

Winter 2005

The Controversy over Dyslexia in Colorado

Lorrie Harkness

In recent months, I have been contacted regarding whether dyslexia is considered a disability in Colorado. The confusion relates to the educational disabilities that are recognized under Colorado's Exceptional Children's Education Act (ECEA) and the commonly understood condition of dyslexia that is determined through clinical diagnosis. Under our State law if a student has any learning disability that significantly impacts the ability to learn without special supports and services, the entitlement label is Perceptual Communicative Disability. An individual with dyslexia may or may not qualify for having a Perceptual Communicative Disability and be eligible for special education services in Colorado depending on the impact the condition has on the student's ability to learn. It is helpful to know if a student has been diagnosed with dyslexia in determining whether they have a Perceptual Communicative Disability, but it is not essential to that determination. Though legislators could add language to State Law to include the diagnosis of dyslexia as a specific condition that may determine eligibility for special education services, I believe it is more important and relevant to the student's educational success to assure that our teachers know how to assess reading disabilities, know how to prevent reading difficulties from becoming a disability when possible, and know how to provide the best research based instructional intervention and support for students that are assessed with reading disabilities.

At CDE, a number of ongoing efforts are addressing this important educational area. Recently, the Colorado Department of Education (CDE) co-sponsored a Reading Summit, where Drs. Sally and Bennett Shawitz were the keynote speakers on "What Works" for students experiencing reading difficulties. Sally Shawitz is the author of Overcoming Dyslexia and has been a part of conducting extensive brain research on normal reading development and reading disabilities. Key to their research is that the essential components of reading instruction include: phonemic awareness, phonics, fluency, vocabulary, and text comprehension. If a student does not have all of these components in place, systematic, explicit instruction, based on individual student data is required for them to progress in reading. All developing readers must take the same steps to develop reading proficiency, no matter what the cause for the reading difficulties.

The Southwest Educational Development Laboratory published an article by Sebastian Wren about the Ten Myths of Reading Instruction. Points made in this article align with the research presented by the Shaywitz': 1) that reading is not a natural process, 2)that early reading instruction must be provided in the essential components, and 3) that all beginning readers, regardless of age, take the same steps toward reading acquisition. Wren goes on to say that dyslexia is not easy to measure and that it may be due to poor phonological processing skills, poor language comprehension, lack of adequate instruction or lack of opportunities to practice reading skills. Bottom line, effective classroom instruction by teachers knowledgeable about English language structures and essential components of reading instruction and skilled at using assessment data to

differentiate instruction is the best way to prevent or overcome reading difficulties.

Who has the skills to prevent reading difficulties, assess disabilities, and intervene with research based practices? It may be the classroom teacher, the reading specialist, the special educator, the speech/language pathologist, or the early childhood educator. Widespread dissemination of the research has only been in existence since 1997. Many of today's educators received their training long before the research was available for their programs and unless they have participated in continuing education opportunities or professional development offerings they may not have the skills that we now know are needed to teach reading. Concern has been expressed by many that not all college and university pre-teacher training programs are using the scientific research to train

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new professionals to the field. Dr. Bill Moloney, our Colorado Commissioner of Education has stated that it is incumbent upon all employers to be sure that they are hiring educators that have the training to provide the best reading instruction. It cannot be assumed that training programs have adequately addressed the area of reading instruction. Meanwhile, CDE continues to influence professional development in this area through the distribution of grants, training, and communication with the Institutes of Higher Education.

In summary, whether the term dyslexia is actually listed as a disability in our State law is not the issue if we can assure that we are providing the best research based reading instruction to all of our students in Colorado, whether they have a disability label or not.

