



Newsletter

WISCONSIN COUNCIL OF
ADMINISTRATORS OF SPECIAL SERVICES,
LTD.

Summer 2009



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President's Message by Gary Myrah



Greetings:

I have been made aware of this recent Supreme Court Decision, not by any of my common resources (i.e. attorneys or WDPI), but by a parent in our district that has raised frustrations related to communications between the faculty involved with his child and they as parents. Regardless of the Supreme Court decision, we must ensure that our faculty do not take a cavalier approach to communications and clearly need to be active listeners when discussing concerns with parents.

Most of you have had experiences where you have dealt with concerned/angry parents on this issue. In the case I am referring to, the parent is very complimentary to the principal, who has been our saving grace in this situation. Successful administrators are able to calm the waters when a parent brings forth an issue. Without this leadership we could face many more conflicts. We need to make sure our faculty understand how important it is to have compassion and listen to parents when they first raise concern. It is equally important to inform parents frequently, especially if the student is seen to be struggling.

The following is excerpted from an article written in the Wrightslaw website. This is a good resource for information as long as you remember that it is prepared to provide information to parent advocacy groups. Yet it can be a guide to us as we review how school officials are viewed by parents. The result of this case will be \$65,000 to the parents in compensatory damages and possible \$500,000 in costs for the parents attorneys.

Supreme Court Issues Powerful Pro-Child Decision in Eligibility Case

06/23/09

by Wrightslaw <http://www.wrightslaw.com>

On Monday, June 22, 2009, the Supreme Court issued a powerful pro-child decision in Forest Grove School District v. T.A. <http://www.wrightslaw.com/law/caselaw/ussupct.forest.grove.ta.pdf> This is a case about tuition reimbursement for a disabled child who was not found eligible for special education and received no special education services from the public school district.

The Supreme Court held that:

This dispute "...concerns not the adequacy of a proposed IEP but the School District's failure to provide an IEP at all . . . moreover, when a child requires special education services, a school district's failure to propose an IEP of any kind is at least as serious a violation of it's responsibilities under IDEA as a failure to provide an adequate IEP."

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"The District's position similarly conflicts with IDEA's 'Child find' requirement . . . [requiring States] .. to identify, locate, and evaluate all children with disabilities' to ensure that they receive needed special education services."

"Indeed, by immunizing a school district's refusal to find a child eligible for special education services no matter how compelling the child's need, the School District's interpretation [of the statute] would produce a rule bordering on the irrational."

This would "leave parents without relief in the more egregious situation in which the school district unreasonably denies a child access to such services altogether."

The Court ruled:

*"... we conclude that **IDEA authorizes [tuition] reimbursement** for the cost of private special education services when a school district fails to provide a FAPE and the private-school placement is appropriate, **regardless of whether the child previously received special education or related services through the public school.**" (emphasis added)*

The full text of this decision is available at:

<http://www.wrightslaw.com/law/caselaw/ussupct.forest.grove.ta.pdf>
<<http://www.wrightslaw.com/law/caselaw/ussupct.forest.grove.ta.pdf>>

To learn more about the case, including what happens next, read Supreme Court Issues Pro-Child Decision in Forest Grove School District v. T.A. <<http://www.wrightslaw.com/law/art/forestgrove.ta.analysis.htm>> by Peter Wright, Esq. and Pamela Wright, MA, MSW.

In other matters, as was mentioned at the WCASS conference, a taskforce has been created to review and discuss the criteria for Specific Learning Disabilities in Wisconsin. This taskforce is reviewing the proposed regulations that had been previously prepared and presented throughout the State in public hearings. We are now reviewing the public comments as well as current research in the field. The goal is to have a revised document by later this fall. Vaunce Ashby, Consultant for Specific Learning Disabilities and John Humphries, Consultant for School Psychology are facilitating our efforts. I hope to provide more information in the next WCASS Newsletter.

Are you Stimulated yet? The addition of preparing an 18 month budget for the ARRA funds as well as completing the IDEA grants prior to July 1st has added a new wrinkle to our summer "down time". Is it not amusing how many have the perception that those of us who work all summer long have it easy. We may have it "easier" but I would not say it is easy. I have found a need to roll with the new updates that are shared with us regarding the change in procedures as WDPI personnel receive them from Washington, D.C. Can we recall how wonderful it sounded when we first heard of the ARRA Stimulus package, and then they began sharing the regulated expectations for how we were to budget the money. I commend WDPI personnel for attempting to keep us informed and to find ways to ensure we can utilize the Stimulus money within the 18 month period to build capacity.

