



IMPACT

1884 Como Avenue • St. Paul, MN 55108 • (651) 645-6272 • members@mnasa.org

Fall 2020

Patience, Perseverance, and Positivity

Three words that start off the 2020-21 school year: patience, perseverance, and positivity. We all know that we will need to have endless patience as we support staff through a year of unknowns. We certainly have had to persevere as we had endless pages of guidance, changes of plans, and lists of to do lists. Positivity is what will help us as we continue through this year.

A few years ago I figured out a key to being positive. Everyday I try to write a thank you note. This really sets me off on a positive start to my day; this changes my attitude, and helps me see even more positive actions around me.

So, as I start my year off as the President of MASE, I want to start with a thank you note to my colleagues. I am so grateful to all of you. The job as special education director can often be a lonely job. It certainly comes with a lot of stress; and this year more than most other years. However, when I reach out to colleagues, there

is always someone willing to be a listening ear, share an example, of support in whatever way that is needed.

One of the most significant examples of the amazing group of MASE members is the Slice of Collaboration. Starting at the beginning of August we have been holding two Slice of Collaboration conversations with special education directors across the state. Everyone has stepped up and helped, volunteered to be on a panel, sent texts and emails of appreciation, and participated in honest conversations about our frustrations, ideas, and plans.

Thank you so much for being such great colleagues. Remember - you make a difference!

Please take care of yourselves as you go into the 2020-21 school year and be sure to reach out to colleagues when you need a helping hand. ●



Sarah Mittelstadt
Director of Special Services
Southern Plains Education
Cooperative
MASE President

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Membership Renewal

Whether you are an active or retired member; a member of MASA, MASE, or a joint member, your active participation keeps your associations dynamic and strong. Renew or encourage a colleague to join today at: <https://events.resultsathand.com/membership/1194>.

Special thanks to our 2020-21 MASE Business Partners!

The MASE Business Partnership 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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EXECUTIVE *notes*

A year ago, as I began writing my fall newsletter article for MASE, I recall that there were not even vague rumors of some health issues overseas. Now I know about PPEs, social distancing and the differences between face to face, hybrid and distance instruction. I suspect that I am not alone in how my knowledge base has changed over the past twelve months. So, the good news is that we have all expanded our knowledge base and the bad news, well, you already know the bad news.

Within MASE, we continue to focus on providing supports to our members. The “Slice of Collaboration” is up and running. We hope that you find it of value and it is addressing your needs. We are also planning for the 50th Anniversary of MASE celebration at the Fall Leadership Conference.

In other news, the PELSB found that the administrator representative who works within a special education cooperative setting no longer met the criteria to continue on the board. We have reached out to a number of MASE members, who meet the PELSB requirements, asking them to consider applying for that very important open position. We also understand that it is a “big ask” given all the work required to prepare for the start of the 2020-21 school year.

If you haven't already done so, please make sure that you have renewed your MASE membership. I am also asking that directors make sure that they provide their assistant director/s and coordinator/s the opportunity to be members of MASE.

I would also like to encourage you to join or renew your membership in CEC/CASE. The national organization has provided great leadership and has been very active in lobbying Congress on behalf of school districts during the time of COVID. I meet regularly with presidents and executive directors from across the country on Zoom calls. Membership registration can be easily done online through the MASE website. Those of you who participated in the 2020 CEC/CASE Legislative Summit experienced first-hand the great work being done by our national organization. If you have specific questions about the benefits of CEC/CASE membership please reach out to

Cherie Johnson (cjohnson@gced.k12.mn.us), our MASE representative to CEC/CASE.

Legislative concerns that we are focusing on throughout the summer include aligning with other organizations in opposition to a proposed legislative change giving parents the right to require that a school district allow the parent's private nurse to operate within the school building. While we fully endorse the idea that no student should be denied the opportunity for an education due to a lack of necessary medical support, we are opposed to this infringement on the rights and responsibilities of schools to determine who may work within their school buildings.

We are tracking possible legislation creating a single SLP license versus the current dual state license structure. We also visited with members of the governor's legislative education team to identify where legislative improvements might be made. I am asking you to make sure that you make personal contact with your state legislators and congresspersons helping them to understand how support for public education, especially in these financially challenging times must be a priority. (Fun fact: 0.0028% of the entire federal budget is special education funding) We have advocated at the national level for additional financial support necessary to address the costs associated with delivering services and supports during the pandemic. We have also requested consideration for the challenges of maintaining effort, compliance with timelines and IEP requirements. We found Congressional members from both sides of the aisle who are receptive to the idea of full-funding of special education as required by IDEA. Many of your legislators, both at the state and national level, are running for office this fall and should welcome a conversation with a constituent.

I am entering my seventh year as your executive director and am able to welcome and congratulate



John Klaber
MASE Executive Director

Executive Notes continued on page 4.