In this Issue

Designed Marris

PAGE

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Regional News	3-6
A Success - School Social Work	7
What About Parental Involvement In Parenting	8-10
NAPSO Launches New Website	10
Youth Transition Grant	11
Charter School/Special Ed Project	12-14
Who is Ellen?	15-16
Calendar of Events	17
Tenth Circuit Adopts Least Restrictive Environmental Standard	18-20
Resources	21-22
Regional Professional Development	23





A Note from Sandra Berman-LaFrance, SW-RPDC

Greetings from Durango. I wanted to share some photos from the PLC Institute with Rick DuFour. It went very well. We had around 480 people each day.

I have been in admin meetings all week throughout the region and the thinking and excitement generated by the Institute is overwhelming. Conversations are around more effectively meeting the needs of **all** students and teachers and principals are already



moving to action. We asked the DuFours to be sure to address Gifted and Talented kids in their presentation and they did a nice job of including them.

I attended a meeting in which the principals in Durango told their supervisors at the Central Office that they hoped the Superintendent and School Board would support them in successfully implementing what they had learned at the PLC Institute. Many of the principals expressed that their staffs were moving forward and that they were ready to simultaneously work on district policy changes regarding required assessments,

educator assignments, organization of the school day, and even the sacred bussing schedules.

Our regional Sliver grant supports everything that was taught/learned in the PLC Institute by providing training in Problem Solving Model, Progress Monitoring, and includes coaches in the schools to support and monitor the Problem Solving teams (teams include gen ed, sp ed, building admin, counselors, psychs, etc as appropriate).

Anyway...this has been an exciting project - lots of work and follow-up to come but I feel like we have truly impacted at a systemic level, are building regional and district capacity, and have a real good chance for sustainability.



Happy Holidays to all of you. See you next year! Sandra

Regional News

We are excited that a Gifted Education Regional Consultant (GERC) is now collaborating with each RPDC. This issue's column brings our readers up-to-date on their activities.

SW Region: Sandra Berman-LaFrance, the RPDCC, and Julia Watson-Barnett, the Gifted Education Regional Consultant, have been working together in the southwest region for a number of years. Currently they are collaborating to increase the achievement of all students – particularly those students who are gifted and talented and/or those who have a disability. This collaboration is rooted in a standards-based model that addresses best practice in curriculum, instruction, and assessment. It is based on 3 essential questions that come from the Professional Learning Communities work:

What is it we want all kids to learn?

How will we know if they have learned it?

How will we respond if they don't learn or come in already knowing?

Professional development initiatives in the region are organized around these questions and address academic and affective content areas as well as the organizational structures and processes that facilitate effective instructional practices.



Adapted from Centennial BOCES Operators Manual Berman-LaFrance, Watson-Barnett, & Lunceford 2004

SE Region: The Southeast region jumpstarted the school year with two new players who are committed to continuing a strong network of support for assisting school districts in the important work of raising student achievement. Sandi Hansen, Regional Professional Development Coordinator and Debbie Rothenberg, the Gifted Education Regional Consultant in the Southeast region will be collaborating in the following ways: Debbie will attend Regional Professional Development Meetings whenever possible and Sandi will attend Regional GT Networking meetings whenever possible, we will share our respective roles and responsibilities with the regional administrative unit contacts, we will maintain frequent communication via e-mail regarding upcoming events, trainings and

Regional News

meetings within our region, and we will focus our work on educating and informing regional contacts about the respective mission and vision of professional development and gifted education regional consultants with the goal of building a greater capacity for professional and organizational growth within the Southeast Region.

PP Region: The Pikes Peak Regional Professional Development Council (RPDC) is committed to supporting personnel training which will ultimately impact student achievement. While we intend to train toward the instruction of *all* students with awareness of individual needs and learning styles, we will deliberately monitor the results for special populations of students, including those with disabilities, second language or gifted needs. It is with this purpose in mind that our region is pleased to operate hand-in-hand with our Gifted Education Regional Consultant, Debbie Rothenberg. Debbie will be an active and welcome member of the Council and regional efforts will be designed with this collaboration in mind.

