasing the functional skills of millions of children who, before P.L. 94-142 (now called the Individuals with Disabilities Education Act [IDEA]), were prevented from attending public schools. He noted that prior to IDEA, special programs ended at eighth grade and that today over 60% of children with disabilities graduate from high school. More youth with disabilities attend college and more young graduates with disabilities are employed than ever before.

Dr. Hehir did not ignore the problems that remain in the implementation of IDEA, raising the issue that some specialists continue to assume erroneously that categorical labels equate to categorical interventions and placements. He noted that the legalistic process components, although important, should not cloud the importance of looking at results and the goals that

all children with disabilities should be educated to the highest standards and included in assessments of school-wide progress. His speech was interrupted several times by spontaneous applause. He urged school psychologists to evaluate programs and not re-label children, and to join with parents to improve comprehensive services for all children, particularly those with emotional and behavioral problems, noting that these children are still too frequently “left to fail.”

Dr. Hehir is one of the members of a federal cross-agency group including representation from the Departments of Justice, Health and Human Services and Education, in what are called “principle operating components” (POC) within those agencies, to work together on specific issues. The panel at the convention represented the POC for serving the mental health needs of children, and included the additional component of comprehensive school health represented by Dr. Lloyd J. Kolbe, Director of the Division of Adolescent and School Health of the Centers for Disease Control and Prevention.

The Division of Juvenile Justice and Delinquency Prevention, represented by Donnie LeBuff, Child and Adolescent Mental Health branch of Public Health, and the Office of Special Education Programs along with the Office of Educational Research and Innovation (OERI) has begun to fund joint research and demonstration projects to provide systems of care for children and families with



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emotional needs. The model demonstrated that government can work and that red tape and barriers can be removed, stimulating state and local agencies to implement similar needs based models. Dr. LeBuff noted that her division was responsible for funding the program mentioned by Dr. Mary Arredondo, School Psychologist of the Year, "Cities in Schools" providing a link for services to keep children in school. Information about delinquency prevention funds which may be available to you and your community can be accessed through the Juvenile Justice Clearinghouse.

Naomi Karp, a special assistant to the Assistant Secretary of Education, noting that school psychologists were her early allies in her teaching, talked about the responsibility of OERI to carry out research and to disseminate best practices nationally. The vision of OERI is divided among themes including: early childhood development and education; students at-risk; students achievement, assessment and curriculum, (which includes equity in testing); life-long learning; and school finance and governance. Research on inter-agency activities will also be a focus of this office and is the link with the other panelists. The office also oversees the grants for Goals 2000 and the national office for educational statistics which presents the "national report card" on the state of education in the United States. Ms. Karp also is responsible for recruiting families into educational programs, making sure that families are represented at policy levels and as partners in all aspects of education. She mentioned the movie "Hoop Dreams" and Chicago's Cabrini Green housing

project to illustrate what happens to the kids who are forced to live in the thousands of housing projects across this nation and the errors of default made in the education of these children. She stated that we take children we call "at-risk" and place them further at risk by miseducating them, "expecting little and demanding less, trapping them in a curriculum which is unchallenging." She warned that there are persons in power who question the premise that all children can and should learn. She noted that OERI is striving to stop "cheating these children" out of real education. She urges that school psychologists join in the research models put forth by the Department of Education. NASP will soon have available through the Internet all OERI proposals, courtesy of Ms. Karp. She invited school psychologists to submit proposals and participate in all OERI competitions. "We don't hear enough from the school psychologists!" She urged NASP members to submit their ideas for priorities and their resumes to become reviewers.

Dr. Kolbe noted that 75% of deaths among teenagers are caused by risky behaviors including traffic accidents, homicides and suicides. He said the most effective way to address this set of problems is through health education and health services in the schools. He noted school counseling and psychological services are critical components of comprehensive school health. He urged that these services must be integrated and that the public health service will continue to support this agenda. He believes that the schools are key in defining what the integrated services model will look like in each community and

urged that school psychologists get involved in any local endeavors to implement a health prevention service model. Dr. Kolbe noted that there is a comprehensive health educator in state departments of education and that many are working with health agencies in establishing state plans. These planners need to hear from school psychology state leadership and state school psychology consultants to assure coordinated planning. His office is dedicated to such coordinated efforts.

