

Spring, 2013

Leading and Influencing Every Single Day

Written by Jill Skarvold, MASE President and Director of Learner Support Services, Moorhead Area Public Schools

Every single day, special education directors are engaged in providing services that enable children and youth to be successful. Every single day, my colleagues study problems related to serving students. Every single day, we lead and influence groups to find solutions to solve those problems in order to improve students' outcomes.

As we all know, this type of leadership takes an enormous amount of time - every single day. It takes time to work with our community partners, with our families, and with our teachers and other staff. It's one of the reasons that several years ago, MASE made the commitment to once again fund a position for a MASE Executive. We were fortunate to have Michelle Orcutt re-establish a voice as the Executive Director, we now have Jan Ormasa continuing to navigate and influence policymaking and other activities while building solid, respectful working relationships.

Jan Ormasa has been in the role as Executive Director for just seven months, yet even in that short amount of time her effectiveness in recognizing connections and links to others is making a difference. She is being sought out. She is being contacted



Jill Skarvold

by media, by policy makers, and by legislators to speak on behalf of MASE. Jan's focus on creating partnerships in order to find solutions and her ability to understand the nuances of policymaking enable MASE to be in front of the work that is being done so that MASE members can lead and influence - every single day.

Jan is doing all this by finding ways to connect to people – to directors, to other administrators, to families, to advocacy groups, to legislators and to policy makers. She is doing this by creating and implementing communication tools and finding ways to build meaningful partnerships with a wide range of groups and individuals. In our diverse and large state, Jan is finding ways to provide information to all MASE members and to get information from those who are willing to provide it. The opportunity to influence policymaking and legislative activity exists for all members.

Please keep up-to-date with Jan's Twitter feed as well as Brad Lundell's Legislative Blog. Jan also

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Legislative Session Underway

Written by Brad Lundell
MASE Lobbyist

Legislators have been hard at it since the first week of January and as this newsletter goes to press, we are nearing the first set of legislative deadlines. Deadlines don't matter as much for funding issues as they do for policy issues, but we will likely be seeing a mad rush in the next few weeks as authors try to line up their bills for hearings.

Special education is receiving a lot of attention this session. As you probably know, there are two proposals in the Governor's 2014-2015 biennial budget dealing with special education. The larger of these initiatives is an additional investment of \$125 million in special education funding. This investment would be accompanied by a new special education formula that would replace the cost-reimbursement formula that has been in place for years. The seeds for these changes were planted during the proceedings of the Governor's Education Finance Working Group that met over the past two years. MASE was represented on this panel by Deb Wahl and Marcy Doud. The working group's recommendations called for an increase in special education funding of \$195 million along with the proposed formula changes. I have yet to see a data run that shows how the \$70 million change in the recommendation would affect school districts throughout the state in terms of aid distribution. It is likely all school districts would see an increase in their special education aid allocation, but the magnitude of the increase may vary wildly given the proposed formula changes. Rest assured, I will make every attempt to get solid information on how these changes will affect school district budgets.

In a related matter, the Governor's budget recommends making special education a "forecast" program. This would prevent proration of the special education formula in future years and districts would be able to plan their

programs with greater assurance that money would be available to provide the services determined by the IEP without having to make massive adjustments locally by moving money from the district general fund to cover unreimbursed special education costs after programs have been put in place. I want to stress that the new approach will not be a panacea or absorb all special education costs, but indications are this would certainly bring greater stability and predictability to special education funding.



Brad Lundell

The third item in the Governor's budget is a \$1.8 million appropriation to the Minnesota Department of Education to develop a system of online reporting forms to help districts file reports. This is an attempt by MDE to address the concern with increased and confusing paperwork that often comes from the special education field. Whether or not this will accomplish that remains to be seen and I have heard comments from a number of special education directors that it's not the amount of paperwork, but the moving target resulting from inconsistent application of state and federal special education statutes and rules. Whatever the cause of the paperwork issue, at the very least, this proposal should help promote the discussion of how the current system can be made better and special education personnel will be able to devote more time to working with students and less time worrying about which "dotting i's and crossing t's" that lead to little in the way of increased student performance.

There are other issues brewing, including an extension of the allowable use of prone restraint,

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**IMPACT
Spring, 2013**

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MASE Executive Director

Jan Ormasa

Leading ... Continued from Cover

contributes to MASE e-News to ensure we have another way of being informed. Being informed and having ways to connect and communicate enables directors to have a voice and to impact issues every single day while we continue to do the important work we do in our local area.

