



# IMPACT

1884 Como Avenue ~ St. Paul, MN 55108 ~ Phone: 651-645-6272 ~ Fax: 651-645-7518 ~ Email: members@mnasa.org

Spring, 2012

## Working Towards a Shared Vision

by *Melissa Schaller*  
2011-12 MASE President and  
Director of Special Education  
Intermediate School District 917

As education leaders, our priority is ensuring all students make progress. Often time that priority gets lost in all the requirements that accompany special education. In order to make our priorities clear to our legislators, community members, parents and other educators, MASE reformed its legislative platform to have a greater emphasis on the students we serve. MASE legislative efforts focus on improving student outcomes, emphasizing evidence based practices and increasing educational efficiencies. Our work now is to continue to maintain a positive focus on all of those areas as we move through the legislative session. As always, this does mean that we will continue to address a number of issues. Most notably, action is being taken to reduce mandates and also to continue the use of prone holds as part of the restraint and seclusion statute.

Recently the Minnesota Department of Education released its legislative report: *The Use of Prone Restraint in Minnesota Schools*. You can find the report on the front page of the Compliance and Monitoring page of the MDE Web site (MDE> School Support>Special Education Programs>Compliance and Monitoring). This is an important document that impacts us all. Please be sure to review it and pass any input along to your MASE regional representative. Before this article is published, testimony will be heard on proposed changes to the statute. MASE will be represented. For ongoing

updates, please be in touch with your regional representatives.

As we move forward with our legislative work, the story of the elephant and the blind men, referenced by Deb Wall in an article she wrote for this newsletter in spring 2008, comes to mind. There are many versions of the story but in a nutshell each man touches a different part of the elephant. When notes are compared, there is complete disagreement. While we all may have a different perspective based on our position or the field we represent, our success is dependent on working together, understanding varied points of view and working towards a shared vision. This is my focus moving forward this spring.



Melissa Schaller

**Shared Vision...**  
**Continued on Page 3**

### inside ...

<b>The Prone Restraint Debate .....</b>	<b>2</b>
<b>Conference News .....</b>	<b>4</b>
<b>Guidance for Considering ESY Services .....</b>	<b>5</b>
<b>MASE Membership .....</b>	<b>7</b>
<b>MN Services for Infants/Toddlers with</b>	
<b>Disabilities Oral History .....</b>	<b>9</b>
<b>The Speed of Reauthorization .....</b>	<b>11</b>
<b>MASE Calendar .....</b>	<b>12</b>

## The Prone Restraint Debate

by **Brad Lundell**  
**MASE Lobbyist**

We've almost reached the halfway point in the 2012 Legislative Session and things are starting to shape up a bit. The best news of the session to this point was the February revenue forecast, which showed a \$323 million uptick in the state's revenue situation. \$318 million of the increased revenue in the forecast goes directly toward buying back the school aids payment shift which was increased dramatically as part of the deal that closed the special session last July. While no additional revenue will go to school districts' bottom lines as a result of this action, the borrowing costs incurred by school districts to meet cash flow needs will be slightly reduced.

The education-related committees in both the Senate and House have been hearing a number of bills, many of which were approved last session but were not part of the final package. Initiatives like the A-F grading system for schools, scholarships for low-income students in failing schools that can be used at private schools, and the elimination of teacher tenure have all been discussed, with the teacher tenure changes likely to reach the Governor's desk as a separate bill. Whatever the fate of the tenure bill (also known the repeal of "last in/first out"), it certainly has evoked a very interesting discussion that will likely shape change if not now, in the future.

Things have been relatively quiet on the special education front, but that will likely change as the session wears on. One issue that is receiving attention is the proposed extension of the elimination of the use of prone restraint. As many of you recall, the Minnesota Department of Education determined that prone restraint was not allowed in its reading of the seclusion and restraint language that was passed in 2009. In the wake of that decision, the Legislature passed a provision last session that extended the allowable use of prone restraint for an additional year and commissioned the Minnesota Department of Education to assemble a report

mapping the number of incidents of prone restraint. The department report also contains a number of recommendations as to how the restraint and seclusion system can be safer without surrendering the protection for students and staff the system provides.

