

Fall, 2013

## Breaking Down the Silos Between Regular and Special Education

*Written by Kim Gibbons, MASE President and Executive Director, St. Croix River Education District and Gary Amoroso, Executive Director, Minnesota Association of School Administrators*

In an unprecedented move, the boards of MASA and MASE had a joint session at their June board meetings. Dr. Robert Pasternack, former Assistant Secretary of Education, led a discussion on improving outcomes for all students and "reinventing" special education. Dr. Pasternack praised the efforts of both boards to work collaboratively and noted the symbolic gesture of removing the dividing wall that separated the two meeting rooms.

Dr. Pasternack noted that as a country, we spend \$500 billion on public education. Nationally, 12 percent of students are identified as needing special education services. Since it costs twice as much to educate students with disabilities, Dr. Pasternack estimated that we are spending about 25 percent of education dollars, or \$125 billion, on special education. The majority of that funding is coming from state and local sources. In Minnesota, these statistics hit close to home,

based on the recent report released from the Office of the Legislative Auditor. In March, a legislative audit was conducted on special education, and it found that Minnesota school districts are using about 33 percent of their general funds to cover the portion of special education services not funded by state or federal governments (e.g., cross subsidy).

Students with learning disabilities amount to about 50 percent of those receiving special education services nationwide. Of the students who qualify as specific learning disabled (SLD), the majority of those students qualify because they can't read. Many researchers have speculated that many students receiving services because of reading difficulties probably aren't disabled. These are students who haven't been taught to read well using the science of reading instruction.

When we look at outcomes for students with disabilities, Dr. Pasternack noted that students with disabilities drop out of high school at twice the rate of peers, and the college enrollment rate is 50 percent lower than peers.



Kim Gibbons



Gary Amoroso

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## The Special Education Formula and You

by Brad Lundell  
MASE Lobbyist

I provided a wrap-up of the legislative session in the last newsletter, but I know there's still a lot of confusion about the new special education formula and how it will affect school districts moving forward. MDE's financial wizard extraordinaire, Dr. Tom Melcher, did a bang up job at the Back-to-School Conference outlining the design of the new formula, but of course, it is difficult to take a formula "off the blackboard" and accurately translate the effects down to the penny, especially when the changes are as dramatic as those enacted in 2013. The PowerPoint presentation used by Dr. Melcher at the conference is posted in the "Library" on the MASA website ([www.mnasa.org](http://www.mnasa.org)), and I urge all of you to consult this document. It certainly answers a lot of questions.

The thing to remember—and to be grateful for—is that the increasing revenue needs for special education were recognized, especially in the Governor's office, and increased funding was part of the final education funding package. The new formula will be a work-in-progress and, as has always been the case with the special education formula, revisions are likely to occur to make certain the level and distribution of revenue is fair. The real plus in the proposed formula change is that funding should become more predictable.

Funding isn't all that the Legislature was concerned with in addressing special education during the 2013 legislative session. Of the five task forces created by the omnibus education funding bill, one will deal with Special Education caseloads. The charge of the Special Education Caseloads Task Force is to study the current caseloads faced by classroom teachers in both situations where paraprofessional support is available and where it isn't and to make recommendations for the appropriate number of students that may be assigned to teachers working in these environments. In addition to the

caseloads issue, the task force has been instructed to look at how to better align state statutes and rules (again).

This task force will begin meeting on Tuesday, September 24, 2013, and has six meetings scheduled through the fall and early winter. The task force's recommendations must be provided to the Legislature by February 16, 2014. I will be following the task force proceedings closely and will provide updates of each meeting.

In closing, I wanted to welcome John Klaber on board as the new MASE Executive Director. I look forward to working with John in the year ahead on the variety of issues facing the education community.

As usual, I can be reached by cell phone at (651) 220-7459 or at [lundelllegislative@gmail.com](mailto:lundelllegislative@gmail.com).



Brad Lundell

### PLAN TO ATTEND THE MASE LEGISLATIVE COMMITTEE MEETING

*Wednesday, October 23*

*3:30 - 5:30 pm*

*Cragun's, Brainerd*

(During the 2013 MASE Fall Conference)



### Visit the MASE Website!

The MASE Website is a resource for you! You'll find many member resources including the MASE calendar, publications, model contracts, legislative hot topics and more...