Several participants continued the dialogue with the panelists through the rest of the morning. One participant, Dr. Joseph Zins of Cincinnati, said, "This was one of the most informative sessions of the convention!" He was impressed by the support for school psychology and the opportunities for supporting child-focused best practices offered by the agency representatives.

Important Numbers: Juvenile Justice Clearing House: 1-800-638-8736 OERI General Announcements: 1-800-USA LEARN

CITATION: Dwyer, K. (1996, Fall). Thomas Hehir and federal panelists stress need for school psych services. NASP COMMUNIQUE: SPECIAL EDITION ON INFORMATION FOR PARENTS, 26.

SOURCE: The above article was summarized by Kevin Dwyer, NASP Assistant Executive Director and posted to GTE INS Ed. Personnel newsgroup on Indiana SECN 1/29/97. □





Department of Education News

■ Federal Funding

Update — On February 7, 1997 Hank Binder, federal projects officer for the Indiana DOE Division of Special Education, released the following federal funding announcement. Based upon information our office received from the U.S. Dept. of Education, the projected pass-through per child figure under Part B, IDEA for the 1997-98 grant year (starting 7/1/97) is \$443 (+\$100 over the FY 97 amount). This represents a 29% increase in funding—the largest actual dollar increase since the program began over 20 years ago. In addition, the Administration's budget presented to Congress yesterday includes an increase for Part B, IDEA of \$141 million or 4.5%. Since Part B, IDEA is a forward funded program, these funds will be made available to states on July 1, 1998.

Also, States were cautioned that these additional FY 98 funds may not be used to replace sources of support that would otherwise be available to local districts for special education services. This means that districts need to spend at least as much state and local funds as they did previously on special education services. In addition, Part B, IDEA funds must supplement and increase the total of federal, state and local funds

spent on the education of students with disabilities.

With respect to federal preschool funding, the appropriation for FY 98 is the same as this year which will result in a per child decrease of about \$25 to \$30 in grants starting July 1, 1997. The current per child amount is \$656. The Administration's budget proposal for grant year 1998-99 includes a 4% increase for pre-school programs.

■ **Child Service Coordinators' Meeting** — *The following minutes are from the February 10, 1997 meeting held at the Holiday Inn North.*

CSCs in attendance: Ginger Arvin, IPS; Trace Benedict, Hamilton-Boone-Madison; Pam Burchett, Cathy Pardee, ISD; Karen Hendrix, WCJS; Steve Scofield, Hancock-South Madison; JoAnn Engquist, Porter County; Pam Hilligoss, Richmond; Marsha Mulroony, Dubois-Spencer-Perry; Cindy Skoog, Forest Hills; Linda Grumley DeFour, Clark County; Cathy McCormick, New Albany-Floyd; Terry Tahara, South Bend; Geneva Vinson, Elkhart Community Schools; David Jann, Warren Township; Sandy Wooton,

Johnson County; Edith Ervin, LaPorte Step Ahead.

IDOE: Carol Eby, Karyn Romer, Connie Rahe.

Guests: Judy Cass, Carol Pimentel, ISD; Gigi McKnight, Silvercrest; Russ Skiba, Steve Nichols, IU; Cynthia Feaster, HDB, inc.; Michelle Tennell, Indiana Juvenile Justice Task Force.

April 14th CSC Meeting:

Agenda planners - Steve Scofield and Geneva Vinson. Count for lunch must be submitted to Steve by Friday prior to CSC meeting. Contact Steve or Geneva for content of meeting.

Silvercrest Update:

Gigi presented information, including new applications regarding when and how to access Silvercrest. She stressed that it remains short-term and diagnostic (approximately 11-12 mos. or up to 18 months). She explained that Silvercrest has evolved to meet changing needs of parents and schools. The facility is now seeing marginally cognitively challenged students with severe emotional or behavioral challenges. Silvercrest still

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serves students with multiple handicaps and students who are medically fragile, including students with seizure disorders. Silvercrest does not typically work well for students who are “street smart” or those who have been adjudicated. Typically, there must be two or more disabling conditions affecting the student - this includes a DSM-IV diagnosis. There are presently 11 classes with a maximum of 8 in each class. There are 2-3 staff assigned to each class. There are four mandatory breaks: 1 week in the spring; 2 weeks in the summer; 1 week at Thanksgiving; and 2 weeks at Christmas.

