

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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Outline of Major Issues Regarding Reauthorization of the Individuals with Disabilities Education Act (IDEA): From the Congressional/ Administration Working Group

A joint Congressional/ Administration working group (composed of key Capitol Hill staff and key staff of the Office of Special Education Programs) has been meeting in recent weeks with individuals and advocacy groups to discuss issues surrounding the reauthorization of IDEA. These meetings, by invitation only, are held at the request of Representa-

tive William Goodling (Chair of the House Committee on Education and the Workforce), Senator Jim Jeffords (Chair of the Senate Committee on Labor and Human Resources), and Senator Trent Lott (Majority Leader in the Senate). David Hoppe (Chief of Staff for Senator Lott) has presided at the meetings, in which comments have been taken across

a broad array of issues and concerns. Although the Congress will determine the final terms of the reauthorization, a consensus has been sought through these meetings.

STATEMENT OF PRINCIPLES: This process has been guided by a "Statement of Prin-

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principles Relating to IDEA,” issued by David Hoppe, who noted that the group’s goals were to:

A. Review, strengthen, and improve IDEA to better educate children with disabilities, and enable them to receive a quality education by:

1. Ensuring access to the general education curriculum and reforms;
2. Strengthening the role of parents;
3. Focusing on teaching and learning while reducing unnecessary paperwork requirements;
4. Giving increased attention to racial, ethnic, and linguistic diversity to prevent inappropriate identification and mislabeling;
5. Ensuring that schools are safe and conducive to learning;
6. Encouraging parents and educators to work out their differences by using non-adversarial means;
7. Assisting educational agencies in addressing the costs of improving special education and related services to children with disabilities.

B. Encourage exemplary practices that lead to improved teaching and learning experiences, and which in turn result in productive independent adult lives.

C. Assist States in the implementation of early intervention services for infants and toddlers with disabilities and their families and support the smooth and effective transition of these young children to preschool.

MAJOR ISSUES

The following is an outline of major issues addressed by the working group. This outline DOES NOT represent language of any actual bill, but does reflect the views of participants in the working group.

I. Findings and Purpose (No language has been made public.)

II. Definitions:

DEFINITION OF A CHILD WITH A DISABILITY: Developmental delay added as a local option for children aged 3 to 9.

DEFINITION OF A RELATED SERVICE: Add orientation and mobility services.

III. Administration of Program by the Department of Education (e.g., Policy Letters):

REQUIREMENTS FOR PRESCRIBING REGULATIONS: (1) Retain current law requirement for 90-day public comment period; (2) Provide that the Secretary may not, through policy letters or other statements, establish a rule that is required for compliance with and eligibility under this part; (3) Require the Secretary to (a) widely disseminate individual letters regarding issues determined to be of general

interest under Part B; (c) include in the response to each individual letter a statement that the letter is provided as informal guidance and is not legally binding, and represents the Department’s interpretation of the applicable Part B requirements in the context of the facts presented; and (d) issue formal guidance (e.g., policy memoranda) on such issues within one year.

IV. Allocations Under Part B: A. FORMULA (INTER AND INTRA STATE). (No language has been made public.)

PLACEMENT NEUTRAL FUNDING FORMULA: Require a state to have a placement neutral state funding formula. Add a provision to current law requiring that, if a State uses a funding mechanism which results in the distribution of funds on the basis of the type of setting in which a child is served, the funding mechanism does not result in placements that violate the least restrictive environment requirement in the law. If a State has a funding mechanism that violates that requirement, it must provide an assurance to the Secretary that the State will revise its funding mechanism as soon as feasible. (Include report language indicating that a placement decision for each child with a disability shall continue to be made on an individualized basis, taking into account the unique needs of a child.)

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B. PERCENTAGE TO STATES/LOCALS (No language has been made public.)

C. STATE USE OF FUNDS

SUPLANTATION OF STATE, LOCAL, AND OTHER FEDERAL FUNDS: Where the State provides clear and convincing evidence that all children with disabilities have a free, appropriate public education (FAPE) available, the Secretary may waive the requirement that federal funds supplement the level of federal, state, and local funds.

D. AUTHORIZATION LEVEL (No language has been made public.)

V. State Eligibility:

OBLIGATIONS RELATING TO, AND METHODS OF, ENSURING SERVICES: (Require that States ensure that an interagency agreement or other mechanism is in effect between the affected agencies.) If any public agency other than an educational agency is otherwise obligated under State or federal law or policy to provide or pay for services that are also considered special education or related services that are required for FAPE, such public agency shall fulfill that obligation or responsibility.

GENERAL SUPERVISION: Require that the financial responsibility of the State Medicaid agency and other public insurers of children with disabilities precedes the financial responsibility of the local education agency.

PERFORMANCE GOALS AND INDICATORS: Require performance goals and indicators for children with disabilities. Add a provision to current law providing that a State establish goals for the performance of children with disabilities, develop and apply assessment indicators to judge children’s progress in achieving goals, at a minimum in terms of dropout rates and graduation. The goals should be consistent with the right of a child with a disability to a free, appropriate public education, and to the maximum extent appropriate be consistent with other goals and standards set by a State. The provision would require that a State report to the Secretary and the public on the progress of the State and children with disabilities toward meeting the goals [H.R. 5/Sec. 612(a)(15): p. 86, line 1; p. 87, line 2]

VI. Local Eligibility:

PROCEDURAL REQUIREMENTS RELATING TO LOCAL EDUCATION AGENCY (LEA) ELIGIBILITY: The State educational agency will not make a final determination that a local educational agency is not eligible for assistance under this part without first affording that agency reasonable notice and opportunity for a hearing.

COORDINATED SERVICES SYSTEMS: An LEA can use up to 5 percent of IDEA money to develop and implement a coordinated services system to improve results for children and families, including children with disabilities and their families.

INFORMATION FOR STATE EDUCATION AGENCY (SEA): Requires that the SEA maintain standards to ensure that personnel are “appropriately and adequately prepared and trained.” To the extent that the standards are not based on the highest requirements in the State applicable to a specific profession or discipline, the State is taking steps to require retraining or hiring of personnel that meet appropriate professional requirements in the State; and allow paraprofessionals and assistants who are appropriately trained and supervised to be used to assist in the provision of special education and related services. **EXCEPTION:** If, within a geographic area in the State, there is a shortage of personnel, the State may temporarily suspend the standards, with new standards as follows: consistent with State for the purpose of recruiting and hiring for such shortage areas the most qualified available individuals who are making progress in appropriate course work and for a period not to exceed three years.

VII. Evaluations:

EVALUATION: Proposed changes read “such initial evaluation shall consist of procedures: (i) to determine whether a child is a child with a disability [as defined in section 602(3)]; and (ii) to determine the educational needs of such child.”

SEC. 614. EVALUATIONS . . . (ATTACHMENT 2): Makes



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certain stipulations as procedures and protections in initial evaluations for eligibility determination and for periodic re-evaluation. Evaluation determinations will be made by a team of qualified professionals and the parent of the child. Allows professional/parent discretion in determination of need for and extent of re-evaluation.

PARTICIPATION IN ASSESSMENTS: Requires that children with disabilities, with accommodations where necessary, be included in State and district-wide assessment programs and that guidelines be developed for the participation of children with disabilities in alternative assessments for those children who cannot participate. Requires reporting the performance of children with disabilities on assessments with the same frequency and detail as the reporting for children without disabilities. Requires protecting the identity of individual children when reporting performance on assessments. A time line for compliance is included. Requires disaggregation of data for assessments conducted after July 1998.

VIII. Individualized Education Programs (IEPs) and Placement:

SEC. 614 . . . INDIVIDUALIZED EDUCATION PROGRAMS AND EDUCATIONAL PLACEMENTS: Requires for the first time in statute an IEP team and names the participants. Includes the following special factors as considerations in the development of the IEP: strengths of the child; concerns of the

parents; results of relevant evaluations; behavioral interventions when appropriate; the language needs of the child with limited English proficiency; the communication needs of the child, including Braille; and, finally, the need for assistive technology services.

Defines the IEP to include how the child’s disability affects the child’s involvement and progress in the general curriculum. Requires a statement of measurable annual goals, including benchmarks or short-term objectives. Requires a statement of special education and related services and supplementary aids and services to be provided to the child, and any program modifications or support for school personnel necessary for the child to meet the annual goals.