MASE IMPACT
Fall 2020

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Executive Director

John Klaber

Executive Notes from page 3

new leaders of MASA and MREA. Deb Henton is the new Executive Director for MASA. She is transitioning from her experience as the superintendent of the North Branch Area Public Schools. She has been a supporter of special education services. I also know, from her leadership experience in MASA, that she is an all-around great person. I am looking forward to continuing the strong relationship between MASA and MASE. Bob Indihar is the new Executive Director for MREA. The relationship between MASE and MREA has also grown over the past few years and I am sure that it will continue to be fostered by Bob who comes from the Moose Lake Schools with a strong endorsement from their special education director and our MASE secretary, Dena Hagen.

In closing, I have two thoughts. First and foremost, please take care of yourselves and take advantage of everything provided by your membership in MASE. Second, be sure to take your responsibility as a citizen seriously by, at a minimum, voting and more broadly engaging in the process to selecting those who will lead our communities, state and nation. These elected officials have a significant impact on our ability to deliver quality special education supports and services. Don't forget your MNSELF Raffle Tickets...Let's support our members! ●



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The MASE Fall Raffle

It is that time of year again when we need to put on our "sales hat" and sell our MASE raffle tickets! This year's raffle tickets will benefit MNSELF (which is a nonprofit organization created to raise funds to sponsor leadership training for current and aspiring special education leaders). Although we did raise substantial money for this worthwhile initiative, only approximately 25% of our total membership participated in the sale. We hope that this year's MASE Fall Raffle will yield more participation and sales, and we are again asking for your help. Tickets and information have been mailed out and you should have received them by now. If you have not, please reach out to the MASE office by phone at 651-645-6272 or email Chad Williams at cwilliams@isd717.org or Keith Erickson at kerickso2310@gmail.com.

For more information about MNSELF, please see <https://www.mnase.org/mnself-foundation.html>.

Please [see the PDF for photos/descriptions](#) of the coolers, smoker, and purses.

1st Prize	\$500 CASH
2nd Prize	Coach Purse
3rd Prize	\$100 CASH
4th Prize	Yeti Hopper M30 Cooler
5th Prize	\$300 CASH
6th Prize	Traeger Pro Series 22 Smoker
7th Prize	\$500 CASH
8th Prize	\$200 CASH
9th Prize	Yeti Hopper M30 Cooler
10th Prize	\$400 CASH
11th Prize	Coach Purse
12th Prize	GRAND PRIZE \$1000 CASH



SAVE THE DATE!
**2020 MASE Fall
Leadership Conference**

October 21-23, 2020

Virtual Conference | Registration Coming Soon

As an added incentive, if you sell all six of your tickets, you will be entered into a drawing for a special valuable prize!

So, please, won't you help us support MNSELF (which in turn supports YOU with excellent professional learning)? And of course, if you can sell more than the six tickets we are sending you, just let us know and we will get you more.

Here are some things to keep in mind:

- Please make certain that the information on each ticket stub is fully completed and legible (please print).
- Please print your name on the back of each ticket stub you sell so when you sell all of your tickets we can enter you into the drawing!
- Important: Make checks payable to MNSELF (NOT MASE).
- Use the self-addressed envelope to return your ticket stubs and money, postmarked by October 2, 2020.
- As a last resort only, you can return your ticket stubs and money in person or through your Area MASE Board Member Representative at the conference by the end of the day on Wednesday, October 21, 2020.

Thank you in advance for selling your tickets. Remember that the funds we raise will ultimately serve your professional community. And of course, there's a chance that you could win a fantastic prize. (Just ask last year's big winner of \$1,400, Nan R.!)

2020-21 MASE New Leaders Cohort

If you are aware of any new special education directors or leaders, please encourage them to register for the training!

MASE New Leaders' Training is a series of professional development sessions that provide opportunities for:

- newly employed Minnesota special education directors to explore the knowledge and skills 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.

Cohort Fee

MASE Members \$500 | Non-MASE Members \$700

Registration Info

Full details and registration information online at: <https://events.resultsathand.com/newleaders/1201>.

2020-2021 Program Dates

**Directors' Session - Virtual
September 10, 2020**

Directors of Record Only
Online, 2-4 pm

**October 21, 2020
Virtual Session**

Entire Group: 9 am – 2:30 pm
Directors of Record: 2:30 pm – 4 pm

**Directors' Session - Virtual
November 12, 2020**

Directors of Record Only
Online, 2-4 pm

December 10, 2020

**MASE Offices | 1884 Como Ave., St. Paul, MN
55108**

Entire Group: 9 am – 2:30 pm
Directors of Record: 2:30 pm – 4 pm

**Directors' Session - Virtual
January 7, 2021**

Directors of Record Only
Online, 2-4 pm

**Directors' Session - Virtual
February 4, 2021**

Directors of Record Only
Online, 2-4 pm

March 10, 2021

**Minneapolis Marriott Northwest | 7025 Northland
Dr N, Brooklyn Park, MN 55428**

Entire Group: 9 am – 2:30 pm
Directors of Record: 2:30 pm – 4 pm

**Directors' Session - Virtual
April 8, 2021**

Directors of Record Only
Online, 2-4 pm

May 12, 2021

**Madden's on Gull Lake | 11266 Pine Beach
Peninsula, Brainerd, MN 56401**

Entire Group: 9 am – 2:30 pm
Directors of Record: 2:30 pm – 4 pm

Carol Anhalt Receives MASE Legacy Award

Carol Anhalt, Retired Director of the Zumbro Education District, has been awarded the Legacy Award by the Minnesota Administrators for Special Education (MASE). Anhalt will be honored for her commitment to encouraging, developing, and mentoring leaders who reflect the MASE mission at a statewide recognition ceremony to be held at the 2020 MASE Fall Leadership Conference, October 21-23.