While many, perhaps most, of the special education community (on both sides of the equation) understands the need to extend the allowable use of prone restraint for another year, support is not unanimous. Several members of the advocacy community believe that use of prone restraint should be banned and banned immediately. The primary reasons for their opposition to prone restraint are the perception that it is dangerous and that it does not do anything to change student behavior. I don't think there is any doubt that prone restraint is a method, if not of last resort, that staff uses only if it is absolutely necessary. As for the contention that prone restraint does not change student behavior, that is not the reason for employing it. Prone restraint is employed to momentarily subdue a student whose behavior is threatening their safety or the safety of other students and staff. To contend that its use does not change behavior is a classic "apples and oranges" comparison.

Another angle in the discussion that does not receive enough attention is what would happen in the absence of prone restraint? Would more students currently in school settings be homebound instead? Would districts resort to simply using the "reasonable force" portion of special education law—which does not require either training or reporting—instead of prone restraint?

It would be hard to believe the advocacy community would tolerate a system which would provide students with arguably less protection

**Prone Restraint...**  
**Continued on Page 3**

**IMPACT  
Spring, 2012**

IMPACT is a publication of the Minnesota Administrators for Special Education,  
© copyright, MASE. No endorsement of products or services is intended.  
Send materials to be considered for publication to:

**Mia Urick**

Director of Professional Development  
1884 Como Avenue • St. Paul, Minnesota 55108  
(651) 645-6272 • FAX (651) 645-7518  
urickm@mnasa.org

**2011- 2012 Board of Directors**

President

**Melissa Schaller**

Director of Special Education, Intermediate School District 917

President Elect

**Jill Skarvold**

Director of Learner Support Services, Moorhead Area Schools

Past President

**Scott Hare**

Director, Belle Plaine Schools

Secretary

**Julie Ladwig**

Director of Special Education, Waseca Schools

Treasurer

**Lori Fildes**

Director of Special Services, Wayzata Schools

Area A

**Julie Aumock (2008-12)**

Assistant Director, Area Special Education Cooperative

Area B

**Reggie Engebretson (2008-13)**

Director, Northland Special Education Cooperative

Area C

**Todd Travis (2011-12)**

Director of Special Education, Midwest Special Education Coop

Area D

**Gaynard Brown (2011-13)**

Director of Special Education, Paul Bunyan Education Coop

Area E

**Tammy Stahl (2011-12)**

Director of Special Education, SW/WC Service Coop

Area F-1

**John Klaber (2007-13)**

Director of Special Education, Mankato Area Schools

Area F-2

**Cheryl Johnson (2010-12)**

Executive Director, Goodhue County Education District

Area G

**Karon Joyer (2009-13)**

Director of Special Services, North St. Paul-Maplewood-Oakdale Schools

Area H

**Eric Melbye (2010-12)**

Director of Special Education, Carver-Scott Educational Cooperative

MASA Component Group Representatives

**Darren Kermes (2011-14)**

Executive Director, MN River Valley/Carver Scott Education Coop

**Nan Records (2009-12)**

Director of Special Education, Sherburne-North Wright Special Education Coop

National CASE Liaison

**Kim Gibbons (2010-12)**

Director of Special Education, St. Croix River Education District

Minnesota CEC Representative

**Jeff Jorgensen (2011-12)**

Director of Special Services, South Washington County Schools

**IMPACT** is your newsletter and we encourage your input! If you have ideas or an article to share, please contact us at the MASE offices—651/645-6272 or email us at [aranallo@mnasa.org](mailto:aranallo@mnasa.org).

## Shared Vision ... Continued from Page 1

This spring the board will take action on a revision of our bylaws related to membership categories. You will have the opportunity to vote on bylaw changes as well as officer candidates electronically for the first time. Also look for information about Best Practices – it is a good time to recharge and refocus! As your MASE president, I look forward to representing MASE as we work on so many important areas that make a difference for students!

---

## Prone Restraint ... Continued from Page 2

and not require staff be trained in ways to intervene safely in tense situations involving violent students.

The fate of this, and other education issues, remains to be seen. I will keep you posted of happenings around the Capitol. Don't hesitate to contact me if you have any questions. I can be reached at 612-220-7459.