Requires an explanation of the extent, if any, to which the child will not participate with non-disabled children in the regular class and in other educational activities.

Requires a statement of any individual modification in the administration of State or district-wide assessments of student achievement for the child and further refines the nature and extent of the transition components of the IEP.

Each local education agency or State education agency shall ensure that the parents of each child with a disability are members of any group that makes decisions on the educational placement of their child.

PARENT PARTICIPATION IN PLACEMENT DECISIONS: Require parent participation in placement decisions regarding their child. Add a provision to current law requiring that a State or local education agency ensure that the parents of a child with a disability are members of any group that makes the decision on the educational placement of their child. Include report language encouraging IEP teams to make placement decisions.

IX. Procedural Safeguards, Mediation, Due Process, and Attorneys’ Fees (No language has been made public.)

X. Data, Evaluations, and Program Information:

USE OF FUNDS: Funds used for special education and related services provided in accordance with a child’s IEP may incidentally benefit one or more non-disabled children.

XI. Preschool:

TRANSITION FROM EARLY INTERVENTION TO PRESCHOOL: Children participating in early intervention under Part C (formerly Part H) and who will participate in preschool programs assisted under this part are provided a “smooth” and “effective” transition to such preschool programs.

XII. Discretionary Programs (No language has been made public.)



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XIII. Part H (No language has been made public.)

XIV. Miscellaneous:

PAYMENT FOR EDUCATION OF CHILDREN ENROLLED IN PRIVATE SCHOOLS WITHOUT CONSENT OF, OR REFERRAL BY, THE PUBLIC AGENCY: (1) Reiterates current policy that an LEA is not required to pay the cost of an education to a child in a private school if the LEA offered FAPE and the child's parents elected to put the child in private school; (2) also reiterates current policy that, in a case in which parents of a child who previously received special education and related services under the authority of the LEA enroll their child in a private school, the LEA may be required to reimburse the parents for such enrollment, if it is required to do so due to mediation or a decision under the procedural safeguard provisions; (3) specifies conditions in which reimburse-

ment may be reduced or denied [i.e., (A) if (i) at the child's last IEP meeting before enrolling the child in private school, the parents did not inform the IEP team of their concerns and intent to enroll the child in a private school, OR (ii) ten business days before removal of the child, the parents did not give written notice to the LEA about their concerns and their intent to enroll their child in a private school; (B) if, before the child's removal, the LEA informed the parents, through the notice provisions, of the LEA's intent to evaluate the child, and why, but the parents did not make the child available for evaluation;] (4) provides exceptions to reducing or denying reimbursement (e.g., the parent is illiterate or cannot write in English; compliance with the provision would likely result in physical or serious emotional harm to the child; the school prevented the parent from providing such notice; or the parent had not received the notice).

ADMINISTRATION — RESPONSIBILITIES OF SECRETARY AND RULES AND REGULATIONS: The Secretary shall issue regulations only to the extent that such regulations are necessary to ensure that there is compliance with the specific requirements of this act.

A. PART I (FAMILY SUPPORT) (No language has been made public.)

B. SCHOOL-WIDE PROJECTS UNDER TITLE I (No language has been made public.)

XV. Ensuring Schools Are Safe and Conducive to Learning (No language has been made public.)

This information has been furnished, in part, by the Public Policy Unit of The Council for Exceptional Children.

SOURCE: GTE INS Federal newsgroup posting on Indiana SECN 4/15/97. □

Happy Birthday!

May 9
Michael Bina
Indiana School for the Blind

May 10
Patti Kem
Cooperative School Services

May 27
Russ Dawson
Richmond Community Schools



ADMINISTRATORS' CORNER

Fred McNulty, director of the Porter County Education Interlocal, faculty, staff, and friends celebrated the 25th Anniversary of their Cooperative on April 12, 1997. They are reportedly working on their strategic plan for the next 25 years.

Leonard Jozwiak, director of special education at Hammond School City, has informed us that his former assistant director, Luther Washington, passed away on April 11, 1997.

Beverly McCoun's mother, Josie Sharp in Indianapolis passed away on April 9. Bev was the former director at Plainfield/Mooresville. Cards may be sent to Bev at: 707 Jefferson Street, Sauk City, WI 53583

FYI: On April 8 - 11, 1997, a team sponsored by the Administration on Developmental Disabilities of the U.S. Department of Health and Human Services visited the Institute for the Study of Developmental Disabilities at Bloomington. The four member team was to review the Institute's activities to ensure compliance with the federal laws and regulations governing funding to University Affiliated Programs. □

Minutes from the February 19, 1997 meeting were presented. Machuca noted on page 3 under Conference Sponsorships: LRP, her roundtable should be listed as Northwest rather than North Central. With a motion by Dare/second by Craig the minutes were approved as amended.

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

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	92.88

Mini-Grant Reports: *North Central:* The Roundtable worked on focus group for the Indiana Professional Standards Board (IPSB) Draft Standards for Teachers of Exceptional Needs.

Northeast: Bobbie Weikle, PATINS site coordinator for the Northeast Region, gave a presentation at the recent roundtable meeting. Darcy Hopko, Alexandria, will present at the April meeting.

Northwest: Northwest Roundtable's next meeting is April 24. Machuca suggested the Steering Committee discuss alternative schools and wrap-around services at a future meeting. Collings suggested this be an agenda item for the Division

ISEAS Steering Committee Meeting Minutes

March 19, 1997

[These minutes are considered unofficial until approval at the next meeting on April 16, 1997.]

Members Present: Brett Bollinger, Southeast Representative; Phyllis Craig, North Central Representative; Mary Jo Dare, Central Representative; Sandra Lange, Southwest Representative; Sharon Knott, DOE Division of Special Education Representative;

Mary McArdle, Northeast Alternate; and, Joan Machuca, Northwest Representative.

Members Absent: Sheila Decaroli, East Representative 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:



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Report at the April 16 meeting.

Southwest: The IPSB Draft Standards were the focus for the last Southwest Roundtable meeting. Marlaine Chase, University of Evansville, joined in the discussion. The roundtable will re-visit the Standards again next month. Also discussed was school-to-work and the revamping of that format, as well as who is and is not included. The Steering Committee agreed this topic should also be added to the agenda for the April meeting.

New Steering Committee

Representatives: A memo was distributed regarding the rotation schedule for Steering Committee representatives. Southwest and Northeast Roundtables will need to select their representatives for a three year appointment (July 1, 1997 - June 30, 2000).

Roundtable alternates will also need to be confirmed. The ICASE Executive Committee should select its representative (usually the past president) for a one-year term (July 1, 1997 - June 30, 1998). The state director of the DOE Division of Special Education is a standing member of the Steering Committee

Lange reported Southwest Roundtable has selected Susan Price as representative and Marilyn Faris as alternate. **MOTION: by Lange/Machuca to approve Susan Price as the new Southwest Roundtable representative and Marilyn Faris as alternate for a three-year period of July 1, 1997 through June 30, 2000 was carried.** New representatives will be invited to attend the

June 11, 1997 Steering Committee meeting with the current representatives.

Salary Committee: The Salary Committee which will review ISU fringe benefits and recommend 1997-98 salary increases for the full-time ISEAS Project staff includes Sheila Decaroli, chairperson; Bob Marra, as DOE funding agency representative; and Bill Littlejohn, as ISU fiscal agency representative. A comprehensive profile of staff salary and benefits was provided for the Committee's consideration.

Lighthouse Applications: No new Lighthouse applications have been received to date although Collings noted there has been an inquiry. Members felt it was timely to again mention the Lighthouse program to their roundtables.

Administrative Study Keyclub (ASK): No applications have been received. There was discussion regarding the ASK program and its purpose of providing an avenue for reimbursement of expenses for directors to meet with colleagues outside their roundtable.

Collings commented that ASK funds may be needed to offset expenses for site visits for the Senate Bill 256 study groups.

Calendar of 1997-98 Meetings: Collings presented a draft of proposed ISEAS/ICASE meetings for 1997-98. The only ISEAS dates not yet confirmed are those of Phase 2 and 3 of the 1997-98 ISEAS Academy. Representatives will take the calendar back to their

roundtables, and it will be discussed again at the April ISEAS meeting.

