



# IMPACT

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Summer 2018

## Learning to be an Activist

*"I think the importance of doing activist work is precisely because it allows you to give back and to consider yourself not as a single individual who may have achieved whatever but to be a part of an ongoing historical movement."*

- Angela Davis

As special education leaders our days are filled with emails, phone calls, meetings with families, staff and administrators, budgets, due process activities, and the list goes on. Yet sometimes it feels like no one truly understands what it is we do all day. Membership in the MASE organization provides the opportunity to meet and work with amazing people from across Minnesota who understand the reason you entered this profession and the things that keep you up at night. MASE gives us an opportunity to work together to connect, learn, and to do "activist work."

**Connect:** When I have faced a new, unfamiliar or puzzling situation at work, I often reach out to the people I have met at MASE events and activities throughout the past years. The MASE organization members and MASE staff have a wealth of experience,

knowledge and understanding and have been an invaluable resource to me. The members are always so willing to help each other and I have learned so very much from members of our organization.

**Learn:** The MASE staff and MASE members, volunteering to assist with professional development activities, put together an array of opportunities for learning including the New Leaders Cohort; fall, winter, and spring conferences; MASE Leadership Issues meetings; and upcoming activities around understanding special education finance. The numerous professional opportunities are created by many members who volunteer the time and expertise to share ideas and help our members learn and grow. The professional development opportunities continue to expand and grow each year with greater and greater numbers of members participating.

**Activist Work:** MASE members have the opportunity to participate in "activist work" by supporting their students, families and staff in their districts, connecting with their local state and federal representatives, participating in MASE Day at the Capitol, and testifying on legislation. MASE has had an impact in changing the relicensure requirements for the ABS license. We have been involved in moving forward in discussion of special education finance reforms.

My time on the MASE board is nearing completion, but I look forward to the opportunity to continue to connect, learn and do activist work with you. Thank you for the opportunity to serve as MASE President this past year. It has been an honor and privilege. ●



**Diane McCarron**  
MASE President  
Director of Special Education  
SWWC Service Cooperative

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Special thanks to our 2017-18 MASE Business Partners!

The MASE Business Partnerships program strengthens the ties between MASE members and their collaborative partners in the public, private and non-profit sectors. Our goal is to advance the field of special education and improve student outcomes with an emphasis on proven, evidence-based practices.

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Transition Assessments and Curriculum  
UCP/Infinitec  
University of St. Thomas, Department of Special & Gifted Education

## Another Year and Looking Forward

It's time to congratulate you on your successful journey through another school year. Yes, I realize that special education services know no start or end point. Nonetheless, it does feel good to have made it into the summer months. I was not entirely sure that I would be able to say that with any real conviction, not after the prolonged winter that we have just experienced. To point out how bizarre the whole weather thing has been, I recently drove from Mankato to Fergus Falls to join our members for a regional directors meeting. For those of you who are geographically challenged, that involves traveling approximately 200 miles north. We left Mankato with at least a foot of snow in our yard and got out of the car more than four hours later to see folks in shorts and t-shirts enjoying a balmy 60-degree day. As my daughter once said, "That's just sick and wrong."

Speaking of things that don't always make sense, let me share a bit about the recent legislative session. Our bill expanding a tax credit to teachers who pursue a master's degree in special education has made it to the final proposed house tax plan. We will provide you with specifics should it be formally approved, but the upshot is that there will be a \$2500 credit to our staff members who complete a masters degree in special education. I am pleased that we were able to do something to incentivize completing a degree to address your need for staff able to support federal setting 3 and 4 programs. I'll defer further discussion of the workings of the legislature to our lobbyist, Brad Lundell, with one exception of interest. Very late in the session we were approached by the state's BVI advocacy community to gauge our interest in supporting a bill to research and create a BVI teacher program at one of the state's universities. We not only indicated our support, but also offered to testify in behalf of the bill. Originally, the University of Minnesota was considered a prime candidate as they housed such a program in the past. Unfortunately, they appear to be in a restructuring process that precluded their participation. The advocates were able to find an author and it was presented to the Senate Higher Education Finance Committee for consideration. Unfortunately, the bill did not move forward, but I believe that there may be enough support for it to move forward in the future. Critical to its success will likely be whether one of the universities in the state is willing host the program.