In closing I wish all of you the opportunity to still find time this summer to build your own capacity and develop the resiliency needed to take on another year.

— Gary

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Executive Director's Comments by Phil Knobel

I hope you are all enjoying your summer. I know that this can be a busy time for our members especially as we develop budgets and prepare for yet another school year.

I have been participating in a DPI Graduation Summit Planning Committee. This is a large group of about 30 people representing different stakeholder groups from around the state. The goal of the summit is to get together the 60-70 school districts in the state with the highest drop out rates and develop a community-based plan to improve graduation rates. Anyone with ideas or suggestions regarding the issues is welcome to contact me.



As you know, on July 1 several new board members officially took office. I would like to take this opportunity to thank Ann Wicklund, Becky Collins, Mary Cimbalnek and Jesse Jackson for all the great service they have provided to WCASS over the years. As they depart, I would like to welcome Dawn Western, Steve Smith, and Howard Kallio as new members coming on the board. In addition, Mardi Freeman is on the board at the present time as she will take over the Region 1 chairperson position.

At our May Board and General Membership meeting, we discussed an Academy for New Special Education Leadership, which is now ready to go. It will be held on July 28 and 29. At this training, a sectional will include a WCASS panel to discuss the "Tricks of the Trade". We invite you to attend if you can.

In closing, we have an exciting 2009-10 school year ahead. I wish you well in your summer activities and look forward to seeing you in the Fall.

— Phil

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Life is a great big canvas;
throw all the paint on it you can.

Danny Kaye
(1913-1987)
Entertainer

President-Elect Comments by David Kwiatkowski

Doug's 5th Annual Golf Outing

Dear Friends and Partners,

Summer is here and Doug's 5th Annual Golf Outing is just around the corner! We hope that you all have that date already circled on your calendars, but just in case, check it now for:



Saturday July 25, 2009

8:30 Registration - 9:30 Tee Time

2:30 PM (approx.) Banquet and Awards

Hunters Glen Golf Club

We are very hopeful that you we will be able to participate again this year by golfing, sponsoring, assisting, enjoying the banquet and awards celebration, or all the above! Hunters Glen was so kind to again allow us a weekend date to make the event more convenient for many with Monday-Friday work commitments. We hope our local business partners can also find a way to "sneak away" for the fun on just this one Saturday! We know that many are planning to attend Rebecca's wedding celebration that evening so we promise to have you on your way in plenty of time for the reception.

We would like to thank you all for your tremendous support last year and to give you a summary of how your generosity was shared with our community and others in need! In our fourth year, the Douglas Kwiatkowski Memorial Scholarship program has awarded another \$4000.00 of scholarships to two new "encouraging" young adults: Ocean Sikowski of Crivitz; and Kara Delaet of Wausaukee. They join our continuing scholarship students Carolee Morrison, Carrie Hartz, Nora Cherry, Andy Polzin, Brent Kroll, and Bradley Taylor in making us very proud and confident for the future! Thanks to you, we have been able to invest \$19,500 to making the future brighter through our scholarship program. We hope that you will again have the opportunity to meet and congratulate these outstanding young people at the outing this year! Additionally, Doug's Foundation to date, has been able to contribute: \$3000.00 to positive youth activities in our area communities; \$1250.00 to support the homeless and disaster relief efforts, and \$1500.00 to support and assist local families in grief or battling life-threatening illnesses.

We again owe special thanks this year to Nicole Andrews and Lori Kostreva for organizing and running the 2nd Annual "Blueberry Crawl" Pool Tournament at Peshtigo River Resort on January 31, 2009. It was again a fun-filled, fitting tribute to Doug's memory and provided a very generous donation to the scholarship fund! The ladies did it even bigger and better this year and we are all looking forward to the 3rd Annual Blueberry Crawl this winter! We hope to have more information available about that event at the golf outing.

We always feel so privileged to share all these blessings with our communities. We hope that you are pleased to help us to do even more in the coming year! Thanks again for your support and encouragement in Doug's memory!! See you on July 25!

Dave and Theresa Kwiatkowski & Mary Hultman

Evers Sworn in as New Wisconsin State Superintendent

On July 6th, Tony Evers, was sworn in as Wisconsin State Superintendent by Justin Ann Walsh Bradley in Milwaukee. In his inaugural address, Mr. Evers renewed our State's "unwavering commitment to public education and to make sure that every child in Wisconsin is a graduate."