**SAVE THE DATE!!**  
*From the creators of Ruth's Table...*

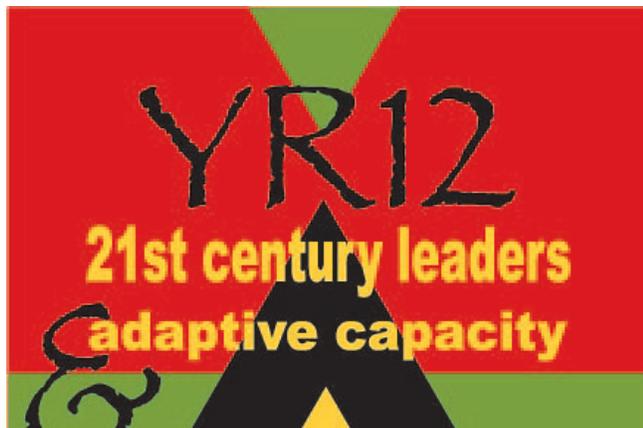


**Wednesday Evening – Friday Noon**  
**July 25 – 27, 2012**  
**Ruttger's Sugar Lake Lodge**  
**Grand Rapids, MN**

MASA and MASE Members ~

Register to attend the

2012 MASA/MASE Spring Conference!



**MASA/MASE 2012  
Spring Conference  
Year Twelve ~ 21st Century  
Leaders & Adaptive Capacity**

**Thursday - Friday, March 15-16  
at the Doubletree by Hilton -  
Minneapolis South**

*Our theme this spring enhances the conversation we began in the fall ...*

*School leaders have long been talking about and working toward twenty-first century readiness for our students and our organizations. Now that we are twelve years into the twenty-first century, we understand that while we all want the very best education for our students, we do not all agree on how to define excellence. And while we are trying to get a handle on that, globalization and technology create dramatic, persistent change that will in turn require us to once again redefine our goals. Our complex world requires leaders who are able to build organizations that have capacity to respond to rapid change in flexible and adaptive ways. Last fall, we explored adaptive leadership from the perspective of the organization. This spring, join your colleagues and continue our conversation as it regards the individual, exploring leadership that establishes agile, responsive systems that provide the best for our twenty-first century students.*

**THANK YOU TO OUR MAJOR  
CONFERENCE SPONSORS:**

**Johnson Controls, Inc. and  
National Joint Powers Alliance**

## PRELIMINARY PROGRAM

### Thursday, March 15

- 7:00 Registration Open
- 7:30 – 8:30 Continental Breakfast in the Exhibit Hall
- 7:30 – 2:30 Exhibits and Silent Auction Open
- 8:30 – 10 General Session
  - Awards:** Superintendent of the Year  
Special Education Administrator of the Year  
Outstanding Central Office Leadership Awards
  - Speaker:** Ray Kelly, Assoc., Lennick Aberman Group
- 10 – 10:30 Break in the Exhibit Hall
- 10:30-11:30 Breakout Sessions
- 11:30-12:30 Lunch and Program
  - Awards:** MASA Administrators of Excellence  
Retiree Recognition
  - Speaker:** Gary Amoroso, MASA Executive Director
- 12:30 – 1 Dessert Reception in the Exhibit Hall
- 1 – 3:30 PR Counselors on Call
- 1 – 2 Breakout Sessions
- 2 – 2:30 Break in the Exhibit Hall and Prize Drawings
- 2:30 – 3:30 Breakout Sessions
- 3:30 – 5 Leaders' Reception
  - Awards:** Kay E. Jacobs Memorial Award  
New Special Education Leader Award
  - Speakers:** Meet the MASA and MASE Officer Candidates

### Friday, March 16

- 7 – 9 Breakfast Buffet
- 8:30 Registration Open
- 9 – 10:30 General Session
  - Awards:** MASA Distinguished Service Award  
MASE Distinguished Service Award  
MinnSPRA Leadership in Communications  
MASA Richard Green Scholar Announcement
  - Speaker:** Annie McKee, Founder, Teleos Leadership Institute
- 10:30 – 10:45 Break
- 10:45 – 12 General Session
  - Workshop:** Ray Kelly, Assoc., Lennick Aberman Group, Facilitator