For nearly 30 years, Anhalt served as the Executive Director of the Zumbro Education District, from which she retired from in 2017. Prior to her role as director, Anhalt was the Minnesota Coordinator for Project SKI*HI/INSTITE with the Minnesota Department of Education. She acted as a Regional SKI*HI/INSITE Coordinator and Consultant for Early Childhood and Special Education with Southeast Minnesota ECSU. Anhalt's teaching and instruction career includes teacher for Learning Disabled Students, pre-school special education teacher, and as a first-grade teacher. Anhalt also was an instructor in the Department of Psychology at Townson State College in Baltimore, MD.

"Carol has been a caring, dedicated, and responsive administrator. She is a quiet leader with character and I have never met a person who does not have tremendous admiration and respect for Carol and her work in special education," said Debbra Marcotte, Executive Director of the Hiawatha Valley Education District. "Carol's influence and inspiration continues today. Her legacy will continue throughout the Zumbro Education District into the future."

Anhalt was instrumental in increasing the knowledge and understanding for many of equitable comprehensive special education services and efficient use of special education funding involving local, state, and federal allocations. Her contributions to the field of special education has inspired many staff to move into leadership roles through her mentoring, training, support, and modeling. Anhalt was an active participant in the regional strategic planning sessions where she used her experience to create a vision, mission, core values, strategic initiatives, and future goals that reflected the current times. She understood the power of collaborative effort and through her years as a director, always helped to bring the directors

in the region into agreement on the best path forward.

"Eighteen years ago, I met Carol at a Region 10 Director meeting. Carol willingly shared her expertise and strategies with me on how to effectively work with several districts, how to encourage collaboration, and how to keep multiple independent school districts moving in the same direction. It was valuable advice for a new director," said Cheryl Johnson, Executive Director of the Goodhue County Education District. "In recognition of Carol's significant contribution to the education of students with special needs, her undying passion for the field of special education, and her support of educations and colleagues, it is with pleasure I recommend her for the MASE Legacy Award."

During her time as an Active Member of MASE, Anhalt served as president and as a regional representative on the MASE Board of Directors and represented MASE Region F2 on multiple MASE committees.

Anhalt earned a master's degree in Special Education from the University of Missouri-St. Louis and a bachelor's degree in Psychology and Child Study from Vassar College. ●

Save the Date!



MASE
Best Practices
May 12-14, 2021
Madden's Resort, Brainerd

WELCOME

new members

Megan Besaw, Special Education Coordinator, Rosemount-Apple Valley-Eagan Schools

Anne Bolstad, Special Services Supervisor, South Washington County Schools

Shannon Brennan, Principal/Assistant Director, Intermediate School District 917

Kenny Chan, Director of Special Education, Yinghua Academy

Jessica Cook, Special Education Teacher, Duluth Public Schools

Angela Doll, Assistant Principal, Moorhead Area Public Schools

Nicole Erickson, Special Education Coordinator, Elk River Area School District

Adriana Haugen, Special Education Coordinator, Westonka Public Schools

Jennifer Heieie, Director of Special Education, Indigo Education

Jodi Herlick, Special Education Coordinator, Aspen Academy

Jacquelyn Hickey, School Psychologist, South Central Service Cooperative

Courtney Holmes, Student Services Coordinator, Osseo Area Schools

Linda Hullopeter, Assistant Director of Special Education, Waseca Public Schools

Kelsey Kiefer, Assistant Director of Special Education, Creatively Focused

Ann Kruse, Early Childhood Special Education Coordinator, Northfield Public Schools

Kristen Laffe-Thao, Assistant Director of Special Education, Prior Lake-Savage Area Schools

Sarah Lancette, District Behavior Specialist, Osseo Area Schools

Kandi Larson, ECSE Coordinator, Osseo Area Schools

Kristin Laughlin, Director of Special Education, Minnetonka Public Schools

Jill Lesne, Assistant Director Student Services, Osseo Area Schools

Emilie Levinson, Supervisor, Robbinsdale Area Schools

Barbara Mackey, Assistant Director of Special Education, Northern Lights Special Ed. Cooperative

Jenny Marquardt, Special Education Coordinator, Goodhue County Ed. District

David Melvin, Special education teacher, White Bear Lake Area Schools

Nicole Mueller, Assistant Director of Special Education, Rochester Public Schools

Lindsay Nelson, Assistant Principal, NE Metro Intermediate School District 916

Janelle Ortiz, Special Education Coordinator, Sherburne-Northern Wright Special Ed. Coop.