Our strong convictions to work on behalf of students with disabilities drive us to collaborate and communicate with community and state partners. As President of MASE, I'm grateful that our Executive Director and our Lobbyist are creating opportunities to address issues as well as to guide policy makers and legislators to meaningful solutions, not ones that just grab headlines. They do this on behalf of our membership every single day.

Congratulations!

**Jacque Stein,
2013 MASE
Special Education
Administrator of the
Year (Posthumous
Award)**

**Mary Clarkson,
2013 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 with high expectations for self and others, and their commitment to shaping policies and practices which impact the quality of education for children with disabilities.

Jacque and Mary will be honored at the 2013 MASA/MASE Spring Conference.

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.

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an entire package of proposals (many of which are directly involved in education) on the subject of children's mental health, and changes to the state's care and treatment laws. I will report on these as greater detail becomes available.

I also want to take a few lines to commend Jan Ormasa, the MASE Executive Director, on all she is doing. Jan brings a wealth of experience to the role and is working hard to make sure that legislators and other policy makers have MASE's perspective when they are discussing policies relating to students with physical, emotional, and intellectual needs that require significant intervention on the part of a school district. She is simply doing a stellar job!

Don't hesitate to contact me with questions and comments as the session continues. I can be reached at lundelllegislative@gmail.com or 612-220-7459. Thanks.

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Left: L. Lynn Stansberry Brusnahan, Ph.D., Associate Professor

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Embarking on a New Adventure: Strengthening MASE through Formal Business Partnerships

*Written by Jan Ormasa,
MASE Executive Director and
Lori Fildes, MASE Treasurer and
Director of Special Services,
Wayzata Public Schools*

"What is the future vision for MASE?" was one of the constructs at the MASE Board retreat in June 2012. In wrestling with designing the new strategic plan for 2012-13, the MASE Board pursued ideas about leadership and sustainability over the next decade. Where is the fulcrum of change? Where do we think is the paradigm shift for the growth in our organization? How do we envision building and strengthening leadership as stated in our mission "MASE builds leaders who advocate on behalf of students with disabilities and their families?"

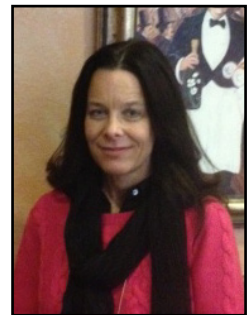
The creative solution lies in the unique relationships that MASE members have forged over the past decades. Thus was born the idea to build strong positive relationships with business partners. So how do we increase this collaboration? What can we do to strengthen the relationships? These questions prompted the MASE Board to envision building and strengthening business partnerships between, and amongst, those with whom we work with each and every day. Furthermore, MASE wants to expand and build partners in new and innovative ways that would create access and visibility for organizations, businesses and services that seek to help us address the achievement gap in learning for our students with disabilities. The call to find the resources that would strengthen our opportunities for learning for our students, our colleagues, and our partners became a clamor to forge ahead in a new vision.

Last June, the MASE Board created a strategic plan that would focus on generating non-dues revenue that would allow MASE to pursue our mission through a multitude of different avenues.

How do we reach out and support our new leaders in becoming transformational leaders? How do we envision professional development for our leaders who are embracing mid-career learning and challenges in taking their leadership skills to a whole new dimension of "sustainable leadership?" MASE needs to intentionally reach out to new business partners whose mission is to help build our next generation of leaders, special education teachers, speech pathologists, social workers, school psychologists, occupational therapists, physical therapists, and other related service providers.



Jan Ormasa



Lori Fildes

Lori Fildes, Director of Special Services in Wayzata and Treasurer of MASE, convened a conversation to create the vision for reaching out and building a plan to develop unique relationships necessary to build leaders. This vision embraced the goal for raising the non-dues revenue and building the templates that are circulating with potential business partners. This is a pilot time from January to June 2013 for a business partnership. MASE seeks to customize and build the construct of business partners in a variety of ways with the foundational membership that will expand. The expansion began at the MASE Fall Leadership Conference wherein sponsors were sought for a variety of different opportunities. It was so exciting to learn that Ratwik, Roszak & Maloney, were willing to sponsor the "Meet The Executive Director" reception at the conference. The sponsors are tremendous assets to the conference. MASE

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extends their deep gratitude to Ratwik, Roszak & Maloney, Voyager Learning/Sopris Learning, SpEd Forms Inc., Booth & Lavarato LLC, Kennedy & Graven, Chartered, Bethel University Graduate School, and Dr. Jean Quam, Dean College of Education and Human Development/ University of Minnesota-Twin Cities. This is inspirational!