The facility stresses a “team approach” with 12 nurses; 2 physicians; consulting psychiatrists; 2 counselors; and all therapies provided, including expressive therapy. Silvercrest is not a locked facility and it does not use mechanical restraints. Timeouts, restrictive seating, and nonviolent crisis intervention are all used, as well as PRN if the student is willing to take it. Secluded timeout lasts no longer than thirty (30) minutes. Silvercrest does have an arrangement with a Louisville hospital to take students for a 24-hr. period who are unmanageable at Silvercrest

The application process with Silvercrest begins with a CCC recommendation for possible diagnostic information from Silvercrest. The application would require the latest IEP, latest psychoeducational evaluation medical information, immunization records, tuberculosis shot, etc.

Then there is an admission CCC followed by an 8 week diagnostic period. The CCC convenes to discuss information, recommend services and plan a discharge date. Then a transition plan is formulated approximately 3 months prior to the discharge date. A re-evaluation occurs just prior to discharge. To initiate discussion with Silvercrest - contact Elise Klink, Elementary Coordinator or Nancy Gillie, Secondary Coordinator at (812)945-5287.

The curricula at Silvercrest stresses community-based activities. The facility is working toward increasing vocational opportunities - presently there are about 50 jobs on campus and it is hoped that local job placement will also occur in the near future. All students have a residential plan and IEP. The students are placed into classes based on age. The only way to access Silvercrest is through the CCC.

Some situations where Silvercrest might be considered:

1. School is needing full evaluation of medications - even if 90% of school program is working;
2. School is considering wraparound services but is unsure as to what it will take;
3. Step-down from long-term residential services.

Silvercrest utilizes a total communication approach for its hearing impaired students.

Reports on CSC Action Plan 1996-97:

As part of meeting this year’s

Action Plan, CSCs brought or informed the group regarding training efforts for building-based wraparound and also presentations they have used to provide information about wraparound. Sandy Wooton explained that Johnson County is using strengths based assessment in the GEI process. That process includes the parents and anyone they wish to include. The next phase for Johnson County will be to do teaming as part of staffings at the middle schools and high schools. This approach will include an opportunity for problem solving as well as the strengths based approach. The last phase will be for each district to have someone to do strengths based assessment - ie. counselors, social workers, teachers, etc.

Marsha Mulroony and JoAnn Engquist provided presentation packets they have used. Karen Hendrix provided a demonstration of Power Point and its ability to do a slide show for presentations.

Wraparound Conference - 1997:

Cynthia Feaster provided a draft of what the day will look like. It will be in conjunction with the Indiana CCBD Fall Conference at the Best Western on the west side of Indianapolis. There will be concurrent sessions on the “How Tos” and “Info. Sessions.” There will also be a 3 hr. special focus session from 4:30 to 7:30 in the evening. Cynthia provided a list of potential sessions and requested CSCs to provide names of potential speakers. The cost

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will be \$45 for the day. There is a voice mail number to call for conference updates - (317) 592-9296. Cynthia and Michelle are requesting updates to mailing lists from last fall's conference. They will be back in April to gather that information.

For the Good of the Cause:

Russ reminded folks that now thanks to the ARS financial study, there is data that can be retrieved in a variety of ways if needed for presentations, etc. Karen shared the Minnesota family service plan which includes all requirements of IEPs. This is being piloted in Minnesota at the present time. The Dawn Project is looking closely at Minnesota as well as other wraparound projects around the country. Linda Grumley DeFour will investigate "The Neighborhood Place" in Louisville to see if its collaborative efforts would be worth visiting.

The meeting adjourned at 3:15 pm. **The next meeting will be April 14th from 9:30 to 3:00 at ISEAS.**

■ Suspension from Transportation — [The following is the text of a January 30, 1997 letter from Sharon Knoth, CSPD/ Communications Coordinator for the Indiana DOE Division of Special Education, to a local assistant director of special education as posted on the Division News & Notes bulletin board of the Indiana SECN 2/3/97.]

I am going to attempt to address the questions you asked during our telephone conversation on January 30, 1997. If I haven't

correctly addressed the issue, please feel free to contact me for clarification(s). If I understand you correctly, your district implements procedures which permit a special education student to be suspended from the related service of transportation. However, you allege you have been informed by our office that you may no longer implement this procedure. The issue you are seeking clarification on is where in the regulations are you prohibited from implementing the practice specified above. This is a rather complex issue, but I will try to specifically address the components as they have been interpreted at the Division of Special Education.