Darren Schuler, Superintendent, Watertown-Mayer Public Schools

Amanda Slattery, Special Education Coordinator, Northland Learning Center

Brian Stanley, Supervisor of Special Services, Hopkins Public Schools

Kelly Tiedemann, Special Education Director, Spero Academy

Amy Van Dunk, Special Services Supervisor, Wayzata Public Schools

Beth Watkins, Director of Special Education Curriculum & Instruction, St. Cloud Area School District

LEGISLATIVE *update*

The beginning of the 2020-2021 school year is upon us and it looks a lot like the end of the 2019-2020 school year. There won't be a statewide distance learning mandate, but many districts are beginning the year in that mode. Others are starting with a hybrid model where students will be in the buildings—often on alternating days—with the rest of instruction being delivered online. Some districts are planning on starting school as though it were a normal school year (Remember that word "normal?" I haven't heard it a lot lately), but as we've seen in other states, many districts that were planning on opening with full-day everyday classes for all students have had to scale back those plans. Whatever it looks like in your district, I hope it launches well.

The challenges for special educators are especially keen during these times. While I have heard of the occasional special education student actually doing better under the distance learning model, I think it's safe to say that most special education students need more attention than distance learning provides. Districts have recognized that and are finding ways to get those students the quality instruction time they need. In these trying times, it's safe to assume that special educators are on the front lines and continuing to deliver the services their students desperately need.

Time does not stand still and we're in the midst of an election season that, like the rest of world that has been affected by COVID-19, is like no other. While Governor Walz gets to take the election off, the entire Legislature is up for grabs and there will likely be a number of new faces in the Capitol when the Legislature convenes in January. And that Legislature will be facing a set of fiscal challenges that haven't been experienced in a decade.

The deterioration of the state budget situation brought about by COVID-19 will make it difficult for the state to do much in terms of improving education finance levels, but that has not stopped the School Finance Working Group that was established in 2019 by Governor Walz from taking on a number of funding issues facing Minnesota school districts. During the proceedings of that group, special education has been discussed and a number of recommendations will be forthcoming. MASE members Cherie Johnson and Marcy Doud are members of the School Finance Working Group and they have been instrumental in developing the recommended changes to special

education funding that the group has tackled.

Included in the initial recommendations (and everything is subject to change) are the following items:

- Increase special education funding to prevent the cross-subsidy from growing and hopefully buy it down over time.
- Simplify special education funding by eliminating components based on "old formula" expenditures, eliminating the hold-harmless provision, and calculating the aid based on current year data.
- Adjust tuition billing for charter schools.
- Strengthen third party billing to allow licensed school social workers to third party bill.
- Improve cost containment through a variety of methods including broader partnerships for low-incidence and office efficiency.



Brad Lundell
MASE Lobbyist

That is an ambitious set of recommendations and I am hopeful that they will receive serious consideration by the Legislature in 2021 regardless of the budget situation. The special education cross-subsidy had grown dramatically until it was capped by the Legislature in 2019. But it is still large and takes a giant bite out of school district budgets. These draft recommendations take our situation seriously and outline some doable solutions to problems in Minnesota's current special education funding system. MASE members should all give Cherie Johnson and Marcy Doud a big thank you for their work on the finance study group.

As ever, I want to hear from you if you have questions about what is (or did or maybe will be) happening. I can be reached at 612-220-7459 or lundelllegislative31@gmail.com. Thanks for all you are doing for students throughout Minnesota. ●

For those of you who know me, you may have heard me say before, I hate politics! This may sound like an ironic statement coming from your former MASE Legislative Committee Co-Chair and current MASE President-Elect, but it was definitely true until a few years ago. While you still won't catch me saying, I enjoy politics, over time I have come to recognize the critical role legislators play in shaping our realities in public education and how important our collective voice as an organization is in the legislative process. I have also learned that sometimes the best way to "get comfortable with the uncomfortable" is to just jump in as that is where the growth truly happens!



Jamie Nord
Executive Director
St. Croix River Education District
MASE Federal Advocacy Co-Chair
2020-21 MASE President-Elect



I'd like to invite you to join us in growing our collective voice! We encourage you to consider jumping in through a variety of opportunities:

- Join our State Legislative and/or Federal Advocacy Committees (email dave.christians@mnasa.org if you are interested in joining)
- Reach out to your local legislators at the federal and/or state levels to schedule an in-person or virtual visit
- Take advantage of the [CASE Action Center website](#) to contact your legislators on hot topics (more to come on this in future newsletters)

"Unless you try to do something beyond what you have already mastered, you will never grow." - Ralph Waldo Emerson

- Attend MASE Day at the Capitol in March
- Check out a [great video](#), courtesy of the MASE Legislative Committee, on how to tell your story!

While there may be many uncertainties swirling around us during this pandemic, one thing has remained certain and that is the need for our collective voice both at our state Capitol and in Washington D.C. Our students are looking to us to provide certainty in these uncertain times and one of the best ways we can do this is through fierce legislative advocacy for all students! ●

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Business Partnership Renewal

This year, renewing your business partnership membership will be even easier because we have established an online platform for your renewals. You can renew your membership online at this link: <https://events.resultsathand.com/mase/1198>.