GTE Site License: The current one-year GTE site license which allows ISEAS to access bulletin boards to download information for distribution to the Special Education Computer Network (SECN) will expire July 31, 1997. Unless this site license is renewed, Indiana cc:Mail users will not be able to access these boards. Collings remarked there is no reason to believe that GTE will not renew the site license. Cinda Long, ISEAS, is currently checking this and should have a report by May or June.

There was discussion regarding the amount of usage statewide of these bulletin boards and if the current ten boards being downloaded are the most important ones. **CONSENSUS: Representatives will talk with their roundtables about these points. Cinda Long will provide each roundtable representative with a list of all bulletin boards offered by GTE as well as the ten currently being downloaded to SECN. There will be further discussion at the April Steering Committee meeting.**

ISO Occupancy Agreement: The annual occupancy agreement with Indiana Special Olympics (ISO) for rental of the two Indianapolis offices was reviewed. Due to an increase in rent and operating expenses for ISO for the coming year, the annual occu-



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pancy amount for ISEAS will be \$4,852.80 for the two offices including utilities. **MOTION: With a motion by Lange/Craig, the Steering Committee voted to approve the 1997-98 occupancy agreement with Indiana Special Olympics in the amount of \$4,852.80.**

Grant Application: Collings reported that the ISEAS grant application for 1997-98 is in process. He anticipates the total dollar amount of the grant will be equal or less than this year.

1996-97 Events/Reports:

Trainers' Bureau: Approximately 12 responses have been received to the Trainers' Bureau survey asking directors to list any members of their staff they would nominate to conduct training sessions in another district. It was suggested Collings put a reminder on cc:Mail to directors to complete these forms and return them to ISEAS. A Trainers' Bureau Directory will be compiled and made available to directors across the state.

1997-98 Events/Report:

LEASE Academy III - Phase 1: A draft of a memo and registration form to be sent to all directors of special education regarding Phase 1 of the ISEAS 1997-98 Academy series was discussed. The first phase will be focused on a two-day introduction to the Teacher Perceiver Interview process presented by a representative of the Gallup Organization. This process assists in the effective selection, placement and development of outstanding teachers. Teacher Perceiver themes are

Mission, Empathy, Innovation, Focus, Listening, Rapport Drive, Activation, Objectivity, Input Drive, Investment and Individualized Perception.

The two-day introductory session has been scheduled for June 16-17, 1997 (8:00 AM - 4:00 PM) at the Embassy Suites North, Indianapolis. Participants may receive continuing renewal units (CRUs) for this two-day seminar. There will be no tuition fees, but participants must pay their own travel, overnight, and evening meal expenses. The deadline for registration is May 2, 1997.

CONSENSUS: The Committee approved the memo and registration form as presented and suggested it be mailed immediately.

Collings noted the Gallup Organization has offered to present a second two-day introductory session which, if there is interest, could be scheduled for school personnel directors on June 18-19. **CONSENSUS: Collings should contact a personnel director in the metropolitan area to see if there is interest in supporting such a two-day session for personnel directors.**

LEASE Academy III - Phase 2: No closure has been made on a final date for the Strategic Alliances session, Phase 2 of the Academy.

LEASE Academy III - Phase 3: Collings proposed the Committee consider hosting a two-day introduction to the "tools" of Creative Problem Solving for case

conference coordinators. This third phase of the Academy would be presented by the Blumberg Center, ISU for approximately 20 persons. **CONSENSUS: The Committee endorsed Collings proceeding with the planning of this third phase of the 1997-98 Academy.**

School-Based Therapies Training Session: Paul Ash, a member of the IFCEC Planning Committee, will introduce the idea of ISEAS sponsoring a School-Based Therapies Training Topical during the 1998 IFCEC Conference which will be held February 26-28, 1998 at the Radisson at Keystone Crossing. OTs and PTs have expressed enthusiasm regarding bringing school nurses in as a third party.

ED-MED Conference: There was discussion as to whether ISEAS wished to be included in the annual ED-MED Conference in the fall of 1997. Collings responded if there was a need for dollar support or speaker assistance, ISEAS would consider this. As ISEAS keeps a current mailing list of OTs and PTs, ISEAS would be pleased to assist by again mailing ED-MED invitations to them.

Secretaries/Support Staff Seminar: The annual Secretaries/Support Staff Seminar has been scheduled for November 18, 1997 at the Holiday Inn North at the Pyramids. Collings proposed the seminar be divided into two

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concurrent sessions in the morning, repeated again in the afternoon. Each session would be approximately two hours in length. As Sue Ann Specht, consultant in stress management, Health Promotion Services, St. Vincent Hospitals, was extremely well received by those who attended her session at this year's seminar, Collings suggested she be invited again next year. She would build on this year's theme of Staying Well at Work - Coping, Surviving and Thriving by bringing in dealing with difficult people and managing change. Collings also suggested Randy Jones and Carrie Jackson Van Dyke, who presented a joint ISEAS/ICASE seminar in December 1995 on Dealing Proactively with the Media, be considered as presenters for the second session. **CONSENSUS: The Committee endorsed Sue Ann Specht and Randy Jones/Carrie Van Dyke. They suggested that, if possible, the Jones/Van Dyke presentation be structured as dealing with angry parents/volatile issues/confidentiality. Collings will finalize arrangements for both sessions.**

Conference Sponsorships/ Reports: 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". **MOTION: by Dare/Lange to support the participation of Jacki Lynn, Central Roundtable alternate, was carried.**

LRP: The annual LRP Legal

Conference will be held May 4-7, 1997 in San Diego. Joan Machuca, North Central Roundtable, will attend as ISEAS representative.

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

University Forum: March 7, 1997 Meeting: University Forum members met March 7 at IUPUI. Several members of the IUPUI special education faculty joined the Forum in comparing the Forum's sixteen criteria developed in January 1996 to the ten IPSB Standards for Teachers of Exceptional Needs. A Forum business meeting was held in the afternoon. Copies of the full minutes from the March 7, 1997 University Forum meeting are available upon request from the ISEAS office.

Next Meeting: The next meeting of the Forum will be held April 4, 1997 in the ISEAS office. Topics for discussion are reviewing the Standards Reaction Paper, Distance Education, and the May 4 Forum Meeting at ISU.

Other Business: *ISEAS Web Page:* The address for the ISEAS home page on the Internet is <http://www.indstate.edu/iseas>. The ISEAS home page offers a link to

the Division web page. Sharon Knoth, Division, explained the newest addition to the Web page is a Master Reference Directory. Everything that has been posted on the Division News and Notes bulletin board in the past is now in this Directory. There is also a page listing Division personnel. An e-mail message may be sent to any of the Division personnel just by clicking on their name.

State Assessments: An article from the January-March 1996 *CASE Newsletter* entitled "What Do We Know About Students with Disabilities and State Assessments?" was distributed. The National Center for Educational Outcomes (NCEO) has been studying characteristics of state assessments since 1990. It has developed a set of criteria that identify how to maximize the participation of students with disabilities in state and district accountability systems (Synthesis Report 25) and a policy brief on alternative assessments for students with disabilities.

Indiana Supreme Court Decision: Members received copies of a March 10, 1997 memo from Lisa Tanselle, ISBA Staff Attorney. In the memo Tanselle informed board presidents and superintendents of the Indiana Supreme Court decision in Marion Teachers Association et. al. v. Board of School Trustees of Marion Community School Corporation, the case involving the appointment of teachers to

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certain committees. The Court concluded that only the exclusive representative may appoint bargaining unit members (i.e. teachers) to sole instrumentality committees that engage in discussion of the mandatory subjects of discussion set forth in P.L. 217 (specifically I.C. 20-7.5-1-5).

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.

Videotapes: "Who are the Children Being Born Today" and "Look Who's Laughing" are currently in the ISEAS office and available for loan.