I want to send out special recognition and thanks to our "Special Education Finance Bootcamp" presenters:

Cheryl Johnson, Todd Travis, Renae Ouillette, and Marcy Doud. Plans as to how to share out this training to all interested members across the state will be a focus as we move forward. I am especially pleased that we are able to offer this training as it aligns perfectly with our organization's commitment to its members with a commitment to providing tangible benefits to our members. I would remind you, that this is why you are a member of MASE.



**John Klaber**  
MASE Executive Director

That takes me to my newest passion, that being how to address the significant turnover in teachers and related staff members that you report is occurring at an alarming rate. We are all aware of the research that identifies the challenges faced by our staff. These include pay, workload, and administrative support. I would suggest that there is another factor, that being the career path for the millennials. It is readily apparent to me that while we may be able to address some of the challenges identified as contributors for staff leaving the profession, a greater impact may be the willingness of the millennial workforce to move from job to job regardless of the rewards or challenges of a position. Research suggests that the millennial may have anywhere from 11 to 15 jobs in their career. I believe that we have to let go of the idea of hiring an employee and expecting that they will remain with you for 10, 15, or 20 years. Even a 5-year employee may be an outlier. The old story of finding the new teacher someone to marry in the community, thus assuring that they remain is just that, an old story. We can expect that even the happiest of millennial employees will be interested in taking on new experiences in new communities. The positive side of this challenge is that we may also attract talented people with diverse experiences to take on the role of teacher or related services professional. So, if it is a forgone conclusion that we are going to experience significantly higher turnover rates, I contend that we can ill afford the time and effort that it currently takes to get a new staff member up to speed. Equally concerning is that we will be relying on an ever smaller number of senior and experienced staff to support and mentor the new members of our teams.

***Another Year continued on page 4.***

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**Summer 2018**

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Director of Special Programs, West. St. Paul-Mendota Heights-Eagan Area Schools

Executive Director

**John Klaber**

**Another Year from page 3.**

More importantly, our students can ill afford the time that it takes for that process to occur.

We can choose to whine and complain about the mistakes that are made due to inexperience and/or ignorance. We can then spend an inordinate amount of our time cleaning up the mess. I suggest, instead, that we consider learning from airline pilots and medical professionals whose errors can result in significant injury or death. They have begun to rely on the use of checklists. We too can systemize many of the things that our staff members need to do. Many of you already do some of this in the training and mentoring that you routinely undertake for new or under-performing staff. I am suggesting that we consider adopting the use of checklists. MASE would facilitate creating a number of master checklists that identify the considerations that our most talented staff members have learned to do through their years of experience. After reading "The Checklist Manifesto" by Atul Gawande, recommended to me by one of our members, I believe that we can proactively address the challenge of the growing rate of turnover within our profession.

My challenge to you is to read the book and consider joining MASE in a work-group that I will be proposing we pull together to create a number of master checklists. I am sure that some of you will be able to contribute checklists that you are already using. Obviously, each of you may wish to make tweaks to the master checklists, but I believe that we can agree that most of what needs to be done to, for example, prepare for an IEP team meeting is no different from district to district. Also, consider for a moment what it might be like to be able to share these same checklists with the colleges and universities and have graduates already familiar with typical practices and procedures even before they show up on your doorstep.

I wish you well. Take some time off to enjoy Minnesota's summer and all that this wonderful state has to offer – especially when compared to West Virginia, Kentucky, Oklahoma, and Arizona. ●

**IMPACT** is your newsletter and we encourage your input!  
If you have ideas or an article to share, please contact us at  
(651) 789-4061 or send an email to dchristians@mnasa.org.

## Retirements

**Lora Arnott**, Director of Special Services, Elk River Area School District

**Jean Cady**, Director of Special Education, Richfield Public Schools

**Kathleen Daniels**, Director of Special Services, White Bear Lake Area Schools

**Billie Ward**, Director of Special Education, Indigo Education

Thank you for your service to education and congratulations on your retirement!



Special Education Legislative Summit 2018

**CEC/CASE Special Education Legislative Summit**

July 8-11, 2018  
Westin Alexandria  
Alexandria, VA

Register today!  
[www.specialeducationlegislativesummit.org/](http://www.specialeducationlegislativesummit.org/)

### 2018 CASE/NASDSE Conference

November 8-10, 2018  
Beau Ridge - Biloxi, MS  
Registration information at [www.casecec.org](http://www.casecec.org)



COUNCIL OF ADMINISTRATORS OF SPECIAL EDUCATION

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The Stenswick Benson Scholarship Award Program began in February of 1991 through MASE (Minnesota Administrators for Special Education). Its purpose is to recognize the legacy of the many leaders within Special Education represented by Ellsworth Stenswick and Loren Benson through a scholarship award to an individual completing exemplary graduate study in the field of special education.