**[www.mnase.org](http://www.mnase.org)**

## IMPACT Fall, 2013

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Executive Director

#### John Klaber

# MASE Calendar

## 2013

Thursday- Saturday, September 26 – 28

CASE Annual Fall Conference, Indianapolis, IN

Monday - Tuesday, September 30 – October 1

Rtl Summit, St. Paul

Friday, October 4

Ratwik School Law Seminar

October 5 - 8

NASDSE Conference, Atlanta, GA

Wednesday, October 23

MASE New Leaders Cohort, Cragun's

Wednesday, October 23

MASE Board of Directors Meeting, Cragun's

Wednesday - Friday, October 23 - 25

MASE Fall Leadership Conference, Cragun's

Wednesday, November 13

MASE New Leaders Cohort, Cragun's

Wednesday - Friday, November 13 - 15

Curriculum Leaders' Conference, Cragun's

Thursday, December 5

MASE Board of Directors, MASE Offices

Friday, December 6

MDE Directors' Forum

Wednesday, December 11 & Thursday, December 12

MASE New Leaders Cohort, St. Paul

## 2014

Wednesday, March 12

MASE New Leaders Cohort, Brooklyn Park

Wednesday, March 12

MASE Board of Directors Meeting, Brooklyn Park

Thursday - Friday, March 13 - 14

MASE/MASA Spring Conference, Brooklyn Park

Wednesday, May 7

MASE New Leaders Cohort, Madden's

Wednesday - Friday, May 7 - 9

MASE Best Practices Conference, Madden's

June 19 - 20

MASE Board of Directors Retreat, Madden's

**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).

## Bringing Retirees Back on Board: MASE Board of Directors Welcomes New Retired Representative Position

by Cheryl Johnson  
MASE President-Elect and Executive Director  
Goodhue County Education District

In their March Board meeting, the MASE Board of Directors recommended the addition of a Retiree Representative to the Board. The general membership voted and approved the recommendation in April. Only retired members are able to nominate and vote on this position's representative, who subsequently joined the Board on July 1, 2013 and will serve a two-year term. This position will be an important new voice on the MASE Board.

Adding this board seat has many advantages for our organization. Retirees are well-acquainted not only with the work in which we engage, but also bring their wealth of history, expertise, and knowledge to the board. The presence of a retiree on the board will be a valuable resource when it comes to passing along that wisdom and experience they've acquired. Gary Woodward has been elected to this position, and Gary has remained active in the area of special education even in retirement.

Gary retired as executive director of Hiawatha Valley Education District in June 2009. He worked for this Co-op and later Education District for 27 years. Prior to this he was a school psychologist and consulting psychologist with Zumbro Valley Mental Health Center in Rochester. After retirement he was hired as Regional Low Incidence Facilitator for Region 10 for 2009-2010. In this role he examined all regional programs for cost reduction and better use of technology.

Since June 2010, he focused on the development of his consulting business and worked part-time for SpedForms. The Spedforms work focused on the development of an Rtl component.

Since 2010 he has consulted with schools in Minnesota with the goals of special education program review, special education finance review in districts and co-ops, school climate, "response to intervention," student data collection, and bullying.



Cheryl Johnson

Recent work with SpedForms has been shifted to support all software development through a role as advocate for users. Thus, trouble shooting for customers, helping with improvements, making school site visits, and acting as a liaison between customer and SpedForms staff have been his major work responsibilities.

His ongoing involvement with special education through SpedForms and private consulting should be helpful in his role as retiree representation for the MASE board.

We welcome both Gary and this new position on the Board. He will serve as an important new voice on the MASE Board.

**Registration materials for the 2013 Curriculum Leaders of Minnesota (CLM) Fall Conference November 13-15, Cragan's Resort - Brainerd**

**Coming Soon!**



**Watch your inbox for more information!**



# Introducing the 2013-14 MASE Committees

## 2013-14 MASE Professional Development Committee

*Chair: Renae Ouillette, Director of Special Services, Lakeville Area Public Schools*

