

THE UTAH Special EDUCATOR

VOL. 19 No. 6
MAY 1999

Published and edited by: Utah Learning Resource Center, 2290 East 4500 South, #220, Salt Lake City, UT 84117, 272-3431, in Utah (800) 662-6624

INSIDE

Features

From The Editors: Procedural Safeguards: "Mechanisms" For IDEA 97	2
Guest Editorial: Procedural Safeguard Changes Impacting The Classroom Teacher	3
An Interview With Dr. Michael Hardman: Creating "Mechanisms" For Teacher Recruitment, Induction And Retention	4
Educational Records And Privacy	7
Building Parents As Partners: Notice Of Meeting And Prior Notice	10
10 Things I Learned In Retirement (Six Years Into The Learning Curve)	11
Due Process Hearing Procedure: When Is The Process Worth The Cost?	13
Surviving (Or Thriving) Under The IDEA Discipline Regulations	14
Functional Behavior Assessment and Behavior Intervention Plans	17
"All For One And One For All"	19
A Reading Program To Make Adaptations For Content Classes	20
Are You A Curriculum Specialist?	21
Are You A "Special Ed. Sniper" Or A "Hand Grenade Lobber": A Perspective On Assessment And Transition	22
2+2=???—Morningside Math Paired With Peer Tutoring Promotes Mastery Of Math Facts	24

And...

Monthly Updates
Announcements
Service Directory

The Principles of IDEA... **Principle 6:** **Procedural Safeguards**

*"The history of liberty
has largely been the
history of the
observance of
procedural
safeguards."*

Felix Frankfurter

From The Editors

Procedural Safeguards: "Mechanisms" For IDEA 97

Jerry Christensen and Randy Schelble, ULRC Program Specialists

During this school year, the focus of the *Utah Special Educator* has been on the six principles of the Individuals with Disabilities Education Act of 1997 (IDEA 97). In each of the "From the Editors" columns, we took information from a number of sources—the IDEA 97 statute, various interpretations of the statute including the National Information Center for Children and Youth with Disabilities (NICHCY), the Office of Special Education Programs, and special education case law. In this issue, we have an additional resource to draw from, the actual federal regulations. The final regulations were released March 12, 1999, and these new regulations take effect May 11, 1999.

The last principle of IDEA 97 that we will examine is Procedural Safeguards. Procedural safeguards are intended to protect the rights of parents and children with disabilities. Much of what IDEA 97 requires, including procedural safeguards, can be viewed as "mechanisms." Jim Collins in his book *Built to Last* (1997, Harper Business Publishers) views "mechanisms" as structures that need to be in place to actually make intentions a reality. Procedural safeguards including prior notice, notice of meeting, mediation, and due process procedures are mechanisms to make IDEA 97 a reality.

Procedural safeguard mechanisms enable teachers and districts to comply with the reality of required paperwork while maintaining the spirit of the law which is to provide a free appropriate public education to children with disabilities. The intent and spirit of the law has resulted in many positive changes for the education of children with disabilities. Since the passage of the P.L. 94-142 in 1975, 90 percent fewer children with disabilities are living in institutions. Hundreds of thou-

sands of children with disabilities attend public schools and regular classrooms. Three times as many young people with disabilities are enrolled in colleges and universities. All of this adds up to twice as many young Americans with disabilities in their 20's surviving in the American workplace.

However, the other part of reality has to do with required paperwork to implement IDEA 97 and specifically procedural safeguards. This reality is impacting special education as well. A recent article in *Education Week* (March 24, 1999) addresses the increasing shortage of special education teachers: "The nature of the job—which in most cases includes loads of paperwork, worries over complying with federal legal mandates, conflicts with parents, and overcrowded classrooms of students with diverse needs—causes many of even the most dedicated teachers to lose their spark."

We encourage you to take time to read the articles on the following pages. The interview with Dr. Michael Hardman on page 4 addresses how universities, districts, and the state will begin working collaboratively to address the increasing demands of special education teachers as Utah begins to implement the State Improvement Grant. Other articles provide interpretation and explanations of specific procedural safeguards. We once again highlight exemplary teaching practices from teachers across the state in our IDEA Exchange section. Finally, monthly updates and announcements will keep you abreast of what is happening regarding professional development opportunities for educators working with children with disabilities.

As the school year comes to a close, we end this year's theme, "The Principles of

IDEA." Combined, the six issues should give you greater understanding as to how IDEA 97 is being implemented in the State of Utah. We hope you all have a wonderful summer and take time to go to a ball game, catch a fish, play a round of golf, or read a good book!

THE UTAH Special EDUCATOR

The *Utah Special Educator* is published and edited by the Utah Learning Resource Center, Carriage Hill Office Building, 2290 E. 4500 S., Suite 220, Salt Lake City, Utah 84117, (801) 272-3431, in Utah (800) 662-6624, www.ulrc.org. The *Utah Special Educator* is a publication of the Utah Special Education Consortium. The consortium board members are: Ted Kelly, Steve Hirase, Mary Vaughan, Helen Post, Susan Ord, Ken Reavis and Mae Taylor-Sweeten.

The Utah Learning Resource Center Staff:

Coordinator

Bruce Schroeder

Program Specialists

Jerry Christensen*

Karen Marberger

Randy Schelble*

Tracy Stewart

Davalee Miller

Secretarial Staff

Mary Baldwin

Cheryl Smith

* Editors of this issue.

The purpose of the *Utah Special Educator* is to serve as a medium for the dissemination of information related to promising practices and other dimensions in the provision of a Comprehensive System of Personnel Development. The *Utah Special Educator* is also available in alternative formats.

All views and opinions expressed represent the authors and do not necessarily reflect the views and opinions of the Utah Learning Resource Center, the Utah Special Education Consortium, or the Utah State Office of Education.

The Utah Learning Resource Center is a project funded through the Utah State Office of Education to the Utah Special Education Consortium for a Comprehensive System of Personnel Development.

Procedural Safeguards Changes Impacting The Classroom Teacher

Steve Hirase, Assistant Superintendent, Murray School District

Since the inception of the Education of Handicapped Children's Act (P.L. 94-142), disabled children have been afforded procedural safeguards which were intended to provide them with a free, appropriate public education (FAPE). Often incorrectly referred to as "Parent's Rights," the procedural safeguards required by the Amendments to the Individuals With Disabilities Education Act of 1997 (IDEA 97) require the state educational agency and local educational agency to "establish and maintain procedures—to ensure that children with disabilities and their parents are guaranteed procedural safeguards with respect to the provision of free appropriate public education by such agencies" (20 USC 1415 §615.a).

The procedures required by IDEA 1997 include:

- Providing the parents of a child with a disability the opportunity to examine all records relating to the child;
- The opportunity for the parent to participate in meetings with respect to the identification, evaluation, and educational placement of the child;
- The opportunity for the parent to request an independent educational evaluation of the child;
- Providing procedures to protect the rights of the child whenever the parents of the child are not known or their whereabouts are not known by providing for a surrogate parent;
- To provide prior written notice to the parents of a child (in the parent's native language) whenever the school or educational agency proposes to initiate or change, or refuses to initiate or change:
 1. the identification of the child;
 2. the evaluation of the child (including reevaluations);
 3. the educational placement of the child; or
 4. the provision of a free appropriate public education for the child.
- To provide an opportunity to present complaints with respect to any matter related to the identification, evaluation, or educational placement of the child, or the provision of FAPE through an impartial due process hearing; and
- An opportunity to resolve the dispute through mediation, whenever a hearing is requested.

As with all reauthorizations and revisions in federal law, IDEA 97 includes changes from the prior authorization designed to provide children with disabilities better opportunities for a free, appropriate education. With respect to procedural safeguards, the

following changes which in my opinion are of greatest significance to the classroom teacher.

Parent Participation in Meetings (§300.501). Parents must be provided with the opportunity to participate in all meetings with respect to the identification, evaluation, and educational placement, and the provision of FAPE to the child. Although it was a common practice to invite parents to all of these meetings prior to IDEA 97, meetings related to identification and evaluation did not require parent participation.

Providing Parents with a Copy of Procedural Safeguards (§300.504). Educators and parents, with the prior authorization, were used to sacrificing many trees in the name of providing/receiving copies of the student's procedural safeguards. IDEA 97 requires that a copy of the procedural safeguards must be given to the parents:

- Upon initial referral for evaluation;
- Upon each notification of an IEP meeting;
- Upon reevaluation of the child; and
- Upon receipt of a request of due process.

Parent Consent (§300.505). IDEA 97 requires parental consent prior to (1) conducting an initial evaluation; (2) conducting a reevaluation; and (3) initial provision of special education and related services to a child with a disability. The provision of obtaining parental consent prior to conducting a reevaluation is a new requirement for the special educator.

Mediation (§300.506). Prior to IDEA 97, the only option to resolve disputes between the school and parents was to pursue a due process hearing. This reauthorization of the law makes an attempt for dispute resolution through the less time consuming and a more cost effective process. The school district must establish procedures which allow for mediation, at a minimum, when a due process hearing is requested.

As with all change, time will be the judge of the significance of the changes made to IDEA 97 with respect to the quality of education of children with disabilities. However, being somewhat cynical of federal legislation, rules and regulations, I do not believe that the implementation of these changes will improve the education of these children. Do you? After all, rules and regulations have never been a good substitution for a competent classroom teacher.

An Interview With...Dr. Michael Hardman

Creating “Mechanisms” For Teacher Recruitment, Induction And Retention

Interview by Randy Schelble, ULRC Program Specialist

Editor’s Note: Dr. Hardman is the Associate Dean for Research and Technology, Graduate School of Education, University of Utah. He is also Professor of Special Education at the University of Utah. Dr. Hardman was the co-grant writer for Utah’s State Improvement Grant (SIG) and will serve as a Project Consultant for the SIG implementation.

A current issue of concern in education is the recruitment and retention of teachers and related services personnel. Trained, skilled teachers are critical if students are going to receive FAPE. What do you believe are the necessary steps to recruit students to enter the field of special education?

So, we are going to start off with a very complex question that has been stumping the field for 20 years. The reality is that while there have been major efforts at the national and local levels to increase the number of special education teachers, the need for new teachers remains high. Although there are more than 300,000 special education teachers in the U.S., an additional 26,000 are still needed. Approximately 30% of special educators are on emergency certification and significant numbers are leaving the profession every year. In fact, about twice as many special education teachers leave the field as do their general education colleagues. Given the current situation, it is estimated that the number of available positions in special education will increase even more into the next century. The Federal Bureau of Labor Statistics indicates that within the next ten years, we will need an additional 267,000 special educators. That’s all good news if you are looking for a career in special education and bad news if you are trying to fill vacancies with qualified people.

There are no simple solutions to resolving the recruitment and retention problem, but there are several factors that could contribute to more successful efforts in the future. First, as a

field, we need to focus much more attention on reducing conditions which directly contribute to the negative perceptions associated with a career in this field. Several national studies cite significant problems relative to the working environment for special education teachers, including unmanageable caseloads, lack of resources, no administrative support, overwhelming paperwork, inadequate professional development opportunities, isolation, and low salaries, to name a but a few. When asking those special education teachers who do remain in the field for an extended period of time, “why did you choose to stay?” the most often-cited reasons, as we would expect, are the direct opposite of the negative factors cited above (such as opportunities for collaboration with other educators, strong administrative support, a culture that promotes professionalism, etc.). So, one very straight forward response to the field’s recruitment and retention problem is “change the working conditions” in those schools that are contributing to attrition.

Another factor, related to working conditions, is the somewhat negative perception of special education as a career. It is incumbent upon local school districts, state agencies, the business community, higher education, and the federal government to more actively promote teaching as a high status profession, particularly a career in special education. Perception is reality. Special educators must be perceived as an important and valued workforce and that a career in teaching is a rewarding and positive experience. A critical time to build this perception is during the high school and early college years when students are deliberating on potential career options.

Other avenues for recruitment include getting the message out that special education is a very marketable career choice. As a profession, it has the 11th highest growth rate in the country among hundreds of possible occupations. State and federal governments must continue to play an important role in ensuring that scholarships and grants are available for preservice candi-

“Good teaching has never been more important than it is today. As such, good teacher education has never been more critical as well.”

dates in special education. More radical incentives may also be needed, such as signing bonuses for highly qualified individuals and differentiated salary structures. Given the number of students from ethnically diverse backgrounds, incentives must also be targeted at attracting and retaining individuals from a variety of cultural backgrounds.

The national and local media are reporting that high professional standards be established for all individuals entering education. However, state-level professional standards are already established as well as standards by professional organizations (the Council for Exceptional Children) already exist. Are the existing standards adequate? Why/why not?

On this issue, I would have to strongly agree with the report from the National Commission on Teaching and America's Future (NCTAF). Good teaching has never been more important than it is today. As such, good teacher education has never been more critical as well. The NCTAF expresses strong concern about the state of teacher education in the U.S. The Commission suggests that standards for teachers entering the profession are inconsistent and haphazard at best both within and across states. There is a need to focus more of our attention on "what" and "how" teacher education candidates should be taught in the changing world of school reform.

Standards for improving teacher education should be addressed as joint effort of all key stakeholders (universities/colleges, local education agencies, state administrators, parents, and teachers). These stakeholders must come together to address standards, drawing from their own expertise as well as the work that has been done in other states and at the national level (such as the National Council on Accreditation and Teacher Education, the Interstate New Teacher Assessment and Support consortium, the Holmes Group, the National Council on

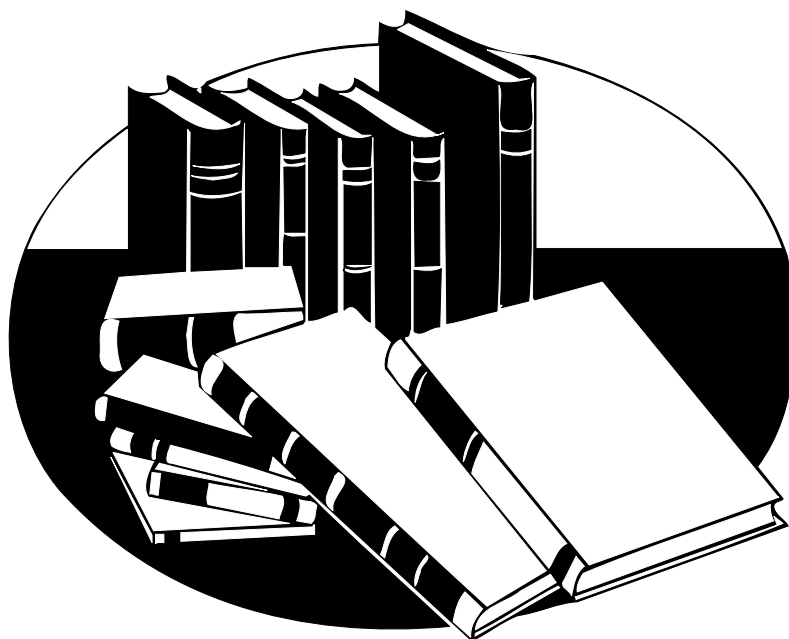
Accreditation and Teacher Education, the National Association of State Directors of Teacher Education and Certification, and the National Board of Teaching Standards). As suggested by NCTAF, every state needs to (a) establish professional standards boards, (b) adapt high standards for all schools of education, (c) reward universities and colleges who meet or exceed these standards, and (d) be willing to shut down programs in universities/college that do not meet the standards.