If I understand your local procedures correctly, a special education student may be suspended from transportation but not necessarily suspended from school. If the student is not considered to be suspended from school, you inform the parent or guardian of the fact that the student is suspended from transportation for the following school day, but that you expect the student to be at school the following day. If the student is non-violent you may elect to send a taxi cab out to pick the student up, or, if the parent elects to bring the student to school they may do so. You do not exceed five (5) consecutive days of suspension from transportation nor do you exceed the ten (10) cumulative days delineated in Article 7.

As we both know, an LEA (local education agency) is required to ensure that all special education students in the district

receive a free and appropriate public education (a "FAPE"). This is required in both Federal and State regulations. When a student is suspended from the related service of transportation and is "too violent or disruptive to send to school in a taxi cab" the student is in effect denied a FAPE. The student's parents or guardians must then bring him or her to school which results in the related service of transportation no longer being "at no cost". If the student does not come to school - for whatever reason be it that s/he is too violent to transport or the parent elects not to drive him or her to school, the student's IEP is not implemented on that particular day. The reason s/he does not receive the special education services specified in his or her IEP is because the related service was denied. As you know, a related service is defined in Article 7 as something the student needs in order to gain benefit from his or her educational program. When the related services is removed, the student is unable to gain benefit from the special education services s/he would have received had they attended school.

If I understand the situation correctly, you have already addressed the potential for outbursts in this particular student's IEP. This student lives in a group home in your district and attends school at []. There are 12 students who ride on the bus and one full-time paraprofessional. Even with these specifications,

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there have been instances where a particular student became so disruptive as to endanger the well-being of the driver, paraprofessional, and other students riding the bus. You even indicated you had the bus followed home by the police on one occasion in the event the student became too aggressive for the paraprofessional to control. On another occasion the bus driver turned around on the way to [] and took the student back to the group home because of the inappropriate behavior.

It is my understanding that as long as those days which the student is suspended from transportation and does not attend school are “counted” as days of suspension from school, then the procedures you described are permissible according to Article 7. However, the cumulative total number of days the student misses school for having been suspended from transportation and unable to arrive at school plus the number of days s/he is actually suspended from school for disciplinary reasons cannot exceed five (5) consecutive days nor ten (10) cumulative days in any given school year. As always, you will want to ensure that the student’s case conference committee discusses this procedure for disciplinary measures and documents this in the student’s IEP.

■ Suspension from Transportation: Students with Disabilities — [Editor’s Note: The following is the text of a February 3, 1997 memorandum from Kevin McDowell, general

counsel for the Indiana Department of Education, to Sharon Knoth, CSPD/Communications Coordinator for the Indiana DOE Division of Special Education, as posted on the Division News & Notes bulletin board of the Indiana SECN 2/3/97.]

As you requested, I reviewed the draft letter to [] regarding suspension from transportation of a student with disabilities [attached]. Although a student can be suspended from a bus (see I.C. 20-9.1-5-19), when transportation is a related service and suspension from transportation is, in effect a suspension from school because there are no other means for getting the student to school, then there is a denial of a free appropriate public education. Where there have been repeated suspensions from transportation, then the case conference committee should review the related service and adjust the transportation method accordingly. The concept of “least restrictive environment” applies to transportation as well. Some students’ LRE on transportation appears rather restrictive, but that is what is appropriate to such students. See, for example, 511 IAC 7-6-6(b). These concepts are not new.

In Chatanooga (GA) County School District EHLR 257:561 (OCR 1984), a student with a moderate mental handicap was suspended from the bus for three days because he hit other students, stood on his seat, and pulled the emergency air brake while the bus was in motion. OCR found that his suspension was for the safety of other students and the student

himself, and such circumstances require swift disciplinary measures. However, OCR noted that the school district needs to assess the student’s behavior in light of his disability (causal relationship) and determine whether a change of placement needs to occur.