- H Kathy McKay, Retired
- H Ann Zweber Werner, Whitewater Learning
- D Pauline Bangma, Rum River Special Education Cooperative
- D Suzanne Busacker, Mid-State Education District
- D Marlene Grindland, Benton-Stearns Education District
- E Tammy Stahl, SW/WC Service Cooperative
- F-1 Julie Ladwig, Waseca Schools
- F-2 Billie Ward, MN State Academies
- G Marcia Biermann, Columbia Heights Public Schools
- G Lindsay Engberg, Rosemount-Apple Valley-Eagan Public Schools
- G Mary Kreger, Rosemount-Apple Valley-Eagan Public School
- G Paula Krippner, Rosemount-Apple Valley-Eagan Schools
- G Carla Nohr Schulz, Farmington Area Public Schools
- G Sara Pratt, Farmington Area Public Schools
- G Melissa Schaller, Int. School District 917
- H Michelle Bethke-Kaliher, Robbinsdale Area Schools
- H Kathleen Brown, Osseo Area Schools
- H Kathleen Bushman, Osseo Area Schools
- H Jill Lesne, Osseo Area Schools

## 2013-14 MASE Nominating Committee

*Chair: Melissa Schaller, Director of Special Education, Intermediate School District 917*

- C Shannon Erickson, Fergus Falls Special Ed Cooperative
- D Janine Dahms-Walker, St. Cloud State University
- E Tammy Stahl, SW/WC Service Cooperative
- G Nicole Halabi, Columbia Heights Public Schools
- G Carla Nohr Schulz, Farmington Area Public Schools

## 2013-14 MASE Member Services Committee

*Chair: Anna Fleischmann, Director of Special Education, MN Valley Education District*

- E Mary Palmer, SW/WC Service Cooperative
- F-1 Julie Ladwig, Waseca Schools
- F-2 Michelle Breitsprecher, Fillmore Central Schools
- F-2 Cheryl Hall, Faribault & Northfield Public Schools
- F-2 Emily Wartsbaugh, Faribault Public Schools
- G Dan Naidicz, NE Metro 916 Int. District

## 2013-14 MASE Strategic Plan Committee

*Co-Chair: Cheryl Johnson, Executive Director, Goodhue County Education District and*  
*Co-Chair: Teresa Ostlie, Director of Special Education, SW/WC Service Cooperative*

## 2013-14 MASE Legislative Committee

*Co-Chair: Jill Skarvold, Director of Learner Support Services, Moorhead Area Public Schools and*  
*Co-Chair: Darren Kermes, Executive Director, MN River Valley/Carver Scott Edu. Cooperative*

- A Dustin Hinckley, Bemidji Regional Interdistrict Council
- C Marcy Matson, Detroit Lakes Schools
- E Mary Palmer, SW/WC Service Cooperative
- F-1 Julie Ladwig, Waseca Schools
- F-2 Billie Ward, MN State Academies
- G Mary Garrison, Inver Grove Heights Community Schools
- G Mary Kreger, Rosemount-Apple Valley-Eagan Public School
- G Melissa Schaller, Int. School District 917
- G Deb Wall, Forest Lake Area Schools
- H Michelle Bethke-Kaliher, Robbinsdale Area Schools
- H Kathleen Bushman, Osseo Area Schools
- H Tony Buthe, New Prague Area Schools
- H Chad Williams, Belle Plaine & Jordan Public Schools

**Committees ...**  
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# Breaking Down the Silos ... Continued from Cover

Most states, including Minnesota, continue to have significant achievement gaps between students with disabilities and typical students. Many of these poor outcomes are due to a culture of low expectations that has plagued students with disabilities. Dr. Pasternack proposed a number of needs that exist in education including:

- Embracing a culture in which all students are all teachers' responsibility
- Shifting our thinking from "what students need help?" to "What help does each student need?"
- Providing sufficient time and support to teachers to ensure all students are achieving high standards
- Providing all low performing students with focused instruction
- Providing good first instruction to all students by the regular education classroom teacher

## Proposed Solutions and Policy Recommendations

Five policy recommendations were presented to address the needs we are facing as a county.

- Allow flexible use of IDEA funding to provide school districts with a more coherent focus on improving achievement among students with disabilities.
- Limit special education eligibility to only

those students with significant disabilities so that there is greater involvement by regular education teachers and to avoid special education being a "dumping ground" for struggling students.

- Replace IEPs with Individual Growth Plans for students who have median growth levels below the 35<sup>th</sup> percentile.
- Implement a Multi-Tiered System of Supports (MTSS)/ Response to Intervention (RtI) framework to provide early intervention and support to students at risk of achievement and/or social and emotional difficulty.
- Implement teacher certification based on the diagnostic and prescriptive instructional skills in core content and behavior areas.