Induction into the teaching profession is a critical concept for the state and local school districts to address. Mentoring new teachers on provisional status is one aspect of induction. Is this adequate? What other programs for beginning teachers would be beneficial?

I would agree that mentoring is only one aspect of induction, but it is critical. A mentoring ethic should be initiated from the very beginning of a prospective

teacher's training program and continue throughout his or her career. To ensure that prospective current general and special education teachers are highly qualified, professional development must be perceived as a continuum beginning with preservice education, on to induction, and through the life of a career. Higher education, local school districts, and the state must work in a partnership that transcends the territorial lines that have traditionally separated each element within this continuum. Such a partnership requires a longitudinal view of professional development with a clearly defined set of activities and supports available during each phase.

Given that the highest rate of attrition for all teachers is during the first three years, strong consideration should be given to induction or apprenticeship models that (a) establish a formal support system for the new teacher ensuring access to broad expertise within and outside of the school; (b) focus on communicating genuine respect for the new teacher as a valued and competent



professional, (c) recognize the challenges facing new teachers and acknowledge the specialized skills they possess; (d) develop and clarify the new teacher's role as a member of the professional-parent team; (e) seek ways to facilitate the time and effort required to complete mandated paperwork requirements; (f) provide time for the new teacher to engage in collaborative activities with mentors and school colleagues as well as interact with parents on a continual basis; (g) reinforce opportunities to participate in education and training programs both within and outside of the school; and (h) openly support new teachers who seek to experiment with different strategies, conduct action research, and develop innovative instructional techniques.

Professional development programs focused on improving teacher and support staff skills to increase learning for students with disabilities is provided through CSPD efforts. However, special educators are not the only educators needing to access CSPD professional development opportunities. The regular educator, paraprofessional, school support staff, related services personnel, and administrators are also involved in providing FAPE. How can we make our professional development programs more accessible to all the people involved in the student's educational program?

Clearly, CSPD, as an isolated professional development system exclusively for special education teachers, has no place in today's schools. However, I would have to disagree with the idea of making "our" CSPD programs available to general education as opposed to developing "collaborative" professional development models that draw from validated practices within and across general and special education. With the passage of IDEA 97, FAPE now includes access to the general education curriculum and statewide assessments as well as the mandate for general education teachers to

be a member of the IEP team as appropriate. To be effective in complying with these requirements, a system for professional development needs to be implemented with the purpose of meeting the needs of all teachers and support personnel at the building and classroom level; involve activities that prepare school personnel in cohorts that draw from the expertise in both general and special education; and concentrate on enhancing overall teacher quality as a means to improve learning for all students within the school. As such, professional development must be perceived as a unified system that breaks down territorial barriers that traditionally isolate general and special educators from learning opportunities that transcend the boundaries of a single discipline.

What professional development models have worked with burned out or incompetent teachers?

Whether it is burnout, rust-out, or just plain incompetence, the basic elements of good professional development remain the same. Many of the considerations discussed in question 3 and 4 are applicable here as well. Particularly important is access to a formal support system that is designed to motivate and reward new learning, reduces teacher isolation by establishing professional development activities that are collegial and collaborative; and reinforces teachers who seek to be innovative in their instruction. Additionally, as advocated in the report "Teachers Take Charge of Their Learning" (The National Foundation for the Improvement of Education), high quality teaching requires that professional development be viewed as an important part of the working day and that adequate time is made available for inquiry, reflection, and mentoring. The report further stresses that effective professional development is teacher-designed and directed; incorporates the best principles of adult learning; involves shared decisions designed to improve the school; balances individual priorities with school and district needs.

Throughout this interview we have focused on training and professional development and have not really addressed the key stakeholder in FAPE—the student. How do we strengthen student involvement?

To begin with, student involvement will increase when it is perceived by the IEP team as a valued and necessary component of the process. While there isn't a great deal of research in this area, we do know that few students participate as members of the IEP team and even fewer are actively engaged. The research also suggests that at least some of the problems associated with a lack of student involvement in the middle and high school years are due to the IEP team's unwillingness or failure to facilitate their participation. Various studies on student involvement have reported that even when students participated in IEP meetings they often did not know the purpose of the meeting, perceived the meeting as a waste of time, and couldn't figure out how it was related to their future. Certainly, one important way to strengthen student participation is to ensure that the planning process links IEP goals to each student's personal needs, future aspirations, and preferences.

Information contained in this interview was drawn heavily from the following two sources:

Hardman, M., McDonnell, J., & Welch, M. (1998). *Special education in an era of school reform: Preparing special education teachers*, Washington, D.C.: The Federal Resource Center, Academy for Educational Development.

Building partnerships: Preparing special education teachers for the 21st century. (1997). Washington, D.C.: The Joseph P. Kennedy, Jr. Foundation and the U.S. Department of Education, Office of Special Education Programs. (Michael Hardman, primary author)

For a complete list of references contained within this interview, contact the author.

Educational Records And Privacy: What Every Special Educator And Related Services Professional Needs To Know Regarding The Management Of Student Records

Jack L. Rudio, Ed. D., Program Specialist, Mountain Plains Regional Resource Center

To properly conduct the business of education, the gathering of information is an absolute necessity. The enormous amount of information schools gather, especially the highly personal information for students with disabilities, is truly remarkable. Required information for determining a disability condition, individual education planning, placement, monitoring progress, and program review results in a voluminous collection of data. There is the added responsibility of managing these data in such a way that the privacy of students and their families is protected. Assurance must be provided that only those persons having a truly legitimate educational interest may have access to a student's personal information.

This article is intended to review for school personnel the sensitive privacy issues involved in the disclosure of student records such as the release of information regarding a student, or permitting access to a student's educational records.

During the 1990's, Dr. Tom Osborne, the University of Nebraska's former head football coach, cautiously advised his players that "if they paid attention to details and correctly practiced the seemingly routine and mundane or little things, the big and catastrophic consequences on game day could effectively be avoided or, at least, minimized." In today's dynamic and fast moving educational scene, catastrophic events are more likely to happen and "taking care of the little



things" means that school personnel must act according to regulations promulgated in three basic federal and state mandates.

For students' records, these mandates are:

- The Family Education Rights and Privacy Act (FERPA) and its implementing regulations at 34 CFR 99.
- The Individuals With Disabilities Education Act (IDEA 97) and its implementing regulations at 34 CFR 300.
- The Utah State Board of Education Special Education Rules—adopted May 1993.

Before discussing the issues regarding the required information special education teachers and related services personnel must disclose, who can have access to the information, how the information must be maintained, and what specific information can be

disclosed, consideration will be given to conditions requiring the safeguarding of information.

What Information Must Be Safeguarded?

Teachers must safeguard educational records. An educational record is *any* form of information directly related to a student that is collected, maintained, or used by the school. An educational record may include the results of a student's psychological evaluation or the IEP. It may also include a videotape of the class taken by the teacher or an audiotape made by the teacher of a student's oral reading performance. For students under the age of 18, psychiatric hospital treatment plans may be considered educational records. Any form of information collected, maintained, or used by the school that relates to a student is considered an educational record and must be safe-

guarded.

A record that a school district collects or uses but does not originate must also be considered an educational record under FERPA and IDEA 97. For example, if a school were to receive a medical evaluation regarding a student and that report were placed in the student's file, the medical report would be considered an educational record. Reports from juvenile court or social service agencies that the school maintains in its files are also considered educational records. *Use, not origination, defines an educational record under FERPA and IDEA 97.*

What Information Must Teachers Disclose?

There are several conditions which apply regarding disclosure. "Teachers are required to report known and suspected incidents of child abuse and neglect." Federal assistance for child abuse programs requires that each state enact a child abuse and reporting statute. Educators in all 50 states and the District of Columbia are now required to report child abuse and most states impose criminal penalties for failure to report abuse and neglect.

Teachers in most states are also required to report to law enforcement officials any information communicated to them by a student that may bear on the commission of a felony. For example, if a student confides to a teacher information about violations of drug laws, that information must be reported.

Who Has Access to Confidential Information?

FERPA, IDEA 97, and Utah's Special Education Rules have strict guidelines regarding who has access rights to confidential information. Only select persons have access rights to confidential information.

Parents or legal guardians must be permitted to inspect any and all infor-

mation related to their student. Such inspection must be afforded without unnecessary delay and before any meeting regarding an IEP or hearing relating to the identification, evaluation, or placement of the child. In no case may access be delayed more than 45 days.

The parents may also request explanations and interpretations of their student's records from school officials. Furthermore, parents may have a representative such as an attorney inspect the records.

The school district is required to provide the parents with access to, but not necessarily copies of their child's educational records. If, however, a parent were unable to go to the school to inspect the records because of illness or injury, school officials would be required to provide copies of the records. A fee may be charged for copies unless it would effectively prevent parents from exercising their right to inspect the records. However, the school district may not charge an administrative fee for searching for and retrieving educational records. Access to educational records must also be afforded to custodial and non-custodial parents alike. Schools cannot make the determination that non-custodial parents do not have access rights to confidential records unless such disclosure is specifically prohibited by a judicial court decree.

Students who are 18 years old or older or who are enrolled in a postsecondary educational institution, exclusive of their parents, have the right to inspect their own educational records. Parents, however, retain the right to inspect records if the student is claimed as a dependent for income tax purposes.

School officials, including teachers and administrators who have a legitimate educational interest, may access educational records. The names of students with disabilities may also be disclosed to school board members if the district's policies define the board members as school officials with a

legitimate educational interest. Records may also be disclosed to officials of another school system or agency in which the student intends to enroll. If the parent has notified the school district that the student will be transferring to another school, the student's educational records may be sent to the new school. Upon request, written notice and copies of the records must also be sent to the parents.

Federal or State program auditors, representatives of accrediting organizations, and organizations conducting studies may access personally identifiable information in order to carry out their responsibilities.

Finally, information from educational records may be disclosed in order to comply with a judicial order or subpoena or to protect the health and safety of the student. With written consent of the parent, personally identifiable information may be disclosed to a third party.

What Record of Access Must be Maintained?

EHA and FERPA both require that the school district maintain a record of access of each disclosure of personally identifiable information or request for disclosure. The record of access must include the name of the person seeking information, the date access was given, and the purpose for which access was given. The record of access requirement does not apply to school officials, parents, students over the age of 18 or enrolled in postsecondary educational institutions, or individuals with written consent from the parent. Requests for "directory information"—information that would not generally be considered harmful or an invasion of privacy if disclosed to the public—need not be recorded.

What Information May Teachers Disclose?

Teachers may disclose directory

information. For example, disclosure of a student's name, address, telephone number, or date and place of birth is usually considered harmless. However, disclosure of other information that would ordinarily be considered harmless may be harmful to a student with disabilities. Disclosure of the name of the student's previous school may be considered harmless enough, but disclosure that the student had previously attended a special school for students with severe emotional disturbances is an invasion of privacy of a greater magnitude.

The school district must notify parents of the information that has been designated directory information and thus subject to public disclosure.

Parents may, in turn, notify the school of any or all information that should not be released without their consent. Thus, prior to disclosing even directory information, the teacher should check to verify that a student's parent has not requested that it be withheld.

What Information is Not Subject to Disclosure?

Not subject to disclosure are personal notes made by a teacher, kept in his or her sole possession, and revealed to no one except a temporary substitute teacher. For example, if a teacher kept a written record in a notebook of a student's behavioral outbursts and showed it to no one, the notebook would not be subject to disclosure. However, if the teacher shared the

notebook with anyone other than a substitute teacher, the notebook would be considered an educational record.

Private notes are just that: notes. Once they become the basis for a special education decision or intervention, however, they may no longer be considered private notes.

Following is a handy chart for special education teachers and related services professionals that was developed by the Montana Office of Public Instruction to assist with determinations of records, decisions regarding access, transfer security, maintenance, and destruction.

Summary

	Permanent Records (Required) For all Enrolled Students	Cumulative Records (Recommended)	Special Education Records	Directory Information
	<ol style="list-style-type: none"> 1. Name and address of student 2. Name and address of parent(s) or guardian 3. Date of birth 4. Academic work completed 5. Level of achievement (e.g., grades, standardized test scores, grade level completed) 6. Immunization record 7. Attendance data 	<ol style="list-style-type: none"> 1. Access log 2. Health records (may be maintained separately) 3. Standardized test results less than three years old (e.g., intelligence, aptitude, interest or personality tests) 4. Educational and vocational plans 5. Record of extracurricular activities 6. Objective teacher evaluations/reports 7. Parental authorizations or prohibitions 8. Discipline records (may be maintained separately) 	<ol style="list-style-type: none"> 1. Access log 2. Current referral forms 3. Permission for evaluation 4. Child study team report with accompanying evaluation data 5. Individualized education program 6. Permission for program placement 7. Other special education records as required 	<ol style="list-style-type: none"> 1. Name, address, telephone number of student 2. Date and place of birth 3. Major field of study 4. Participation in officially recognized activities and sports 5. Weight and height of members of athletic teams 6. Dates of attendance 7. Degrees and rewards received 8. The most recent previous education agency or institution attended by the student 9. Other similar information
Access	Parents or eligible students designated under Access Rights	Parents or eligible students designated under Access Rights	Parents or eligible students designated under Access Rights	In accordance with school district policy by public notice
Transfer Records	Copy of permanent records will be sent to other school systems in compliance with FERPA	Cumulative records will be sent to other school systems in compliance with FERPA	Special education records will be sent to other school systems as part of education records	Directory record will be sent to other school system as part of education record
Security	Kept in fireproof file or vault in the school building	Locked storage	Locked storage	Not applicable
Maintenance	Information kept current and accurate	Periodically reviewed with outdated information destroyed in accordance with board policy	Periodically reviewed with selected outdated information placed in a historical file.	Information kept current and accurate
Destruction	Never. Maintained in perpetuity for every student who has been enrolled in the district or rural schools in the county superintendent's office	Destroyed in accordance with board policy after the student graduates or permanently leaves the district.	Destroyed five years from the end of the student's special education services or per parent request when no longer needed by the school	Destroyed in accordance with board policy after the student graduates or permanently leaves the district

Building Parents As Partners: Notice Of Meeting And Prior Notice

Dave Adamson, Special Education Director, Granite School District

When we are at our very best, parents are partners with their public schools. We meet together, we consider each other's point of view, and we decide together what is in the child's best interest. Enlisting parents as partners in our work with students is a win for everyone. It is because parents should be partners with the public schools that Congress included safeguards in the IDEA to address two questions:

1. How can a partner participate in a meeting if he or she is not invited to the meeting?
2. How can a partner object to an action in advance if he or she is not told that the action is about to occur?