**SAVE THE DATE!**

**2012 MASE**

**Fall Leadership Conference**

**Oct. 24 ~ 26, 2012**

**Cragun's Resort, Brainerd**

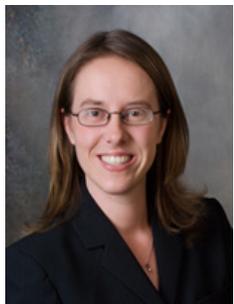
## Guidance for Considering Extended School Year Services



Nancy Blumstein

*by Nancy E. Blumstein, Attorney and Erin E. Ische, Attorney Ratwik, Roszak & Maloney, P.A.*

With spring fast approaching, it is a fitting time to review the requirements for providing extended school year (“ESY”) services, including the criteria for determining whether a special education student qualifies for those services. IEP teams should gather soon if they have not already discussed eligibility for ESY services this summer.



Erin Ische

ESY services are special education and related services provided beyond the normal school year in accordance with the child’s individualized education program (“IEP”), at no cost to the parents of the child. See 34 C.F.R. § 300.106(b). “The purpose of ESY is to maintain performance on the student’s IEP goals and to prevent the significant regression of students with disabilities often experience in the absence of continuous educational programming.” See *Reinholdson v. School Board of Independent School District No. 11*, 2005 WL 1819976, \*10 (D. Minn. 2005). School districts must ensure that ESY services are available as necessary to provide children a free appropriate public education (“FAPE”).

The applicable requirements for ESY services in Minnesota are set forth in both federal regulation and state rule. To that end, 34 CFR § 300.106 requires school districts to ensure that each student’s IEP team determines annually and on an individual basis whether ESY services are necessary for the student to receive FAPE. In making this determination, IEP teams

are prohibited from limiting ESY services to students under certain disability classifications. *Id.* Similarly, school districts are forbidden from unilaterally limiting the type, amount or duration of those services. *Id.* Minnesota Rule 3525.0755 provides school district more detailed guidance regarding the requirement of providing ESY services and the criteria used to determine eligibility for ESY services. Specifically, that Rule requires that school districts provide ESY services to a student “if the IEP team determines the services are necessary during a break in instruction in order to provide a free appropriate public education.” Minn. R. 3525.0755, subp. 1. Further the Rule requires that, at least annually, IEP teams must determine whether a student requires ESY services and states that this requirement is met if the IEP team determines the presence of one of the following three conditions:

- A. There will be significant regression of a skill or acquired knowledge from the pupil’s level of performance on an annual goal that requires more than the length of the break in instruction to recoup, unless the IEP team determines a shorter time for recoupment is more appropriate;
- B. Services are necessary for the pupil to attain and maintain self-sufficiency because of the critical nature of the skill addressed by an annual goal, the pupil’s age and level of development, and the timeliness for teaching the skill; or
- C. The IEP team otherwise determines, given the pupil’s unique needs, that ESY services are necessary to ensure the pupil receives a free appropriate public education.

Minn. R. 3525.0755, subp. 3.

**ESY Services ...  
Continued on Page 6**

## ESY Services ... Continued from Page 5

The decision regarding whether a student qualifies for ESY services is one for the IEP team to make. Specifically with regard to ESY services, the IDEA vests IEP teams, not parents, with the authority and obligation to determine whether such services are necessary. 34 C.F.R. § 300.106(a)(2). As the Minnesota Court of Appeals has held, the “provision of ESY services is not predicated on a parent’s request for such services.” Independent School District No. 281 v. Minnesota Department of Education, 743 N.W.2d 315, 326 (Minn. Ct. App. 2008). Thus, an IEP team’s decision regarding educational services, including ESY services, can be appropriate, even if the parent disagrees with it.