CASE Fall Conference

November 5-7, 2020
Salt Lake City, Utah
Registration information at www.casecec.org

COVID-19 Due Process and Compensatory Education August 2020*

INTRODUCTION

Initial guidance from the United States Department of Education and the Minnesota Department of Education indicates that some students may be entitled to compensatory education resulting from the lack of access to education or a failure to provide special education services during the COVID-19 pandemic. What the standard for compensatory education is, how the determination of entitlement to compensatory education is made and what the services might look like are undetermined questions at this time. The following are our recommendations for ensuring due process has been provided and how to think about compensatory education in this unusual time.

DOCUMENTATION OF DUE PROCESS

Documentation of the notice and parental opportunity to respond is always important but may be even more so during the pandemic. Documentation serves two important purposes. First, to record what the district proposed and the parent's input including what Individualized Education Program (IEP) team agreed upon. Second, to provide written notice to a parent of those proposals and agreements.

KEY ELEMENTS OF DUE PROCESS

Parental Input During the Three Potential Learning Scenarios

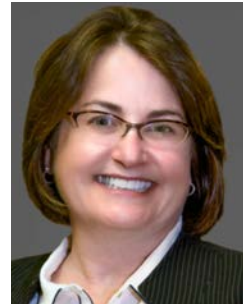
Minnesota school districts are planning for three potential learning scenarios – in person, distance learning and a hybrid of both. School districts must solicit parental input into the special education services that will be provided under each scenario. One way to accomplish this is to engage parents in the development of a contingency plan that outlines all three scenarios and affords parents the opportunity to agree to each scenario should the school district be required to move between one or more. A PWN that documents the services and amount of service under each learning model is necessary to establish both documentation of the district's proposal and the parental input as well as parental agreement in each case.

Child-Find

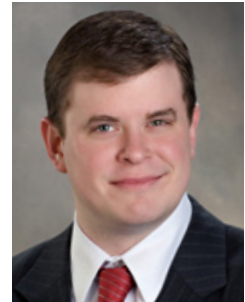
The child-obligation in IDEA is to identify and evaluate for special education any student who is suspected of having a disability. That obligation remains during the pandemic. School districts must respond in a timely fashion to a parent's request for an evaluation and use a PWN to document the response. Staff that suspect a student may have a disability have a responsibility to consider whether a referral for an evaluation should occur.

Child-find during COVID-19 will continue to be challenging. If the student has developed a new need such as received a new diagnosis or has begun to exhibit behaviors that impede their school progress, the district has an obligation to give notice to parents and seek their input into whether an evaluation should occur and if so what that evaluation will entail.

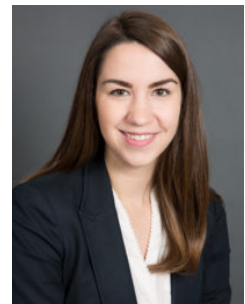
Students that were performing well prior to COVID-19 might be showing signs of stress, anxiety or depression that impact their education now. Likewise, students who made progress given the structure and support of an in-person school system, may be struggling to make progress in distance learning or a hybrid model. Even if the behaviors or difficulties are stemming from or occurring only because of the pandemic, the child find obligation remains and students should be referred for an evaluation or re-evaluation.



Laura Tubbs Booth
Attorney & Partner
Ratwik, Roszak & Maloney, P.A.



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



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

Legal Notes continued on page 12.

Evaluations and Re-evaluations: Timelines

In Minnesota, evaluations and re-evaluations must be completed within 30 school days of the receipt of parental consent or, in the case of re-evaluations after the 14-day period for parental response has expired.

The Minnesota Department of Education (MDE) is encouraging schools to communicate with parents and work toward reaching mutually agreeable extensions of these timelines when necessary. For the upcoming school year, we recommend taking the following steps when completing an evaluation or re-evaluation within the legally prescribed timelines is not feasible:

- Have a virtual IEP meeting to discuss timelines for the evaluation. If there are components that can be accomplished in person or virtually, estimate the time needed to complete those components. If there are components that must be completed in-person, determine how and when these components can be safely accomplished in accordance with any state agency guidance.
- Provide a PWN to the parent explaining the need for an extension and the proposed timeline. PWNs should set forth both the proposed revised timeframe for completing the evaluation and the reason(s) why the timeline needed to be extended.

NOTE: These actions will not bring the district into compliance, but they may mitigate the number and strength of any claims against the school.

Critical during COVID-19 -Analyze Progress

Data collection on IEP goals is going to be challenging but critical in this time period. MDE's guidance has several references on data collection. (See MDE Guidance 8/20/2020) Now more than ever, it is important to collect data AND analyze it to determine if the learning plan should be revised during any of the three scenarios. Progress reporting with data (rather than affirmations like "Ella is doing well" is best practice) must be provided as agreed to on the IEP and district staff have an important obligation to review the data prior to progress reporting and recommend any changes or additions to the learning plan.