Funds have been raised primarily through an auction now held every other year during the Special Education Directors' Fall Conference.

Scholarships are awarded to individuals completing exemplary graduate studies in the field of special education at a Minnesota public college or university.

Congratulations to the recipients of the 2018 Stenswick Benson Scholarships — we had 19 excellent applicants from across our state. The committee is proud to award four \$2,000 scholarships again this year!

- **Craig Horejsi, South West Metro Intermediate Dist. 288, O & M certification, University of Northern Colorado**
- **Martha Smithson, Brainerd, Director License, St. Cloud State**
- **Abby Lyon, Benton Sterns Ed District, Director License, St. Cloud State**
- **Heather Fugate, Red Lake, ASD License, Bemidji State**

And special thanks to the selection committee members:

Keith Erickson, Retired

Eva Pohl, Special Education Director at PAWN Coop

Jill Skarvold, Low Incidence Facilitator Lakes Country Service Coop

Kori Ryan, Special Education Director at SWWC Coop

Shannon Erickson, Committee Chair and Special Education Director, Fergus Falls Area Special Education Coop

Learn more at [www.mnase.org/stenswickbenson-scholarship](http://www.mnase.org/stenswickbenson-scholarship)

# Time to Join/Renew Your CASE Membership

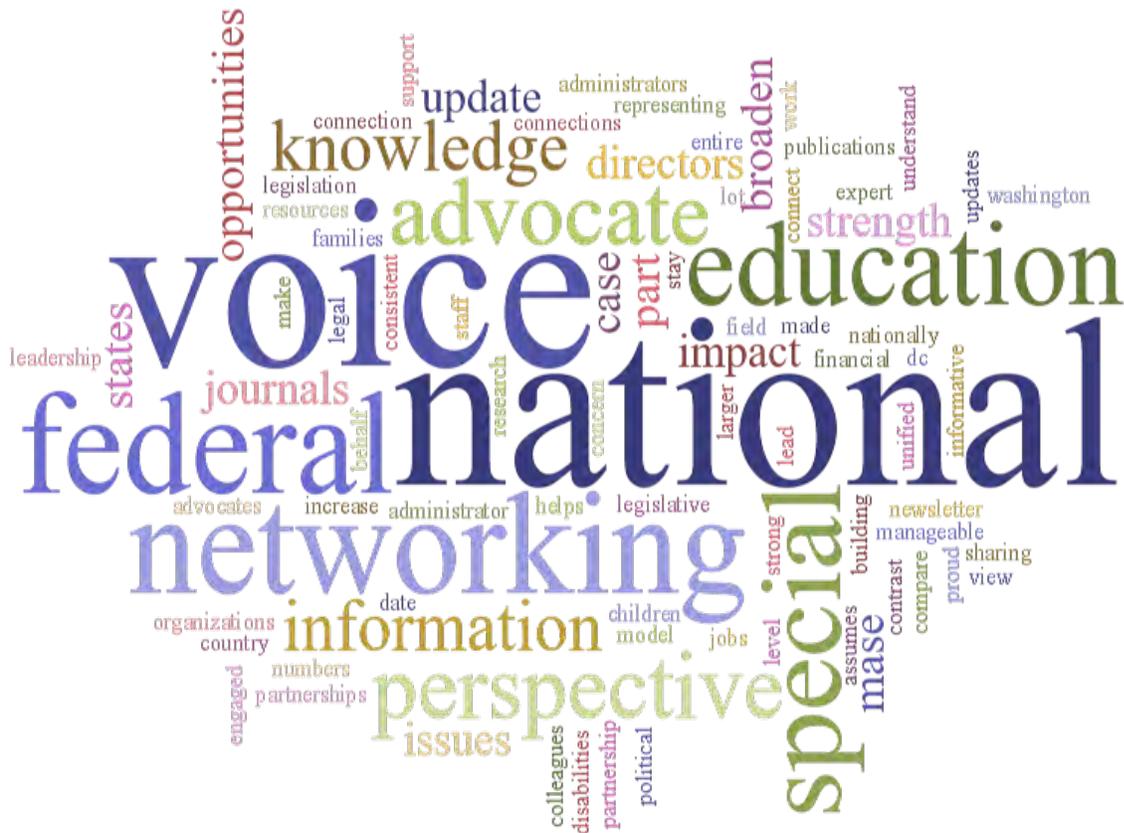
Last year, the MASE office was able to provide a “one-stop” way to renew or join the Council for Administrators of Special Education (CASE). When you receive your MASE membership form this year, the CASE membership option will be included! Be sure to check the box for your membership in CASE.