Anne Arundel County (MD) Public Schools, EHLR 257:639 (OCR 1985) involved a series of suspensions from transportation which resulted in a denial of FAPE. The parents were unable to bring the student to school when he was suspended from the bus, resulting in a significant change of placement without recourse to procedural safeguards (evaluation, including causal due process). OCR also noted that a public agency cannot avoid the requirements of the law by simply not including transportation on a student’s IEP. Where transportation is obviously a related service, it will be deemed as such.

OCR reiterated its policy regarding a series of short suspension from transportation constituting a change of placement in Letter to Smith, EHLR 305:51 (OCR 1989). Under Sec. 504, a reevaluation must occur before a significant change of placement. Oftentimes, this reevaluation is a causal relationship determination. OCR applies this to transportation detailed as a related service. Also see Letter to Veir, 20 IDELR 864 (OCR 1993), which limits a public agency’s removal of a student from transportation, even if the

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student has been disruptive or is dangerous, without resort to procedural safeguards. The method or mode of transportation can be changed through adherence to the procedures for changes of placement.

In Buncombe (NC) County

School District 23 IDELR 364 (OCR 1995), OCR found that the public agency violated Sec. 504 and Title II of the A.D.A. by suspending a student from the bus transportation, which prevented the implementation of his IEP. The effect was the same as a suspension, even though the

school did not count these as suspensions.

All public schools are required to comply with Sec. 504, Title II of the A.D.A. and the IDEA. Compliance with IDEA is considered compliance with the other civil rights laws. □

FEDERAL UPDATE . . .

SSI Information for Educators and Administrators — This memo is to alert you to several changes to the Supplemental Security Income (SSI) which are part of the new welfare reform law (PL 104-193). As a result of these changes, some children, especially those with less severe disabilities, will lose their SSI cash benefits. Some will also lose their Medicaid. In addition, the new law will make it harder for children to qualify for SSI in the future. The changes in children’s eligibility will likely result in an increase in the number of requests from schools for evaluation information about these children.

Key Changes to SSI:

Establishes a new definition . . . A child is considered disabled if he or she has a “medically determinable physical or mental impairment which results in marked and severe functional limitations, which can be expected to result in death, or which has lasted or can be expected to last for at least 12 months”;

Eliminates the “individualized functional assessment” (IFA) standard;

Changes the way Social Security considers certain behavior problems . . . In the next few weeks, the Social Security Administration will announce new rules for these program changes.

What Do The Changes Mean for Children?

The cases of all the children who currently receive SSI as a result of the IFA will be reviewed to determine whether each child meets the new definition of disability. Approximately 275,000 children will require review under the new rules. No benefits will be stopped for any child before July 1, 1997. However, the new provisions apply to all new claims filed beginning August 22, 1996, and to all claims that have not been finally adjudicated (including cases pending in the courts) prior to that date.

What Does This Mean for Administrators and Educators?

In late November, Social Security began notifying families of children whose cases will be reviewed to decide if the children are still eligible for benefits. In addition to the Social Security notice, families are receiving information from disability and social service groups urging them to provide as much medical and other evidence about their child’s disability and to take their child in for medical care if they have not been doing so regularly.

The Social Security notices and information from other groups will likely cause families great concern and confusion. Families may ask schools for assistance in obtaining documentation about exactly how the disability limits what the child can do in school and elsewhere to keep their child on SSI. If Social Security wants a child to be examined by a doctor, the government will pay for it.

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FEDERAL UPDATE . . . continued from page 20

What if a Child's Case is Not Reviewed Now?

Only certain children's cases will be reviewed in the next year because of the changes in the new welfare law. However, the new law also requires Social Security to review every child's case at least every three years, unless the child's condition is unlikely to improve. When it's time for a child's regular review, the family or care giver will receive a notice. The records must indicate that the child has been receiving treatment that Social Security considers to be "medically necessary and available" for the disabling condition, otherwise Social Security may decide to change the child's representative payee.

What Effect Will These Changes Have on a Child's Medicaid?

If a child's SSI eligibility ends, then the Medicaid that was based on his or her SSI eligibility will also end. However, the child may still be eligible for Medicaid through another eligibility category, such as the family's income. The family should contact the state Medicaid agency immediately to determine if this is possible.

We will continue to work with Social Security personnel as they develop and implement the review process.

If you need additional information about SSI changes, please contact Social Security's toll free

telephone number 1-800-772-1213.

You may want to refer families to a local disability organization for assistance in compiling the necessary information for the review process."