## Next Steps

As another school year is beginning, it is important to reflect on what matters most for improving outcomes for all of our students – **high-quality instruction**. In this era of increased accountability, collaboration between key stakeholder organizations is critical. In the upcoming year, MASA and MASE will continue the dialogue on how we can continue "visible collaboration" to support improved outcomes for all students.

## 2013-14 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*

New Leaders Cohort participants have an opportunity to meet other new leaders, experienced colleagues, state department staff and resource people from the special education community. Topics include federal and state special education law, finance and budgeting, state reporting, program topics and leadership. Continuing education credits are awarded. *New this Year* - Select sessions will have role-specific content to build individual skills!



MASE Member Rate is \$299 for all five sessions. Non-member rate: \$599 for all five sessions.  
More information is available at [www.mnase.org](http://www.mnase.org)  
Register today at <https://www.regonline.com/2013masenewleaderscohort>  
Questions? (651) 789-4061 or [aranallo@mnasa.org](mailto:aranallo@mnasa.org)

### Cohort Schedule:

- **Wed., Oct. 23, 2013**  
Cragun's, Brainerd
- **Wed., Nov. 13, 2013**  
Cragun's, Brainerd
- **Wed., Dec. 11 & Thurs., Dec. 12, 2013**  
TBD, St. Paul
- **Wed., March 12, 2014**  
Marriott, Brooklyn Park
- **Wed., May 7, 2014**  
Madden's, Brainerd

## The National Center and State Collaborative (NCSC): A System of Curriculum, Instruction and Assessment to Improve Student Outcomes

Written by  
Rachel Quenemoen, NCSC Director,  
National Center on Educational Outcomes,  
University of Minnesota

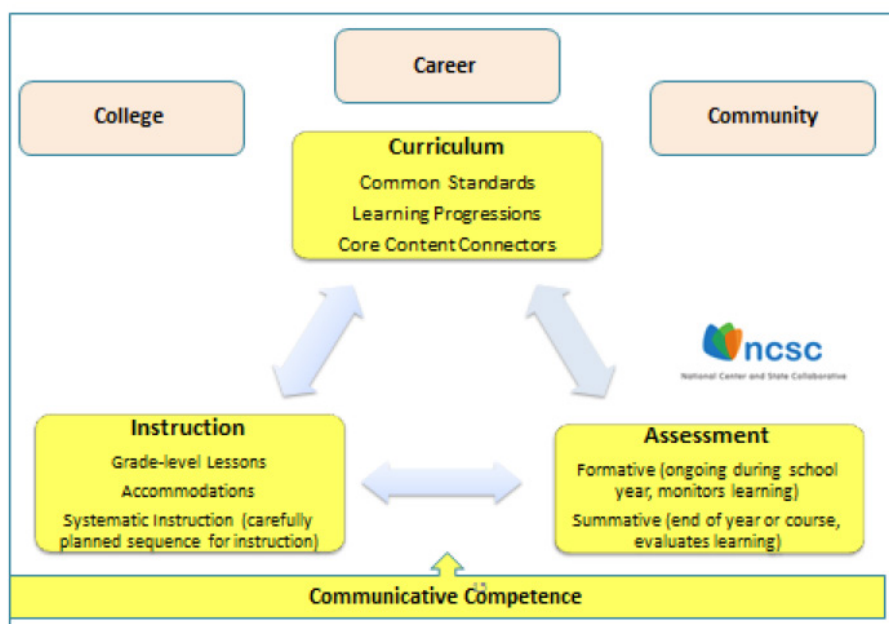
The National Center and State Collaborative (NCSC) is a federally funded consortium of five national centers and 26 states<sup>1</sup> that is designing an alternate assessment based on alternate achievement standards (AA-AAS) for students with the most significant cognitive disabilities. The goal of the NCSC project is to ensure that these students achieve increasingly higher academic outcomes and leave high school ready for meaningful participation in post-secondary settings, including college, career, and community. A well-designed test alone is not enough to achieve that goal. NCSC is also developing curriculum, instruction, and professional development support for teachers of students with significant cognitive disabilities.

**Summative Assessment:** NCSC is designing a summative assessment that coordinates with the

general assessment used by each member state and produces scores that can be used for accountability purposes. It will sample high priority grade-level assessment content targets linked to the Common Core State Standards (CCSS), based on alternate achievement standards for students with the most significant cognitive disabilities. Item types include selected response, short constructed response, and performance tasks. For each content target to be measured, an evidence-centered design (ECD) approach is used to determine the appropriate item type(s) and levels of challenge to provide information across the performance continuum. The process for ensuring that each student interacts with items at appropriate levels of challenge involves the use of classroom data, locator tests, and multistage adaptive testing.