Why check that membership box for CASE? Because CASE promotes professional leadership and opportunities to connect with others on federal issues that impact the work we do every day. I first became a member of CASE when I became an administrator in special education over 30 years ago. That’s a long time! But, my membership in CASE has provided great benefits, such as receiving professional journals and newsletters, getting real-time information about federal issues, receiving reduced costs for CASE endorsed products, and being able to connect with other administrators across the country.



Jill Skarvold  
CASE Liaison, MASE

It’s been an honor over the last several years to represent Minnesota as the liaison to CASE in the work to provide leadership and support to members by influencing policies and practices to improve the quality of special education. A year ago, the MASE board identified the reasons that CASE is important to the work we do. Those reasons are represented in the graphic below. Take a look at the important words and ideas which serve as a reminder to add CASE membership on your MASE membership form when you renew for 2018-19! ●



## 2018-19 MASE Election Results

Congratulations to the following candidates who have been elected to MASE leadership positions. MASE appreciates these leaders for their commitment to MASE and Minnesota education and offers them thanks and best wishes as they begin their terms of service!

### President-Elect (18-19)

Cheryl Hall, Director of Special Services, Northfield Public Schools



**Cheryl Hall**  
Director of Special Services  
Northfield Public Schools  
2018-19 MASE President-Elect

### Secretary (16-20)

Erin Toninato, Director-Region 9, SC Service Cooperative

### Area A (Region 8) (18-20)

Judd Fredstrom, Ass't. Director of Special Education, Area Special Education Cooperative

### Area C (Region 4) (16-20)

Shannon Erickson, Director of Special Education, Fergus

Falls Area Special Education Cooperative

### Area E (Region 3) (18-20)

Mindy Christopher, Special Education Coordinator, SWWC Service Cooperative

### Area F-2 (Region 1) 16-21)

Robert Dehnert, Director of Special Services, Faribault Public Schools

### Area H (Region 9W) (18-20)

Deb Anderson, Director of Special Education, Prior Lake-Savage Area Schools

### CASE Liaison (18-20)

Cheryl Johnson, Executive Director, Goodhue County Education District



**Erin Toninato**  
Region 9 Director  
South Central Service  
Cooperative  
MASE Secretary

## Save the Date!

**2018 MASE Fall  
Leadership Conference**  
Wednesday-Friday,  
October 24-26, 2018

Cragun's Conference Center, Brainerd

*Keep your eyes open for registration,  
agenda and lodging details!*



Diane McCarron, Erin Toninato, (MASE Administrator of the Year recipient) and John Klaber at the Best Practices Conference.

# LEGISLATIVE *update*

I'll just start off by saying that if the special education community had a nickel for every time the term "special education funding" has been written or uttered this session, the cross-subsidy would be long gone. Nearly every education organization has come forward this session urging the Legislature to put more money into either the current special education formula or at least address the needs of districts with the highest levels of special education cross-subsidies. The Governor's budget did include an increase to the special education formula, but neither his recommendation nor a bill by Representative Jim Knoblach and Senator Jerry Relph that zeroed in on the cross-subsidy were included in the Senate and House omnibus education funding bills.

The most common response from legislators in deflecting the requests for additional special education spending is that the 2018 session is dealing only with supplemental appropriations and not seeking to address formula changes they believe are more appropriately addressed during the biennial budget process that takes place in the odd-numbered years. While that is true, it is still disappointing that an obvious funding shortfall continues to be overlooked.

While the question of whether there will be more funding for special education passed this session, both the House and Senate bills contain language calling for the establishment of a task force or working group to study the special education formula and develop ways to more adequately fund special education costs. The House's proposed task force is composed of representatives from 20 education stakeholders. MASE has a spot on the task force. On the other hand, the Senate bill calls for a 12-member legislative working group similar to the working group in composition to the working group that developed the Professional Educators Licensing and Standards Board and the tiered-licensure system. At any rate, the interim will provide an opportunity to make the case for a more adequate and equitable special education formula.

Another disappointment resulted from the Legislature's decision not to pursue a bill promoted by the National Federation of the Blind in Minnesota to have one of Minnesota's post-secondary institutions establish a program that would lead to a license in educating visually-impaired students. Currently, there is no program in Minnesota for teaching candidates seeking a license in this area.