However, it is important that IEP teams do not make blanket statements regarding the ESY services offered by the school district. Teams must also consider a parent’s reasons for wanting ESY services for his or her child, even if the team is fairly certain that the student will not qualify for ESY services. IEP teams should keep detailed notes of the team’s discussion regarding ESY services, including notes regarding the team’s review of the parent’s ideas and his or her reasoning behind them. Moreover, information regarding the team’s ESY decision must be included in the prior written notice provided to the parents. Buffalo Lake-Hector Independent School District No. 2159, 55 IDELR 85 (SEA MN 2010). This dialogue and documentation thereof will go a long way in defending against any complaints brought by a parent that the team unilaterally denied or limited ESY services.

When analyzing a student’s eligibility for ESY services under any of the three conditions set forth in Rule 3525.0755, subpart 3, the IEP team must decide the basis for determining the student’s eligibility using information including:

- A. Prior observation of the pupil’s regression and recoupment over the summer;
- B. Observation of the pupil’s tendency to regress over extended breaks in instruction during the school year; and
- C. Experience with other pupils with similar instructional needs.

Minn. R. 3525.0755, subp. 4.

In addition, when determining eligibility for ESY services, the IEP team must also consider the following factors, where relevant:

- A. The pupil’s progress and maintenance of skills during the regular school year;
- B. The pupil’s degree of impairment;
- C. The pupil’s rate of progress;
- D. The pupil’s behavior or physical problems;
- E. The availability of alternative resources;
- F. The pupil’s ability and need to interact with nondisabled peers;
- G. The areas of the pupil’s curriculum which need continuous attention; or
- H. The pupil’s vocational needs.

Minn. R. 3525.0755, subp. 5.

Unless the IEP team determines a shorter time for recoupment is more appropriate, a student is eligible under the first of the above conditions if it is shown that the student will not regain skills lost over the several weeks of summer break after attending school for the same number of weeks in the fall. For instance, if a summer break is thirteen weeks long, a student would be eligible for ESY if it was shown that he or she would not regain skills lost over the summer after attending school for thirteen weeks in the fall.

When considering whether a student is eligible for ESY services under the second of the above conditions, IEP teams must consider a student’s need for ESY services in order to attain and maintain self-sufficiency – that is whether the student’s absence from instruction over the summer would prevent progress on goals that are critical to obtaining an appropriate education.

**ESY Services ...  
Continued on Page 8**

# MASE Membership -- Your Professional Organization

by Cheryl Johnson  
 Executive Director  
 Goodhue County Education District

MASE is organized to promote professional leadership, provide the opportunity for study of problems common to its members, and to communicate, through discussion and publications, information that will develop improved services for exceptional children. Further, its purpose is to foster high quality programs of professional development for members, to make studies of selected programs that relate to services to children with disabilities, improving the leadership of administrators for special education and to be active in the legislative process.

Like any other group of professionals, we're always looking to build our professional networks, find career advice, and uncover new resources and ideas. One way to further these goals is through becoming a member of MASE. MASE membership not only provides a value to you the individual, but also should enhance or maximize your performance.

Getting the most out of any professional association membership is like anything else in life – you're going to get out of it as much as

you put into it. Fortunately there are some easy steps that you can follow to ensure that your association membership is a success. Being a part of a professional membership organization adds up to more opportunity for you and your career development. Some advantages of a MASE membership include: professional networking, opportunities to attend conferences and workshops, website access, and resources.

Recently in order to better meet the demographics of its membership, the MASE Membership Committee evaluated and recommended combining the Associate and Service categories of MASE membership. The combined category will retain the name Associate Membership. No change in benefits for members in these categories will occur. The MASE Board also approved keeping the current membership dues unchanged for 2012-2013.

In closing, the purpose of MASE is improving the leadership of administrators for special education. The organization is there to serve you. It is your organization.



*Plan to attend the  
 2012 Best Practices Conference  
 May 2-4, 2012 at  
 Madden's Lodge, Brainerd*

### New This Year!



As MASE continues to reduce our carbon footprint, this year's elections will be conducted online.

Electronic ballots will be emailed during the week of March 19th. Be sure to watch your email for your login information!

For our retired members who do not have email access, we will be using traditional ballots.

Ballots need to be completed by Friday, April 13th.