Rachel Quenemoen



### Classroom and Progress Monitoring Assessment Models:

In addition to developing the system of summative assessments, NCSC is integrating classroom and progress monitoring assessment models as part of comprehensive curriculum and instruction resources for use by teachers throughout the school year to monitor student progress.

Best practices and lessons-learned from over a decade of research on assessment, models

NCSC ...  
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of student cognition, academic instruction, communication, and learner characteristics of these students serve as the foundations for the project's development of the assessments as well as for a high quality, coherent system of curriculum and instruction and professional development support. These resources support educators and IEP teams to design and implement appropriate instruction that addresses content and skill expectations linked to the CCSS, and is appropriate for students' enrolled grades and ages.

This figure on page 7 shows the relationships of these key components of the NCSC system.

**Curriculum and Instruction Tools:** To help teachers translate the CCSS into effective instruction, NCSC has developed curriculum resource guides for the concepts in math and ELA that are considered to be "big ideas" within the academic content. These guides provide information on instruction within the general education setting (e.g., how the area can be taught to typically developing students); teaching and applying skills in meaningful contexts; linking skills to other content areas; differentiation of instruction through Universal Design for Learning; considerations for providing instruction of more basic skills to some students as embedded within instruction of grade level content; and tools for tiered interventions. Curriculum Resource Guides, instructional units, and scripted lessons are provided through the project Wiki to illustrate how to make specific content accessible to students with cognitive disabilities. These materials do not constitute an entire curriculum but provide guidance and exemplars for local use, along with training for educators to build more resources based on the model.

**Communication Interventions:** Most students with significant cognitive disabilities who participate in the AA-AAS currently use some form of symbolic communication, such as spoken words, printed text, sign language, or pictures. For students who do not use any form of symbolic language, research suggests that most can still communicate through the use of augmentative communication strategies. NCSC supports states to build capacity for teachers

to effectively use augmentative communication strategies with these students. The goal is to ensure that each student is given the opportunity to develop communicative competence to allow for access to instruction and assessments.

## **Professional Development Resources and**

**Activities:** NCSC has developed online professional development modules to help special educators gain an understanding of prioritized academic content related to learning progressions identified within and across grades. Content modules for ELA and mathematics are available to partner states (and post-project, to broader audiences) in an online, multimedia Wiki format that provides explanations and examples of the concepts that may be more difficult to teach or unfamiliar to special education teachers. Examples of potential adaptations are also provided.

When complete, the assessment system and accompanying resources will be made available to all states, regardless of their participation in the original grant. See <http://www.ncscpartners.org/resources-cop-presentations> for samples of project resources.

<sup>1</sup>State Partners: Arizona, Arkansas, California, Connecticut, Delaware, District of Columbia, Florida, Georgia, Idaho, Indiana, Louisiana, Maine, Maryland, Montana, New Mexico, Oregon, Nevada, New York, Pacific Assessment Consortium, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Wyoming, US Virgin Islands serving approximately 150,000 students who participate in an alternate assessment based on alternate achievement standards. Organizational Partners: National Center on Educational Outcomes at the University of Minnesota (Lead Partner), National Center for the Improvement of Educational Assessment, University of Kentucky, University of North Carolina-Charlotte, and edCount, LLC



## Educational Need: A Key Component for Special Education Eligibility

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

While most special educators are aware that a student must demonstrate an educational need for special education before he or she is determined eligible for specialized instruction, parents and their advocates often lose sight of this seemingly basic requirement. It can be difficult for parents to understand how their children, who fit within the four corners of a particular disability category, might not qualify for special education services. Consequently, this can result in a number of due process hearing requests where parents fight to have their children deemed eligible for special education in the absence of educational need. In addition, what constitutes "educational need" is an area where educators and parents do not always see eye-to-eye.