MASE is now working to build more business partnerships. Along with Lori Fildes, Jan Ormasa, our Executive Director for MASE has taken on the leadership to be the voice for MASE in solidifying these relationships. This is a role that is embedded in Jan's position description and a responsibility she is passionate about undertaking. The vision is to increase opportunities for our membership to be informed about the services offered by the business partners while expanding MASE's nonservice revenue base. New MASE business partners are: Groves Academy, Mains'l, Rupp, Anderson, Squires & Waldsburger, P.A., Strategic Staffing, Voyager Learning, Whitewater Learning, and the University of St. Thomas. This work has just begun and it is hoped that many more partners will embrace this opportunity.

Thank you to all of our members who assist MASE in building strong relationships with business partners. MASE will continue to expand and build strong relationships with members of the business community who share our commitment to the MASE mission and to customize and create new opportunities that are mutually beneficial to both partners.

Visit the MASE Website!

The MASE Website is a resource for you! It has been updated with 2012-13 board and committee lists. You'll also find other member resources including the MASE calendar, publications, model contracts, legislative hot topics and more...

www.mnase.org

MASE Calendar

2013

Wednesday, March 13

MASE New Leaders Cohort
Minneapolis Marriot NW, Brooklyn Park

Wednesday, March 13

MASE Board of Directors Meeting
Minneapolis Marriot NW, Brooklyn Park

Thursday - Friday, March 14 - 15

MASA/MASE Spring Conference
Minneapolis Marriot NW, Brooklyn Park

Friday, March 29

MASE Offices Closed

Wednesday, May 8

MASE New Leaders Cohort
Maddens, Brainerd

Wednesday - Friday, May 8 - 10

MASE Best Practices Conference
Maddens, Brainerd

Monday, May 27

MASE Offices Closed

Thursday - Friday, June 20 - 21

MASE Board of Directors Retreat
The Depot, Minneapolis

Wednesday - Friday, July 24 - 26

Legends Retreat
Sugar Lake Lodge, Grand Rapids

Wednesday - Friday, October 23 - 25

MASE Fall Conference
Cragun's Resort, Brainerd

Wednesday - Friday, November 13 - 15

CLM Fall Conference
Cragun's Resort, Brainerd

Thank You to Our New Business Partners!

- *Groves Academy*
- *Mains'l*
- *Rupp, Anderson, Squires & Waldsburger, P.A.*
- *Strategic Staffing*
- *Voyager Learning/Sopris Learning*
- *University of St. Thomas*
- *Whitewater Learning*

2013 MASA/MASE SPRING Conference



March 14 - 15, 2013
Minneapolis Marriott
Northwest, Brooklyn Park

Special thanks to our Major
Spring Conference Sponsors:
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Our theme this spring enhances the conversation we began in the fall... To succeed in our ever-changing global society, students must be equipped with the knowledge and skills that support experiences we may not be able to predict. As leaders of learning, we see the potential of emerging technologies, the impact of skilled assessment and instruction, and the need for flexible systems that can respond to rapid, pervasive change.

During the MASA Fall Conference, participants engaged in a process to explore Design Thinking through collaborative, project-based learning. We looked at the process of moving from conversation to action. This spring, we will expand that conversation through our continuing partnership with the Council of Educational Facilities Planners (CEFPI), and Twin Cities Public Television (TPT), and look at the practice of innovation. TPT is documenting this evolving conversation and they will be with us, providing videotaped conversation from the previous events for reflection and bridging the ongoing dialogue about making dreams reality for our students.

Our Friday keynote speaker David Weinberger is interested in the effect of technology on ideas. His status as one of our foremost interpreters of technology's impact on business and society continues to grow. David's new book, *Toow Big to Know: Rethinking Knowledge Now That the Facts Aren't the Facts, Experts Are Everywhere, and the Smartest Person in the Room Is the Room*, gets to the heart of what we need to know, and too often don't, about how the network world's flood of information is transforming the world. .

John Moravec is concerned about human capital development as society approaches an

increasingly complex and ambiguous future. Technological change drives social change, and its impact is accelerating exponentially. Our schools, universities, and other institutions must leapfrog ahead of this curve for all people to compete in highly globalized, knowledge- and innovation-based societies. His work focuses on exploring this "New Paradigm" and the new approaches to leadership and human capital development required.