NW Region: Since the inception of the 8 state regions Gifted Education has played a role in driving regional staff development in the Northwest. Julia Watson-Barnett, CDE Gifted Education Regional coordinator, has been an active member of both the Northwest Consortium for Professional Development and the Regional Professional Development Council. In fitting with Goal One of our mission, "to advance and support professional development that increases student achievement in literacy and numeracy for all students", DCIA is one of the programs continuously offered in the region. In 2003-2004 the NW region received additional funds in the form of a Sliver Grant. These funds provided on-site coaching to our 19 districts on a number of topics - Differentiating Instruction being on of the most requested areas for coaching. This year's plans include workshops on the Twice Exceptional Child and Fluency for all Children.

WC Region: The West Central region is fortunate to have the background and experience of Barbara Voss as the new gifted education consultant assigned on a part-time contract to the region. Barbara brings years as a teacher and administrator in various capacities within the region and she will assist districts with G/T planning and professional development. Her addition to the West Central Professional Development Council will add a second representative for gifted and talented to the council and will assist in increasing awareness and in the coordination of professional development opportunities. The West Central Professional Development coordinator, Dick Dowell, has helped introduce Barbara to the local special education directors and shared with her the possibilities for her involvement in a regional workshop on differentiated instructional strategies and team building being planned for later in the year.

Metro Region: The Metro Regional Professional Development Council has much to celebrate this winter! Rooms packed with enthusiastic professionals anxious to assess their young students using Dynamic Indicators of Basic Early Literacy Skills (DIBELS), and full classes for the follow-up workshop, "Data Driven Decision Making" were just two of the region's successful initiatives.

The incredible energy and dedication of Literacy presenters Lynn Kuhn, Judith Dodson, Elizabeth Peyton, and Mary Rose Keyes resulted in successful repeats of two popular Literacy offerings. Both "Unlocking the Code" and "Developing Fluency" were full to

overflowing with teachers, administrators, and coaches. Thanks to Judith, an additional offering designed to meet the needs of the region in vocabulary development was created. "The Mighty Word: Building Vocabulary and Oral Language" offered by Judi Dodson and Lynn Kuhn proved extremely popular, and attendees rated the workshop valuable, practical, and enlightening.

The commitment of the Metro Regional Professional Council to job-embedded professional development is evident in an exciting learning opportunity offered during the spring semester. In collaboration with the region's Gifted Education Resource Coordinator, Kathy Thurman, the council is offering building or district level study groups focused on Differentiating Curriculum, Instruction, and Assessment. The Council will provide facilitator training, snacks, books and/or video presentations, and a facilitator stipend for fifteen study groups. CU-Denver graduate credit will be offered to participants, and the study groups culminating activity will feature a "Share-a-thon" of round table discussions, learning strategies, and teaching materials.

Dedicated and committed council members will continue to be instrumental in providing outstanding professional growth opportunities in the new year.



For Speech-Language Pathologists the highlight of the school year, in terms of professional development, is the Annual Metro Symposium and Pre-Conference. This year the Symposium is scheduled for January 28 and 29, 2005 at the Radisson Hotel Denver Southeast (same location as last year).

The Pre-conference will be presented by Sharon Soliday, an SLP from Portland, Oregon. Sharon will offer an in-depth look at service delivery models that link the SLP with the classroom curriculum. She will use the Colorado Content Standards as a foundation to assist SLPs in linking intervention goals to state standards. Oregon's success with the 3:1 service delivery model will also be explored. This session will be Friday, January 28 from 8:00 am to 2:00 pm. with college credit available.

The Symposium will kick-off with check-in at 2:30 pm on Friday, January 28 and will offer breakout sessions from 3:00-5:00. Dinner and evening presentations by Karen Kelly, CDE SLP Consultant and Diane Paul, from the American Speech-Language-Hearing Association (ASHA) will precede the famous silent auction. A keynote by Nina Reardon will follow on Saturday morning, and a range of sessions will fill the afternoon.

For Speaker Proposals or to learn more about the Symposium contact Karen Kelly at CDE (<u>kelly_k@cde.state.co.us</u>) or watch for registration announcements through the SLP state list serv. Hope to see you there!