Notice of Meeting

The Individuals with Disabilities Education Act requires us to inform parents when we will be conducting a meeting about their child. This is called "Notice of Meeting." Whenever we are about to meet about the identification, evaluation, placement, or develop or change an IEP, parents have the right to participate in that meeting...and schools have the obligation to inform them about that meeting. [CFR 300.501(a)(2)]

Notice of Meeting is really a very simple process. The components of this notice include the purpose, time, and location of the meeting, and the individuals who have been invited to attend the meeting. This is very similar to receiving a basic agenda in advance of a faculty or committee meeting.

"(a) Each public agency shall take steps to ensure that one or both of the parents of a child with a disability are present at each IEP meeting or are afforded the opportunity to participate, including—(1)

Enlisting parents as partners in our work with students is a win for everyone. It is because parents should be partners with the public schools that Congress included safeguards in the IDEA...

notifying parents of the meeting early enough to ensure that they will have an opportunity to attend; and (2) scheduling the meeting at a mutually agreed on time and place.

"(b) The notice required under paragraph (a)(1) of this section must (i) indicate the purpose, time and location of the meeting and who will be in attendance; and (ii) inform the parents" ...[of regulations]... "relating to the participation of other individuals on the IEP team who have knowledge or special expertise about the child." [CFR 300.345]

Sometimes it is helpful to remember what **does not** constitute a "meeting" under the new regulations. Informal or unscheduled conversations about teaching methods, lesson plans, or coordinating services are not considered "meetings." Any "preparatory activities" to develop a proposal for parents or a response to a parent are also excluded.

Prior Notice

Schools have the affirmative duty to identify, evaluate, place, and provide FAPE to every eligible student of residence. This duty exists even if the parents do not participate as partners. Clearly the school must act on behalf of the child because the entitlement belongs

to the child.

Parents have the entitlement to object to such action. An objection might be raised for any number of reasons long after a meeting was held. They need an opportunity to re-convene the meeting to continue the discussion before the action is taken. Such an opportunity is available only if they are aware that an action is about to take place.

The formal notification that the school district is about to take action is called "Prior Notice." There are eight actions for which the district is required to provide prior notice:

Proposes to:

- Identify
- Evaluate/Re-evaluate
- Place
- Implement an IEP

Refuses to:

- Identify
- Evaluate/Re-evaluate
- Place
- Implement an IEP

Even if the parents participated in the development of these proposed actions, they are entitled to Prior Notice before the action is actually taken. Prior Notice can be provided on a separate form, or it

can be in the body of another form, such as Consent To Evaluate, Determination of Eligibility, or the IEP [300.503(a)(2)]. A detailed description of the eight elements of Prior Notice can be found in the regulations under 300.503(b). Most districts have already included these elements in their forms.

“(a)(1) Written notice that meets the requirements of paragraph (b) of this section must be given to the parents of a child with a disability a reasonable time before the public agency (i) proposes to initiate or change the identification, evaluation, or educational placement of the child or the provision of FAPE to the child; or (ii) refuses to initiate or change the identification evaluation, or educational placement of the child or the provision of FAPE to the child.”

“(2) If the notice described under paragraph (a)(1) of this section relates to an action proposed by the public agency that also requires parental consent...the agency may give notice at the same time it requests parent consent.” [CFR 300.503]

An Observation

Sometimes there has been some confusion about the two concepts of Notice of Meeting and Prior Notice. There is a temptation to conceptually combine the two terms as “prior notice of a meeting.” After all, parents needed to have prior notice of a meeting so that they could arrange their schedules. Older forms included an uncomfortable mixture of the two minimum requirements. For example, we may have given parents Prior Notice of identification, IEP, and placement before parents had the opportunity to participate in a meeting to discuss these issues. The separation of these concepts and the incorporation of Prior Notice into existing forms have provided at least some simplification to an already burdensome, complex and convoluted process.

10 Things I Learned In Retirement (Six Years Into The Learning Curve)

Joyce Barnes, Mediator and Former Special Education Director,
Granite School District

1. You can't go back and correct your mistakes (you don't work there now).

The philosophy and techniques of mediation would have prevented wasted time, stress, energy, emotions, money and relationships.

The conflicts which grew into due process hearings were often about power and defending a position rather than reaching a resolution.

Disputes not involving due process hearings often would have been resolved if mediation had been tried.

2. But you don't have to “rust out” either.

Choosing a new “job” is satisfying and rewarding.

Helping people settle differences peaceably contributes to the community in a positive way.

I chose to be a mediator because the process involves the parties, not attorneys, and the problems are solved at the most basic level—between those parties—who have to live with the final decision as well as each other.

3. Learning doesn't stop.

Mediators take 32-40 hours for basic certification; additional training in specialty areas is usually 24 hours. Beginning mediators must also have worked with another mediator in 6-7 mediations before venturing out on their own.

No two mediations are alike—there are similarities, but each requires subtle changes in skills.

Mediators invite observation and evaluation. Some organizations, including the courts, require both. Training is essential—especially for initial certification, but also to stay abreast of new requirements and approaches to problem solving. Many mediators co-mediate and find it very effective.

4. Mediation results in personal growth.

Since conflicts are the result of differing frames of reference, the mediator needs to understand each of them, and usually finds that this process leads to insight into conflicts in his/her own life.

Each mediation, whether or not resolution is achieved, helps the mediator fine tune insights and skills.

Many mediators meet regularly to “debrief,” and help one another resolve problems they encounter in their work.

5. Mediation works (usually).

It helps sort out facts from impressions and assumptions.

It helps people discover that my way is not necessarily the only way or even the best way.

It helps differentiate the realistic and practical from the perceived ideal.

6. Mediation is an accepted method of conflict resolution.

Mediation is replacing arbitration because arbitration has become more like litigation, and is almost as expensive.

Utah's courts use mediation in a variety of areas, including divorce, child

(adult and juvenile) and truancy.

Mediation is frequently the method of choice in other areas, including small claims court, landlord/tenant, neighborhood disputes, contracts, civil rights, construction, personal injury, product liability and environmental.

7. IDEA 97 requires that mediation be an option when a due process hearing is requested.

Each state must maintain a list of qualified mediators and choose randomly from that list when assigning mediators.

The state is required to pay for mediators, but the mediators are not considered to be employees of the state.

Offering mediation is not mandating it; it can be rejected by either side.

8. Mediation can avoid even the filing of a due process hearing request.

The techniques learned and practiced will enable everyone in the educational arena to find better solutions to disputes.

Conflicts in the educational community are not restricted to families and schools.

Mediation lets the parties involved remain in control of the outcome; going beyond mediation puts the hearing officer or judge in control; the decision, then, is a “crapshoot.”

9. Learning is an essential element in, and occurs throughout, the process.

People learn to listen; people are able to talk without being interrupted; mediators help people understand one another; new communication skills are often the longest-lasting result of the mediation.

Frequently the stated problem is not the underlying root problem; mediation helps the parties focus on both.

10. Mediation saves time, is cost efficient, safe and private.

Consider these:

A dispute involving a high school

student, 504 and special education. Enough progress achieved in three sessions totalling 8 hours that the mediator could withdraw; district and family worked out the rest together.

A dispute involving a high school student, 504 and special education. Settled in 3 hours.

A dispute involving a 4-year-old with autism. Settled after three 3-hour sessions.

Three disputes involving truancy at a middle school. Two settled in 2 hours each; one settled in 3 hours.

A dispute involving a 4-year-old with autism. Marathon session lasted 8 hours without a break. Not settled, but parties were within 2 months and \$5000 of settling; final “no” was from an administrator who was never involved in the mediation.

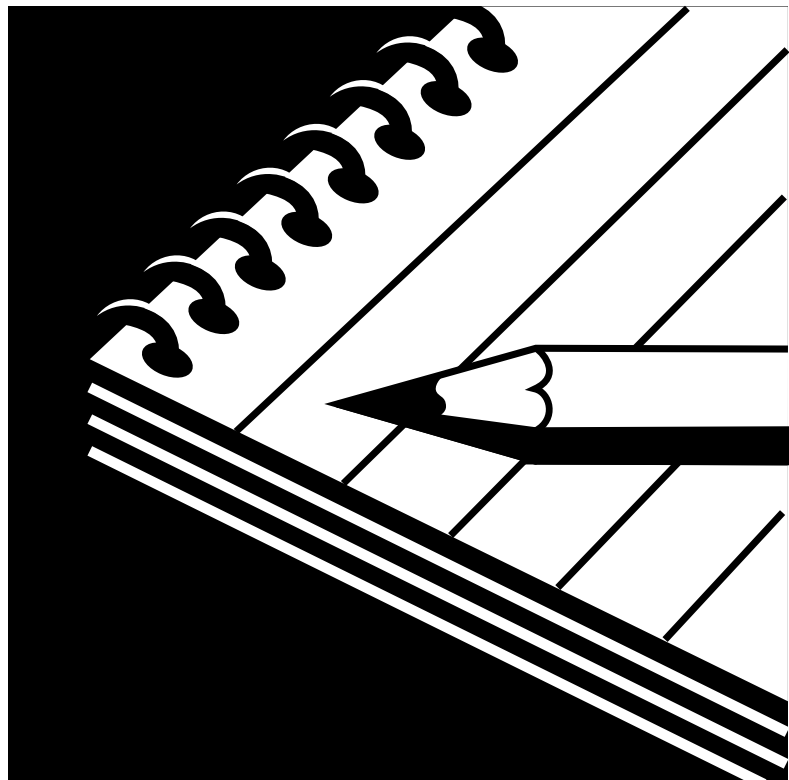
And, what would happen if I could rectify my mistakes?

- I’d recommend that mediation skills training be required. Everyone would

attend at least 4 hours training, followed by 4 hours of “guided practice”; review of training would occur twice a year.

- Key teachers, administrators, coordinators, and classified staff would be invited to volunteer to take the full 40-hour training, and would then serve as mediators within the district whenever possible. They would be observed and evaluated periodically, and receive updated training at regular intervals.
- I’d be cautious about assigning a district employee to serve as a mediator when the dispute was between parents and the school; even the suspicion of bias would make the mediation process very difficult, if not impossible.

So, I’ve found retirement to be fun, busy, productive and fulfilling. And mediation is also fun, productive and fulfilling. Try it—retirement and mediation. You really will like it!



Due Process Hearing Procedure: When Is The Process Worth The Cost?

Ralph J. Haws, Ed.D., Mediator, *Education Mediation Associates*, and
State Due Process Hearing Officer

Susan Gorey Deisley, Esq., Mediator, *Education Mediation Associates*, and
Former Special Education Attorney, Disability Law Center

Parents and school personnel usually collaborate effectively to create a satisfactory individualized education program (IEP) for a child with a disability. Indeed, this collaboration is fundamental to the education process Congress envisioned in legislating—in 1975—and amending—in 1997—the Individuals with Disabilities Education Act (IDEA or “the Act”). When conflict arises, however, concerning a substantive educational issue and the parties either reach a principled stalemate or refuse to communicate, the Act provides a legal forum to resolve the dispute. The costs of pursuing a legal remedy are high. Both parents and local education agencies should weigh these costs before proceeding to an administrative hearing. This article briefly describes IDEA 97’s administrative due process hearing procedures, both as set forth in the Act and as applied.

IDEA 97 affords procedural due process protections for both parents and local education agencies involved in disputes arising under the Act. IDEA 97 mandates that a parent or a public agency, generally a school district, may initiate a hearing concerning *the identification, evaluation, or educational placement of a child with a disability or the provision of FAPE* (free appropriate public education) to the child. At the conclusion of the administrative hearing, the non-prevailing party may appeal the decision to a review panel. Following the decision of the review panel, either party may proceed to litigate the matter in state or federal court.

The administrative hearing resembles a judicial trial. An impartial hearing officer conducts the hearing much like a judge. IDEA 97 mandates that any party to an administrative hearing has certain due process rights. These include the right to be accompanied and advised by counsel and by individuals with special knowledge or training with respect to the problems of children with disabilities; to present evidence and to confront, cross-examine, and compel the attendance of witnesses; and, to prohibit the introduction of evidence that has not been disclosed at least 5 business days before the hearing. In addition, the parent has the right to have the child who is the subject of the hearing present and to open the hearing to the public.

IDEA 97 requires that the hearing officer issue a written decision within 45 days from the date of the initial due process hearing request. The Act, however, affords the hearing officer discretion to grant specific extensions of time at the request of either party, except under specific circumstances in disciplinary proceedings. These extensions are routinely granted. For example, in Utah, recent

due process hearings have continued for more than 13 months. The reasons for the protracted nature of the proceedings vary. Scheduling conflicts between hearing officers, attorneys, parents, expert witnesses, and school personnel historically have been accommodated. Often counsel request additional time to complete discovery or to draft a comprehensive brief addressing the legal issues that have been raised. Understanding that their decision may be appealed and critically analyzed, hearing officers are inclined to craft it carefully. In addition, courts have placed great significance on these administrative due process proceedings, stressing to both parties that *this is the time to “make your case.”* The 45-day timeline may not allow a thorough airing of the issues in certain complex matters; therefore, both parents and school districts are willing to waive the requirement. As the timeline is extended, however, the process becomes more intrusive and the focus on the child may be blurred.

During the preparation for the hearing and at the hearing itself, the parties spend countless hours, dollars, and emotional energy to garner the evidence necessary to support their legal claim. For teachers, this additional “cost of doing business” in an already stressful profession is significant. Following the due process hearing, the hearing officer will issue findings of fact and conclusions of law in a formal written opinion. The decision clarifies for the parties whose interpretation of IDEA 97’s mandate is correct. One party prevails; the other must yield.