The Exhibit Fair is a convenient way to visit with representatives of companies offering the latest products and services. Sign up for the prize drawings – you won't want to miss your chance to win the door prize this year because it is a Samsung 40" Class 1080p 240Hz Smart LED HDTV! Visit our exhibit booths and receive tickets you can trade

for refreshments at the Thursday afternoon reception.

Don't forget to shop the Silent Auction. Profits support the programs of the MASA Foundation. There will be many bid-inspiring items up for auction, so be sure to check them all out. And it's not too late to make your own donation to the auction—simply indicate

your contribution on the registration form found on the MASA website.

Throughout the conference, we will celebrate the accomplishments of your colleagues with Awards and Retiree Recognition. Congratulations to all!

Don't forget about our breakout sessions offering rich content with many options for customizing your conference experience. We will also be offering our annual pre-conference workshops: At Ruth's Table, MASA's Great Start and the MASE New Leaders Cohort.

THERE'S AN APP FOR THIS!

This year, the spring conference is going green. Instead of using our traditional conference packet, we are excited to introduce our conference app! The app will provide many great features, including program information, announcements, exhibitor details and personalized audience feedback. *Our app will work with smartphones (Android, BlackBerry, iPhone, etc.), tablets, and laptops so BYOD!* Internet service is free and has been tested to handle the traffic. We will also provide ample Juice Bars to keep your devices charged and ready to go!

Creating a Community of Leaders

Written by Lisa Kraft, Director of Special Services; and

Deb Marcotte, Director of Teaching and Learning, Hutchinson Public Schools

Over the last five years Lisa and I have made a great effort to collaborate between regular and special education initiatives. We have established a district-wide structure for content area leadership teams joined by special education representatives to meet regularly throughout the school year to set goals and acknowledge progress or to re-evaluate and re-direct as our system adapts. These leadership teams provide the muscle to accomplish initiatives established by our District Improvement Team. We have learned some valuable lessons. The 2012 Fall CLM Conference allowed for the time to reflect and provide validation for our work as we move toward a more collaborative educational framework throughout our district.

We have introduced elements from this conference to various groups throughout the District. Administratively, we continue to work toward the leadership goal as outlined by Hargreaves for the development of communities of leaders who work together effectively and build on each other's work over time. (p 44) Administratively, we must keep Hargreaves' words in mind:

When the classroom door is closed, the teacher will always remain in charge. Where students are concerned, the teacher will always be more powerful than the principal, the president, or the prime minister. Successful and sustainable improvement can therefore never be done to or even for teachers. It can only ever be achieved by and with them. (p 45)

We felt our work was validated by the Conference Keynote Speaker, Dr. Andy Hargreaves, who spoke on teacher

professionalism and professional capital. All participants received his book *Professional Capital: Transforming Teaching in Every School*. Dr. Hargreaves uses the phrase, "teaching like a pro" to describe the willingness to undertake difficult yet inspiring work; consistently trying to improve professional practice; and using the collective wisdom, experience, and creativity of professional colleagues working as part of a team. (p 22)

After reflecting on Professor Hargreaves' presentation, we recognize these silos throughout our district:

- Program Silos:
 - Regular Education
 - Special Education
 - At-Risk Learners
 - English Language Learners
 - Gifted and Talented Learners
 - Early Childhood Learners
- Building Silos:
 - West Elementary (Pre-K - Grade 1)
 - Park Elementary (Grades 2 – 5)
 - Middle School (Grades 6 – 8)
 - High School (Grades 9 – 12)
- Philosophical Silos:
 - Whole District (Pre-K – 21) Perspective vs Individual Building Perspective
 - Traditional Responses to Student Learning vs Response to Intervention
 - Focus on Teaching vs Focus on Learning
 - Traditional vs Transformational



Lisa Kraft



Deb Marcotte

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- Textbook vs Standards-based curriculum
- Normed vs criterion-based grading and reporting

To break down these silos takes an incredible amount of perseverance, communication, and trust. We have learned some valuable lessons along the way. In an effort to be of assistance to you, we will highlight our journey.