A recent United States District Court case out of Pennsylvania dealt with just this issue. In that case, the court held that the Avon Grove School District did not violate the Individuals with Disabilities Education Act ("IDEA") when it found a student ineligible for special education services despite there being a severe discrepancy between her ability and achievement in math reasoning. See *Chelsea D. v. Avon Grove School District*, 2013 WL 3556676 (E. D. Pa. July 15, 2013)(slip copy). In that case, the student, Chelsea, was in eighth grade when she began to earn D grades in her math class. In November of her eighth grade school year, Chelsea was diagnosed with attention deficit hyperactivity disorder ("ADHD") and was prescribed medication. At that time, her parents requested that the school district evaluate Chelsea to determine her eligibility under IDEA. The school district's evaluation of Chelsea showed that she fell in the average range for math, but that she had a discrepancy between her measured ability and her performance in the area of math

reasoning. The school district concluded that Chelsea was not demonstrating an academic need in any academic area, did not meet the criteria of a student with a Specific Learning Disability ("SLD"), and was not in need of specially designed instruction. Instead, the school district proposed a Section 504 plan for Chelsea, which her parents agreed to at that time.

When Chelsea was in ninth grade, she demonstrated overall improvement in her grades. Her math grade went from a D+ in eighth grade, to a B- in ninth grade. Chelsea received B and A grades in her remaining classes as well. Despite this, Chelsea's parents pushed for more accommodations during her ninth grade year. In April of that school year, the school district met with Chelsea's parents to review her Section 504 plan, and completed a Section 504 evaluation report. At that time, Chelsea's teachers noted minimal effects of her ADHD in the classroom. The school district then sought Chelsea's parents' permission to evaluate her to determine whether she had any visual/perceptual disabilities that were impacting her ability to access the general education curriculum. Chelsea's parents did not respond, and school subsequently ended for the year.

The following school year, rather than having their daughter continue to attend school in the Avon Grove School District, Chelsea's parents enrolled Chelsea in tenth grade at the local charter school. While attending the charter school, Chelsea received special education



Nancy Blumstein



Erin Benson

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## Educational Need ... Continued from Page 9

services under an Individualized Education Program ("IEP"), after the charter school determined that she was eligible for special education in the primary category of Other Health Impairment ("OHI") due to her ADHD, with a specific learning disability in math as a secondary eligibility category. After the close of the school year, Chelsea's parents obtained an Independent Educational Evaluation ("IEE"). In the resulting evaluation report, the independent evaluator mirrored the charter school's determination and concluded that Chelsea's primary disability was OHI and that her secondary disability was SLD. The day after the independent evaluation report was issued, Chelsea's parents requested a due process hearing against the Avon Grove School District. A main issue at hearing was whether the school district had previously correctly concluded that Chelsea was not eligible for special education.

The Hearing Officer presiding over the due process hearing concluded that Chelsea's parents failed to establish that she needed specially designed instruction. As the Hearing Officer noted, "the District was certainly not required to assist [Chelsea] in reaching even higher levels of academic success by identifying a need for, and providing, specially designed instruction when [Chelsea] consistently met the District's educational standards applicable to all students without special education." Chelsea's parents subsequently appealed the Hearing Officer's determination.

The U.S. District Court for the Eastern District of Pennsylvania affirmed the Hearing Officer's determination in *Chelsea D.* In doing so, the court emphasized that IDEA defines a "child with a disability" as a child: "(i) with intellectual disabilities, hearing impairments (including deafness), speech or language impairments, visual impairments (including blindness), serious emotional disturbance (referred to in this chapter as "emotional disturbance"), orthopedic impairments, autism, traumatic brain injury, other health impairments, or specific learning disabilities; and (ii) who by reason thereof, needs special education and related services." *Id.*, citing 20 U.S.C. § 1401(3)(A). "Written in the conjunctive, the statute should not be read to protect children with an impairment but not

requiring special education." *Id.*, citing *D.S. v. Neptune Twp. Bd. of Educ.*, 264 F.App'x 186, 189 (3rd Cir. 2008). The court found that Chelsea's parents did not meet "their burden to establish that the Hearing Officer wrongly determined that Chelsea did not require special education by reason of a specific learning disability in math reasoning." In addition, the court found sufficient evidence to support the Hearing Officer's finding that Chelsea did not need specially designed instruction by reason of her ADHD diagnosis.

As the above case illustrates, and as numerous other cases have also pointed out, the eligibility criteria for the different disability categories cannot be considered in the abstract. See *i.e.* *Marshall Joint School District No. 2 v. C.D. ex. rel. Brian D.*, 616 F.3d 632, 637 (7th Cir. 2010) ("It is not whether something, when considered in the abstract, can adversely affect a student's educational performance, but whether in reality it does.") It is important to look at the specific child as a whole to determine whether there is an educational need for specialized instruction.