Frequently, the child who is the subject of the hearing continues to receive special educational services within the school district during and following the hearing. After the hearing, then, the antagonists in an adversarial process—parents and teachers—must move from confrontation to cooperation for the sake of the child. Unfortunately, this strategic alliance is easier to maintain than to rebuild.

When parents and school personnel are unable to work together collaboratively to create an acceptable IEP, IDEA 97 provides an administrative procedure designed to resolve the conflict and allow parties to move forward. Due process hearings are necessary as a last resort, and only when the dispute is based on principle rather than interpersonal conflicts couched in positional bargaining. Before—long before—parents or school districts proceed to litigation, they should consider the option of mediation to cut through the posturing and to maintain the focus where it should be—*on the child*. Once a decision is made to proceed to due process, both parties should assist their attorneys to narrow the focus to discrete legal issues and to expedite the hearing.

Surviving (Or Thriving?) Under The IDEA Discipline Regulations

Dr. Dixie Snow Huefner, Department of Special Education,
University of Utah

Discipline! Discipline! Discipline! Still likely to be the center of controversy for misbehaving students with disabilities! Congressional subcommittees, the federal Department of Education, and disability advocacy groups spent two years trying to hammer out the disciplinary sections of the Amendments to the Individuals with Disabilities Education



Act (IDEA 97). Then the Office of Special Education and Rehabilitative Services (OSERS) in the federal Department of Education took almost that long to finalize the IDEA regulations, among other reasons because of continuing disagreements over how key provisions of the statute ought to be interpreted. Now the regulations are out. They take effect on May 11, 1999, and compliance will be required no later than October 1st and is encouraged immediately, whenever possible and appropriate.

What do IDEA 97 and the final regulations say about disciplinary placements and accompanying procedural safeguards for students with disabilities? Although the provisions are lengthy and complex, they send two distinct, clear messages:

1. School personnel must improve their efforts to manage the misbehavior of disruptive or dangerous students with disabilities, and
2. Schools can change the placements of such students quite quickly but must continue to serve them.

Underlying both messages is the importance of safe schools and the value

of discipline for all students, including those with disabilities. Also underlying both messages is the importance of a free appropriate public education (FAPE) for all students with disabilities and the reality that expulsion would deny that hard-earned right.

The need to honor both sets of values has produced the controversial compromise that continues to make many educators uncomfortable. Nonetheless, if schools can address the first message and do a better job of managing misbehavior, then the disciplinary procedures surrounding the second message will be less problematic. Therefore, in my view, the first order of business for all school personnel is to address the need to improve techniques and strategies for dealing with students who have difficult, problem behaviors. That said, the actual disciplinary provisions of IDEA 97 require some elaboration.

Disciplinary Principles of IDEA 97

The disciplinary principles of IDEA 97, as interpreted by the final regulations and as translated into lay language, are as follows:

1. Removal from school for up through ten *consecutive* school days is a disciplinary option that is available for use with all misbehaving students, including students with disabilities. Removal for this length of time is not considered a change of placement and does not require educational services as long as the removal is applied in a consistent manner to students with disabilities and students without disabilities. Removal for more than ten

consecutive school days does constitute a change of placement. (See 34 C.F.R. 300.519.)

2. Removal for a total of more than ten *cumulative* school days in a given school year does not necessarily constitute a change of placement. Short-term removals of not more than ten days may occur for separate incidents of misbehavior if they do not create a pattern (for instance, serial suspensions) indicating a disciplinary placement change. After removals cumulate to more than ten school days, however, some services must continue to be provided to enable the student to appropriately progress in the general curriculum and advance toward achievement of IEP goals. School personnel in consultation with the special education teacher determine the extent and type of services required. (See 34 C.F.R. 300.519 & 300.121(d).)
3. If parents agree to a disciplinary placement change, as they often do, then procedures in items 4 through 9 below need not be invoked. A current or revised IEP can be implemented in the agreed-upon placement, and interim placement changes and manifestation determinations to determine the ultimate length of those placement changes will not be required.
4. All students with disabilities who bring dangerous weapons or illegal drugs to school or school functions, or who use or possess them at school or school functions, can be removed unilaterally by "school personnel" to an interim alternative educational setting (IAES). (See 34 C.F.R. 300.520(a)(2) and

accompanying analysis.) Students who sell or solicit the sale of a controlled substance at school or a school function can also be removed unilaterally. The regulations do not define "school personnel." Services and modifications in the interim setting are determined by the IEP Team and must reflect IEP goals (including progress in the general curriculum) as well as the misbehavior precipitating the placement change (34 C.F.R. 300.522).

5. Students who create a substantial danger of injury to themselves or others can also be removed to an IAES if a hearing officer orders the removal or if a court orders injunctive relief. The burden of proving the likelihood of the injury rests with the school district. Although the IAES is proposed by school personnel who have consulted with the child's special education teacher (but not necessarily the IEP team), the hearing officer determines whether the proposed setting meets the statutory requirements. If it does not, the hearing officer is responsible for selecting some other placement that does meet the standards. (See 34 C.F.R. 300.521 and accompanying analysis.)
6. Ordinarily, placement in the interim setting can continue only up to a maximum of 45 *calendar* days (34 C.F.R. 300.520(a)(2) and 300.9). Extensions, however, can be granted by a hearing officer (34 C.F.R. 300.526(c)(4)).
7. A determination of whether the misbehavior relates to the disability must be performed within 10 school days of the commencement of a disciplinary change of placement. If the student's misbehavior is a manifestation of the disability, then any deficiencies in the IEP or placement of the student need to be remedied (34 C.F.R. 300.523(f)). (The implication is that the student must be placed in his or her least restrictive environment, which may or may not be the prior placement.) If the student's misbehavior is not a manifestation of the disability, then a long-term suspension

or expulsion from the prior placement can continue as a disciplinary measure beyond the 45-day period in the IAES. (See 34 C.F.R. 300.524 and accompanying analysis.) The IEP team must determine the extent of the services that must continue under these circumstances, but they must allow progress in the general curriculum and toward IEP goals and must address the misbehavior precipitating the placement change. (See 34 C.F.R. 300.520 and the analysis accompanying 300.522.)

8. IDEA 97 presumes that the misbehavior is a manifestation of the disability but allows the presumption to be rebutted. Standards for doing so are established in the statute and reiterated in the regulations. First, the IEP team and other qualified personnel must meet and consider all relevant assessment information, classroom observations, the IEP itself, and the placement in which the misbehavior occurred. They then must determine (1) that the IEP and placement were appropriate when considered in relationship to the misbehavior and (2) that special education, supplementary services, and behavioral interventions were delivered in a manner consistent with the IEP and placement. Finally, they must determine that the child's disability neither impaired his or her ability to understand the "impact and consequences" of the behavior nor the ability to control the misbehavior (34 C.F.R. 300.523).
9. If parents want to challenge any of the disciplinary actions regarding place-

ment changes, they may do so at an "expedited" hearing. Timelines for expedited hearings are to be established by the state educational agency but must be within the 45-day timeline established for normal due process hearings, without any exceptions or extensions. (See 34 C.F.R. 300.528 and accompanying analysis.)

Functional Behavioral Assessments and Behavioral Intervention Plans

In a nutshell, that is how the statutory provisions are interpreted by OSERS. Additional information about implementation, however, is provided in the regulatory analysis, which provides clarification and "helpful guidance" to accompany the regulations.

Among the highlights are questions and answers about functional behavioral assessments and behavioral intervention plans (BIPs). In the interest of not over-regulating, OSERS declined to provide a definition of functional behavioral assessment, leaving its interpretation up to state or local school districts. If such an assessment has not been conducted and if a BIP has not been developed before a child is removed for more than 10 days or before a change of placement is "commenced," then the IEP team must meet within 10 business days to develop an "assessment plan." (This phrase seems to refer to a plan for the functional behavioral assessment.) If the child already has a BIP, then the IEP team meets to review and modify the BIP and its implementation in whatever ways are necessary to address the misbehavior. If the child does

In my judgment, the final regulations have attempted to provide flexibility that appeared to be lacking in the statute. The most important challenges and remaining major issues surrounding disciplinary placements come from the statute, not the final regulations...

not have a BIP, the school conducts the functional behavioral assessment required by the assessment plan and then, as soon as is practicable, the IEP team develops and implements the BIP. (See 34 C.F.R. 300.520 and accompanying analysis.)

The regulatory analysis helps to explain the relationship of the BIP to the IEP. If IEP teams are proactively addressing misbehaviors that impede a child's learning or that of others, then behavioral strategies, interventions, and supports included in the IEP will constitute the BIP. (Analysis accompanying 34 C.F.R. 300.520.) This means that behavioral methods may be introduced into the IEP. (A comment in the *proposed* regulations, indicating that teaching methodologies were not expected to be written into the IEP, has been deleted, and the current analysis states that "in some cases, it may be appropriate to include teaching methods and approaches in a child's IEP." (Analysis accompanying 34 C.F.R. 300.348) The analysis also states that if the child's IEP includes positive behavioral strategies to address behavior problems, then the appropriate response to misbehavior would almost always be to use the behavioral strategies rather than to implement a disciplinary suspension. (Analysis accompanying 34 C.F.R. 300.523.)

Of course, this assumes that the strategies selected by the IEP team are appropriate and will work and that the particular misbehavior was predictable. Most teachers will tell you that sometimes this is not the case and that nothing works at a given period of time with a given child. The analysis seems to recognize this possibility by acknowledging that an appropriate placement change may be implemented, subject to the parent's procedural rights, including the right to due process hearing. (Analysis accompanying 34 C.F.R. 300.523.)

In-School Suspension and Bus Suspension

Other clarifications that may be of special interest analysis concern in-school suspension and bus suspension. The analysis indicates that OSERS will not

count in-school suspension days as removal days as long as the suspension gives the child the opportunity to progress appropriately in the general curriculum, receive IEP services, and continue to participate with nondisabled children to the extent the child would have in the placement from which s/he was removed. Bus suspension would count as a day of suspension if transportation is a part of the child's IEP because, unless the school district provides transportation in some other way, lack of transportation would deny the child access to the setting in which other necessary services are delivered (Analysis accompanying 34 C.F.R. 300.520).

Students Not Yet Determined Eligible for Special Education

With respect to protections for misbehaving children who have not yet been determined eligible for special education, the definition of what constitutes "knowledge" of the child's eligibility by the school district has been tightened. One of the *proposed* elements of knowledge had been that the child's behavior or performance demonstrated the need for special education and related services. Now the demonstrated behavior or performance must be tied explicitly to characteristics associated with the IDEA definitions of the disabilities, so that the severity, type, and degree of the behavior or performance can become relevant.

Another element of "knowledge" had been that a teacher or other district staff member had expressed concern about the behavior or performance to the director of special education or "other personnel of the agency." Substituted in place of the expansive language of the last phrase is the phrase "other personnel in accordance with the agency's established child find or special education referral system." In other words, expressing concern to any staff member is no longer deemed to be knowledge by the district that the child had a disability; the concern must be expressed to someone in a position to act on that concern.

Finally, the school district will not be

deemed to know that a child has a disability if, after receiving any of the specified information putting it on notice of a possible disability, it concluded that an evaluation was unnecessary or it conducted an appropriate evaluation and determined the child was not eligible, as long as it provided parents with the required notice of its actions and reasoning. (See 34 C.F.R. 300.527 and accompanying analysis.)

Conclusion

In many ways, the disciplinary placement (IAES) options are not as limited as one might assume. Alternative settings to the current placement do not require districts to establish alternative schools. Many options remain open: self-contained settings, home instruction, self-contained placements within resource rooms, separate schools for students with certain disabilities, alternative schools for at-risk students, in-school suspensions in study halls, and so forth. On the other hand, the service requirements in those settings are quite formidable, even though 10-day removals and 45-day interim placements buy time for school officials to assess the needs of misbehaving students. IEP teams must know how to conduct functional behavioral assessments and manifestation determinations and to develop behavioral intervention plans. They must also ensure that a student's services, regardless of the disciplinary placement, address progress in the general curriculum, implementation of IEP goals, and elimination of the misbehaviors triggering the disciplinary placement.

In my judgment, the final regulations have attempted to provide flexibility that appeared to be lacking in the statute. The most important challenges and remaining major issues surrounding disciplinary placements come from the statute, not the final regulations—which brings us back to where this article started. Everyone, including regular educators, special educators, paraprofessionals, school psychologists, social workers, and administrators must receive training and develop skills to manage the behavior of difficult children with disabilities. This is where the real attention should be!

Functional Behavior Assessment And Behavior Intervention Plans

J. Calvin Evans, Special Education Director, Jordan School District

Fuchs, Fuchs and Bahr said it best, "...approaches that involve intense effort, extended time periods, or expertise not normally available may not be embraced enthusiastically by teachers in general education settings..."

Regulators state in the comments section of the IDEA regulations that "...it makes a great deal of sense to attend to behavior of children with disabilities that is interfering with their education and that of others..." Without question IDEA 97 now emphasizes gathering behavioral information through a functional behavioral assessment (FBA) and developing and implementing a behavior intervention plan (BIP) to decrease the problem behavior.

These tools have been borrowed from the field of applied behavior analysis and were developed from the narrow perspective of operant behavioral conditioning where behaviors were assessed within the context of environmental antecedents and consequences. Some researchers believe that the use of functional behavioral assessments to provide insights into the causes and management of problem behavior from conduct disordered students that result in suspensions such as drugs, weapons and violence is exceeding our current knowledge base. Research suggests "...that although functional behavior assessment has shown promise for youth and adults with low incidence disabilities in clinical settings, evidence regarding its effectiveness when applied to youth in both low-incidence and high-incidence disabilities in school settings is limited."

The category of students with disabilities most often suspended are behaviorally disordered. The five behaviors students are most often suspended for are:

- Assault
- Drug-related offenses
- Alcohol-related offenses

- Weapon-related offenses
- Truancy

FBA's and BIP's have been shown to be most effective in settings that can be controlled and manipulated to meet the behavioral needs of a particular individual. Most of the behaviors listed above occur in environments outside the classroom and often outside the school building. To believe that a FBA/BIP will modify a student's propensity to smoke dope behind the auto shop at noon stretches the technology. There very well may be some environmental manipulations, interventions or restrictions that will reduce the behavior; however, the FBA/BIP for this type of student will be different from the FBA/BIP developed in the field of applied behavior analysis.

When to Conduct a FBA/BIP

Under the regulations, the requirement to conduct a FBA is triggered if a student with disabilities is removed for >10 school days per year (§ 300.520(b)(1)). However, schools should not have to meet to address behavior of students that already have a BIP, unless there is a need (§ 300.520(c)(2)).