Next Meeting: The next

meeting will be held Wednesday, April 16, 1997 at the ISEAS Office - 8:00 AM - Coffee and Rolls
- 8:30 AM - ISEAS Salary Committee Caucus
- 9:00 AM - ISEAS Steering Committee Meeting
- 10:30 AM - Division Report and ICASE Executive Committee Meeting □



**ICASE
Executive Committee
Meeting**

March 19, 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), Joan Machuca (NW), Mary McArdle (NE), Mary Jo Dare (C), Brett Bollinger (SE), Phyllis Craig (NC), Sandra Lange (SW)

Others Present: Tom Doyle,

Sharon Knoth, Roger Williams, Sharon Henderson

Members Absent: Sheila Decaroli (E), Jeff Young (Past-President)

I. Approvals

A. MOTION: After a motion by Machuca/Dare, the February 19, 1997 Executive Committee minutes were approved as submitted.

B. Rees presented a comprehensive balance sheet (\$42,242.99) and docket of outstanding bills (\$16,092.75). **MOTION: After a motion by Bollinger/Dare, the February 28, 1997 Treasurer's Report and Docket of Bills were approved as submitted.**

Rees presented a request for a topical conference refund which she had previously turned down. The name of the requesting party was withheld until the discussion was complete. Members endorsed the refund request.

II. Strategic Plan: 1996-97

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

1. Membership guidelines tabled.

2. CEC Recognition for National Past Presidents - Richmond proposed that ICASE make

Information from ICASE



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a pledge through a Unit sponsorship in honor of Bill Littlejohn as the only CEC president from Indiana.

These funds to CEC are part of the 75th anniversary and will primarily be used for scholarships.

MOTION: The motion for approval of a \$500 pledge by Bollinger/Dawson was approved.

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

1. Roundtable Guidelines - Richmond distributed the Topical Conference Guidelines which included the following elements:

- a. Each Roundtable will be given the opportunity to plan or co-plan a topical conference having statewide significance.
- b. Roundtables will not be required to participate.
- c. By March, the ICASE Executive Committee, in collaboration with the Department of Education Division of Special Education, will develop a list of emerging trends and needs that may possibly be used as topical conferences.
- d. By May of each year, roundtables will submit the topic of the planned conference for approval by the Executive Committee.
- e. By June, roundtables will submit to the ICASE Executive Committee the following information:
 - (1) topic/date

- (2) speaker(s)
- (3) location
- (4) anticipated cost breakdown
- (5) anticipated revenue
- (6) roundtable attendance/revenue support

- f. The ICASE Executive Committee will give final approval for the topical conference to proceed. All requested information must be approved.
- g. The Roundtable is required to provide to the ISEAS office all information related to registration materials two months prior to the conference, noting a contract person.
- h. All registration forms will be forwarded to the ICASE Treasurer or designee for processing. Prior to the conference, all registrants must provide cash payment, a check (personal or corporation), or a purchase order. Payment on purchase orders is expected within 30 days of the event.
- i. Proceeds will be deposited into the ICASE budget. The Treasurer will maintain separate records of topical conference costs and revenues.
- j. Roundtables taking part in planning and implementing topical conferences will receive 50% of the proceeds from all topical conferences. The remaining 50% will be maintained in the ICASE Treasury. Such monies will be divided equally by the number of Roundtables participating and may be used for the following

purposes:

- (1) provide scholarships for students studying to be a teacher of students with disabilities;
- (2) provide scholarships for students with disabilities to attend college, trade school, etc.;
- (3) to pay appropriate expenses (as determined or approved by the ICASE Executive Committee or designee) to provide inservice opportunities to the Roundtables as a whole;
- (4) to pay appropriate expenses (as determined or approved by the ICASE Executive Committee or designee) for individual roundtable members to attend national conferences. Individuals will officially represent ICASE and may be required to provide conference information to the members as a whole;
- (5) other as determined by the Roundtable and approved by the ICASE Executive Committee.
- k. The funds will be available the following fiscal fund year (July through June 30th).

2. Future Roundtable Topics - Richmond distributed a list of 28 possible topical conference suggestions for 1997-98 roundtable professional development. The list is available through

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the roundtable representatives.

3. Fall Conference - Dawson briefed the members on the 1997 Fall Conference to be held in Terre Haute.

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 - Roger Williams distributed a legislative update handout and commented on the status of various bills being tracked. He noted the bills have now switched houses. Any projected shortfalls have been covered in the tuition support bill (HB 1001).

Doyle reported on SB 400 regarding state schools; costs seem to be driving both this bill and SB 256. Williams noted that even though the Alternative Schools bills are dead, the charter school bill could be construed to allow for an alternative school.

2. IDEA Reauthorization - Henderson presented a revised draft of a paper relative to the reauthorization of IDEA which may be utilized by our membership and/or sent to members of the U.S. Congress. The paper covers eight topics: discipline and delivery of services during expulsion; re-evaluation process; eligibility under other health impaired, funding, attorney fees, "prevailing party" and prior notice, independent evaluations, and "stay put" provision. The two-page paper is available from the roundtable representatives.

She also reported on the February 14 meeting in Indianapolis of the various stakeholders regarding the reauthorization.

MOTION: Dare/Machuca motion to accept the paper as presented and to distribute it to Indiana members of the U.S. Congress was approved.

ACTION: Doyle suggested that Richmond mail this document with a cover letter to our representatives and senators in the U.S. Congress.

3. Policy Papers - Henderson presented a draft policy for both Fiscal Management and Disbursement of Funds upon the Dissolution of ICASE. It was noted that the latter paper was offered as clarification of Article IX of the ICASE Constitution for IRS not-for-profit purposes.

The elements of the Policy on Fiscal Management were as follows:

- a. The ICASE fiscal year is July 1 through June 30.
- b. The treasurer will obtain a security bond in the amount of three times the total ICASE budget for each fiscal year he/she holds office.
- c. Conference registration fees should cover expected conference expenditures.
- d. Dues will be raised only in relation to the revenue needs of the organization.
- e. All funds not required in the checking account for monthly operations will

- be invested in secure accounts by the treasurer.
- f. When investment accounts exceed 1.5 times the yearly budget the Executive Committee will review current asset allocations.
- g. An independent accountant will be selected by the Executive Committee for the purpose of preparing a biennial audit report to be presented to the audit committee.

The Policy on Disbursement of Funds upon Dissolution of ICASE reads as follows: "Upon dissolution of ICASE the Executive Committee shall dispose of financial assets in the following manner: 1. payment of all liabilities; and 2. remaining funds to be given to the Indiana Federation Council for Exceptional Children."

A third paper focussed on the Practice on the Use of Proceeds from ICASE Roundtable Topical Conferences which reads as follows: "The ICASE share of proceeds from Roundtable Topical Conferences shall be used for the provision of scholarships to deserving students pursuing post-secondary education in the area of exceptional needs and/or professional development of members. Disbursement of such funds shall be at the discretion of the Executive Committee."

MOTION: The motion by Dawson/Bollinger to accept



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these three (3) papers with minor changes was approved.

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

IPSB Focus Groups - Richmond reminded the representatives to forward the completed focus groups surveys to her for compilation and submission to the Indiana Professional Standards Board in April.

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

Knoth reported that the CD ROM on sign language for peer tutor purposes will be sent to directors. The CD is not meant for the training of either students with hearing impairments or for the training of interpreters.

Knoth reminded members to distribute the Discipline Committee report and complete the survey. Her e-mail message provides the details about the Discipline workshops over a three year period implementing a trainer-of-trainer model. The purpose of this series of workshops is to make accommodations before the student gets to an expulsion stage.

Knoth noted that the Division has a few extra sets of the IDEAS LRE videotape series available upon a first request basis. Three (3) CRUs can be granted through the Division if all videotapes are viewed during a June to June

(12 months) period.

Knoth reviewed the DOE discussions in which she has been involved this past week regarding ISTEP+. From last year there was a major discrepancy in the inflated number of students reported as visually impaired and therefore not included in this year's score reports. She and Linda Miller will be in Chicago on March 24 to meet with McGraw Hill representatives. They will focus on the Grade 10 examination and the modifications. She commented that if the IEP does not document modifications for course work, such modifications may not be allowed during the ISTEP+ examination.

It is the state superintendent's position as set out in her recent memo that students with disabilities on a diploma track are to take the graduation exam. The case conference committee members are no longer expected to grant waivers but only to document needed modifications for students on a diploma track.

As it now stands the State Board of Education is promulgating rules regarding local waiver stipulations after students have presented themselves at all five (5) testing opportunities. Knoth confirmed that all scores for students with disabilities will be included in each district's scores. Discussion by the members focussed on the validity of the tests for both students under IDEA and Section 504 referral and drop-out rates, and self concept considerations.