Despite what he called difficult times, he stressed the need to continue the good work that has been done in the past and improve the education for the future. "We must strive to make our students' lives better through our public schools and create the foundation for a renewal of our society and our collective spirit," Evers said.

Initiatives that Mr. Evers plans to pursue include: recruiting and retaining quality educators, investing in innovations, ensuring safe and respectful schools, advancement of common sense and transparent accountability and work toward fair and sustainable school funding.

In his speech, Evers stressed was the reduction of dropouts in Wisconsin. Nearly 7000 students dropout of school annually, an amount Evers describes as unacceptable. To stem the tide, Evers proposed a Wisconsin Graduation Summit to focus the states attention on increasing high school graduation rates.

Evers also discussed the transformation of the Milwaukee Public Schools. He appointed a Federal Funds Trustee for MPS to provide guidance and information to the Milwaukee Mayor, Governor Doyle and the new Milwaukee Public Schools Innovation and Improvement Advisory Council. Working with stakeholders, he hopes to leave "blame and excuses" behind and positively address the issues the district faces.

In closing Evers stated, "While we can feel pride in our accomplishments, the status quo is neither sustainable nor acceptable. We must bring meaningful change to struggling schools. We must deliver hope through the power of public education."

WCASS Membership Chair Introduction

Ann Wicklund served as the WCASS Membership Chair for several years and has left big shoes to fill! I appreciate all that Ann has done (and I'm sure will continue to do in a different capacity). For those who don't know me, a little bit about my history.

From 1985-1994, I was a school psychologist in the School District of Marshfield. From 1994 to the present, I have worked for the Wisconsin Rapids Public Schools, first as a school psychologist and now as the assistant director of pupil services and principal of district's alternative high school.

As I take over from Ann as Membership Chair, I hope to continue to help WCASS grow in numbers and to serve the organization that does so much for students throughout the state in other ways, as well. If there is any assistance that I can provide, feel free to contact me at steven.smith@wrps.org. I look forward to working with all of you and hope you all are having a relaxing summer!

— Steve
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WCASS
Spring Conference
Picture Gallery



WCASS Region News

Region 1 Chair: Mardi Freeman freema@hamiltondist.k12.wi.us

For information from this region, please contact Mardi Freeman.

My name is Mardi Freeman and I am the new WCASS Region 1 representative. I am happy to be working with WCASS and if there is anything I can do for the Region 1 members, please don't hesitate to contact me in the Hamilton School District.

The WCASS Region 1 had their last meeting of the 2008-09 school year on April 2, 2009. The meeting began with a presentation by the Appleton North High School student group that presented at the WCASS spring conference. This rousing performance was followed by our awards ceremony. The following were the Region #1 Award Recipients:

Dr. Victor Moreno, Pupil Services, School District of South Milwaukee
Judy Bednar, Pupil Services, School District of Menomonee Falls
Cynthia Kryda, Mainstream Teacher, School District of Menomonee Falls
Mardy McGarry, Special Education Teacher, Port Washington-Saukville School District
Patricia Liebsch, Special Education Teacher, School District of South Milwaukee
Peggy Sindric, Administrative Assistant, Pewaukee School District
Edie Scott, Related/Support Services, Pewaukee School District
Charleen Perry, Special Education Para, Mequon-Thiensville School District
Jordan Hoff, Personal Achievement, Mequon-Thiensville School District

Region 1 has also established their calendar of meetings for the 2009-10 school year. The following dates have been scheduled for RSN/WCASS meetings for Region 1:

September 30, 2009
11:30 a.m. – 3:30 p.m.
CESA #1

October 27, 2009
11:30 a.m. – 3:30 p.m.
CESA #1

January 19, 2010
11:30 a.m. – 3:30 p.m.
CESA #1

March 2, 2010
11:30 a.m. – 3:30 p.m.
CESA #1

April 29, 2010
Time and Location to be determined

Continues next page

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Region 2 Chair: Bob Geigle Robert.geigle@oshkosh.k12.wi.us

For information from this region, please contact Bob Geigle.

Region 3 Chair: John Peterson jpeterson@waterforduhs.k12.wi.us

For information from this region, please contact John Peterson.

Region 4 Chair: Diane Knudsen knudsend@esschools.k12.wi.us

For information from this region, please contact Diane Knudsen.

Mark Your Calendar**July**

25 Doug's 5th Annual Golf Outing

28-29 New Special Education Directors Academy, Madison



Articles . . . News . . . Announcements

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