A Success!

The 2004-2005 School Social Work Institute was held in Frisco, CO on Oct 22-23. This year we had two incredible keynote addresses. Christian Moore spoke about the Why Try? Program and how important school social workers are in working with at-risk students. Ron Glodoski presented key information from his book, "How to Be a Successful Criminal," expressed his personal struggles and what made a difference in his life.

The institute offered many other presentations also. All of which were informative, captivating and fun! The institute was sponsored by NASW-CO and the CDE-Exceptional Student Services Unit. The Colorado School Social Work Committee looks forward to next year – because **Colorado School Social Workers Make A WORLD of Difference!!** informed on critical issues.

How to Use This Exciting Tool:

ß Go to sswaa.org and click on "New." (Soon there will be an "Advocacy" link on the Menu linking you automatically to CongressWeb.) ß When you arrive at the "Legislative Action Center," click on "Write Your Legislators" for sample letters, or click on "Read More About This Issue" for background information on critical issues. You can also write your own message. ß You'll be asked to enter your address, so that the system can find your legislators. Your zipcode+4 is the key. If you don't know the full zip code, you search on this site, as well. ß Emails are better than sending "hard-copy" letters right now, because of the continued screening of mail on Capitol Hill. Most of the information you're sending will be time-sensitive, so emails are best.

ß If you have questions, you can always contact SSWAA at <u>SSWAA@aol.com</u>.

Become a Member of the SSWAA Rapid

Response Team! Another way to become a more active advocate for school social work is to be a member of the SSWAA Rapid Response Team. These are folks who've agreed to receive special emails from SSWAA's Government Relations Specialist Myrna Mandlawitz and to forward those emails to other school social workers. These emails give more in-depth information on an ongoing basis on what's happening in Washington. Sometimes they include a call for action, but often just serve to keep people better informed.

SSWAA is WORKING FOR YOU! Please consider being a part of our advocacy team!

The following information is reprinted from the newsletter of the School Social Work Association of America.

NOW It's Easier Than Ever to Be An ADVOCATE for School Social Work.....

SSWAA has a new service on its web site – CongressWeb! Go to <u>www.sswaa.org</u> and click on "New." You'll be linked to a special site that allows you automatically to send email messages or write letters to your members of Congress.

SSWAA will provide you with background information and sample letters on issues of importance to school social workers. We'll keep you updated when new information is posted on the site, so that you can keep your legislators **Sliver Grant Applications**

Sliver Grant applications are due March 25, 2005. For more information, please check the CDE website at: http:// www.cde.state.co.us/cdesped/ SliverGrants.asp



What about Parental Involvement in Parenting? The Case for Home-Focused School-Parent Partnerships

By Maurice J. Elias & Yoni Schwab

The following article is reprinted from the newsletter of the School Social Work Association of America. The opinions expressed therein are those of the authors and do not necessarily represent those of the Colorado Department of Education.

Parents spend less time than ever with their children. How much of that time should be focused on academics?

In April, the U.S. Department of Education released its long-awaited document describing how states, districts, and schools are supposed to carry out the parental-involvement provisions of the No Child Left Behind Act. "Parental Involvement: Title I, Part A: Non-Regulatory Guidance" seems to place parents in the role of curriculum policymakers and consultants, co-teachers, and teachers' aides. One might get the impression that their main purpose is to ensure their children's optimal academic performance. Yet, as the Annie E. Casey Foundations Kids Count surveys and related studies of child outcomes suggest, parents' top priority should be attending to basic parenting responsibilities.

Parents spend less time than ever with their children. How much of that time should be focused on academics? And what exactly can parents do that would best support their children's academic development? We propose this bold concept as a precondition for parental involvement in schools: parental involvement in parenting.