Knoth commented that there have been discussions at DOE that the tests this Fall could be declared for norming purposes only but such decisions have yet to be made. The permissive status of taking these test also needs to be clarified. Everyone recognizes the increased pressure with annual case reviews in progress. Although the ISTEP+ is expected to be administered in September, the tests are just now being constructed. Dawson asked that she provide immediate notification to directors if major changes or other interpretations occur. Knoth encouraged directors to submit all questions to her.

Division Report Agenda Items for the April 16 meeting:

- Alternative Schools
- Funding issues
- training for business managers
- Wrap Around
- D.O.C. juvenile facilities
- School-to-Work
- Transition
- ISTEP+ Update
- Federal Funding Formula
- Census-based

F. Other Business - The 1997-98 draft calendar of meetings was distributed for review with approval consideration at next month's meeting.

Richmond distributed the March 7, 1997 paper containing eight (8) recommendations from the ICASE Speech Committee. The committee was chaired by



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Leonard Jozwiak with members including Shirley Amond, Irene Rivera, Rosalind Pool, Margaret Schaller, and Nan Peach.

Richmond will give Jozwiak the feedback from the group's discussion. Roundtable members were asked to discuss the paper at future roundtable meetings and

forward any feedback to Jozwiak. The members thought it advisable for the committee to continue to function and establish dialogue with IPSB, ISHA, other key organizations and university trainers in the field of communication disorders. Jeff Young and Jozwiak may need to collaborate on the requested ICASE/ISHA

joint report to be filed with the IPSB in June.

G. Next Meeting: The next meeting will be held on April 16, 1997 at the ISEAS Office per the following schedule:

10:15 a.m. Division Report
11:00 a.m. ICASE Executive Committee Meeting

Children, Disability and Social Security! How Welfare Reform Will Impact You, Your School, and Your Students

[Editor's Note: The following article was submitted by Joe Pendleton, Professional Relations Director, Indiana Family and Social Services Administration, Division of Disability, Aging and Rehabilitative Services, Disability Determination Bureau]

Recent welfare reform legislation contains provisions which will dramatically affect the SSI program. Over the next year, you and your students will be impacted by these changes. This article has been designed to provide you with information to prepare you for these changes.

One provision in the recent legislation provides a new definition of disability for children. Under this new definition, a child will be considered to be 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.

In addition, the Social Security Administration (SSA) has been directed to remove all references to maladaptive behavior from evaluating mental disabilities in children.

SSA will be required to perform a redetermination on all of the cases of children currently receiving SSI whose eligibility for SSI benefits may be affected by the new definition of disability. In Indiana, it is anticipated that there may be as many as 5,500 of these claims. The families of the children who are impacted by this provision were informed of the changes and the need for redetermination before January 1, 1997. The changes mandate SSA to complete the redetermination of these claims by August 22, 1997.

Continuing Eligibility Reviews for SSI Benefits

In addition to the welfare reform legislation, Social Security reviews every SSI case from time to time to make sure the people

getting benefits should still get them and are getting the right amount. Also, SSI beneficiaries (or their payees) are required to report any changes in their situations, such as changes in income, resources, household composition, school attendance, marital status, and improvement in their medical condition.

Those children who are not covered by the provisions of Welfare Reform will be reviewed approximately every 3 years.

Representative Payees

When a child is eligible, benefits are usually paid to a responsible person, known as a representative payee. Typically parents, or other relatives with whom the child lives, serve as payee. The payments must be spent for the use and benefit of the

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child. The payee's first priority is to ensure the child's current needs are being met. These include food, clothing, shelter, medical care and personal comfort items. Once these needs are met, funds can be spent on other items such as life insurance, burial arrangements, needed renovation to make the child's home safer or more accessible, furnishings for the child's use, medical equipment, dental care, and school expenses. Each year payees are required to account for how benefits are used.

If you believe a representative payee is misusing a child's benefits, you should call your local Social Security Office or call the federal toll free number 1-800-722-1213. Social Security can also be reached by the Internet through <http://www.ssa.gov>.

How is the Decision Made that a Child is Disabled?

To meet the definition of disability, a child's impairment must result from anatomical, physiological, or psychological abnormalities that are demonstrable by medically acceptable clinical and laboratory diagnostic techniques. In addition, the impairment must be documented by signs, symptoms and laboratory findings from acceptable medical sources such as:

- Licensed physicians.
- Licensed osteopaths.
- Licensed or certified psychologists.
- Licensed optometrists (for the measurement of visual fields or acuity).
- Other individuals authorized to send us copies or summaries

of the medical records from a hospital, clinic or other health care facility.

We also ask other sources who may provide insight into a child's functioning, to provide supporting information. These sources include parents, guardians, and other caregivers, schools, public and private social welfare agencies, audiologists, etc. Educators and other school professionals (counselors, nurses, speech therapists etc.) in particular, can provide the specific reliable information we need on how the child has functioned in school over the last 12 months. This gives us an insight into the child's day-to-day functioning, which is very important in determining childhood disability.

The Role of the School Professional in Determining If a Child is Disabled

School records and contact with appropriate educational personnel are two of the best sources of evidence about how a school-age child is functioning, and whether there have been changes in the child's functioning in the past year.

School administrators are asked to ensure that appropriate points of contact are set up year round. This is vitally important to ensure timely disability decisions for children throughout the year, especially during the summer.

In general, we ask school professionals to provide copies of school records including records of:

Academic performance, psycho-

- logical evaluation, attendance and behavior.
- Standardized and other specialized testing.
- School-based therapeutic interventions, (e.g. speech and language therapy) and the use of other special services, including placement in special education classes or other specially adapted settings.
- Individual educational plans.
- Other periodic assessments of the child.

Information about a child's activities creates a profile of how a child functions; i.e., what a child does and what he or she is able to do.

All requests for this information will be accompanied by a release-of-information form signed by a parent or guardian (and/or by the child, if appropriate). Because of the congressionally mandated completion date of August 22, 1997, it is anticipated that teachers will receive an unusually high number of requests for information about their students ability to function between April and the end of the school year. Teachers may expedite their responses by contacting the disability examiner handling the claim and providing the requested information by phone. Phone numbers to contact the disability examiners can be found at the bottom of the letters requesting information.

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How This Information is Used

The totality of information provided by teachers, counselors, parents, care givers, etc., is combined with the medical evidence to complete the picture of the child's impairment(s). A complete picture is necessary in order for the Disability Determination Bureau (DDB) to make the disability decision. No one factor, e.g., participation in a special education program or behavior in school, is used as the sole basis for a finding of disability.

How We Can Help You

Schools have probably already

been impacted by these changes. After a recent court ruling, the DDB became keenly aware of the increased work that was placed on the school systems. In an effort to streamline workloads, answer questions and establish lines of communication, we are committed to providing schools with the resources to help accomplish this nationally legislated provision of welfare reform.

The DDB is ready to provide Bureau Personnel to attend staff meetings, professional conferences, parenting fairs, or other gatherings, and answer questions concerning childhood disability

and SSI. Presentations can range from an informal one-on-one exchange to more formal group presentations. In addition to face-to-face presentations, the DDB can also provide literature to your schools, teachers, or administrators. Questions can also be answered by phone.

For more information or assistance, please contact the Disability Determination Bureau at Post Office Box 7069, Indianapolis, IN 46207-7069, or by fax at 1-800-762-0790. Outside of Indianapolis, call toll free 1-800-622-4968. Within the city call 232-6000. Ask for the Professional Relations Department. ☐



Department of Education News

Meeting of the State

Advisory Council on Students with Special Needs-November 8, 1996, Embassy Suites, North, Indianapolis — **Members in Attendance:** Kathy Wodicka, Robert Marra, Richard Gousha, Joan Melsheimer, William McKinney, James Phillips, Edward Kasamis, Liam Grimley, Becky Kirk, David Schmidt, Mary Jo Dare, Patricia Loge, Mary Stewart, and Judith Gilbert and Sharon Knoth from the Division of Special Education.

Members Absent: Michael Dalrymple and Janine Hooley.

Interpreters: Randy Nicola and Lisa Moster.

The meeting was called to order at 8:52 a.m.

Minutes from the Previous Council Meeting

Mrs. Wodicka welcomed the Council and asked for a motion on the minutes of September 13, 1996. Dr. Kasamis moved to approve the minutes. Seconded by Mr. Schmidt. Approved. The minutes from the October discussion meeting of the Council will be distributed for approval at the December meeting.