What is a Functional Behavioral Assessment?

Whether a behavior is appropriate or inappropriate its occurrence is controlled by environmental variables. The goal of functional behavioral assessment is to identify relationships between personal and/or environmental events and the occurrence and non occurrence of a target behavior. Functional behavioral assessment is designed to (a) promote hypothesis-driven treatment, (b) place more emphasis on skill building rather than punishment, (c) increase the chance of maintenance and (d) generalization of treatment effects, and (e)

contribute to the scientific advancement of treatment efforts.

Functional assessment is a process for looking at the relationship between a behavior and the environment. The objective is to understand the structure and function of the inappropriate behavior. Some of the questions that need to be asked as part of a functional assessment include:

1. What function does the inappropriate behavior serve?
 - What benefit does student derive?
 - Is student achieving or avoiding something?
 - What message is student trying to convey?
2. What interventions would address these functions?
 - What functionally equivalent behaviors might reduce frequency of problem behaviors?
 - What socially acceptable behavior would produce same benefits?

Who Conducts a FBA?

Persons knowledgeable about the child that have been trained in the procedure of functional assessment. Ideally, all of the members of the students IEP team have information to contribute to a functional assessment.

What Situations Might Trigger a FBA?

A student may be in need of a functional assessment and behavior intervention plan if the following conditions occur:

- The student engages in behaviors that are substantially likely to cause injury to self or others.
- The student causes property damage.
- The student's behavior interferes with the education of other students in the classroom.

- The student's behavior interferes with the student's education.
- The student's behavior causes an emergency intervention.
- The student is suspended.

Components of a Functional Assessment

Functional Assessment may include any or all of the following components as needed:

- **Observation:** Direct observation of the student in the natural environment where ABC data may be collected by trained personnel. Time of day, setting and other persons in the environment are all critical considerations.
- **Indirect Assessment:** Information is gathered from a variety of sources knowledgeable about the child.
- **Review of Records:** A review of the student record is completed to determine intervention strategies that have been utilized focusing on both success and nonsuccess.
- **Experimental Manipulation:** Antecedents and/or consequences are manipulated and their effects on the problem behavior are recorded. Manipulation of situations and variables in the environment that will and will not influence the target behavior lead to a better understanding of and ability to predict occurrences of the problem behavior.

Steps in Conducting a Functional Assessment

Assessment: The IEP team consists of persons knowledgeable about the child. The IEP Team meets to discuss the following questions relative to the behavior under consideration:

In what settings does the behavior occur?

- Does the student understand the behavioral expectations?
- Where does the behavior not occur?
- Who is present when behavior occurs?
- What times of day does behavior occur?
- Are there environmental factors influencing behavior?
- What setting events influence behavior?
- What happens immediately before the behavior?

- What happens as a result of the behavior?
- Does the student have the skills to perform the new behavior?
- Does the student have the desire to change behavior?

Data Analysis: When the IEP Team has enough data, the data will be examined to determine if there are patterns that emerge that will help predict when the behavior may occur.

Hypothesis statement: After an analysis of the data, the IEP Team can develop a hypothesis specifying the general conditions under which the behavior is most likely and least likely to occur.

Behavior Intervention Plans

After the Team has collected, analyzed and developed a hypothesis regarding the target behavior in the Functional Behavior Assessment, a Behavior Intervention Plan (BIP) will specify the strategies, modifications or supports that address the behavior in question. The BIP may also address skills the student needs to develop in order to behave more appropriately (skill deficits) as well as motivators to maintain the behavior change over time (performance deficits).

The following questions should be considered each time the plan is reviewed:

1. Are consequences and reinforcers carried out consistently?
2. Have needed skills been taught systematically?
3. Is reinforcement adequate to maintain replacement behaviors?
4. Does the student understand the management system?
5. Should the IEP be amended to include other target behaviors?
6. Is there a need for increased supervision of the student?
7. If a weapon has been involved in the infraction, have the following procedures been considered: (1) Pocket Checks, (2) Locker Checks, and (3) Metal Detector
8. Is student inadvertently reinforced for the behavior with adult attention (do staff argue with student; are consequences appropriately applied)?
9. Is there ongoing communication with

home?

10. What specific modifications need to be made to the plan?

Sample Decisions: FBA and BIP

Parents request a BIP for student who was not characterized by poor behavior. Teachers maintained that student could be controlled with traditional methods. Hearing officer held that a BIP should not be used with a student unless the circumstances clearly warrant it. *Mansfield Indep. Sch. Dist.*, 28 IDELR 900. (1998)

District did not incorporate a BIP into the student's LEP despite repeated misconduct. Student was removed for behavior that was a manifestation of disability, yet the district did not conduct a FBA until after student was removed after several incidents. BIP found to be untimely and inappropriate. *South Pasadena Unified Sch. Dist.*, 28 IDELR 1112. (1998).

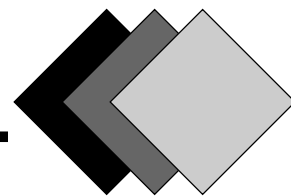
An 8-year-old student with Tourette's syndrome, ADD and OCD suspended without due process procedures. District ordered to remove suspensions from student's records and retain an experienced professional to design BIP for the student. *Board of Education of the City of New York*, 28 IDELR 1093. (1998).

Although BIP for a 14-year-old student with learning disabilities and an articulation disorder was appropriate, district inexplicitly changed how the plan was implemented. The changes to the BMP invalidated the plan and resulted in the student's being punished for misconduct that was a manifestation of his disabilities. By removing the student from school for misconduct related to his disabilities, the district violated the IDEA. As part of relief granted, teachers in the school ordered to receive training in how to implement a BIP. *Jessieville Sch. Dist.*, 28 IDELR 697 (1998).

Whatever format a school selects to document FBA's and BIP's it needs to be useful, easy to use and consume a minimum amount of time.

Reference available from the ULRC upon request.

Educator Idea Exchange



"All For One And One For All"

Michelle Peterson, Weber School District Inclusion Project
Weber School District

For the past nine years I have had the opportunity of working on the Weber School District Inclusion Team. My position as a consulting teacher has been an interesting combination of pleasure and panic, delight and despair, wonder and worry. The intent of this article is to share some of the things I have learned and the ways we have implemented inclusive schools in our district.

One of the main concerns I had at the beginning of my experience was how teachers throughout our district would accept such changes in their classrooms. At the beginning of each new year, teachers express feelings ranging from anger to excitement to even fear. Yet as the year progresses, these teachers and, in fact, entire schools are taking responsibility and ownership for all of their neighborhood students. They understand that children should not have to earn the right

to attend their neighborhood school. This is very satisfying to me because these teams and individuals can help train and prepare the way for future teachers involved in the project.

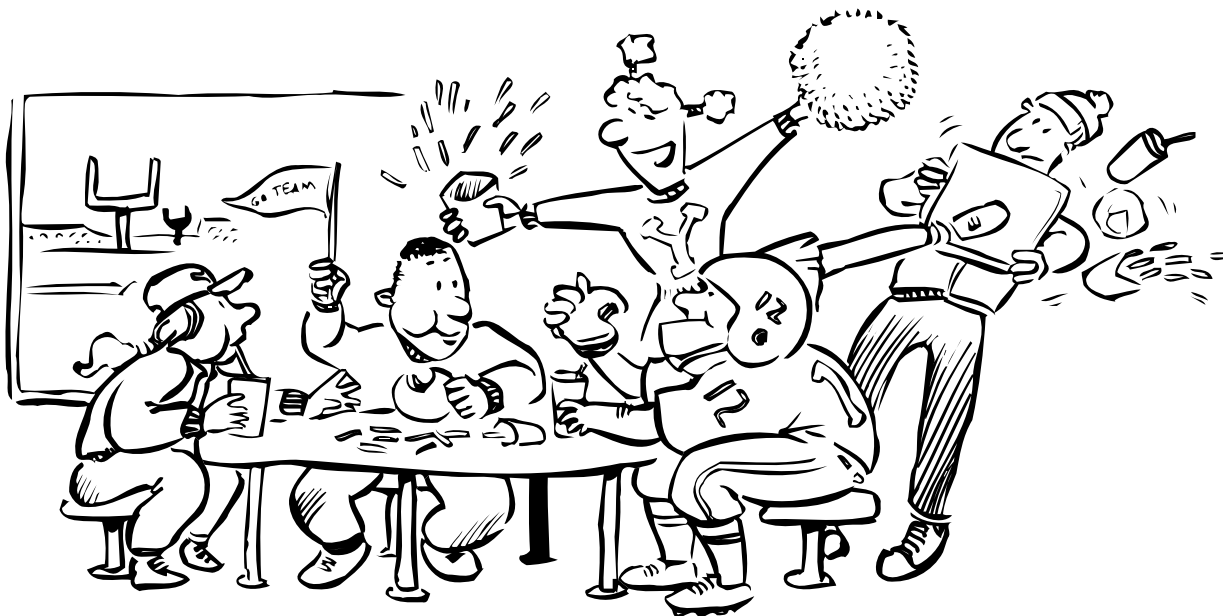
One of our big successes is our peer tutoring or buddy programs. We have set up peer tutoring and buddy programs in many of our schools. The peer tutors are trained and monitored throughout their experience. The peer tutors express an understanding of the strengths and talents of their friends with disabilities. The students with disabilities are learning social skills from their peers. We have seen many of the problem behaviors extinguished.

Throughout our district building teams work together to make school a success for every child in their building. They meet, brainstorm, plan, implement,

redesign, and sometimes start all over again the next day or week. With this kind of effort, it is no wonder that so many of our students are having such positive experiences.

One of the reasons for our success is our very supportive administration. From our Superintendent to our special education director to the building principals we have the support we need in good times and bad. They never fail to offer whatever they can do to make our jobs easier. They truly care about each child in our district.

If I could offer up any words of wisdom to those people just getting started with the inclusion process, they would be "TEAM, TEAM, TEAM!" This is a job that I would hate to try to do alone. But in nine years, I have never run across a single problem that a group of caring and determined educators could not solve together.



A Reading Program To Make Adaptations For Content Classes

Tess Palczynski, Resource Teacher, Treasure Mountain Middle School,
Park City School District

I recently moved to Park City, Utah. I formerly taught kindergarten through third graders with severe and mild/moderate disabilities. I currently teach 7th grade resource. I also program for students with severe disabilities in grades 6th through 8th at Treasure Mountain Middle School.

I have entered the unknown world of “the middle schooler” and feared inclusion and accommodating and modifying curriculum at this level. My fears left me as I became part of a seventh grade team. I am currently using a reading program I made for elementary-aged children to adapt curriculum in middle school core classes. I see students successfully learning core material in an inclusive setting.

The original reading program I created was a five day program, made up of original stories, with text and text with picture cues, as well as opportunities for kids to create their own characters. The five-day program is as follows:

Day 1:

1. Read the story to the child (no pictures).
2. Have child make “key” word cards and put them in a “Word Card Box” or dictionary.
3. Have child read the picture story with you.
4. Have child scan for target words from ABC order page, and highlight them in different colors.
5. Complete ABC order page.
6. Re-read picture story together again.

Day 2:

1. Go over word cards as if they were flash cards or read “dictionary” words.
2. Have the child read the picture story to you. Assist as needed.
3. Read and complete a “fill in the blank page”, assist as needed.
4. Have child write down words from word cards or dictionary, on lined paper, to take home to practice.
5. Have child re-read picture story.

Day 3:

1. Have the child read picture story. Try to use minimal assistance. Guide the child to use strategies for unknown words.
2. Complete “choose correct word and sequencing” page.
3. Have child find the words that you orally say on their paper, and then let child do the same to you.
4. Have the child read picture story to you.

Day 4:

Have child read story. If the child has difficulty with any words, do a mini lesson to help with the problem.

Use word cards to orally create sentences and substitute other words in the sentences. Example: John sat on the mat. John sat on the dinosaur.....

Do “Question and Scan” page.
Have the child re-read story, with or without pictures.

Day 5:

1. Go over word cards or dictionary page.
2. Have child read picture story for practice.
3. Check story and word cards for accuracy (without pictures). The

- child should be able to read the story and word cards with 95% accuracy. (You can do a RAP style running record on the picture story.)
4. Have child cut apart sentences from the non-picture story (on a separate sheet) and mix them up. See if the child can put the sentences in order.

This basic resource reading program can be used in core classes such as English, science and history. I have just started to use this format with chapters in history. Students with substantially lower reading levels and writing skills are able to work independently within their regular classroom setting and retain highlighted information from their core subject.

My goal is to create this program fully in English, science, and history. I am part of an awesome seventh grade team. I am able to meet with the teachers and discuss what is in store for the students in these classes.

The program takes a lot of time to create initially. You can create your own “stories” or “chapters” at whatever reading level you need. Once you have created the hard copies, however, the hard part is done. You need to include the regular education teacher in the process. They are a key component to success. Their input as to what information is most important as well as their support in monitoring and grading will make the inclusion of the student more successful.

If you would like a sample “story” from this program, feel free to write me at:

Treasure Mountain Middle School
2530 Kearns Blvd.
Park City, UT 84060

Are You A Curriculum Specialist?

Lee Stoor, Resource Teacher, Alpine School District

Often we hear our special education co-workers express the feeling that they are more of a curriculum generalist than a specialist. However, if we are to meet the needs of individual students, it is to our advantage to become more knowledgeable in a variety of curriculum areas.

How many times in your career have you heard the comment, “but I am really not a curriculum specialist.” As educators of special education students, we find ourselves working in a wide variety of curriculum areas. Often we hear our special education co-workers express the feeling that they are more of a curriculum generalist than a specialist. However, if we are to meet the needs of individual students, it is to our advantage to become more knowledgeable in a variety of curriculum areas.

Elementary level teachers find the need to become experts in reading, math, spelling, writing, and a variety of other subjects. Not only is there the challenge of learning the material in these subject areas, but there is the need to be an expert in all grade levels. Secondary special education teachers often find themselves in a situation where they need to know the expected outcomes in many different subjects. As more inclusive models become accepted, the need to understand curriculum objectives becomes even more important. Special education teachers find themselves in a co-teaching science, history or English class with sometimes minimal background in the specific content areas.

The challenge of adapting the curriculum to help special education students meet their IEP goals is critical. I have found that before I can successfully provide appropriate learning material, I must understand what is expected in each class. I have tried a variety of methods for establishing what I consider the “critical basics” for each class.

Let me explain the procedure that has been most successful for me.