There are some necessary aspects of parenting that, if not done, will make the academic-support activities recommended by federal officials ineffective or unrealistic, especially for families in urban, high-risk communities. For parents with the least time, energy, and resources to parent effectively, schools should be a support in fulfilling their primary role, not the other way around.

We do not mean to imply that parents should be excluded from educational decision-making. On the contrary, we believe appropriate parental input (taking into account that parents are not experts and should leave room for educators to make pedagogic decisions) has myriad positive effects on schools and their students. But parents burdened with too many responsibilities and too little support should not be expected to become policy wonks and curriculum specialists, as the guidance document implies. And schools, so often challenged in direct proportion to the life difficulties

their families face, should not be saddled with yet another time-consuming and nearly impossible task.

In fact, the very notion of partnership, as put forth in the department's "guidance on parental involvement," is flawed. Here, for example, are a few illustrative quotes from the document, with our comments:

Introduction and Purpose

"When schools, families, and community groups work together to support learning, children tend to do better in school, stay in school longer, and like school more." (Guideline A-4)

"Studies have found that students with involved parents, no matter what their income or background, are more likely to earn high grades and test scores, and enroll in higher-level programs; pass their classes, earn credits, and be promoted; attend school regularly; and graduate and go on to postsecondary education." (A-5)

It is difficult to argue with these points; who could take a position against parental involvement or decry the potential benefits of it? However, the devil is in the details. What *kind and extent* of parental involvement is needed? A look at the guidance's definition of parental involvement is illuminating.

Defining Parental Involvement

"The statute defines parental involvement as the participation of parents in regular, two-way, and meaningful communication involving student academic learning and other school activities, including ensuring that parents play an integral role in assisting in their child's learning; that parents are encouraged to be actively involved in their child's education at school; [and] that parents are full partners in their child's education and are included, as appropriate, in decision making and on advisory committees to assist in the education of their child. ..." (A-1)

"An LEA's [local educational agency's] written parental-involvement policy must establish the LEA's expectations for parental involvement, and

describe how the LEA will involve parents in jointly developing the LEA's local plan; ... build the schools' and parents' capacity for strong parental involvement; ... [and] conduct, with the involvement of parents, an annual evaluation of the content and effectiveness of the parentalinvolvement policy in improving the academic quality of the schools. ..." (C-3; only some of the requirements have been quoted here.)

It is hard to imagine poor, overworked single parents or nonparental caregivers going to steering-committee meetings month after month to decide how parents should be involved and then evaluate the school's efforts.

Examples of Involving Parents

"It is the responsibility of schools and LEAs to help parents understand topics that will help them become equal partners with educators in improving their children's academic achievement. Schools and LEAs must help parents understand such things as the state's academic-content standards and state student academic-achievement standards; state and local academic assessments, including alternative assessments; the parentalinvolvement requirements of section 1118; and how to monitor their child's progress and work with educators to improve the achievement of their child." (E-2)

What level of detail should parents be expected to know about these arcane topics? How are nonexpert parents supposed to evaluate all the information they will be receiving? The premise of parents as equal partners with educators is questionable with respect to understanding state policies and approaches, particularly around assessment. Is this really what we want our parental involvement to look like?

Like mom and apple pie, much of what is being asked of parents appears unassailable on the surface. The guidelines claim, ironically, that "although section 1118 is extensive in scope and has many requirements for LEAS and schools, the intent is not to be burdensome" (A-7). And what of the demand on parents? In the quotes above, which represent just a fraction of this 61-page document, readers can see that these requirements are both impractical and misdirected.

Parents burdened with too many responsibilities and too little support should not be expected to become policy wonks and curriculum specialists. Two education professors— Diane Stephens of the University of South Carolina and Gail Boldt of the

University of Iowa— suggest in the May 2004 *Phi Delta Kappan* a set of questions to gauge the adequacy of educational partnerships. Their questions provide us with a framework for judging these federal guidelines on parental partnerships and formulating recommendations:

1. Who will be partners?

The first challenge is that one school must partner with many "homes." Though a school can operate as a unit (in theory), each home is unique and autonomous. How many "homes" must be involved, in which activities, and to what extent?