Credits: Social Security Administration, Bazelon Center, Family Voices, and American Academy of Pediatrics.

SOURCE: GTE INS Early Childhood newsgroup posting on Indiana SECN 2/17/97.

Related Services Supporting Inclusion: Congruence of Best Practices in Special Education and School Reform — This paper was produced in December 1996 by the Consortium on Inclusive Schooling Practices, National Association of State Boards of Education, 1012 Cameron Street, Alexandria, VA 22314; 703/684-4000. WWW at (<http://www.asri.edu/CFSP>).

Educating all students with disabilities in general education requires a supportive framework for collaboration between general and special educators. Such a framework is found in the education reform and restructuring literature, which advocates practices such as team teaching, interdisciplinary curriculum, and block scheduling. A complemen-

tary framework is found in the Individuals with Disabilities Education Act (IDEA), which requires "supplementary aides and services" (including special education and related services, team meeting time, staff development, and adapted materials and equipment), so children with disabilities can be educated with children without disabilities. Applying these similar frameworks across general and special education can lead to a unified approach to education and greater inclusion of students with disabilities.

Special education has traditionally been provided in separate classrooms, as have related services such as speech and language, physical therapy, occupational therapy, and counseling from social workers and psychologists. The isolated nature of these services has limited collaboration among the various professionals working with a student, and has left the burden of coordinating and integrating multiple approaches to the students with disabilities and their families.

Many strategies to provide special education and related service support within the context of general education have evolved during the past two decades. These strategies parallel the best

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practices in general education reform and restructuring. Three key strategies are described below, with specific applications to related services.

Interdisciplinary Instruction

In general education, interdisciplinary instruction refers to the practice of blending subjects such as math and science, or social studies and language arts into an integrated curriculum. In special education, this concept is extended to include speech and language, motor, and social-emotional development as part of the curriculum (often referred to as “integrated therapy” or “embedded skills instruction”). For example, a counselor and classroom teacher plan social studies units dealing with conflicts, ranging from labor strikes to wars, and incorporate instruction on conflict resolution. The counselor still may work directly with a student who has particular difficulty with conflict, as required by her IEP, but strategies and expectations about handling conflict are developed with all students as part of the general education curriculum. The context is created for related service personnel to provide frequent, direct instruction on specific skills that some students need, as they participate in meaningful activities in the inclusive setting. Interdisciplinary instruction of this type does not distort or water down the general education curriculum, but

enhances it for all students.

To meet the needs of students with disabilities, interdisciplinary instruction requires several types of team action. First, related service personnel need to participate in the planning of units and activities. Second, teachers and related service personnel need to teach each other strategies to meet the needs of individual students, in order to use a more consistent, coordinated, and comprehensive set of strategies. Finally, related service providers need to share teaching responsibilities with teachers and paraeducators, so members of the classroom team have a shared understanding of the general education curriculum and classroom routine, the demands and opportunities for individual students, and needs of team members related to role release.

Team Teaching

Team teaching, one form of co-teaching, provides opportunities for education and related service personnel to share planning and teaching responsibilities. For example, a classroom teacher, special education teacher, and speech therapist could plan language arts units together. When the speech therapist is scheduled to be with the class, she teaches with the classroom teacher, introducing a lesson and teaching small groups that include students whose IEP call for speech and language services.

Rather than permanently assign some students to a “speech and language group,” however, group composition remains flexible and classroom team members all learn strategies found effective to address students’ speech and language difficulties.

In another form of co-teaching, team members provide complementary instruction. For example, an occupational therapist working with the class above might notice that some “disruptive” students can channel their “fidgeting” when activities have more sensory or movement features. The occupational therapist could help plan small group language arts activities to meet these needs (e.g., retell stories in murals) and lead these activities during the block of therapy time with the class, also working directly with students with coordination problems. In these examples, related service personnel provide instruction that helps meet curriculum goals, IEP goals, and the needs of students who may not be identified as disabled.