As a co-teacher in a Junior High setting I begin each new class by meeting with the regular education teacher and establishing the core objectives for the class. We determine the learning outcomes that should be mastered for each chapter or section of our class. We then put these outcomes in a ranked order. We start with what we consider the critical information that all students must master while in our class. We continue listing objectives that range from what we feel the average student will achieve to the outcomes that we can expect from the high level achiever. This process takes time, but we have found it to have great benefit for both our teaching and the students learning.

Once our objectives become concrete I determine what (if any) curriculum adaptations need to be made in order for our special education students to master the critical information. Areas such as vocabulary study and review are often implemented during this stage. With some students we find that our full time must be spent in mastering critical information, while others are able to move beyond to the higher level learning outcomes. Adapting teaching style to meet individual needs is used at all levels.

Methods such as buddy reading, allowing oral explanations rather than written assignments, and alternative testing are often used in curriculum adaptation. Precision teaching sheets are created to

assist students in learning vocabulary terms that are critical to understanding new concepts. For some students, reading and comprehending the material in a textbook is difficult. We have created outlines for each section of study that are written on a manageable reading level. Key concepts are stressed in these outlines. They are designed to help students meet our critical learning outcomes.

Students are involved in group discussions and hands on activities. This allows us the opportunity of assigning students to work together so they can all succeed. Special education students are able to answer class questions because they have had exposure to the material in a small group.

Assignments and homework are adjusted to meet individual needs. If a special education student is enrolled in a study skills class, information about assignments is shared with their study skills teacher. This provides an opportunity to assist in completing work in the study skills class. Parents are informed of major homework assignments and deadlines. When the curriculum is adjusted, so that it is on an appropriate level for special education students they can succeed in improving their academic achievement.

It takes time to adapt curriculum, but the time spent will provide many benefits for both student learning and classroom management. When students succeed academically teaching become more rewarding.

Are You A “Special Ed. Sniper” Or A “Hand Grenade Lobber”?

A Perspective On Assessment And Transition

Linda Chadburn, Transitional Kindergarten Teacher,
Alpine School District

An issue that I’ve thought a lot about and worked extensively on for the past several years is curriculum-based assessment, and along with it assessment-based curriculum. As I began my career as a self-contained kindergarten and preschool teacher several years ago, I felt overwhelmed struggling with curriculum issues: what to teach, how to adapt it for my students, how to assess and track progress, and how to pass the information about what my students had accomplished on to parents and other teachers in a meaningful way.

Many times I felt like a “hand grenade lobber.” I would get a great idea for a lesson plan (a creative activity or thematic idea), package it up nicely, and “lob” it at my students hoping that it would meet someone’s needs somehow. If not, I could always hide behind the mask of trying to be “developmentally appropriate” (before I truly understood what that was) and say that I was providing normalized experiences in naturalistic environments. However, I soon discovered that my cute

“grenade” lessons were not producing the results I desired even though the children enjoyed them. They weren’t enough to meet the needs of my students with disabilities.

That’s when I decided to become a “sniper.” I needed to stretch myself and take a long, hard look at what I was and was not doing to make the limited time I had with my students maximally effective. In the Army, every soldier learns how to “lob a grenade.” However, in order to become a “sniper,” it takes more training, talent, and extremely hard work. But, the level of accuracy achieved and the more efficient use of tools and training produce amazing results. As I really explored what I needed to do to become a special education “sniper,” I discovered that most of what I needed I had been given in my university training. I committed to take the time to process it at a deeper level, personalize it, and implement it in my classroom.

“Special Ed. Sniper” Tools

There are a few tools and steps that have proven extremely valuable to me as I have worked through this process:

1. Become extremely familiar with the regular education curriculum for the chronological age group you work with as well as the curricula below that level but within the functioning range of your students.
2. “Rewrite” or reword the entire regular education curriculum that is applicable to your students into very short objectives that make sense to you (such as “Identifies 8 colors” or “Counts objects to 10”). Establish measurable criteria for mastery on a master list of objectives, but everywhere else you can just use the shortened version of each objective. This step not only helped deeply engrain the curriculum into my mind, but also gave me a way to reasonably see at a glance what is expected of my students.



3. Put the shortened objectives within each subject area into a logical progression including those skills that build up to students being able to participate in the regular education curriculum. This becomes an assessment tool to measure where the child is in relation to the general curriculum as well as a "built-in" goal bank to choose from for IEPs.
4. Develop an assessment and tracking system based on the shortened objectives that you can manage. Mine background, but I was surprised at how easy it was once I got going.
6. Design the computerized tracking system so that it will take the information you've entered and print out reports that are easy for parents and other teachers to interpret. I'm still working on this part!

Benefits of "Sniper" Tools

This process is quite time-consuming in the development stage, but it is extremely

planning. All too often I find that at transition meetings the only information passed on is the IEP folder with its limited practical applications and perhaps a brief oral introduction to the student. However, if a folder containing written tracking information accompanies the IEP folder, the receiving teacher can look over the data and jump right into meaningful instruction at the child's level rather than having to spend two months needlessly reassessing to figure out exactly where to begin. It would be like adding two months of valuable instructional time for every

As I really explored what I needed to do to become a special education "sniper," I discovered that most of what I needed I had been given in my university training. I committed to take the time to process it at a deeper level, personalize it, and implement it in my classroom.

is very comprehensive and officially documented for each child quarterly, but I use it frequently in lesson planning on both a group and individual basis. The more closely the tracking and assessment systems match one another, the easier it will be to use both simultaneously.

There are many ways to track student progress including anecdotal notes and discrete trials, using latency, percentage correct, rate, time, and levels of assistance. The important parts are identifying the most appropriate way to track each objective and taking the time to actually write down the data as you are teaching. I still struggle with finding time to write everything down that I want to, but the more I refine my system, the easier and more important it seems.

5. Put the assessment and tracking system on a computerized spreadsheet or database program so that it is fast, easy to enter data or update, and easy to print out reports for parents and other teachers. This step was a real challenge for me because I didn't feel like I had enough technological

valuable and saves an incredible amount of time as it is put into practice. I've spent approximately six years working on mine bit by bit, and I still feel like it is not quite where I want it to be. However, I feel like it has raised the level of my professionalism and teaching immeasurably. I'm not sure I'm to the level of "sniper" yet, but I am on the way! I even still "lob a grenade" now and then, just for fun.

As I have worked on developing this system, I've often thought that if someone would just hand me the program on a disk, I'd use it. However, I have found that spending the time to delve into the curriculum and adapt it to meet the needs of my population was the most valuable part of the experience. I wouldn't have taken as much time in that area if I'd just been handed a disk. In fact, the disk would probably be sitting on my shelf, waiting for that elusive "When I have an extra minute..."

One of the most valuable benefits to using an assessment-based curriculum system with a strong tracking component is that when children transition from one program or teacher to another, there is much greater continuity of program

student every year and would significantly reduce time spent in review and assessment!

Final Thoughts

I feel strongly that teachers who take the time and effort to develop comprehensive curriculum-based assessment and tracking systems raise the level of professionalism of teaching special education, allow time and effort to be more productively used for meaningful individualized instruction, streamline the transition process, comply better with the new IDEA 97 mandate to reference all IEP goals and objectives to the regular education curriculum, and most importantly, demonstrate more efficient student progress.

If you would like more information about anything in this article, please contact:

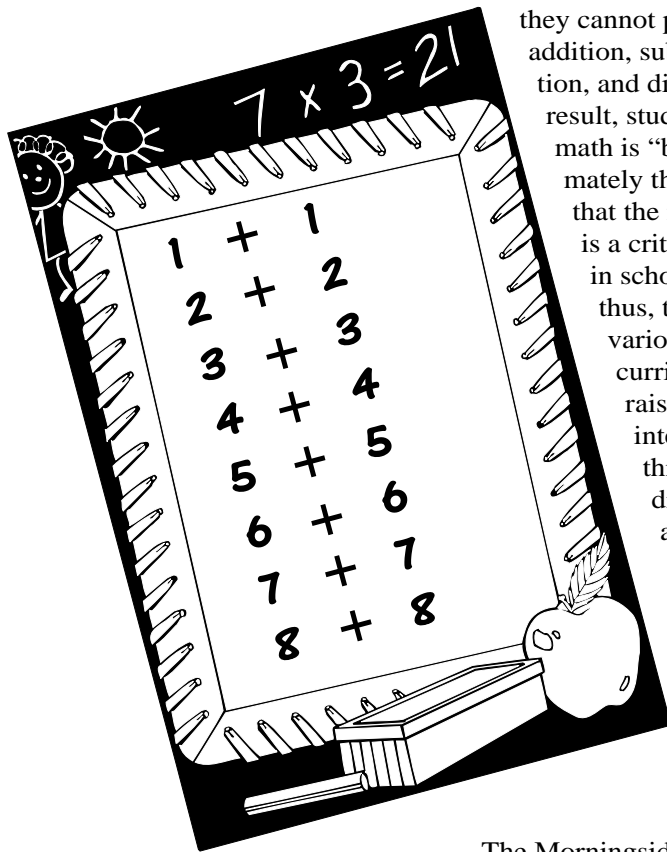
Linda Chadburn at (801)785-8717 or l.chadburn@www.lindon.alpine.k12.ut.us

2 + 2 = ???—Morningside Math Paired With Peer Tutoring Promotes Mastery Of Math Facts

Michelle Marchant, Graduate Student and former Resource Teacher, Utah State University

At the beginning of each school year, I wrestle with an effective method of teaching that will help my students to master and retain all of their math facts.

Computation and application math problems often become cumbersome and deflating for students if they cannot perform simple addition, subtraction, multiplication, and division problems. As a result, students often say that math is “boring” and ultimately they give up. I believe that the mastery of math facts is a critical skill for success in school and life in general, thus, the reason for trying various techniques and curricula in hopes of raising my students’ interest and ability in this area. Recently, I discovered a program and a method of teaching that increased my students’ math fact skills tremendously—the Morningside Math Facts Program delivered by way of peer tutoring.



The Morningside Math Facts Program is organized in a systematic procedure that facilitates quick and fluent acquisition of all math facts and ensures retention of the learned facts. There are four components of the program that establish these benefits:

1. The first component is that the facts are grouped into families. For

example, $2+6=8$, $6+2=8$, $8-2=6$, and $8-6=2$ are presented together.

2. The initial worksheets are composed of small chunks of new number families. Specifically, each new number family is introduced on a worksheet with only two or three other number families.
3. Four types of worksheets constitute the program: sliced, cumulative, review, and mixed probes. For each type there are three different versions of worksheets that are designed to promote students’ acquisition of the facts versus students’ memorization of the worksheets. The four types of worksheets build on each other—ranging from the introduction of three number families in the sliced probe, to reviews of larger combinations of families in the cumulative and review probes, and finally to a comprehensive blend of all of the number families in the mixed probes.
4. The fourth component consists of the students being timed and tested on each part of the program to assure retention and transfer of the skills when computing more entailed operations, such as computation and application problems. This program recommends daily timings in order to increase students’ correct response rate, with the ultimate goal being successful maintenance and generalization of the skills.

Initially, I used this program as a classroom starter. When the students entered my resource class, they retrieved their timing folders, a pencil,

and other necessary materials and sat down ready to complete two 1-minute timings. The purpose of this exercise was to improve their rate of computing answers to math fact problems accurately.

This method worked well for my high achievers but not as effectively for my low achievers. When I contemplated what I could do to improve my low achievers' skills, I decided it was crucial to create more opportunities for them to respond but through a medium other than writing. As a result, I decided to try a peer tutoring approach using "oral timings." I assigned each child a peer partner. Prior to the

"written timings," the students were expected to orally rehearse for one minute the answers on their math fact worksheets with their assigned partner. This was likely to increase the chance that the responses on the written timings were more accurate and at a higher fluency rate for all students.

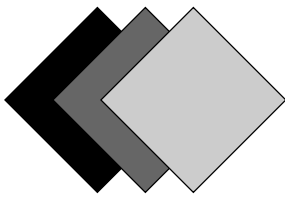
The procedure might look like this. Sally and Joe are assigned to be partners for the week. They alternate the roles of tutor and tutee. For the first 1-minute "oral timing," Sally is the tutee. I give the signal, and Sally says the answers to the math facts on her worksheet while Joe follows along giving praise and corrective feedback

as appropriate. For the second 1-minute timing, Sally and Joe switch roles and the same process is repeated. Following these oral timings, I proceed with two 1-minute "written timings." The students then complete the written timings individually and independently. Below are the procedures I implemented with the students in my resource classroom. They could be readily implemented in a special education or general education classroom.

If you are interested in accessing the program, contact the Morningside Learning, which is located in Seattle, Washington, at (206)329-9412.

Procedures for Establishing a Peer Tutoring Routine

1. Teach students how to complete a 1-minute math timing.
2. Teach peer tutoring strategies, including giving praise and corrective feedback, moving to sit next to their partner, and so forth.
3. Pair students together based on similar skill ability and personalities and assign each student a #1 or #2 for organizational purposes.
4. Practice the peer tutoring strategies using the math timings as the source of curricula. Continue with this step until you are satisfied that they can perform both the tutor and tutee roles effectively.
5. Assign partners for the first week and post their names in a visible location in your classroom.
6. Implement the program on a daily basis. Use as a classroom starter or closure activity.
7. Conduct oral timings first followed by written timings. Alternate which partner rehearses the "oral timings" first each day. For example, #1s on Monday #2s on Tuesday.
8. Instigate a correction procedure for the written responses. Use either self, peer, or teacher correction to assess the answers.
9. You record the results daily or have the students record their own results. Analyze data on a daily and weekly basis.
10. Be sure to praise students for effective implementation of the peer tutoring procedures effectively and for improvement in their math skills. Give corrective feedback as needed.
11. Each week, reassign partners based on skills and personalities.



Utah State Office of Education



Ask Mae...

A Message from State Director Mae Taylor-Sweeten

At Last !!!

The long-awaited day has finally arrived. On Friday, March 12th, the Office of Special Education Programs (OSEP) issued the final Federal Regulations for IDEA 97. There were several major improvements over the draft 1997 regulations; these will assist school districts to operate their programs in a much more knowledgeable fashion. Several clarifications have been added and, admittedly, some are still a bit obscure. However, we have a plan for working together to help us all understand these regulations. Obviously, this implies a great deal of study and inservice training on the regulations. To begin this process, the State Office of Special Education attended a two-day training conducted by OSEP held on April 6th and 7th in Denver. The training was conducted by Joleta Reynolds of OSEP. Dr. Reynolds has been the key person involved in developing the content of these regulations. Her presentation and clarification added a great deal of illumination to the issues; it will help us provide better technical assistance to school districts over the summer and during the coming school year. Several activities that we have planned for the future follow:

In the first part of May, Ginger and I will be meeting with OSEP in Washington, D. C., for four days with the goal of bringing back further information and clarification regarding the regulations and their implementation.