There is some good news in the House Tax bill for those special educators working for a master's level license in specific learning disabilities, emotional behavior disorders, autism spectrum disorders, developmental disabilities, or early childhood special education. The House Tax bill expands the tax credit for elementary and secondary teachers doing master's level work in a specific curricular area to include those working on one of the special education licenses listed above, provided the work is being done at the master's level.

The other good news is that the special education articles in the House and Senate this year are quite thin, meaning no new mandates! And while a bill calling for the establishment of an online reporting system for special education was introduced late in the session, it did not receive a hearing, making it dead for the session.

As per usual, always let me know what is on your mind. I can be reached at 612-220-7459 or [brad.lundell@schoolsforequity.org](mailto:brad.lundell@schoolsforequity.org).



**Brad Lundell**  
MASE Lobbyist

## got speech?



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# RESEARCH TO *practice*

## Five Research Studies Worth Reviewing

Summertime is quickly approaching, and with it comes the end of the 2017-18 school calendar. This shift offers us an opportunity to reflect on the past year and think deeply about how we will improve upon our practice in the year to come. This contemplative work encompasses many parts, including examining the educational research base for new information and ideas based on rigorous research.

The Center for Applied Research and Educational Improvement (CAREI) publishes a short e-newsletter each month during the school year called the *CAREI Research Watch*. In it, we summarize current research in education that we believe can inform the practice of district, school, and teacher leaders. Fifty-four districts around the state are members of our District Assembly and receive these newsletters monthly. Recognizing that not all of you have access to this resource, I thought I would share the research most applicable to district leaders from the past year. In the paragraphs below, you'll find summaries of five articles that provide new insights, evidence, or ideas about how to better support students or teachers through your district roles.

### Teacher Coaching Linked to Improvements in Instruction and Student Achievement

A recent meta-analysis of 60 studies found positive and significant effects of teacher coaching programs on both instruction and student achievement. The studies all employed teacher coaching methods, but the definition of those methods varied. For example, some studies looked at coaching as a way to ensure fidelity of instructional methods from previous trainings. Others, however, focused on encouraging teacher reflection through coaching or providing direct feedback from observations. Many of the studies focused on literacy coaches due to large federal investments in that area. The study found a significant positive effect of coaching on teachers' instructional practices (e.g., the use of open-ended questions) when averaging across studies. The study also found significant positive effects on student achievement associated with coaching, but they were of a smaller magnitude than the effects on instructional practice. Interestingly, the study found that the effect size was smaller for

general coaching programs when compared with content-specific programs (e.g., programs that target specific subjects, such as literacy, science, or math coaches). The effect of coaching on achievement was larger for programs that paired coaching with group trainings or with instructional resources or materials. The study concluded that having high dosage (more hours with coaches or in professional development) was not associated with better outcomes, supporting a hypothesis that the quality of the content and time with coaches is more important.

- Kraft, M.A., Blazar, D., Hogan, D. (2018). The Effect of Teacher Coaching on Instruction and Achievement: A Meta-Analysis of the Causal Evidence. *Review of Educational Research*. Retrieved from: <http://journals.sagepub.com/doi/abs/10.3102/0034654318759268>



**Kim Gibbons, Ph.D.**  
Associate Director  
Center for Applied Research  
and Educational Improvement  
(CAREI)

### Data-Based Decision Making Shown to Impact Student Achievement

Researchers at the University of Twente in the Netherlands developed and tested the effects of a data-based decision-making training program on primary school students. The intervention included a two-year training course for all teachers and school leaders in 53 primary schools across the Netherlands. The training focused on creating the knowledge and skills needed to work with data, working with actual student data to model the process, encouraging collaboration amongst teachers, classroom observations, and creating strategies based on data to improve student learning. This also included specific work with school leaders where trainers encouraged them to support their staff members and create additional time within the school year for them to work with student data effectively. The study found that this type of data-based decision-making training and support had an impact on student outcomes that differed by school. In fact, the

**Five Research Studies continued on page 11.**

## Responding to Student Behavior that Poses a Danger: An End of Year Refresher

Unfortunately, school personnel must be prepared to address student behavior that threatens the safety of students and/or school staff. Responding to such student behavior appropriately requires schools to strike a careful balance between the rights of the student and legitimate school safety objectives. When the student in question is disabled, school officials must take additional steps to comply with applicable laws, but also have additional options for addressing student behavior in an alternate education setting.