Block Scheduling

Block scheduling in general education refers to the large blocks of time created to teach one or more areas of the curriculum to a group of students. In special education, block schedul-



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ing refers to the way related services are scheduled so they can support students during longer periods of time in whatever activities the class is engaged. In elementary schools, the traditional schedules for related services (e.g., physical therapy twice a week for 30 minutes) have not coincided well with classroom activities, and the relatively short episodes have prevented therapists and counselors from seeing how students respond to the range of demands placed on them during the day. With block scheduling, a therapist or counselor adds up the time allocated for a student's related service during a week, two weeks, or even a month. If two or more students in the class receive the service, their time is added together to get the block of time the therapist or counselor is available to work with these students within classroom activities (e.g., physical therapist for 4 hours per week). The team decides how the block of time can be used most effectively, given the needs of the students and the activities planned by the classroom teacher. The expectation, however, is that planned, interdisciplinary instruction will enable therapists and counselors to provide appropriate services in class rather than pull students out. At the secondary level, block schedules also allow related services personnel to participate in community based instruction.

As an example of block

scheduling, a physical therapist might spend 4 hours with a class every Wednesday, dividing time among four main roles: working directly (but in classroom activities) with two students whose IEPs call for physical therapy, working with the teacher and the paraeducator who supports the students during the remainder of the week, team teaching some activities with the classroom teacher, and participating in team planning for the following week. This kind of schedule enables the physical therapist to assess and work with the two students during typical activities, including normal transitions in the classroom and school, influence the way activities are planned to maximize opportunities for the students to improve their motor skills, and teach both staff and classmates about how to assist students with physical disabilities. The physical therapist must still account for the use of "therapy time" but now delineates the educationally related activities performed, rather than just student attendance. Although the physical therapist will not return to the class for a week, the team approach increases the carryover and likely benefit for the students.

Interdisciplinary instruction, team teaching, and block scheduling are complementary strategies that offer special education teams more options for supporting students with disabilities in inclusive settings. Recognizing the similarities between how

these strategies are already used in special education and general education promotes a unified approach to school reform and restructuring that benefits all students.

This Issue Brief was produced by Beverly Rainforth, Ph.D., for the Consortium on Inclusive Schooling Practices. Dr. Rainforth is an Associate Professor of Special Education in the School of Education and Human Development at the State University of New York, Binghamton.

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SOURCE: GTE INS Inclusive.Ed newsgroup posting on Indiana SECN 2/5/97. □



RESOURCES

A Practical Guide for Transporting Students with Disabilities — Lawler, M., Swartz P., and Milchus, K., The Rehabilitation Resource, 1995, 137 pages, \$49.95.

A comprehensive and practical manual which offers school administrators, teachers, bus driver, parents, and students indepth information about providing “safe and appropriate transportation” for students with disabilities.

This guide is based on the results of a project completed by the Center for Rehabilitation Technology at the University of Wisconsin-Stout. The project purpose was to develop an instructional course and manual to meet the information needs of school system staff and transportation personnel involved in transporting students with disabilities.

Information in the manual includes federal legislation, training, disabilities, vehicle options, transportation equipment, adaptive equipment, loading and securement, emergency evacuation procedures, emergency medical procedures, glossary, resources, and transportation forms.

To order or to obtain a catalog on other Rehabilitation Resources contact: The Rehabilitation Resource, 152 VR Building, University of Wisconsin-Stout, P.O. Box 790, Menomonie, WI 54751. Phone 715/232-1342 Fax: 715/232-2356

Service Dog Awareness — The “Service Dogs Welcome” campaign, sponsored by Pedigree Food for Dogs and the Delta Society, is designed to promote awareness, education and access for service dogs and the people with disabilities who depend on them.

One of the main activities of the campaign is to get business owners to place a decal in their store windows that say “Service Dogs for People with Disabilities Welcome Here”. It’s been well received by business owners and customers alike.

John Alexander, manager of Ryan’s Family Steakhouse, was the first in Columbia, Missouri to get involved. “With us being a large company with a lot of exposure, I think it helps ease the minds of customers, and we end up serving as ambassadors in promoting their access,”

said Alexander.

Decals may be ordered from the Delta Society National Service Dog Center, 1-800-869-6898 (V/TTY).

Source: The ADA Report, a newsletter of the Great Plains DBTAC, Vol. 5, #1.