On May 18th, there will be a statewide training conducted in the state under the auspices of LRP Publications. An all day training will be provided on the final regulations. The trainer designated for our state's conference is Dr. Perry Zirkel, who is a well-known national expert in both IDEA and Section 504. Each local director of special education has information about registration and logistics.

A training workshop will be held in June for all local directors of special education so that we may all work together to develop a uniform procedure for administering these new regulations beginning with the new school year.

On August 2nd, we have arranged for a day-long statewide training. This is scheduled the day before our annual Special Education Law Conference in Ogden. This training will utilize OSEP training materials and a highly knowledgeable trainer, Art Cernosia, a favorite presenter at our past law conferences.

The regulations training will be followed by our annual two-day Special Education Law Conference which will be held on August 3rd and 4th at the Ogden Eccles Conference Center. Announcements and registration procedures for these conferences will be coordinated through the local district directors of special education.

As always, USOE staff will be available to provide district- or school-level trainings and workshops regarding regulations content. The contact person for such training will be your school district's technical assistant on the USOE staff. It also can be coordinated through Ginger Rhode or myself.

State Special Education Rules

As expected, the Utah State Office of Education will revise the Utah State Board of Education Special Education Rules so that they are in full compliance with the new federal regulations. Our goal is to have those rules revised, conduct public hearings, and have State Board of Education approval in time for the Rules to be disseminated for the beginning of school year 1999-2000. Obviously, this creates a very short time line and a heavy workload, but please believe the State Office is making every attempt to provide clear, concise material to you as soon as possible.

Dear Dr Ed:

Under the provisions of IDEA 97, school personnel may order a change of placement of a child with a disability if the child has carried a weapon to school or to a school function or if the child knowingly possesses, uses, or sells illegal drugs or controlled substances while at school or at a school function. The interim alternative placement cannot be for more than 45 days. What should a team do when the 45 days have expired?

First, of all, the team should not wait for the 45 days to expire to begin thinking about what to do when the 45 days expire! The time to begin thinking about what to do when the 45 days expire is at the very beginning of the 45 days or after the problem behavior occurs and as a 45 day Interim Alternative Educational Setting (IAES) placement is being considered.

If the district has not already conducted a functional behavioral assessment (FBA) and implemented a written behavioral intervention plan (BIP) before the behavior that resulted in the removal of the student to the IAES 45 day placement, an IEP meeting must be convened to develop an assessment plan to do this. If a BIP is already in place, the team must determine whether it has sufficient current information to modify the plan as needed, or whether additional functional behavioral assessment information is required first in order to do so. Once all identified assessment information has been collected, the IEP team must meet to modify or develop a BIP addressing the problem behavior.

Going through this process will give direction and answers to the team as to what to do with the student over the longer term after the 45 day time limit expires. Districts can also ask a hearing officer in an "expedited hearing" to extend the placement for an additional 45 days when they believe that returning the student to his/her current placement would result in injury to the student or others. There is not a limit on how many times a district may request an additional 45 day placement. Districts also have the option to consider obtaining a temporary court order to change the student's placement for the same reasons mentioned above. Be cautioned, however, that asking a hearing officer or a court to take action should not be taken lightly, will involve careful documentation and preparation, and will involve some cost.

Dear Dr. Ed Special...



Dear Dr. Ed:

IDEA 97 has added mediation as a process that may be used to resolve conflict between schools and parents of a child with a disability. What is involved in the mediation process?

While IDEA 97 has added mediation in an attempt to resolve conflicts, it is nothing new to Utah. Utah has had formal mediation as a voluntary part of its conflict resolution process for years. A mediation meeting typically comes about after a request for a due process hearing has been filed. The Utah State Office of Education (USOE) then notifies the parties about voluntary mediation and assigns an impartial, qualified mediator. (The USOE pays for the mediator's services.) The mediator contacts the parties to determine whether they are both interested in participating in mediation. If they are, the mediator schedules a time and date for the meeting.

Mediation meetings are meant to be carried out in a nonadversarial atmosphere. In recent years, however, districts and parents have usually chosen to have legal counsel present during mediation meetings. As a result, the meetings have usually been quite formal, although there is no requirement to dictate this. Different mediators utilize different processes to try to gain consensus between the parties. A successful mediation meeting usually means that there have been concessions made by both parties. At the beginning of the mediation, the mediator will usually lay down the "ground rules" for the discussion. The participants then typically sign an agreement acknowledging that all discussion within the meeting will remain confidential. .

The mediator often begins by asking the parents (or their representative) to give a summary of their view of the issue. The district then has a chance to respond and give additional information. Over a period of time, the mediator assists the parties in identifying areas of commonality and agreement. If ultimate agreement can be reached, the parties sign a written statement spelling out the details of their agreement. In cases where a written agreement results, the USOE is responsible for determining that the agreement has been implemented. Enforcement procedures must be initiated where implementation is not occurring.

If agreement is not reached in the mediation meeting, the dispute then moves on to be settled by the hearing officer assigned to conduct the hearing. The hearing officer's decision is binding on the parties.

Dear Dr. Ed:

I still get confused. Can you clarify when parents must receive Prior Written Notice and when they must receive the Procedural Safeguards Notice under the provisions in IDEA 97?

Hey, the Doctor is in on this question! No wonder you were confused—the draft Federal Regulations were contradictory on this point. However, since we now have the final Regs, of course everything is crystal clear!

Written prior notice that contains all of the required components must be given to parents a reasonable amount of time (usually construed to mean at least 10 calendar days) before the district proposes to initiate or change or refuses to initiate or change the student’s identification for special education eligibility, evaluation, placement or provision of a Free Appropriate Public Education (FAPE). These are the same times that prior notice has always been required. The written prior notice must contain the following components:

1. A description of the action proposed or refused by the district;
2. An explanation of why the district proposes or refuses to take the action;
3. A description of any other options the district considered and the reasons why those options were rejected;
4. A description of each evaluation procedure, test, record or report the district uses as the basis for the proposed or refused action;
5. A description of any other factors that are relevant to the agency’s proposal or refusal;
6. A statement that the parents of a student with a disability have protection under the procedural safeguards (sometimes referred to as “Parents’ Rights”) of the law and, if the prior notice is not for an initial referral for evaluation, the means by which the parents can obtain a copy of the procedural safeguards; and
7. Sources for the parents to contact to obtain assistance in understanding these provisions.

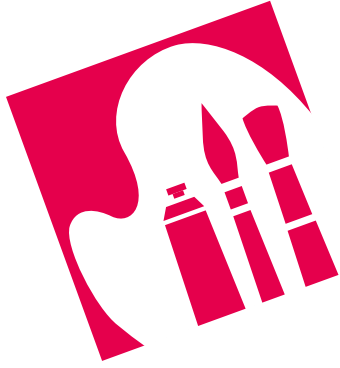
Parents must receive a copy of their Procedural Safeguards (Parents’ Rights) **at a minimum** at the time of initial referral for evaluation, upon reevaluation, every time they are given notification of an IEP meeting and when they request a due process hearing. (Remember, written prior notice is also always required for the initial evaluation and each reevaluation. It is required when a due process hearing is requested or when notifying parents of an IEP meeting only when the district is proposing or refusing to initiate or change the student’s special education eligibility, placement or provision of FAPE.) Trust Dr. Ed on this one, it’s better to give parents too many prior written notices and procedural safeguards copies, than too few!



***Dr. Ed’s
Survival Tip for the Month
(in light of the release of the federal regulations)***

“Sometimes facing opportunity is like staring at the knees of a giraffe.”

—Laurie Beth Jones in *Grow Something Besides Old*

Art Access/Very Special Arts Utah

Integrated Teen Visual Arts Workshops

Vonnie Wildfoester, Special Projects Coordinator,
Art Access/VSA Utah

In past years, Art Access/VSA Utah often received requests for student “hands-on” visual arts activities—quality activities in an integrated setting. In response, Art Access created a series of Integrated Visual Arts Workshops for junior and senior high school students with disabilities and their non-disabled peers. Students from other underserved communities are also served by this program, as are students who have advanced arts skills, with no discernible disabilities or disadvantages. These students all have a keen interest in art in common with one another.

Now in its second successful year, the integrated teen workshops are integrally tied to the changing exhibitions presented in the Art Access Gallery, one of VSA Utah’s most successful programs. There are five different 3-day workshops each year taught by artists whose work is hanging in the gallery at the time of the workshop. The number of students participating is limited to twelve, in order to be able to offer a quality experience. Students may attend more than one workshop in the series, although priority is given to students with special needs.

Completed workshops this year include photography taught by John Schaefer, Director of The Children’s Media Workshop, with Chad Johnson and Suzy Knutson, in January. Abstract Painting was taught by Calvin Scott Johnson in February. From April 24 to May 8th, Ed Dolinger will teach students to use a variety materials and processes to create art that will be used not as an escape from facing life’s shortcomings, but as a means of confronting and living life, as well as discovering its joys.

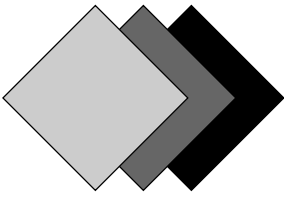
Upcoming workshops will be Illustration taught by Jean Arnold on June 17, 18 and 19th. Students will explore an array of art techniques and materials to create a variety of illustrations. An assortment of text will serve as inspiration for the illustrations. Ms. Arnold received her BFA in illustration from Utah State University and her MFA in painting from Johnson State College in Vermont. On July 29, 30 and 31st, Peruvian master retablo maker Jeronimo Lozano will teach students to make retablos. A *retablo* is a small wooden box containing 3-dimensional scenes of customs and historical events. Students attending this workshop will be asked to examine customs, daily rituals and events in their own lives. Based on this insight, the students will then have the opportunity to create their own retablo using wooden boxes, plaster of paris and paint.

Students who enroll in these workshops benefit in many ways. Conducted in the Art Access Gallery and taught by artists, the workshops provide teens with and without disabilities an opportunity to learn about new art mediums from artists whose work is featured in professional exhibitions. While engaging in the creative process of artistic expression, the participants increase their levels of self-confidence by working with and learning from professional artists. In addition, through working side-by-side with their peers, the teen participants gain an appreciation for each others’ differences and abilities, which encourages tolerance and acceptance. A culminating exhibit of student work in the Access II Gallery during September will like-wise provide a large community based audience for the work of students who need to be recognized for their abilities, not their disabilities.

Students are identified by area junior and high school art teachers and by Art Access’s partner in this project, the Arts in Education Program of the Utah Arts Council, to take part in the Integrated Teen Visual Arts Workshops. We know there are other teen age students that we are not reaching who would enjoy taking one of these workshops. If you have or know of a student who you feel would benefit from this program, please call Jean LaSarre Gardner at 364-3250 or the Art Access/VSA Utah office at 328-0703.



Brian Kershnik teaching painting workshop in 1998.



Utah Learning Resource Center

Dance Of Change

Bruce Schroeder, ULRC Project Coordinator

Position Announcement

Staff Development Specialist positions are available at the Utah Learning Resource Center (ULRC) for the first time since 1993. Responsibilities will include planning, coordinating and facilitating personnel development activities for all Utah school districts and State Operated Programs on a year round basis.

Join an organization recognized nationally as a leader in staff development. We are looking for skilled experienced educators knowledgeable about IEPs, staff development, and building effective programs for students with disabilities.

If you relish the idea of traveling around Utah working with educators and mentor teachers and have a proven track record in the areas of teaming, communicating, & managing multiple tasks in an educational environment, then respond NOW!

We need people who can provide strong individual contributions as well as support team projects.

This is a highly visible position and provides a chance to become part of a progressive organization that works continuously to help educators meet the challenge of addressing the needs of students with disabilities.

Contact the ULRC for an information packet with specific job requirements, timeline and application form. This information will also be posted on ULRC Web Page www.ulrc.org. For additional information contact Bruce Schroeder, Utah Learning Resource Center, (801) 272-3431. Email: bruces@provo.k12.ut.us.

May is a time of year at the ULRC where we have a flurry of year end activities which (usually) ease off by mid-June. We finish up our mentor visits, discuss ideas for the next year's *Utah Special Educator*, and reflect on the year's training activities. During the summer we look at how we have supported the Comprehensive System of Personnel Development Projects (CSPD) and the *Utah Agenda for Meeting the Needs of Students With Disabilities*. It's a chance to evaluate what has worked well over the year and what could be improved for next year.

Each year we make changes that will enhance our results for the future. Our yearly "Dance of Change" is being played to an accelerated beat this year. For the first time in six years we will have changes in our program specialist staffing. We anticipate having as many as three new people out of our six staff positions at the ULRC (Please see the side bar for more information on these positions). With the five-year State Improvement Grant (SIG) starting up at the State Office of Education, my job responsibilities will shift to support the SIG project goals. The interview with Dr. Michael Hardman on pages 4, 5, and 6 in this issue provides a big picture of the personnel issues facing the State.

Another position will be open as Randy Schelble is leaving to take a position as a special education administrator in Granite School District. Randy has been a powerful force at the ULRC since 1992. Many of you have met Randy in workshops as she criss-crossed the state providing workshops in a variety of areas including

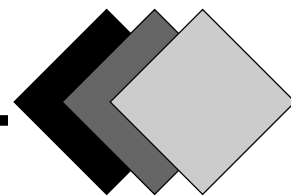
Student Assessment, Curriculum Planning, Social Skills, Transition, and IEP Goals and Objectives. As the editor of the *Utah Special Educator* for the past five years, she has steadily improved the "voice" of special educators as well as provided the layout of the publication. She has strengthened her network of Utah Mentor Teacher Academy mentor educators across the northern part of the state through her work at the monthly UMTA trainings as well as through district visits.

Randy is also active in the special education community with her past roles as Chairperson of USBEACH, president of Utah Federation of Council of Exceptional Children (CEC), and local arrangements volunteer chairperson for the 1997 International CEC convention in Salt Lake City. We want to wish Randy well, and in the words of Yogi Berra:

"When you Come to A Fork in the Road, Take It."



Utah Mentor Teacher Academy



Strategies Galore!!!