When considering expulsion or other lengthy disciplinary removal for a disabled student, the critical question is whether the student's conduct was a "manifestation" of his or her disability. Under the IDEA, Section 504, and state law, a school district cannot unilaterally expel an IDEA-eligible student—or otherwise impose a disciplinary "change in placement"—for behavior that is a "manifestation" of his or her disability, regardless of the severity of that student's conduct. 34 C.F.R. § 300.530(f)(2); see also Minn. Stat. § 121A.43(d), *Letter to Williams*, 21 IDELR 73 (OSEP 1994). For IDEA purposes, a change of placement occurs if: (1) a student with a disability is removed for more than ten consecutive school days; or (2) the student has been subjected to a series of removals that constitutes a pattern. 34 C.F.R. § 300.536(a).

It is important to remember that manifestation determinations are subject to review in an expedited IDEA due process hearing. 34 C.F.R. § 300.532(c). Likewise, under both state and federal law, special education students are entitled to receive FAPE during the period of expulsion (beginning on the eleventh cumulative day, or sixth consecutive day of removal). See 34 C.F.R. § 300.530(b)(2); Minn. Stat. § 121A.43(d).

However, when an IDEA-eligible student engages in certain behaviors that pose a danger to the student or others, school districts can place the student in an interim alternative educational setting *regardless of whether the student's behavior is a manifestation of his or her disability*. The IDEA identifies specific, "special circumstances" in which school personnel can unilaterally place a student with a disability in an

interim alternative educational setting. 34 C.F.R. § 300.530(g). Specifically, schools can invoke this authority if, while at school, on school premises, or at a school function, a student with a disability: (1) carries or possesses a weapon; (2) knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance; or (3) has inflicted serious bodily injury upon another person. *Id.* The unilateral placement may not exceed a period of 45 school days. *Id.*

While the controlled substance exception is relatively straightforward, questions often arise surrounding the weapons and injury exceptions which can be a bit murkier. For this precise reason, it is imperative that school districts proceed with caution when pursuing the option of a unilateral placement.

For instance, under the IDEA a "weapon" is defined as a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, *excluding* pocket knives with "a blade of less than 2 ½ inches in length." 34 C.F.R. 300.530(i)(4) (citing 18 U.S.C. § 930(g)(2)) (emphasis added). While the distinction is easy to make with bona fide weapons such as knives (with blades 2 ½ inches or longer) or guns, less obvious "instruments" or "devices" require a closer look. For example, administrative law judges have found that paper clips and pencils are not "weapons" under the IDEA, despite being used to injure others. *Independent Sch. Dist. #831*, 32 IDELR 163 (SEA MN 1999) (pencil used in a stabbing incident did not qualify as a weapon under the IDEA); *Anaheim Union High Sch. Dist.*, 32 IDELR 129 (SEA CA 2000) (paper clip used to cut another



Christian R. Shafer  
Attorney  
Ratwik, Roszak & Maloney, P.A.



Elizabeth M. Meske  
Attorney  
Ratwik, Roszak & Maloney, P.A.

**Student Behavior continued on page 12.**

### Five Research Studies from page 9.

results showed approximately an extra one month of learning for students involved. These effects were strongest among low socioeconomic status students. Due to the demonstrated effects, the researchers recommend that schools use coaching and classroom support to move data-based decision-making efforts forward.

- Van Geel, M., Keuning, T., Visscher, A., & Fox, J. (2016). Assessing the Effects of a School-Wide Data-Based Decision-Making Intervention on Student Achievement Growth in Primary Schools. *American Educational Research Journal*, 53 (2), 360-394. Retrieved from: <http://journals.sagepub.com/doi/abs/10.3102/0002831216637346>

#### Aspects of School Leadership Related to Student Performance

This study addresses four key research questions through the use of an extensive survey and student outcomes analysis:

1. What are the levels of instructional leadership in schools?
2. What is the relationship between instructional leadership and student achievement?
3. What is the role of teachers in school leadership?
4. What is the relationship between teacher leadership and student achievement?

The findings are somewhat unsurprising: higher levels of instructional leadership and teacher leadership in schools are related to improved school performance in both ELA and mathematics. However, some of the elements most strongly related to improve achievement are those least implemented in schools. For example, schools are less likely to have effective school improvement teams or a shared vision for the school than other elements of instructional leadership. Similarly, although involving teachers in establishing discipline procedures and school improvement planning are highly related to achievement, teachers are only involved in these efforts in a minority of schools. Overall, the authors conclude that a balanced approach to leadership is best. Schools should stress both teacher accountability and inclusion in decision-making so that they have the resources, support, and autonomy to do their jobs and then can be held accountable to standards they helped establish.