COMPENSATORY EDUCATION

Compensatory Education in General

Generally, compensatory education is a remedy that is provided to students who did not receive a free appropriate public education due to something the school district or charter school failed to do. Compensatory education is an "equitable remedy" meaning that in deciding to award compensatory education, a hearing officer or court would consider issues of fairness and justice. For example, a court may determine that it would not be fair to order compensatory education when the reason that the student did not receive her special education services was that her parent did not allow her to receive the services.

Compensatory education is awarded when the loss of special education or related services or the failure of the services provided caused some educational harm. Whether a student suffered educational harm will be an individualized determination based on the student's unique circumstances. Each student's circumstances are uniquely impacted by COVID-19. Finally, a hearing officer or court may also deny compensatory education when the student was able to progress sufficiently after the educational loss and so recoup her prior status.

Analysis of Potential Need for Compensatory Education

While there is not yet specific guidance on determining what circumstances would require compensatory education, the United States Department of Education has indicated that compensatory services should be considered when a student did not have access to education or did not receive services. This appears to be a different question than whether the student received a free appropriate public education (FAPE). One reading of the guidance could suggest that compensatory education is owed only if the student did not have access (e.g. did not have internet access and therefore could not participate in on-line learning) or no services were provided (e.g. the IEP called for 15 minutes of speech weekly but it was not provided). Determining whether a student received FAPE during school closure may be a difficult analysis and should include the unique impact of the pandemic and the required school closure as one factor.

Legal Notes from page 12.

The following are considerations for teams to use when making compensatory education determinations.

Individualized determinations

First and foremost, deciding who should receive compensatory education as a result of the school closures and distance learning should be made on a case-by-case basis. We recommend that IEP teams meet and consider for each IDEA-eligible student whether compensatory education is appropriate. While it is best not to delay, these conversations may take place during the student's annual IEP meeting.

Collect data

Draw from all of the data available to assess students' progress during the period of distance learning. This may, and likely should, include data from the distance learning period as well as any data collected after students return to in-person instruction either fulltime or through a hybrid model.

Note: If no objective data (or little data) was collected during distance learning, cure that now by assessing the student informally and establish a simple data collection system based on IEP goals and objectives for future collection.

Questions to Ask

IEP teams must make individualized determinations as to who should receive compensatory education. Questions to consider include:

- Was this student provided services consistent with her IEP? If so, was the student provided will all of the service minutes or some of the service minutes? Were services provided in an asynchronous or synchronous manner and how did that impact student learning?
- Did this student have access to the services that were provided by the school district? If access issues arose, what steps did the school district take to address them?
- Was the student's progress impacted by something the school district failed to do? ●

NOTE: The purpose of this presentation, and the accompanying materials, is to inform you of interesting and important legal developments. This article is current as of August 24, 2020 and relies on current information. Given the fluid nature of the COVID-19 pandemic, the guidance may change over time. While current as of the date of presentation, the information given today may be superseded by court decisions and legislative amendments. We cannot render legal advice without an awareness and analysis of the facts of a particular situation. If you have questions about the application of concepts discussed in the presentation or addressed in this outline, you should consult your legal counsel.

CORONAVIRUS INFORMATION AND RESOURCES

As we attempt to keep you updated with the latest (and constantly evolving) information regarding COVID-19, school closures, and student/ staff support, MASE and MASA will be collaborating to get information to you as quickly as possible.

MASE has a COVID-19 resource page on our web site at www.mnase.org/covid-19

Site content postings will be in chronological order, with the most recent posts first on the site.

All email communication from MASE will be sent to all MASE and MASA members.

If you have questions or concerns, please contact the MASE offices:

members@mnasa.org
651-645-6272
1-866-444-5251 (tf)

The Rare Opportunity in Disorder: Recovering and Redesigning Our Schools

Entering the 2020-2021 school year, we are in a moment that is overwhelmed by philosophical questions. How will we meaningfully deliver rigorous instruction? How do we meet the social-emotional needs of our students? How do we engage with families and our communities? How do we do all of this with equity at the center and address the needs of all of our students? If we are able to step outside of the immediate anxiety of a pandemic, we can read these questions and realize that they were the same that we were attempting to answer before distance learning. Perhaps the difference is that we are realizing just how urgent these needs truly are.

Earlier this summer, I had the opportunity to join my colleague Dr. Katie Pikel and lead an effort to obtain feedback from educators regarding their experiences and concerns with distance learning. We conducted a survey that was completed by educators between May 27 and June 28, 2020. Based upon the 13,077 responses that we received across 409 districts, we found that educators' primary concern was regarding their ability to build relationships and socially connect and engage with students and families. Their concerns were specific to distance learning, but the fact is that we have long held an understanding of social-emotional learning (SEL) as an essential effort in meeting the needs of the whole child. We have inarguably made strides toward embedding SEL in our schools; and yet, this moment is demanding an acceleration of SEL implementation. Do we operate within a framework that informs how we build a foundation for SEL? With immediate needs too often come immediate decisions, and without a process and set of thoughtful criteria, we are at risk of being distracted by the promise of shiny objects with little regard for what actually works. This cycle is the story of our collective inequities, because we know that when we pursue ideas that aren't based in evidence, those who suffer most are our most vulnerable. With that in mind, we can see that educational frameworks like a multi-tiered system of support (MTSS) are about much more than curricula or interventions; they are about an acknowledgement and respect for the dignity of our students and families.