## ESY Services ... Continued from Page 6

As set forth in Rule 3525.0755, subpart 2(D), in order for a student to “attain self-sufficiency,” a student must maintain skills consistent with the student’s IEP goals in one or more skill areas set forth in the Rule, including: “(1) basic self-help, including toileting, eating, feeding, and dressing; (2) muscular control; (3) physical mobility; (4) impulse control; (5) personal hygiene; (6) development of stable relationships with peers and adults; (7) basic communication; or (8) functional academic competency, including basic reading and writing skills, concepts of time and money, and numerical or temporal relationships.” Minn. R. 3525.0755, subd. 2(D).

As the above conditions set forth in Rule 3525.0755, subpart 3, indicate, ESY services should not be provided for the sole purpose of maximizing a student’s learning. Often times a parent may seek ESY services to maximize his or her child’s learning, when the child does not require ESY based on any of the above eligibility criteria. Broadening the eligibility criteria beyond the above conditions can lead to problems for a school district in the future. While it may seem like a good idea to offer a student ESY services at a parent’s request simply as a conciliatory gesture or in order to build trust with a parent, providing ESY services to a student who does not meet the appropriate criteria, can lead to problems later on by creating an expectation that ESY services will always be provided to the student. In addition, by broadening the eligibility criteria for one child, other parents may expect the same broadened criteria to apply to their children as well.

Similarly, it is a mistake for IEP teams to offer ESY services based on a parent’s condition or inability to provide care and support for the child during the summer. For example, it is not appropriate for a school district to consider a parent’s health or stamina during the summer months when deciding whether ESY services are appropriate for a child. Basing a determination regarding ESY services on anything other than a student’s needs under the conditions set forth in Rule 3525.0755 will likely lead to the parent expecting the same altered criteria to be followed in the future.

In sum, it is important for school districts to understand the requirements regarding the provision of ESY services to students and to communicate those requirements clearly to parents in IEP meetings. IEP team members should, however, keep an open mind in IEP meetings and listen to parents concerns. Detailed documentation of IEP team discussions regarding ESY services, including the team’s consideration of parent concerns and proposals, must be maintained by the School District.

RRM: 161252

### *Congratulations!*

**Nan Records,**  
2012 MASE  
Special Education  
Administrator of the  
Year

**Tammy Stahl,**  
2012 New Special  
Education Leader  
Award



Both of these individuals are representatives of the leadership excellence found in MASE members: the willingness to risk, strong communication skills, a progressive change agent and high expectations for self and others, and their commitment to shaping policies and practices which impact the quality of education for children with disabilities.

Nan and Tammy will be honored at the 2012 MASA/MASE Spring Conference.

**MASE builds strong leaders  
who work on behalf of  
students with disabilities.**

— Mission approved by the MASE  
Board of Directors, June 2008

# MN Services for Infants/Toddlers with Disabilities Oral History

by *Norena Hale*

MASE has received a new Legacy “fast track” grant funded through the Minnesota Historical and Cultural Heritage Grants. The grants were created with the passage of the Clean Water, Land and Legacy Amendment to the Minnesota Constitution in November 2008 and they are awarded to support projects of enduring value for the cause of history and historic preservation across the state.

The Minnesota Historical Society is a non-profit educational and cultural institution established in 1849. Its essence is to help illuminate the past as a way to shed light on the future. The Society collects, preserves and tells the story of MN’s past through museum exhibits, libraries and collections, historic sites, educational programs and book publishing.

## **Project Description**

In 1984, Minnesota legislators lowered the age to three and in 1987 it mandated special education, health, and human services for infants and toddlers with disabilities and their families beginning at birth. The 1987 law also created state and local interagency early learning committees for planning and coordinating those services for infants and toddlers with disabilities and their families across Minnesota. Minnesota became, and remains to this day, one of just six states with mandated cross agency services beginning at birth and its model impacted the creation of federal legislation (Part H, IDEA) in the early 1990s. These efforts remain models for interagency coordination between local and state special education, health, and human services both in Minnesota and across the nation.

This project will provide opportunities to document an oral history of how seven to eight leaders in special education, human services, and health services in Minnesota were involved in making those policy and service changes.

## **Need and Rationale**

Early special education state laws allowed for the reimbursement of salaries for services to infants and toddlers with disabilities and their families. Because the law was permissive, some infants and toddlers were institutionalized, some remained at home without services, some received charity services - most received very limited services until they reached school-age - often too late to impact their growth and development. In 1982 only 400 children under the age of three were receiving early childhood special education services (1982 P.L. 94-142 child count).