- Ingersoll, R.M., Dougherty, P., & Sirinides, P. (2017). *School Leadership Counts*. Santa Cruz, CA: New Teacher Center. Retrieved from <http://info.newteachercenter.org/school-leadership-report>

#### The Evidence Base for How We Learn

This report from the Aspen Institute details current research and knowledge about how students learn, examining skills that fit into three interconnected domains: cognitive skills, emotional competencies, and social and interpersonal skills. The findings advocate for educators and leaders to take a systems approach to developing students in these areas: focusing on adult skills and beliefs, organizational culture, and routines or norms guiding instruction. Included are a series of “consensus statements”, or statements that all members of the Council of Distinguished Scientists agreed were based on evidence. They cover how social emotional skills develop, how malleable skills are, the central role schools play in developing these skills, and evidence to suggest focusing on teaching social emotional skills is worth it. The authors highlight the interconnected nature of social, emotional, and academic skills and believe that integrating these skills with academic instruction is foundational to the success of students.

- Jones, S.M., & Kahn, J. (2017). *The Evidence Base for How We Learn: Supporting Students' Social, Emotional, and Academic Development*. The Aspen Institute. Retrieved from <https://casel.org/wp-content/uploads/2017/09/SEAD-Research-Brief-9-12-web.pdf>

#### Tools for Considering Costs in Education Decisions

A new brief from the Institute of Education Sciences (IES) provides guidance and tools for educators seeking to implement cost analyses in their decision-making. The authors argue that measuring program costs can help leaders optimize resources and improve implementation of existing programs, potentially leading to improved student outcomes. To use cost information to improve decisions, leaders need to have access to extensive cost data on programs, such as costs within spending categories, identification of fixed and variable costs, and site-level cost information. Once this information is compiled, there are resources to help leaders analyze and

### Five Research Studies continued on page 12.

### **Student Behavior from page 10.**

student on the bus did not qualify as a weapon under the IDEA). Hearing officers have reached differing conclusions on whether scissors qualify as a weapon for purposes of the IDEA. See *Anchorage Sch. Dist.*, 45 IDELR 23 (SEA AK 2005) (where student lunged at teacher with scissors, scissors was found to be a “weapon” for purposes of disciplinary removal); but see *California Montessori Project*, 56 IDELR 308 (SEA CA 2011) (determining that rounded-tip scissors were not a “weapon” for purposes of an IDEA disciplinary removal because the scissors were not inherently dangerous). Additionally, where a student grabbed the necktie of the school’s principal and “pulled hard, hanging onto the tie,” which caused the principal to not be able to breathe and left marks on the principal’s neck that lasted several days, a hearing officer determined that the necktie was not “readily capable” of causing death or serious bodily injury. The hearing officer also noted that the student in question did not “carry or possess” the alleged weapon as the language of the IDEA requires. *Scituate Pub. Schs.*, 47 IDELR 113 (SEA MA 2007).

With regard to the “serious bodily injury” category, the question is the severity of the injury. Under the IDEA, a “serious bodily injury” means bodily injury which involves substantial risk of death; extreme physical pain; protracted and obvious disfigurement; or protracted loss or impairment of the function of a bodily member, organ, or mental faculty. 34 C.F.R. 300.530(h)(i)(3). Courts and hearing officers have required a high threshold of injury to meet this standard; thus, most injuries that result from student assaults on classmates, teachers and/or administrators will not qualify. For instance, one IDEA hearing officer determined that, although a student engaged in “behavior that was injurious, frightening and intimidating, a broken nose does not fit within the [IDEA’s] narrow definition of the infliction of ‘serious bodily injury’” and ordered that the student be returned to the placement from which the student was removed. *Pocono Mountain Sch. Dist.*, 109 LRP 26432 (SEA PA 2008). Similarly, where a principal who was punched in the head and suffered a migraine, a hearing officer found that there was no serious bodily injury because the principal was able to drive herself home and the pain abated shortly thereafter. *Pittsburgh Pub. Sch. Dist.*, 116 LRP 48011 (SEA PA 2016). However, where a student headbutted and kicked his teacher in the chest, a hearing officer found that the injuries sustained by the

teacher constituted serious bodily injury. *Westminster Sch. Dist.*, 56 IDELR 85 (SEA CA 2011). In that case, the teacher had the wind knocked out of the teacher, and, later, the teacher experienced severe pain in her chest. *Id.* The teacher was prescribed pain medication for a chest contusion and was unable to return to work to work for one week. *Id.*