Launching A Shift In Thinking

Five years ago we presented DuFour's Challenge of Cultural Change from *Revisiting Professional Learning Communities At Work* to our entire staff. We asked staff to consider their own mindset as each element of cultural change was presented. For this article we are providing an excerpt of the categories of each shift with an example that we continue to emphasize:

- A Shift in Fundamental Purpose
 - From a Focus on Teaching to a Focus on Learning
- A Shift in Use of Assessments
 - From Infrequent, Summative Assessments to Frequent, Common Formative Assessments
- A Shift in the Response When Students Don't Learn
 - From Individual Teachers Determining the Appropriate Response to a Systematic Response That Ensures Support for Every Student
- A Shift in the Work of Teachers
 - From Isolation to Collaboration
- A Shift in Focus
 - From a language of complaint to a language of commitment
- A Shift in Professional Development
 - From external training to job-embedded learning

As professionals, we continue to challenge one another's words and actions to make this shift a reality for our district.

Getting the Right People at the Table

A big part of knocking down the silos is having

the right people at the table as we discuss various educational practices. It is important to have representation from each of the silos listed above to harness the fullest knowledge base and expertise available. We use a district-wide leadership structure to coordinate and facilitate communication. The information flows in a continuous cycle from the classroom to the board room and back as it makes its way through the District Improvement Team, Administrative Team, Leadership Teams, and Building Level Teams.

Improving All Schools

Building administrators focus on running their building and rightly so. However, if they only focus on their building and do not consider the district as a whole, the district is less likely to improve. Our building administrators have been encouraged to work with one another on several projects so that their perspectives broaden to encompass the entire district. Increasingly, we are making decisions based on district needs over building needs. We are identifying building problems that have district solutions.

Developing Programs for All Students

We are establishing integrated programming to meet the needs of all students. We are restructuring our systems to allow any student access to available interventions. We are trying to use our staff with particular expertise to provide interventions to students who need it. This creative scheduling dilemma forces engrained practices to change. However, the benefits to student achievement far outweigh the challenges to staff.

Focusing the Staff Development Model

We are putting time and resources into developing our own experts in a variety of content areas. Previously, staff development funding went to sending people out of the district to "sit and get" conferences. Now, if we send professional staff outside of the district, we target conferences like the Curriculum Leaders of Minnesota Fall Conference which directly correlates to district initiatives. The majority

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of our staff development time and funding is focused on increasing our teacher capacity both individually and collectively.

Impacting our Work - Conference Highlights

Essential Vocabulary Alignment – presented by Barb Muckenhirn, Director of 21st Century Teaching and Learning, Little Falls Community Schools

In Little Falls, each grade level and subject area met to determine what academic vocabulary they were going to own. For example, if fractions were to be mastered at fourth grade, all fourth grade math teachers were responsible for that content. The special education teachers were relieved after this work was completed, because they knew what special education students should focus on. This session was applied to our district in work that we had already begun in our Curriculum Repository. This provided reinforcement for our work with vocabulary by narrowing our focus to those that would be owned at each grade level.

Flipped Classroom 101 – presented by Rob Nosbush, Teacher, Buffalo Community Middle School

This session described how to transition to a flipped classroom and acknowledged benefits for doing so. Using the flipped classroom allows for differentiation and it supports all stages of student learning. Our high school math teachers are piloting this strategy and are reporting positive results for most students.

Rethinking Textbooks - presented by Ryan Cox, Technology Curriculum Integrationist, Becker Public Schools

This session provided a framework to better understand the advantages of electronic textbooks and disadvantages of standard textbooks. The development of individualized electronic textbooks for school districts provides flexible learning opportunities for all students. These textbooks are created based on the needs of the school district and can be used to differentiate learning across regular and special education classrooms. Mr. Cox visited our district and presented these concepts to our secondary teachers and administrators. We continue to explore options toward electronic textbooks.

Curriculum: Critical for Building Student Success - presented by Sleepy Eye School District's Curriculum Coordinators, Principal and Superintendent.

The presentation documented their district's move to develop curriculum guides that diminish the reliance on textbooks for learning. Sleepy Eye reported the implementation of curriculum guides created marked improvement of math and reading MCA scores. Their district financially supports the continued efforts of curriculum audits through curriculum coordinator salaries, teacher pay stipends, and sub pay. Hutchinson Public Schools have moved in this direction and are currently developing a curriculum repository that all staff

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

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

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. 2013 applications have been sent to Directors; if you need an additional copy, please contact the MASE office.