In 1959, the definition included: “School age means the ages of four years to 21 years for children who are deaf, blind, crippled or have speech defects; and five years to 21 years for mentally retarded children....” (1959, M.S. 120.17). In 1984, the mandated age was lowered from four to three and the definition of disabilities was amended as follows: “Every child who... [is deaf, hard of hearing, blind, partially seeing, crippled or who has defective] ...has a hearing impairment, visual handicap, speech or...[who is otherwise physically impaired in body or limb so that he]...or language impairment, physical handicap, other health impairment, mental handicap, emotional/behavioral disorder, specific learning disability, or deaf/blind handicap and needs special instruction and services,... [but who is educable,] ...as determined by the standards of the state board, is a handicapped child.” (1984, M.S. 120.03, words in [ ] were deleted) In 1987, the definition lowered mandated services to birth as follows: “every child under age five who needs special instruction and services, as determined by the standards of the state board, because the child has a substantial delay or has an identifiable physical or mental condition known to hinder normal development is a handicapped child.” (1986, M.S. 120.03).

**Oral History ...  
Continued on Page 11**

## The Speed of Reauthorization

**Barbara L. Troolin**  
**Director of Special Education**  
**Minnesota Department of Education**

Or not. Previous processes for reauthorizing the Elementary and Secondary Education Act (ESEA) were certainly not without controversy or delay, but they moved much more quickly than the current one. Today’s process feels like planning a trip. Expect some travel hassles and some change in the itinerary. Of course, delays are just part of the journey.

The current effort to reauthorize ESEA (currently known as No Child Left Behind) seems to make it into the Congressional conversations for a bit, then take a back seat. The 2002 law expired in 2007 and with no agreement on the shape reauthorization should take, Congress has extended the law several times while debating provisions of the law. Over the last few years, federal officials have held many public meetings and have received much feedback on the challenges of the current law. While some would like to light a match to the pile of legal requirements, others embrace the accountability while seeking greater funding flexibility and more state decisions.

In January, the House Republicans released two draft bills in the House Education and Workforce Committee. Those bills generally lessen the federal role in state and local K-12 education. In scaling back the federal role the drafts would, for example, eliminate the current school transfer and tutoring requirements. Also, funds for class size reduction would be limited. Examples of what would be generally retained would be the testing schedule- except for science- and the homeless provisions.

An addition would be to require teacher evaluations to be partially based on student outcomes. The House proposal would provide more funding flexibility for districts that want to target funds for certain populations, like English

Language Learners. Overall, there would be more state accountability with remedies for schools not making progress.

On the Senate side, a bill passed out of the Health, Education, Labor and Pensions Committee with bipartisan support last fall. Overall, the Senate bill, like the House draft, also eliminated the school transfer and tutoring requirements. College and career standards would be an aim of the Senate bill as would a state plan to target the 5 percent of schools with persistent achievement gaps.

While the debates continue, the current federal administration is offering states a “waiver” for state flexibility. As one of the first 10 states granted a waiver, Minnesota has been asked to figure out a plan for the 5% of Title I schools that are the lowest-performing as well as the 10% that are contributing the most to the state’s achievement gap. The waiver frees Minnesota from act’s goal of having all students meet national proficiency standards by 2014, and penalties against schools not making adequate progress in exchange for a newly developed accountability model.

Minnesota Title I schools could be placed into one of several categories, based on performance measures like graduation rate and reducing achievement gaps. The top 15 percent of Title I schools would be designated. “Reward Schools,” and publicly recognized for their performance. The bottom 5 percent of Title I schools would be designated “Priority Schools,” and work directly with the state to improve their performance.