Davalee Miller, ULRC Program Specialist

Developing teaching outcomes that are useful, generalizable, and work, and explicitly teaching big ideas, concepts, and strategies were just two of the many ideas that Anita Archer shared with and demonstrated for the Utah Mentor Teacher Academy members in March. Every moment of the two-day training involved active participation of the mentors as Anita shared her wealth of knowledge and ongoing classroom experience in how to deliver effective instruction.

Strategies for gaining students' attention, eliciting students' responses, and designing lessons so that teacher modeling, guided practice and individual mastery are all included comprised a

major portion of the training. Anita stressed the need for embedding strategies into lessons and also making sure that every instructional decision is coupled with a management decision.

Anita Archer's presentations always leave the mentors excited, empowered and ready to implement what they learned. We think this excitement will continue with the May training. Mentors will be adding to their effective instruction techniques as they learn from Marilyn Sprick about adapting content area curriculum. This training will focus on specific strategies to help students get the subject information they need. Marilyn is a wonderful presenter who, like Anita Archer, will share practical strategies that teachers can use on Monday morning.

Track XII Mentors Graduate On May 13

We congratulate the following educators on completing their two-year program at the Utah Mentor Teacher Academy. Their knowledge and expertise will be invaluable to school districts.

Shellie Anderson, Emery District
 Laurie Anderson, Jordan District
 Deanna Avis, Davis District
 JoDi Baird, Box Elder District
 Susan Black, Beaver District
 Mary Ann Branson, Jordan District
 Jerry Cartwright, Wasatch District
 Linda Christiansen, Iron District
 Jane DeByle, Cache District
 Shannon Deets, Uintah District
 Kathy DeVries, Weber District
 Gayle Drollinger, Dept. of Health
 Dixie Ekker, Sevier District
 Jeanne Fielding, Ogden District
 Laurie Frank, Alpine District
 Barbara Graves, Provo District
 Vickie Guello, Alpine District
 Jacki Harris, Murray District

Sharyn Heiner, Carbon District
 Sherrill Henrie, Garfield District
 Rose Ann Higham, So. Sanpete District
 Jill Ingram, Wasatch District
 Marilyn Janes, Logan District
 Julie Jensen, Sevier District
 Sharon Johnson, Granite District
 Laura Johnston, Weber District
 Meredith Justesen, No. Sanpete District
 Steve Morgan, Box Elder District
 Jolayne Nelson, Granite District
 April Reynolds, Salt Lake District
 Deb Rowe, Grand District
 David Stevens, Duchesne District
 Lee Stoor, Alpine District
 Kate Thomas, Duchesne District
 Denise Warren, USDB District
 Barbara Wintch, So. Sanpete District

**Visit the
Utah Learning
Resource Center
Home Page
and
Enter the
monthly
EduQuiz**

www.ulrc.org

Utah Federation CEC

Invites you to join Special Education's premiere professional organization...

The Council for
Exceptional Children



Enjoy the professional development benefits of:

- Joining disability-specific subdivisions
- Receiving newsletters and teacher-friendly journals
- Purchasing current books and other publications on teaching the exceptional child
- Attending statewide and national conferences

For more information, contact:

Myrna Wallengren
Utah Federation Membership Chairperson
Days: (801) 268-8553
Evenings: (801) 272-3497

The Utah Special Educator publishes announcements that are of interest to our readers by special education-oriented organizations and educational institutions within the State of Utah. Limit items to one half page in length. Contact Editor, Utah Special Educator, 2290 E. 4300 So., #220, Salt Lake City, Utah 84117, (801) 272-3431 or (800) 662-6624 in Utah. Announcements must be received by the following dates for publication:

**August 20 — September issue
October 1 — November issue**

14th International Precision Teaching Conference CALL FOR PRESENTATIONS

You are invited to submit a proposal for a presentation at the 14th International Precision Teaching Conference to be held on November 4th-6th, 1999, at the Provo Marriott in Provo, Utah. Presentations by teachers, administrators, researchers, counselors, parents, and others providing excellent educational services to all children and youth are welcomed.

Submit your proposal and completed form by **June 30, 1999** to:

Tracy Stewart

Utah Learning Resource Center

2290 East 4500 South, Suite 220

Salt Lake City, Utah 84117

(801) 272-3431 • FAX (801) 272-3479 • Email: tracys@provo.k12.ut.us

Name: _____ Phone: _____

Address: _____

District/Organization: _____ Position: _____

Which conference strand best describes your session?

- | | |
|--|---|
| <input type="checkbox"/> Beginning PT Skills | <input type="checkbox"/> Elementary Strategies & Techniques |
| <input type="checkbox"/> Secondary Strategies & Techniques | <input type="checkbox"/> Other Applications |
| <input type="checkbox"/> Futuristic Idea | <input type="checkbox"/> Cracker Barrel Session |

Level of Session (select one):

- | | | |
|------------------------------------|--|--------------------------------------|
| <input type="checkbox"/> Awareness | <input type="checkbox"/> Skill Development | <input type="checkbox"/> Application |
|------------------------------------|--|--------------------------------------|

Please provide the following information about your presentation:

1. Title: _____
2. Fifty Word Presentation Abstract describing your presentation and objectives. This abstract will be used for the conference program.
3. A list of your audio/visual needs. Each room will be equipped with an overhead, screen, and table.

CALENDAR OF UPCOMING EVENTS

May 1999

- 2-5 7th Annual CSPD Conference on Leadership and Change. Crystal City Marriott, Arlington, VA. Contact ULRC, (801) 272-3431 or (800) 662-6624.
- 3 Transitions Expeditions, Rice Stadium Towers, University of Utah, Salt Lake City. Contact Nan Gray (801) 538-7757.
- 10-14 Family-Professional Partnerships in Human Service Environments. Utah State University. Contact USU Extension (888) 449-6884.
- 13-14 Utah Mentor Academy, Provo Marriott Hotel. Contact ULRC, (801) 272-3431 or (800) 662-6624.

June 1999

- 14-18 22nd Annual Conference on Interventions for At Risk Children and Youth. Utah State University, Logan, Utah. Contact ULRC (801) 272-3431 or (800) 662-6624.

July 1999

- 12-14 2nd Mountain States Direct Instruction Conference. Yarrow Hotel. Park City. Contact ADI (800) 995-2464.
- 25-29 25th Annual National Direct Instruction Conference at Eugene. Eugene Hilton Hotel, Eugene, OR. Contact (800) 995-2464.

August 1999

- 3-4 Law Conference, Ogden Egyptian Center, Ogden, Utah. Contact Mae Taylor-Sweeten, (801) 538-7711.
- 26-27 Region 3 Preschool Conference (Uintah, Duchesne, Daggett, No. Summit, So. Summit & Wasatch). Location to be announced. Contact Brenda Broadbent (801) 538-7708.

September 1999

- 22-24 Utah Mentor Academy Initial Training, Shadow Ridge at Park City, UT. Contact ULRC (801) 272-3431 or (800) 662-6624.
- 30-Oct 1 Region 5 Preschool Conference (Iron, Washington, Kane, Garfield, Beaver, Piute & Wayne). Location to be announced. Contact Brenda Broadbent (801) 538-7708.
- 30-Oct 2 CCBD International Conference. Dallas, TX. Contact ULRC (801) 272-3431 or (800) 662-6624.

October 1999

- 14-15 Utah Mentor Academy at the Provo Marriott, Provo, UT.

- Contact ULRC (801) 272-3431 or (800) 662-6624.
- 21-22 BEST/CCBD Annual Conference, Provo Marriott, Provo, UT. Contact Deb Andrews, (801) 538-7566.

November 1999

- 4-5 14th International Precision Teaching Conference. Provo Marriott, Provo, UT. Contact Tracy Stewart (801) 272-3431 or (800) 662-6624.
- 4-5 Utah Mentor Academy at the Provo Marriott, Provo, UT. Contact ULRC (801) 272-3431 or (800) 662-6624.
- 8-9 Region 6 Preschool Conference (Carbon, Emery, Grand & San Juan). Location to be announced. Contact Brenda Broadbent (801) 538-7708.
- 11-12 Region 2 Preschool Conference (Davi, Ogden, Weber, Box Elder, Cache, Logan, Rich & Morgan). Location to be announced. Contact Brenda Broadbent (801) 538-7708.
- 19-20 5th Annual Utah Paraeducator Conference, Snowbird, UT. Contact Marilyn Likins (801) 273-1843.

December 1999

- 4-8 31st Annual NSDC Conference, Dallas, TX. Contact NSDC (800) 727-7288.
- 9-12 International Division of Early Childhood (DEC) Conference. Washington, D.C. Contact Jerry Christensen, (801) 272-3431 or (800) 662-6624.

January 2000

- 13-14 11th Annual Mentor Conference. Provo Marriott Hotel, Provo, UT. Contact ULRC (801) 272-3431 or (800) 662-6624.
- 13-14 Region 4 Preschool Conference (Provo, Alpine & Nebo). Location to be announced. Contact Brenda Broadbent (801) 538-7708.
- 20-21 Region 1 Preschool Conference (Salt Lake, Jordan, Murray, Granite, Park City & Tooele). Location to be announced. Contact Brenda Broadbent (801) 538-7708.

This information is provided as a service. We believe it to be accurate, but it is important to confirm with the contact listed. To obtain additional information and to supply important upcoming dates, please contact us at (801) 272-3431 or (800) 662-6624. Current information is also available at the ULRC web site www.ulrc.org

SERVICE DIRECTORY

Utah State Office of Education

Special Education Services

Taylor-Sweeten, Mae	Director, Services for At Risk Students	538-7711 mtaylor@usoe.k12.ut.us
Rhode, Ginger	Coordinator, Special Education, State and Federal Compliance	538-7706 grhode@usoe.k12.ut.us
Broadbent, Brenda	Specialist, Preschool Special Education	538-7708 bbroadbe@usoe.k12.ut.us
Clark, Gary	Consultant, Transition	538-7641 gclark@usoe.k12.ut.us
Nan Gray	Specilist, Tranistion	538-7757 ngray@usoe.k12.ut.us
Hennefer, Kenneth	Specialist, Corrections Education/Applied Technology for Special Education	538-7727 khennefe@usoe.k12.ut.us
Hostetter, Cheryl	Specialist, Special Education At Risk/Special Health Care Needs/TBI	538-7695 chostett@usoe.k12.ut.us
McConnell, Tim	Specialist, Inclusion	538-7568 tmconne@usoe.k12.ut.us
Reavis, Ken	Specialist, Behavior Disorders/Comprehensive System of Personnel Development.....	538-7709 kreavis@usoe.k12.ut.us
Sheld, Dale	Specialist, Learning Disabilities/Communication Disorders	538-7707 dsheld@usoe.k12.ut.us
Suter, Donna	Specialist, Assessments/Monitoring	538-7576 dsuter@usoe.k12.ut.us

Statewide Projects

Behavioral and Educational Strategies for Teachers (BEST)

USOE, 250 East 5th South, Salt Lake City, Utah 84111
 Deb Andrews, Project Specialist 538-7566
dandrews@usoe.k12.ut.us
 Natalie Allen, Specialist, Preschool BEST 538-7571
nallen@usoe.k12.ut.us

Supporting Inclusion for Preschool Children (SIPC)

USOE 250 East 5th South, Salt Lake City, Utah 84111
 Shelley Kiefer, Specialist 538-7907
skiefer@usoe.k12.ut.us

Utah Parent Center

2290 East 4500 South, #110, Salt Lake City, Utah 84117
 Helen Post, Director 272-1051
upc@inconnect.com

Utah Learning Resource Center (ULRC)

2290 East 4500 South, #220, Salt Lake City, Utah 84117
 Bruce Schroeder, Project Coordinator..... 272-3431
bruces@provo.k12.ut.us

Utah Project for Inclusion (UPI)

USOE 250 East 5th South, Salt Lake City, Utah
 84111
 Danelle Keith, Specialist 538-7716
dkeith@usoe.k12.ut.us
 Loydene Hubbard-Berg, Specialist..... 538-7567
lhberg@usoe.k12.ut.us

Utah Project for Children with Dual Sensory Impairments (CDSI)

Utah School for Deaf and Blind, 742 Harrison Blvd.,
 Ogden, Utah 84404
 Blaine L. Seamons, Project Coordinator 629-4700
bsogd1.Bseamons@state.ut.us

The Utah Special Educator is a symbol of the leadership of Dr. R. Elwood Pace whose vision made the Consortium, the ULRC and this journal possible

Call for Articles

The 1999-2000 issues Utah Special Educator will focus on providing ongoing information for educators to ensure students with disabilities are provided access to the general curriculum as well as a monthly series of articles entitled "Educator Idea Exchange."

"Educator Idea Exchange" Articles

Articles for this section of each issue do not need to focus on the monthly IDEA 1997 topical focus. Educators are encouraged to submit articles describing programs, practices, interventions or strategies that have been successfully implemented in their school or classroom that improve the education of students with disabilities. Articles submitted for "Educator Idea Exchange" should include descriptions of: (1) the program, practice, intervention or strategy; (2) how it can be implemented by others; (3) its impact on teachers and the education of students with disabilities; and (4) references for others to obtain additional information.

Guidelines for Articles

The following information provides guidelines for submitting an article to the *Utah Special Educator*.

1. Consider the publication's audience. Approximately 5,000 copies of the *Utah Special Educator* are distributed to all special education personnel and principals throughout the State of Utah as well as several hundred

- to out-of-state educators. Articles that contain successful strategies, practical information and specific accomplishments are encouraged.
2. Articles should be 650 to 900 words long. Narrow your focus and be concise.
 3. Avoid jargon, abbreviations and specialized terms. For example, spell out Council for Exceptional Children the first time it is used and reference it with the abbreviation/acronym (CEC) in the remainder of the article. This enables readers to have a common understanding of terms.
 4. Be sure to reference your article when necessary to give credit to other sources.
 5. Include a title that entices the reader to pursue your information.
 6. Articles must be typewritten and double-spaced. If you prefer, send a diskette as well as a hard copy of the article. Computer disks will not be returned.
 7. A photograph of yourself may be included to accompany your article. Photographs of classroom scenes are also accepted. If photographs include students and other adults, please obtain their permission to have the photograph published. Photographs will be returned only at the writer request when the article is submitted.
 8. All articles may not meet the needs of a specific issue. Writers of submitted articles will receive notification of acceptance of their article for publication.

Article Due Dates

<u>MONTH</u>	<u>ARTICLE DUE DATE</u>
September	August 1
November	September 15

Utah Learning Resource Center

2290 East 4500 South
 Suite 220
 Salt Lake City, Utah 84117

ADDRESS CORRECTION REQUESTED