The National Information Center for Children and Youth with Disabilities

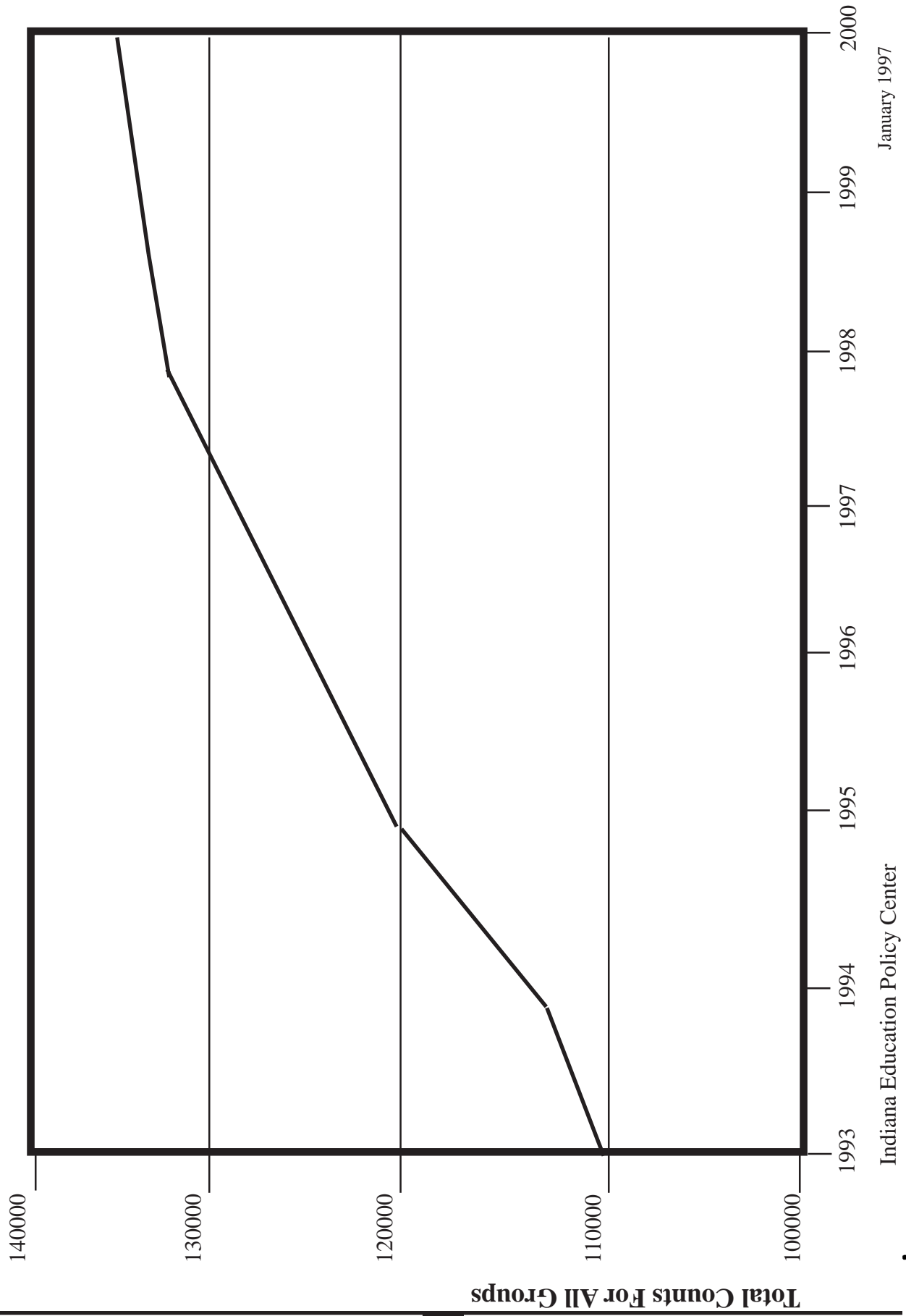
(“NICHCY”) has published a Transition Summary titled: Travel Training for Youth with Disabilities. This informative booklet has articles titled: What Equal Access to Transportation Means, Travel Training for Persons with Cognitive or Physical Disabilities, A Model of Travel Training, Travel Training for Persons with Physical Disabilities, Teaching Travel Skills to Person Who are Blind or Visually Impaired, and Public Transportation and the ADA.

It is Volume 9, June 1996.

NICHCY may be contacted at: 1-800-695-0285, e:Mail: nichcy@aed.org FAX: 202/884-8441 or PO Box 1492, Washington DC 20013 □



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