In addition, 10 percent of Title I schools contributing to state achievement gaps would be designated “Focus Schools.” Those Title I schools would work together with their districts and the state to address the needs of low-performing student groups, including minority

**Reauthorization ...**  
**Continued on Page 11**

## Oral History ... Continued from Page 9

### Grant Details

It is expected that seven to eight interviews will be conducted to document the stories of those health, human services, education, and legislative leaders who made and implemented the significant policy and service changes. The interviews will be transcribed and copies made available at the MASE office and, as accepted, at the Minnesota History Center. This represents one phase of a major multi-year effort to document and publish the history of special education provided to infants, toddlers, children, and youth with disabilities (birth to 21) in Minnesota by decade from earliest times. If you have a recommendation of someone who should be interviewed, feel free to forward the contact information to the MASE office or to Dr. Hale.

Norena A. Hale, PhD  
Project Director  
whokemeir@comcast.net

*This project has been made possible by the Arts and Cultural Heritage Fund through the vote of Minnesotans on November 4, 2008. Administered by the Minnesota Historical Society.*

## STENSWICK-BENSON SCHOLARSHIP PROGRAM

*Applications are due April 1.*

Do you know an exceptional emerging special education leader who might benefit from some financial assistance to support their studies? The Stenswick-Benson Scholarship Fund began in 1991 in memory of two Directors of Special Education: Ellsworth Stenswick from Bloomington and Loren Benson from Hopkins, who were considered pioneers in the field of special education. Throughout the years, MASE has sponsored fundraisers in the fall to support this effort and we are pleased to be able to offer scholarships each year to aspiring special education leaders. 2012 applications have been sent to Directors; if you need an additional copy, please contact the MASE office.

## Reauthorization ... Continued from Page 10

students, from low-income families and special education students. Now that Minnesota and nine other states have been approved for the waiver, it is anticipated that there will be time to identify reward, priority and focus schools and shift to the new system for the 2012-2013 school year. (Visit the MDE website for more information and a quick reference regarding the waiver.)

Regardless of what twists and turns the reauthorization takes, there will be much effort to both redefine the federal, state, and local roles and set national direction. Hopefully, this will be an opportunity to address “all education” partnerships to support reforms, like prevention and intervention, and closer alignment with IDEA reauthorization, which would follow in line after ESEA.

Given the complexity and challenges of the approaches taken to date, it will take time until ideas begin to align so the sought after goals around education reform can be successfully accomplished. Like planning a trip, the give and take is part of the process. The reauthorization speed right now looks more like a Monday morning commute – you’ll get there, but it will be a while!

## Register for MASE New Leaders Training

*Only 1 more session remains!*

**Wednesday, May 2, 2012 - Madden's Lodge**  
*Instructional Leadership*

MASE New Leaders' Training is a series of professional development sessions that provide opportunities for newly employed Minnesota special education directors to explore the basic information needed for a successful first year, mid-level leaders to enhance leadership skills either in preparation for advancement in leadership or for general skill development and new leaders that wish to refresh their training. Registration materials are available online: [www.mnase.org](http://www.mnase.org)

# MASE Calendar

## 2012

Wednesday, March 14

MASE Board of Directors Meeting  
DoubleTree by Hilton, Bloomington

Wednesday, March 14

MASE New Leaders' Training Session 4  
DoubleTree by Hilton, Bloomington

Wednesday, March 14

At Ruth's Table Workshop  
DoubleTree by Hilton, Bloomington

Thursday - Friday, March 15-16

MASA/MASE Spring Conference  
DoubleTree by Hilton, Bloomington

Friday, April 13

Rural Issues Meeting  
Location TBD

Wednesday - Saturday, April 11-14

CEC Annual Conference  
Denver, CO

Wednesday, May 2

MASE New Leaders' Training Session 5  
Madden's, Brainerd

Wednesday - Friday, May 2-4

MASE Best Practices Conference  
Madden's, Brainerd

Friday, May 18

MDE Directors Forum

Monday, May 28

Memorial Day Holiday

Thursday-Friday, June 21-22

MASE Board of Directors Retreat  
Madden's, Brainerd

Sunday-Wednesday, July 15-18

Annual CASE Education Seminar  
Washington, DC

Wednesday - Friday, July 25-27

Legends  
Ruttger's, Grand Rapids

Wednesday - Friday, October 24-26

MASE Fall Leadership Conference  
Cragun's, Brainerd

Wednesday - Friday, November 14-16

CLM Conference  
Cragun's, Brainerd