Special Business

Mrs. Wodicka presented an award in recognition of Dr. Grimley's leadership of the Council and thanked him for his years as Chair of the State Advisory Council.

Discussion of the Reorganization of Old National Trail Special Services Cooperative

Mrs. Wodicka thanked the Division and Judy Gilbert for the briefing book the Council

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received. A discussion of the morning's agenda ensued. Dr. Kasamis requested we establish a limit on the time each special guest could have before the Council. The Council agreed that a 10-minute time limit would be enforced. Mrs. Wodicka explained that the purpose of this meeting is to gather enough information for the Council to be ready to vote with regard to the proposed re-organization. The Council believes it will be ready to do so at the December 6, 1996 Council meeting (though the Council reserves the right to extend this date if necessary).

Mr. Marra indicated that Blackford County has expressed an interest in joining the Delaware County Cooperative. He asked whether the Council believed they could hear their interests at the February 14th Council meeting with an intent to make a decision by the April 11, 1997 Advisory Council meeting (with the right reserved to extend this date if necessary). Blackford County is currently without a Director. The Council agreed that this timeline appeared agreeable. Mr. Marra will notify Mrs. McShurley of the Council's decision.

Dr. Grimley asked a question regarding the materials in the briefing book provided by the Division. Item B-18 - is part of Carolyn Davidson's letter from May 10th. Mrs. Kirk asked what was meant by "other issues". Staff from Greencastle clarified that this meant that West Central Joint Services Cooperative's budget would be larger than a

couple of the school corporations budgets within the Old National Trail Special Education Cooperative.

Dr. Kasamis had a question regarding Item E-13 (the planning district map). If we subtract Mill Creek's numbers from Old National Trail it would take them to 1359 and West Central would become 5890 total special education pupils.

Mrs. Kirk asked about the actual travel times for students. Mr. Marra indicated that this would be a part of the district special guest's presentation.

Dr. Kasamis asked when the last On-Site Program review for these districts occurred. West Central Joint Services was reviewed this past school year. Old National Trail's last On-Site was in the 1993/94 School Year. Neither district was cited on transportation issues.

Mrs. Kirk had a question regarding Item B-27 - there is nothing that would prohibit them from restructuring themselves should Mill Creek withdraw is there? The answer was "No", the remaining districts have the right to restructure themselves however they so choose.

Mr. McKinney asked whether the Council would be able to ask each of the districts specific questions regarding the delivery of services. Mrs. Wodicka indicated that it is her intention that these questions will be addressed in the district's presentation.

A 5-minute break ensued at 9:28 a.m.

Old Business

Dr. Kasamis asked about the Discipline Committee. A draft will be ready for the Council at the December meeting. Mr. Marra also indicated that the State Board is requesting us to address State-wide Assessments. This will be discussed at the January State Board meeting and the February Council meeting.

Restructuring/Re-Organization Meeting

Mrs. Wodicka called the meeting back to order and asked that the Council introduce themselves and then each of the guests introduce themselves and indicate which district they are representing. The guests were: Steve Wittenauer, Superintendent of Cloverdale; Maury Pride, Superintendent of North Putnam; Jim Renz, Superintendent of Greencastle; Jim Peterson, Superintendent of Eminence Consolidated; Earl Williams, Superintendent of South Putnam; Shirley Amond, Director of Special Education West Central Joint Services; Mike Turner Assistant Superintendent of Greencastle; Carolyn Davidson, Director of Special Education, Old National Trail; Brad Valentine, Superintendent of Mill Creek Schools; Glenda Pate, School Psychologist, Mill Creek; Ladora West, Parent, Mill Creek; Don

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Stinson, Assistant Superintendent of Mill Creek; Phil Spears, Principal, East Elementary School at Mill Creek; and John McKinney, Superintendent of Danville.

Dr. Valentine began the presentation and gave an introduction of the individuals who are in attendance on behalf of Mill Creek. He presented the Council and guests with a booklet of handouts regarding Mill Creek's intent to withdraw from Old National Trail Special Education Cooperative.

Dr. Pride gave the next presentation. His district is the LEA for Old National Trail and he gave the Council an overview of the physical make-up of the Old National Trail Special Education Cooperative from the perspective of the LEA. Old National Trail is an agricultural and rural district and he believes that the withdrawal of Mill Creek would severely impact the remaining students within Old National Trail.

Dr. Renz is also the president of the Old National Trail Board of Directors. He gave the Council an overview of the collaborative and cordial relationship he and the other Superintendents have with Dr. Valentine and his employees. Greencastle is the largest corporation within the Old National Trail Cooperative and they share a major number of classrooms with the districts for use with special education pupils. MSD Wayne Township alone (which is part of West Central Joint Services) has more pupils than all districts within the Old National Trail -

including Mill Creek. Size, Services and the Ability to Fund were the criteria initially used when Cooperatives were formed, it is his hope that the Council recognizes this when making their decision.

Mrs. Amond presented on behalf of the Superintendents within West Central Joint Services. She is present to answer any questions the Council may have regarding West Central or the schools within the West Central Joint Services Cooperative.

Mrs. Davidson presented on behalf of Old National Trail Special Education Cooperative and the 6 school corporations which are a part of the Cooperative. She recognized the need for each district to seek out and design their own destiny and respects Mill Creek's desire to reorganize. She discussed mileage and travel times for various programs and her desire to have Danville actually become a part of Old National Trail. She also discussed the difficulty in contracting for related services for the districts throughout the Cooperative (because of the rural make-up of the districts).

Mrs. Dare asked about the transportation/travel time and asked how the Council could be assured that travel time would be reduced. Don Stinson addressed the transportation issue from Mill Creek's perspective. He referenced mileage from various "points" throughout Mill Creek "to" various "points" within West Central as well as families' access

to after school programs. He indicated that all but 3 students whose needs dictate attendance at Sanders School, would attend programs in one of the districts adjacent to Mill Creek but this cannot always be guaranteed. Phil Speers addressed facilities for special needs students within his soon-to-be newly renovated elementary school at Mill Creek (which is based on an inclusion model). Mrs. Kirk brought up her concerns regarding travel time - what time the student must get up to go to school, amount of time on bus, etc. She would like to see numbers of students who travel more than 30 minutes, more than 60 minutes, etc. Mr. McKinney indicated we would need to add the non-special education students' travel time as well - since we need to compare the two travel times. Dr. Kasamis asked whether the re-design of the building was started prior to the discussion of withdrawal from the Cooperative. Dr. Speers indicated that the intent of the re-design was to ensure adequate space for all students - including those which travel in from other districts.

The data which the Council has for Mill Creek had been taken from the December 1, 1995 Child Count. These numbers are no longer accurate. According to Ms. Pate, Mill Creek's Numbers (as of 11-08-96) are:

Preschool	7
LD	99

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Intermediate MiMH	9
Primary Multiple Handicap	6
Intermediate Multiple Handicap	3
Speech	106
Hearing Impaired	6
Students from other school Corporations currently housed at Mill Creek:	
Cloverdale (2 MH, 3 MiMH)	5
Eminence (1 MH, 3 MiMH)	4
Greencastle (2 MH)	2
Out of Home School Placements for Mill Creek Students:	13
Total Special Education Students for Mill Creek:	143
Total CD only:	106
Total all Special Education:	249

A discussion ensued on all sides regarding provision of services within home school corporations. Costs, space (classrooms), personnel, and transportation issues were detailed. The low incidence areas are where the Cooperative structure is necessary. For the most part, the higher incidence areas are or are soon-to-be served within their home school corporation.

Dr. Gousha asked the Superintendents to elaborate about the statement regarding philosophical differences. A discussion from Dr. Valentine regarding the full continuum of placement options and family/community involvement ensued.