Prior Written Notice: The School District's Best Defense

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

The importance of drafting accurate and complete prior written notices is an essential part of being an effective special educator. Unfortunately, we find that many special education case managers continue to overlook this requirement, even in the most sophisticated school districts. In doing so, case managers are exposing their school districts to potential liability and failing to provide the district with a powerful defense tool when and/or if the district's provision of special education to a student is challenged. When drafted correctly, a prior written notice can provide a school district with powerful evidence of the district's procedural compliance and a team's rationale in rendering IEP and placement determinations. A poorly drafted notice, on the other hand, can signal an ineffective or inappropriately developed special education program, and/or a case manager's lack of care about the need to communicate fully with a student's parents.

Both federal IDEA and Minnesota law set forth requirements regarding what information a prior written notice must contain. While these legal requirements are not new, many prior written notices do not adequately address all of the required elements. For that reason, we will briefly review the required elements of a prior written notice here. Under federal law, a prior written notice must do the following: (1) describe the action proposed or refused by the school district; (2) explain why the school district proposes or refuses to take action; (3) describe each evaluation procedure, assessment, record, or report the school district used as a basis for the proposed or refused action; (4) describe other options that the student's IEP team considered and the reasons why those options were rejected; (5) describe other factors that are relevant to the school district's proposal

or refusal; (6) state that the parents of the child with a disability have protections under the procedural safeguards of IDEA, and, if the notice is not an initial referral for evaluation, the means by which a copy of a description of the procedural safeguards can be obtained; and (7) include sources for parents to contact to obtain assistance in understanding their rights under IDEA. See 20 U.S.C. § 1415.

In addition to the above federal requirements, Minnesota law requires that a prior written notice: (1) inform the parents that the school district will not proceed with the initial placement and provision of services as defined in Rule 3525.0210 without prior written consent of the pupil's parents; (2) inform the parents that except for the initial placement and provision of services, the school district will proceed with the proposed placement and provision of services unless the parents object in writing on the enclosed response form or otherwise in writing within 14 calendar days after receipt of the notice; and (3) inform the parents that if they refuse to provide prior written consent for initial evaluation or initial placement or object in writing to any proposal, or if the district refuses to initiate or change the identification, evaluation, or educational placement or the provision of FAPE to the pupil, the parent may request a conciliation conference. See Minn. R. 3525.3600.

There are several strategies that encourage the proper drafting of prior written notices. First, it is imperative that comprehensive notes be taken



Nancy Blumstein



Erin Benson

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at each student's IEP team meetings. When this strategy is properly implemented, the resulting prior written notice will all but write itself. We recommend assigning someone to take accurate, detailed notes at each team meeting. This note taker may be a member of the student's IEP team, but it can also be a secretary or other school staff member specifically assigned to this task. Assigning a non-IEP team member to take notes allows that person to focus solely on their assignment. The note taker should draft IEP team meeting notes in an objective and professional manner, identifying who spoke and what he or she specifically said. The notes must also identify the note taker, the purpose of the meeting, and the date on which the meeting was held. Further, when taking notes, it is important to pay specific attention to what a parent said and how the school district responded. Detailing the back-and-forth communication between parents and the district IEP team members will go a long way in drafting a quality prior written notice that accurately shows the district's consideration of parent concerns. This is critical when defending against any claim by a parent that he or she was not allowed to participate in the IEP team process. Further, notes from IEP team meetings should record the process that was followed and the IEP team's rationale in reaching each conclusion. Notes that are limited to listing each conclusion rendered at meetings will not help the school district when it comes time to explain why the team reached a particular conclusion.

In addition, when drafting a prior written notice, it is important to be as detailed as possible, including all of the reasons for why the school district proposed or refused to take a particular action. A school district's failure to adequately set forth rationale in rendering educational decisions can confuse and anger parents and, most importantly, severely compromise the school district's ability to defend itself in a local due process hearing. A good prior written notice is one that helps people remember what occurred and why. Including more information in a prior written notice is always better than including less. Further, when drafting a prior written notice, it is important to make sure that the notice clearly states the proposed change

in placement it refers to, and/or the parental request the notice addresses. Each prior written notice should address all relevant decisions made by the IEP team at any given IEP team meeting.

School districts should be careful not to let a parent's response at an IEP team meeting drive the contents of the resulting prior written notice. Instead, school districts must use their own judgment to decide what items discussed at an IEP team meeting are important to include in a prior written notice. The fact that a parent did not make an issue out of a particular decision at an IEP team meeting does not necessarily mean that the decision will not be the basis for a later complaint or due process hearing request. School districts must be certain that the prior written notices they draft address each of the elements required under law and each of the decisions that an IEP team renders during a meeting, even when a particular issue appears not to be a parent concern. This point is best illustrated by examining the decision in Buffalo Lake-Hector Independent School District No. 2159. See 55 IDELR 85 (SEA MN 2010).