It is worth mentioning that the implications of social-emotional learning extend well beyond how we

instruct our students. [Within CASEL's district framework rubric for SEL](#), we see four stages of implementation, and the second stage - before we focus on promoting SEL for students - requires that we strengthen adult SEL competencies and capacity. We, the adults in the room, cannot assume social-emotional expertise simply by virtue of being an educator.

Engaging in SEL for students requires that we build foundational support, content knowledge, and a culture and climate that values the crucial role that teachers perform (CASEL, 2019). To be clear, this implementation rubric does not require that districts wait until a foundation and adult competence are entirely realized before taking on any effort toward instructing students. What we must understand in meeting the social-emotional needs of students, staff, and families is that our efforts are as effective as the system that guides them.

Just as educators alluded to in their responses to our survey, family and community engagement is intrinsically embedded in the pursuit of SEL and student learning. Recovery and redesign must include student, family, and community voice. While there is no one-size-fits-all approach for how to establish and maintain those connections, we can again look to evidence-based frameworks for guidance. The components of MTSS will vary depending upon the source of the information, but a consistent ingredient in any version of the framework is family, community, and school partnerships. Evidence-based guidance allows schools and districts to navigate the unique obstacles that our most vulnerable and marginalized populations face, and that is especially important when we are attempting to serve our communities at a distance.

If your email inbox is like mine lately, it can be an overwhelming space of information overload. The problem that remains with all of this information is in



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

Research to Practice continued on page 15.

Research to Practice from page 14.

deciphering what is evidence-based, what is practical, and how we use this information meaningfully to take an organized approach. As part of my work at the Center for Applied Research & Educational Improvement (CAREI), my team and I are working to identify what is essential, organize existing information with our own research, and curate a series of resources and professional learning opportunities that will be immediately practical for our member districts. It is our intention to assist districts throughout Minnesota and beyond in moving past the distress of distance learning and take advantage of the opportunity to redesign how we answer the call of education.

I hope you will consider becoming a member of the CAREI District Assembly for the 2020-2021 school year. There is no increase to our [annual fees](#) this year. District Assembly membership includes:

- Four Assembly meetings with an overall focus of recovery and redesign - we anticipate our first meeting will focus on social-emotional learning with specific consideration for the experiences of the pandemic and the sudden onset of distance learning this past spring. Assembly meetings are accessible online as well as in person (dependent upon health and safety guidelines and University of Minnesota policy), so you can participate in the discussion from your office. Bring as many team members as you wish!
- Tools and resources - policy briefs, implementation inventories and checklists, data protocols, practice guides, and so much more!
- Our monthly Research Watch electronic newsletter - Each issue highlights a summary of research studies published that will be of interest to you as a district leader. Topical areas include leadership, social-emotional learning, teaching and learning, assessment, and unique learners. We will also continue to produce each edition of Research Watch in an audio/podcast form to allow you to listen in and learn during your daily commute.
- Members Only section of the CAREI website – includes valuable resources such as the Minnesota Student Survey Data Analytic Dashboard with results from the 2019 administration.
- 25% discount on CAREI professional learning opportunities and other CAREI services

You can enroll your district in the District Assembly via the CAREI Website: <https://www.cehd.umn.edu/carei/member-registration.html>. In addition, please feel free to contact me at kgibbons@umn.edu if you need help deciphering the research! ●

Collaborative for Academic, Social, and Emotional Learning (CASEL). (2019). District Resource Center rubric. Retrieved from https://drc.casel.org/uploads/sites/3/2019/04/10052_CASEL_DRC_BlankRubric_0422.pdf

Minnesota Department of Education. (2020). Engaging with Families during COVID-19 Distance Learning. Retrieved from https://education.mn.gov/mdeprod/idcplg?IdcService=GET_FILE&dDocName=MDE032484&RevisionSelectionMethod=latestReleased&Rendition=primary

Minnesota Department of Education. (2020). Supporting Students and Families COVID-19 Resources. Retrieved from <https://education.mn.gov/MDE/dse/health/covid19/supstucovid19/>

Save the Date!
**2021 MASA/MASE
Spring Conference**
March 11-12, 2021
Minneapolis Marriott Northwest
Brooklyn Park, MN


CEC Convention
March 3-6, 2021
Baltimore, MD
Register today!


Special Education Legislative Summit
July 11-14, 2021
Alexandria, VA
www.specialeducationlegislativesummit.org

Team MN Advocates on the Hill During Special Education Legislative

Cheryl Johnson, Executive Director, Goodhue County Education District, CASE Liaison

During July, Team Minnesota participated in a two week special education legislative summit. The training included advocacy tips and a deep dive into both the CASE Legislative Platform and current legislative hot topics. During the second week, the team met with each of our Federal Offices and presented talking points and our Minnesota Story. One definition of advocacy is organized action in support of an idea or cause. A second definition is constituents educating elected officials. The events of the summit fulfilled both of these definitions. Embedded in this article are links to resources, issue briefs and news we used throughout the summit. I invite you to explore the links and please use them in your advocacy for students with special needs.