Mr. McKinney asked that Mill Creek address the issue/impact of the proposed withdrawal on the

districts they intend to leave behind at Old National Trail. Not just the districts, but also the students and families. And, conversely, the positive changes on the students at Mill Creek as the students at Mill Creek will still be “bused” out of Mill Creek. Dr. Valentine indicated that his district is seeking to find the best way to provide opportunities for their students. He does not believe there will be any negative impact on the remaining students as a result of Mill Creek’s withdrawal. An advantage of their participation with West Central is a reduction in travel time for those students who will need to be sent out of Mill Creek. Mrs. Dare asked if Mill Creek is able to serve their students within their home school corporation, why can they not remain in Old National Trail and still serve the majority of their students at home. Dr. Grimley would like for Dr. Valentine to expand on his judgement that the removal of Mill Creek would not have a negative impact on the students who remain. Dr. Valentine indicated that he arrived at this because the other Superintendents have indicated that they will continue to provide services to students. The Superintendents from Old National Trail disagreed with Dr. Valentine as they believe the fiscal impact will result in a negative impact on the remaining students. The loss of space and resources will ultimately impact the students who remain. For the 13 students it helps at Mill Creek it will result in a negative impact for a far larger number of students who remain in the other districts at Old National Trail. Although Old National Trail will continue on at

its present level, it will not have the opportunity to grow and fully develop other or expansive programs for their students.

Dr. Gousha asked about the tax increase benefits Mill Creek will receive from the building of the amusement park within their boundaries. Dr. Valentine indicated that their best estimation is it will be a couple of years planning and building and Mill Creek will not receive any fiscal benefits until well into the 21st Century. Mill Creek’s current assessed value is 53 million and is expected to go up 4 to 5 % over the next few years - it is guesstimated that the theme park will have will have no substantial impact for 12 to 15 years.

Mrs. West, a parent of a student who resides in Mill Creek addressed the Council. She has indicated that many of the parents with whom she has spoken want to bring their children home to their home school district. Long bus rides are truly a struggle for parents. Mrs. Dare asked whether the parents and/or superintendents have discussed other re-configuration patterns such as reconfiguring both Cooperatives. This might result in a win-win situation for all districts involved.

Dr. McKinney addressed the Council. He is the former Superintendent at Cloverdale and is currently the Superintendent for Danville. He addressed the benefits that his students within Danville would receive from this reorganization.

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Mr. Schmidt asked Dr. Valentine about the Area 31 Vocational Program and why the special education pupils are currently afforded opportunities through this program. Dr. Valentine addressed Area 30 and Area 31 Vocational Programs. Area 30 is basically Old National Trail - excluding Mill Creek and Area 31 is West Central Joint Services - with Mill Creek. Special education students attend the Area Vocational Program in which the school they attend is located. Mr. Schmidt indicated that this is available to their special education students right now - without the reorganization. Dr. Speers indicated that the difficulty lies with those students who are being sent to Greencastle who are Mill Creek students. These are the students who are unable to partake of the Area 31 Vocational Program. However, if Mill Creek brought their students home they would be able to participate in Area 31 - regardless of the decision of the Council.

Mrs. Melsheimer asked whether the Old National Trail Board has conducted some internal problem solving issues regarding service delivery models, options, practices, within the Cooperative. The answer was no, it has not occurred.

Dr. Kasamis expressed his appreciation for the demeanor and presentation style of the Superintendents and Directors. It has been appreciated by the Council. Mrs. Wodicka concurred and indicated that the Council has the student's - all student's - best

interests in mind and will keep this in mind as they deliberate this difficult decision.

The Council adjourned for lunch at 12:10 p.m.

LRE - The Third Wave

Dr. David Mank, Director of the Institute for the Study of Developmental Disabilities ("ISDD") spoke with the Council regarding ISDD's Mission and the booklet: Redesigning Special Education Services for All Students: The Indiana Agenda. Mr. Marra gave the Council some background information on how the booklet came to be written. Dr. Mank gave an overview of the highlights of the booklet. Mrs. Dare concurred with the statements made in the booklet - especially as they pertain to administrative issues. Mrs. Loge expressed concern regarding singling out the principal - she would like to see it read the staff, families and the principal are responsible. Empowerment of families is an integral part for building full service schools.

Mrs. Dare would like to see a segment about Directors. Mrs. Melsheimer indicated that the Directors need to take this document and as an organization determine where they fit into this vision of the future. This document needs to be operationalized by many constituencies. Whatever you define a school as, is it flexible, does it provide x, y, z, etc.?

Dr. Mank and Mr. Marra will

develop a comment sheet on which individuals may send their review of the booklet back to ISDD. Mrs. Melsheimer moved that the Division send this booklet out for comments. Seconded by Mrs. Kirk. Mrs. Kirk commented on the pleasantries of the booklet and what a reader-friendly document it is. Commendations from the Council were sent to Nowanna Nicholson and the "Think Tank". The Council approved the motion. The booklet will be distributed en masse to stakeholders throughout the State.

NASDSE Reauthorization Video

The Division will make copies of the NASDSE Reauthorization video and distribute it to the Council.

Other Business

The next meeting is December 6, 1996 8:30 a.m. at the Embassy Suites North. It is anticipated that the Council will vote on the Old National Trail/West Central Joint Services reorganization at this meeting.

The Superintendents from the State School for the Deaf and the State School for the Blind will be in attendance at the December meeting. We should also have the draft document from the Discipline Committee for the Council to review.

This meeting of the State Advisory Council on Students with Special Needs was adjourned at 3:05 p.m. □

The Special Educator, and Individuals with Disabilities Education Law Report

[*Editor's Note: The following captions reference the Individuals with Disabilities Education Law Report, (IDELR), The Special Educator (TSE), The Early Childhood Reporter (ECR), which are published by LRP Publications.]*

For reference, the reader is reminded that a set of IDELR and ECR volumes is maintained in both the Division and ISEAS offices. Issues of The Special Educator newsletter are provided by subscription through ISEAS for each special education planning district in Indiana.

Individuals With Disabilities Education Law Report

Volume 25, Issue 5

March 20, 1997

Judicial Decisions . . .

District's Identification and IEP Were Proper. **Roy A. and Anne A. ex rel. Matt A. v. Valparaiso Community Sch.**, 25 IDELR 413 (N.D. Ind. 1997). – Indiana.

Contrary to parents' arguments, a school district properly identified a student, and provided an appropriate IEP for the student. Background. . . The parents of a student with a disability sought reimbursement for his unilateral private school placement and an order calling for his continued private placement.

District Not Required To Make Manifestation Determination Where Student Had Not Been Identified As Disabled, but Nonetheless Found No Connection. **In Re Brown v. Metropolitan Sch. Dist. of Lawrence Township**, 25 IDELR 393 (S.D. Ind. 1996). – Indiana

Where a student with diabetes was expelled for possession of an instrument containing a knife but had not been identified as a special needs student, the district was not required to consider whether the student's aggressive behavior was related to her high blood sugar level at the time of the incident. In any event, the school board made a finding that there was no connection between the misconduct and the student's medical condition. □

FEDERAL UPDATE . . .

■ **Highlights From the 1997 OSEP Leadership Conference** — Among the sessions at the OSEP Leadership Conference, April 1-14, 1997, were the following:

REPORT ON THE WING-SPREAD CONFERENCE ON THE IEP: This 1996 conference was sponsored by the National Association of State Directors of Special Education. Participants included policy makers, direct service providers, and parents. The

conference goal was to look at the Individualized Education Program (IEP) to enhance its value for instruction and accountability. The outcome document provides a summary of the conference process, as well as its 31 recommendations for improving the value of the IEP as it relates to student accountability. Follow-up will include a meeting in Washington, DC, June 17 and 18 for state personnel interested in pursuing strategies for implementing the recommendations of the report.

URBAN AND BILINGUAL ISSUES IN SPECIAL EDUCATION: David Riley, Director of the Urban Special Education Leadership Collaborative, began the session by introducing five "hot" issues in urban education, as generated by participants from urban districts across the United States:

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FEDERAL UPDATE . . . continued from page 21

1. STANDARDS AND ACCOUNTABILITY MOVEMENT: What will the institutional response be when children in both general and special education fail the statewide assessments?

2. PROFESSIONAL DEVELOPMENT: Training in general and special education needs to be aligned.

3. PARENTAL ENGAGEMENT/EXPECTATIONS: Implications of parental expectations are supported in recent research.

4. COLLABORATION: It is necessary to work more effectively across agencies and professions.

5. EQUITY: What is equity? How do we deal with issues of race, class, and so on?

Rick Lopez (Office of Bilingual Education and Minority Language Affairs) addressed concerns related to children who are bilingual or who have limited English proficiency. While there are problems with identification of students, other

areas of importance were discussed, such as the difficulty in finding appropriate assessments for these students, recruitment and retention of staff, and inappropriate services once students are placed.