In that case, a parent brought a complaint against the school district alleging that the district failed to provide adequate and individualized extended school year ("ESY") services to a student. The parent also charged that the district's prior written notice regarding the provision of ESY services failed to provide the parent with an explanation of why the district refused to provide the additional ESY services she had requested. Specifically, at the student's annual IEP team meeting, the student's IEP team discussed the student's eligibility for ESY services and decided that the student would receive 8 sessions of ESY. The parent did not question or appear to take issue with that decision. Thus, no prior written notice was sent after that meeting because the IEP development process was not fully completed at that time. At a subsequent IEP team meeting the following month, the student's IEP team discussed and agreed upon the location of ESY services for the student. Although the student's parent

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disagreed with many issues raised and discussed at that meeting, the parent did not then raise any disagreements with the team's ESY determination. The district subsequently sent out a proposed IEP and very detailed prior written notice, but did not address ESY since it had been a "non-issue" at the meeting. In particular, the notice did not explain the basis for the amount of ESY services that the IEP team proposed to provide the student. Shortly thereafter, the parent signed the prior written notice agreeing to the proposed IEP, including the proposed ESY services.

After signing off on the prior written notice, the parent raised an issue as to the amount of ESY the student was going to receive. At that time, the parent requested that the school district provide the student 14 weeks of ESY, rather than the agreed upon 8 sessions. The district refused the parent's request and sent the parent another prior written notice indicating as such. During the resulting complaint process, the parent asserted that she only signed the initial prior written notice regarding ESY to ensure that her child would receive some ESY services. The parent further asserted that the district never explained to her its rationale for providing only 8 sessions of ESY, and that the district did not consider her input when arriving at the amount of ESY services her child would receive. In its decision, the Minnesota Department of Education noted that the school district's prior written notice was inadequate, because it did not include a statement regarding the amount of ESY that the IEP team was proposing or an explanation as to the rationale for that decision. The Buffalo Lake-Hector decision, therefore, serves as a powerful reminder that, regardless of whether a parent raises issue with a particular IEP team decision at an IEP team meeting, a school district must be sure to include all relevant details of determinations (including those related to ESY) in its prior written notices.

Further, when drafting prior written notices, school districts should be sure to include each element that could be a basis for a due process complaint or hearing request. In other words, in addition to including all elements required by federal and Minnesota law set forth above, it

is also important to focus on all potential areas for parental complaint. This includes, but is not limited to, the following: (1) appropriateness of IEP goals and objectives; (2) adaptations; (3) modifications; (4) assistive technology; (5) extracurricular activities; (6) special factors that need to be considered because of a child's needs; (7) Extended School Year or Extended Day services; (8) concerns a parent may have with any need area; (9) any mention of private school or tutoring needs and the school district's response thereto; and (10) the IEP team's determination regarding the least restrictive environment appropriate for the student and the rationale supporting that determination. By including in a prior written notice detail about the rationale and discussion of the above issues, if any of these issues are later raised by the parent in the form of a complaint or due process hearing request, the district will have proof that the issues were discussed by the IEP team and that parent input was considered.

In addition, it is important to remember that a school district's obligation with regard to prior written notice extends beyond the services actually provided by the district itself. Prior written notices should also adequately address services requested by parents that are being provided by outside agencies. This point was illustrated by another Minnesota case, Robbinsdale School District No. 281, 8 ECLPR 39 (SEA MN 2010).

In Robbinsdale, parents filed a complaint on behalf of their child alleging, in part, that the school district failed to provide prior written notice when it denied the student requested American Sign Language ("ASL") services. Early on, the parents had expressed to the district an interest in learning and using ASL with the student. Shortly thereafter, the parents began receiving assistance from an outside agency so that they could learn sign language to communicate with their child. The students IFSP and prior written notices did not address ASL. In its decision that the school district violated IDEA's prior written notice requirements, the MDE concluded that, while it is understandable

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Meet Your 2013 MASE President-Elect Candidate

*Written by Cheryl Johnson,
Executive Director,
Goodhue County Education District*

I am honored to be nominated for the position of President-Elect for Minnesota Administrators for Special Education. I am excited for the opportunity to serve the members of this organization and support the mission of MASE. I have had the privilege of serving as a MASE Board Representative and on the Legislative and Membership Committees. Through this work, I've been able to partner with many of you to promote and provide leadership for our strategic plan and to support our members' needs and the needs of the students we serve.