A case that recently came into our office further illustrates this point. In that case, the student is a tenth grader who suffered a traumatic injury a number of years ago, and as a result experiences some physical limitations. Even with her physical limitations, the student is active in a variety of school activities, including tennis, cross country, and debate. She has been taking all accelerated classes, earns A and B grades in all of her classes, and is currently ranked 207 out of 700 in her graduating class. Despite the student's success in school, her parents have requested a due process hearing after the school determined her to be not eligible for special education services. The student's parents have an older daughter in eleventh grade who is ranked 15th in her graduating class, and given that strong academic skills run in their family, the parents believe that their younger daughter could achieve even better grades if provided specialized instruction. The student's parents both graduated from a prestigious Ivy League college and hope that both of their daughters follow in their footsteps.

**Educational Need ...  
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## Educational Need ... Continued from Page 10

The above-described case is another example of a student who fits within the eligibility criteria for physically impaired, but there is no educational need qualifying her for specialized instruction. The child is performing as well or better than a majority of her peers. While it is not surprising that parents want their children to have every advantage so as to reach their maximum potential, IDEA simply does not require that school districts maximize each child's potential through specialized instruction. The fact that a parent believes that his or her child is not performing at his or her maximum potential does not mean that the child is eligible for special education. Although this concept is not new to educators, it can be a difficult one for parents to accept. Despite parents' good intentions, IDEA does not require that a student be given special education services so as to help her achieve all A grades.

In order to avoid claims of this nature, we recommend that school districts educate parents at the outset of the IEP process about the fact that, notwithstanding the four corners of the eligibility criteria for a particular disability category, educational need is necessary in order to establish that a student qualifies for specialized instruction under IDEA. Parents should also be made aware that a school district's obligation under IDEA is to provide students meaningful educational benefit, not to maximize a student's potential. Finally, school districts should explain to parents that the ultimate goal under IDEA is to provide students enough special education services so as to eventually exit the student from special education altogether and return the student to the general population, whenever appropriate.

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

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

## Chris Sonenblum Receives MASE Legacy Award

Chris Sonenblum has been awarded the Legacy Award by the Minnesota Administrators for Special Education (MASE). Dr. Sonenblum will be honored for her commitment to encouraging, developing and mentoring leaders who reflect the MASE mission, at a statewide recognition ceremony during the MASE Fall Conference, October 23 - 25, at Cragun's in Duluth.

Dr. Sonenblum is the Director of Student Services with Roseville Area Schools. She has given a lifetime of professional service to the field of special education from teacher, to coordinator, to director. Throughout her career, Dr. Sonenblum has mentored, trained and supported aspiring administrators. As an active member in MASE, Dr. Sonenblum has served on the Board of Directors, chaired various committees, and presented at conferences and workshops.

The Legacy Award recipient must be a current active MASE member who has contributed to the professional growth of others. The recipient must demonstrate a commitment to the field of special education through training; mentoring; personal support; modeling; an impact that is considerable and measurable over time; and contribution at the local, regional, and state levels.

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## Committees ... Continued from Page 5

### **2013-14 MASE Federal Advocacy Committee**

*Co-Chair: Cheryl Johnson, Executive Director,  
Goodhue County Education District and  
Co-Chair: Scott Hare, Director of Special  
Services, Shakopee Public Schools*

- D Nan Records, Sherburne-N Wright  
Education Cooperative
- G Deb Wall, Forest Lake Area Schools
- H Darren Kermes, MN River Valley Special  
Education Cooperative
- H Chad Williams, Belle Plaine & Jordan  
Public Schools

2013

# fall conference

October 23-25, 2013

**Cragun's Conference Center, Brainerd**

*Four million children and adolescents in this country suffer from a serious mental disorder that causes significant functional impairments at home, at school and with peers. Of children ages 9 to 17, 21 percent have a diagnosable mental or addictive disorder that causes at least minimal impairment.*

*(US Department of Health and Human Services as cited by the National Alliance on Mental Illness)*



Students' mental wellness has a direct impact on their ability to learn and grow. Healthy relationships, emotional intelligence, mental illness, substance abuse, behavior issues, etc. all affect outcomes for students as well as school climate. More than ever, special education leaders have an essential role in supporting the mental health of students and staff. Join us this fall and explore issues of mental health in our schools. **Registration is coming soon!**