Ruth Ryder, of OSEP, added to the list of concerns in urban districts: high poverty, space problems, limited budgets, and large numbers of transient children with subsequent “missing” IEPs.

MULTI-SYSTEM COLLABORATION: This session shared information regarding several efforts at multi-system collaboration at the local, state, and regional levels. Carl Smith (Mountain Plains Regional Resource Center) suggested that there are at least six barriers to multi-system collaboration, including:

- * Sustaining efforts beyond initial excitement;
- * Creating efforts that transcend and outlive personalities and specific people;
- * Creating self-sustaining efforts;
- * Creating efforts beyond our

competencies;

- * Getting a broader pool of people to talk about collaboration;
- * Realizing that some personal characteristics, such as integrity and honesty, are often more important than most specific collaborative techniques.

Sandy Schmitz, consultant with the Iowa Department of Public Instruction, shared information about the Iowa Behavioral Initiative, a school improvement systems-change initiative implemented through the collaborative efforts of the Iowa Department of Public Instruction, Mountain Plains RRC, area education agencies, local school districts, families and communities. The project is systems-focused and tries to build systems to prevent social, emotional, and behavioral challenges, and to create and design systems which can intervene early.

SOURCE: GTE INS Federal newsgroup posting on Indiana SECN 4/7/97.

ANNOUNCEMENTS

Conference Sessions and Content — The 1997 WrapAround Conference offers abundant opportunity to learn the principles, skills, and strategies of the WrapAround planning process. While WrapAround planning may not be appropriate for all students,

it’s principles are important and can be used to enhance community collaboration. This year’s conference is built on the idea that Indiana’s human services and communities are in various stages of systems change. With this in mind, ample session selections

featuring skills and information are offered throughout the day-long conference. Content areas are relevant and designed to address



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issues identified by those directly involved “on the front lines” through the combined efforts of Indiana’s Child Service Coordinators, the Indiana Council for Children with Behavior Disorders, and the Indiana Juvenile Justice Task Force in concert with the Conference Host, HDB, inc.

This year’s WrapAround Conference includes two types of session formats. There are short (40-55 minute) “info-sessions” focused information related to collaborative planning, strategies, and current initiatives. For instance, “info-session” topics include:

- organizing community collaboration
- what we can learn from business teams and customer satisfaction
- transition planning and WrapAround
- the judicial perspective of collaborative planning
- and the state of state agency collaboration

The second session format is the longer (90 minute) “How-to session.” These sessions are designed to build the skills needed for WrapAround planning. These skills include:

- team-based decision making
- achieving consensus within a team
- developing community collaboration
- using strengths discovery as the foundation for planning
- and building effective team relationships

There are two added bonuses at the Conference this year. One bonus is the Indiana Council for

Children with Behavior Disorders Annual Fall Workshop. **InCCBD** plans a morning dedicated to first and second year general and special education teachers and their mentors. The Workshop is offered concurrently with WrapAround Conference morning sessions so that participants can take advantage of the best of both worlds: InCCBD support of their unique needs and afternoon sessions of the WrapAround Conference ! The other bonus is a **special post-conference symposium (3 hours)** especially for paraprofessionals or direct-caregivers, those people who actually carry out the WrapAround or community-based plans made by Child and Family teams ! This session begins in the late afternoon and features information as well as hands-on activities to build communication and skills.

Conference location, atmosphere, and cost

The 1997 WrapAround conference is hosted by HDB, inc., the company that brought you the original informational play, *Shakespeare on WrapAround*, premiered in Brown County last year. HDB, inc is determined to not only bring important information to Indiana, but to do it in a relaxed atmosphere that encourages networking, discussion, and connections among people. After all, even the best plans rely on people-to-people relationships for success !

HDB, inc. chose the Best Western Waterfront Hotel and Conference Center for this year’s conference site for several reasons. First, the Center is just off I-465 on Indianapolis’ Westside and easily

accessible to out-of-towners. Second, the domed indoor pool and atrium is the perfect setting for the Conference hub. The area (as well as the Hotel’s English Pub) invites conversation and relaxation. All registration, exhibitors, and breaks will be held in the atrium, under the trees next to the pool ! In keeping with the entertaining tone set by *Shakespeare* at last year’s conference, the Conference opening session provides WrapAround information and inspiration through a most delightful medium: an original game show. You never know who may appear on the show...so be ready for surprises, door prize drawings, and other delights !

Another feature added this year is The WrapAround Info-line, a special voice message service provided by HDB, inc. Currently, the Info-line offers general information about the Conference. Following the conference, the Info-line will be available year round as a source of information, for questions or comments, and as a networking resource for those already involved, or interested in getting involved, with WrapAround planning in Indiana. The WrapAround Info-line number is (317) 592-9296.

It’s easy to see that flexibility and affordability are built into the Conference fee schedule.

All-day WrapAround Conference ——— \$ 45.00
(includes lunch, breaks, day sessions & evening symposium)

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InCCBD Fall
Workshop ————— \$ 35.00
(lunch not included)

Post Conference
Symposium ————— \$ 20.00
Advance registration due by
June 30, 1997; Pre-registration by

September 8, 1997.

A block of specially priced rooms will be held for conference participants on a first-come, first-served basis. Participants must call the hotel directly to reserve rooms at the WrapAround Conference rate of \$53.00.

Make plans early to attend, or for others to attend, the 1997 WrapAround Conference

Look for more information and registration forms in the mail during May and again in August. □

RESOURCES

The National Family — A new organization, called The National Family for the Advancement of Minorities with Disabilities, is publishing a newsletter.

For information, contact: Dr. John McLain, P.O. Box 31208, Omaha, NE 68131-0208.

Office for Civil Rights Issues Sexual Harassment Guidance

— The Office for Civil Rights (OCR) has issued a final document titled "Sexual Harassment Guidance." Sexual harassment of students is prohibited by Title IX of the Education Amendments of 1972 under the circumstances described in the Guidance.

The Guidance provides educational institutions with information regarding the standards that are used by OCR, and that institutions should use to investigate and resolve allegations of sexual harassment of students engaged in by school employees, other students (peers), or third parties.

To request a copy of this guide, you may:

* See the Federal Register for March 13, 1997, pp. 12034-51, or

* Call OCR's Customer Service Team at 202/205-5413 or toll-free at 1-800-421-3841, or

* See OCR's Internet site at: URL <http://www.ed.gov/offices/OCR/ocrpubs.html>

Confidentiality and Collaboration: Information Sharing in Interagency Efforts

— This report argues that confidentiality rules are neither an impenetrable to interagency collaboration nor something that can be casually disregarded. It examines what people around the country are doing to develop means of exchanging information that are effective and practical yet still respect children's and families' legitimate rights to privacy.

The cost is \$6 plus \$3 for shipping. Product No. AR-92-1; 54 pages. If you work for a state

or local agency, please call 303-299-3692 for special pricing.

CONTACT: Distribution Center, Education Commission of the States, 707 17th Street, Suite 2700, Denver, CO 80202-3427; fax 303-296-8332.

Your Future Career in

Education — This booklet was developed by students and for students. Intended readers include middle school, high school, and college/university students who are interested in the basics about education careers. The booklet is especially suitable for use in Future Educators of America clubs for students.

Published in 1996; 62 pages, saddle stitched. \$7 plus \$3.00 for shipping. (A set of ten copies may be purchased for \$50 plus shipping costs.)

CONTACT: Phi Delta Kappa International, P.O. Box 789, Bloomington, IN 47402-9961; email: kappan@pdkintl.org □



Internet emoticons

You can't wink or wave your hands for emphasis on a computer, so when words fail, Internet users turn to emoticons, also known in the trade as smileys.

Want to show you're happy? Just :-). Angry? Hit 'em with a :-(.

You have to read sideways to see what's really going on here.

But before you start using these as a substitute for too many words, remember that many longtime Internet users consider smileys to be an admission of poverty of language.

:-) smile or grin.	:-(# user wears braces.
;-) wink, light sarcasm.	:-O user has a mustache.
:-1 indifference.	-:-) user is a punk rocker.
:-(frown, anger or displeasure.	:-1/ dunce.
:-D shock or surprise.	:-7 tongue sticking out.
:-/ perplexed.	:-I with a straight face.
8-) user wearing sunglasses.	:-\$ put your money where your mouth is.

Source: New York Times