Given these intricacies and the potential for costly and time-consuming due process hearings or MDE complaints if they are not followed, school personnel should proceed with caution when removing a student who is protected under the IDEA from the classroom. Schools should also consult with legal counsel before pursuing a lengthy suspension, expulsion, or interim alternative educational placement for a student with a disability to ensure compliance with state and federal law. ●

### **Five Research Studies from page 13.**

compare potential situations. One such resource is CostOut ([www.cbcsecosttoolkit.org](http://www.cbcsecosttoolkit.org)), funded by IES and free for educators. This tool can help leaders estimate program costs overall and by participant, understand cost as participation changes, and tweak resources to lower costs. The brief also provides an overview of various types of cost analyses that district decision-makers can employ to use cost data effectively, such as a cost-benefit analysis or a cost-feasibility analysis.

- Hollands, F.M., & Levin, H.M. (2017). The critical importance of costs for education decisions. (REL 2017-274). Washington, DC: U.S. Department of Education, Institute of Education Sciences, National Center for Education Evaluation and Regional Assistance, Analytic Technical Assistance and Development. Retrieved from [https://ies.ed.gov/ncee/pubs/REL\\_2017274/](https://ies.ed.gov/ncee/pubs/REL_2017274/)

If you have any questions about these articles or wish for more information about how to obtain access to CAREI’s Research Watch and other resources, please reach out to me at [kgibbons@umn.edu](mailto:kgibbons@umn.edu). Otherwise, enjoy the end of the school year and have a terrific summer! ●

# MASE CALENDAR

## 2018

**June 21-22**

**MASE Board of Directors Retreat**  
Madden's on Gull Lake, Brainerd

**July 1**

**Membership Renewal**

**July 8-11**

**Annual CASE/CEC Legislative Summit**  
Westin Alexandria, Washington D.C.

**November 8-10**

**CASE Fall Conference**  
Beau Ridge, Biloxi, MS

**October 11**

**MASE Leadership Issues**  
10 am–2 pm  
Benton Sterns Education District

**October 24-26**

**MASE Fall Leadership Conference**  
Cragun's Conference Center, Brainerd

**November 7-8**

**CASE Fall Board of Directors Meeting**  
Beau Ridge, Biloxi, MS

**November 8-10**

**CASE Fall Conference**  
Beau Ridge, Biloxi, MS

## 2019

**January 24**

**MASE Leadership Issues**  
10 am–2 pm  
Benton Sterns Education District

**January 29-February 2**

**2019 CEC Convention**  
Indianapolis, IN

**March 7-8**

**MASA/MASE Spring Conference**  
Minneapolis Marriott NW, Brooklyn Park

**April 25**

**MASE Leadership Issues**  
10 am–2 pm  
Benton Sterns Education District

**May 15-17**

**MASE Best Practices**  
Madden's on Gull Lake, Brainerd

**July 1**

**Membership Renewal**

**July 7-10**

**Annual CASE/CEC Legislative Summit**  
Westin Alexandria, Washington D.C.

## 2018-19 MASE New Leaders Cohort

The MASE New Leaders Cohort is a series of professional development workshops 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*
- *"newer" leaders who wish to refresh their training*

*Watch your inbox for registration information soon!*

## Are You Moving?

Now is the time of year when many of our members are on the move! Help us keep track of you (and keep your MASE benefits and services coming to you). Please give Deb a call at (651) 645-6272 or (866) 444-5251 or email [members@mnasa.org](mailto:members@mnasa.org). Deb will update your records. If you have new colleagues in your area who are not MASE members, please let us know and we will send membership information to them.

## MASE Legislative Resources

*Be sure to check out MASE Lobbyist Brad Lundell's blog ([see-notes.blogspot.com](http://see-notes.blogspot.com)) for his ongoing updates and commentary. You can reach Brad at [brad.lundell@schoolsforequity.org](mailto:brad.lundell@schoolsforequity.org).*

**Members will receive legislative email updates during the session too!**

*If you are not receiving the session updates please contact: [members@mnasa.org](mailto:members@mnasa.org)*

**[www.mnase.org/legislative](http://www.mnase.org/legislative) has all of MASE's legislative resources including:**

MASE Legislative Platform

Directories for the MN House and Senate

ESEA Flexibility Process