Through our continued collaboration with our members and with other organizations, we can be a strong voice for students with special needs.

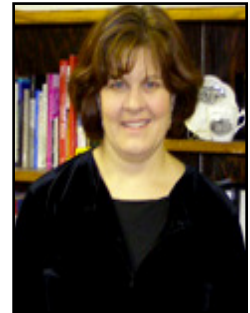
I look forward to continuing to grow our organization. I believe in listening to the membership and providing support for the needs of our members. I am anxious to advocate for all children to achieve their highest potential.

My priorities:

- Serve and support MASE members' leadership needs as developed by the

members of the organization.

- Collaborate with other educational organizations to present a strong and unified front for students with special education needs.
- Proactively advocate for strong policies and legislation.
- Provide quality professional development opportunities in line with the strategic plan and to recruit, mentor and nurture new and seasoned school leaders.
- Work collaboratively with the education leaders of Minnesota to keep children at the center of every decision.
- Keep focused on ensuring progress on the action steps of MASE's strategic plan.
- Unite with our education partners to advocate with one, unified voice, on behalf of children, at the State's Capitol.



Cherie Johnson

I believe that all of us, as members of MASE, have a responsibility to contribute to the success of our organization. Thank you for your dedicated service to the students we serve. It would be a tremendous honor for me to serve as your next MASE President-Elect.

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



**Wednesday Evening – Friday Noon
July 24 - 26, 2013
Ruttger's Sugar Lake Lodge
Grand Rapids, MN**

**Watch your email
for the 2013
Election Ballots!**

*Once again this
year's elections will
be conducted online.*

*Electronic ballots
will be emailed*

*during the week of
March 18th. Be sure*

to watch your email for your login information!

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



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can easily access. Our district provides staff development dollars for teacher involvement and substitutes as needed for staff to participate in curriculum writing. The curriculum repository is a fluid document that is responsive to curricular changes from standards to common assessments.

Silos to Systems Collaborative Leadership For Effective Learning Keynote Speaker Dr. Hargreaves and co-author of Professional Capital: Transforming Teaching in Every School
Dr. Hargreaves described three kinds of professional capital: human, social, and decisional. Human capital in teaching is knowing your subject and knowing how to teach it; knowing children and knowing how they learn; understanding diverse family and cultural circumstances; being familiar with the science of successful and innovative practice; and having emotional capability to empathize with a diverse group of children and adults. It is about possessing the passion and moral commitment to serve all children and want to keep getting better as a teacher.

Social capital in teaching is how the quantity and quality of interactions and social relationships among people affects their access to knowledge and information; a sense of expectation, obligation and trust; and how far they are likely to adhere to the same norms or codes of behavior.

Decisional capital in teaching is the ability to make discretionary judgments when the evidence or the rules are not categorically clear. The capital professionals gain through experiences, practices, and reflection allows them to make wise decisions in circumstances where there is no fixed rule to guide them. (p 88)

Creating a Community of Leaders

Creating a culture change is difficult. Human elements are the most critical to affecting that change. The leadership of the district needs to be in sync. We are making progress. Hurdles we have encountered throughout the last few years have included issues of trust, ego, professional expertise, work styles, level of risk taking,

tradition, history, perceptions, philosophies, personalities, and priorities. We recognize these hurdles and continue to develop strategies to overcome them. This conference and Professor Hargreaves provided the framework and context for a better understanding for us and a resource for our fellow administrators. We believe, as Hargreaves states, we are creating a community of leaders who work together effectively and build on each other's work over time. (p 44)

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that the school district believed another agency was providing ASL services to the family, the student's prior written notice should have included a description of why the district was not proposing to provide ASL training for the family and how that need would be met.

Both of the cases discussed above emphasize the importance of well-drafted prior written notices for school districts. In addition, thoroughly drafted prior written notices can refresh the memories of school district witnesses prior to testimony and, thus, can go a long way when defending the provision of special education to a student. A thorough notice will show the rationale behind an IEP team's decision, and will show that parental input was considered. On the other hand, failing to include all potential issues in a prior written notice can mean trouble for a district.



*Plan to attend the
2013 Best
Practices Conference
May 8-10, 2013 at
Madden's Lodge, Brainerd*