First, a little bit about your team from Minnesota. This year with a new virtual format, 55 of your colleagues and partners across the state joined the summit. Participants included directors of special education, superintendents, assistant directors, coordinators, members from higher education and teachers.

Advocacy training began with a set of tools and a tip sheet to use in advocacy work. The team met with Senator Chris Murphy (D-CT). Senator Murphy has been calling for increased federal funding for education to make sure states and cities can safely reopen schools. He partners often with Senator Amy Klobuchar to advocate for school funding, including additional funding for IDEA. Federal Funding of Special Education was our next topic area. We also tackled federal funding for special education and proposed glide slopes. This allowed us to create talking points about our priority “asks” aligned with the CASE Legislative Platform. We also learned what we may be expecting from this year’s appropriations.

Other learning opportunities centered around educator shortage and the current status of the Higher Education Act, as well as what we will be asking for in this area; an overview of not only the state of the mental health crisis, but also a glimpse into what educators may be facing as programs and schools reopen this fall; the current status of issues and funding related to COVID-19; and, preparation for our team to address these topic during virtual

office visit with legislators.

Week two was dedicated to Team Minnesota activating their advocacy skills to communicate virtually with Members of Congress about our key issues. Minnesota’s Congressional Members across the aisle are strong supporters of education and have taken a lead on special education specifically. For instance, Representatives Craig and Stauber have worked tirelessly to bring IDEA up to full funding. U.S. Senators Tina Smith and Amy Klobuchar (D-Minn.) joined Senator Mazie K. Hirono (D-Hawaii), along with other colleagues in introducing a bill to help K-12 schools make infrastructure improvements. The Impact Aid Infrastructure Act (IAIA) would provide \$1 billion in supplemental funding through the Impact Aid program. Team Minnesota met with eight of the ten Federal Offices. Thank you to Team Minnesota’s participation and sharing of stories. For some on the team, this was the first time they were involved in a meeting like this. My hope is that the experience will lead to each member of the team continuing in their advocacy efforts and encouraging their colleagues to get involved.

Thank you to all of you for your advocacy. Your voices are essential to creating change. ●

MASE CALENDAR

2020

September 8

MASE - A Slice of Collaboration: “Early Childhood Part C & B”

Virtual: <https://socrates.zoom.us/my/drmittelstadt>

September 10

MASE New Leaders Cohort - Directors’ Session
2-4pm, Virtual

September 11

MDE Special Education Directors’ Forum

September 25

Special Education Advisory Panel (SEAP)
MDE Conference Center A, Room 13

October 9

MDE Special Education Directors’ Forum

October 13

MASE - A Slice of Collaboration: “Touching Base”
(success and struggles)

Virtual: <https://socrates.zoom.us/my/drmittelstadt>

October 21

MASE Board of Directors Meeting
MASE New Leaders Cohort - Full Group
Virtual Meetings

October 21-23

MASE Fall Leadership Conference
Virtual Conference

November 5-7

CASE Fall Conference
Salt Lake City, UT

November 12

MASE New Leaders Cohort - Directors’ Session
2-4pm, Virtual

November 13

MDE Special Education Directors’ Forum

November 20

Special Education Advisory Panel (SEAP)
MDE Conference Center A, Room 13

December 3

MASE Board of Directors Meeting
MASE Offices, St. Paul

December 10

MASE New Leaders Cohort - Full Group
MASE Offices, St. Paul

December 11

MDE Special Education Directors’ Forum

2021

January 4

MASE New Leaders Cohort - Directors’ Session
2-4pm, Virtual

January 8

MDE Special Education Directors’ Forum

January 22

Special Education Advisory Panel (SEAP)
MDE Conference Center A, Room 13

February 4

MASE New Leaders Cohort - Directors’ Session
2-4pm, Virtual

February 12

MDE Special Education Directors’ Forum

March 5

MDE Special Education Directors’ Forum

March 10

MASE Board of Directors Meeting
MASE New Leaders Cohort - Full Group
Minneapolis Marriott NW, Brooklyn Park

March 11-12

MASA/MASE Spring Conference
Minneapolis Marriott NW, Brooklyn Park

April 8

MASE New Leaders Cohort - Directors’ Session
2-4pm, Virtual

April 9

MDE Special Education Directors’ Forum

April 16

Special Education Advisory Panel (SEAP)
MDE Conference Center A, Room 13

May 7

MDE Special Education Directors’ Forum

May 12

MASE New Leaders Cohort - Full Group
Madden's on Gull Lake, Brainerd

May 12-14

MASE Best Practices
Madden's on Gull Lake, Brainerd

June 11

MDE Special Education Directors’ Forum

June 25-26

MASE & MASA Board of Directors Retreats
Minneapolis Marriott NW, Brooklyn Park

October 27

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

October 27-29

MASE Fall Leadership Conference