2. What does each partner receive, and what would have to happen for each partner to feel adequately compensated for its contribution? In this partnership, burdens are added to both

parents and educators. Schools must enable parents to become involved in the schools, in educational policy, and in the academic life of students; parents must absorb these teachings and add this participation to their already overburdened and hectic routines. This area is closely related to the next question.

3. What will each partner contribute?

Imagine, if you can, parents of power-plant workers coming in for a visit and saying to supervisors, "You know, you should turn that water up a little. I think it should be hotter." Or parents of surgical patients coming in to advise doctors that they should snip a little more here or less there. The equivalent of this happens in education all the time, as parents come to school and make curriculum suggestions—if not demands—on teachers. It is not clear how, or why, parents should have a great deal to contribute to issues of educational pedagogy, policy, and practice. In a similar way, teachers are supposed to be

experts at educating children, not adults. The Education Department's guidance actually calls upon both sets of partners to base their partnership on areas that are not their primary areas of expertise.

In essence, it is saying that parents' most important job is to ensure the academic success of their children. While this is not stated in as many words, our reading of the guidance is that the role of parents as their children's first teachers is narrowly interpreted to the three R's, rather than as educating students for success in life, as well as school.

There is no mystery about what children need for social, emotional, and academic growth and the

development of sound character. Fortunately, it is within the reach of the vast majority of parents to provide what is needed. The <u>Collaborative for</u> <u>Academic, Social, and Emotional Learning</u> and the <u>Laboratory for Student Success</u> have taken a lead role in identifying these factors and are excellent resources for educators and parents.

Schools can offer workshops, parenting classes, and other support services to help parents promote the social and emotional development of their children. Schools can focus on fostering a sense of community by hosting school wide family activities, creating parenting-resource centers, and giving parents structured opportunities to volunteer in classrooms and at school events or trips. Parents should be encouraged to support their children's education by creating daily routines that are predictable and structured, taking an active interest in school to convey the values of education and effort to their children, and making homework a priority by dealing with the problem of TV and other media distractions.

In sum, the guidance for parental involvement, as promulgated by the U.S. Department of Education, would be more valuable to educators, parents, and students (especially those who are most behind) if it focused on helping parents with their primary task, that of parenting. Parental involvement in parenting is the foundation of effective parental involvement in the schools—and of student success.

Maurice J. Elias is a professor of psychology at Rutgers University, in New Brunswick, N.J., where Yoni Schwab is a teaching assistant in the department of psychology. Mr. Elias is the vice chair of the <u>Collaborative for Academic, Social, and</u> <u>Emotional Learning</u>'s leadership team.

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New CADRE Resource Comprehensively Examines Parent and Community Involvement in Schools:



Educating Our Children Together: A Sourcebook for Effective Family-School-Community Partnerships

This sourcebook was designed to identify and describe promising practices in family-communityschool involvement occurring in pre-K-12 school environments across the country. The book includes guiding principles for family-schoolcommunity involvement, tips for getting started, a self-assessment tool to determine current practices, strategies, and program descriptions.

To review the Sourcebook, click here: <u>http://www.directionservice.org/cadre/</u> EducatingOurChildren 01.cfm

NAPSO Launches New Website

As SSWAA's representative to and a co-chair of NAPSO – the National Alliance of Pupil Services Organizations – I'm proud to announce the launch of the NAPSO Website, <u>www.napso.org</u>. This Website is an exciting new resource for all pupil/ related services personnel.

For those of you not familiar with NAPSO, it is a coalition of national professional organizations representing over a million members. NAPSO members include school social workers; school counselors; school psychologists; school nurses; occupational, physical, and creative arts therapists; speech-language pathologists; and, pupil services administrators. NAPSO also includes, among other allied organizations that support pupil/related services, the National PTA, the National Education Association, and the National Association of State Directors of Special Education.

The Website is designed so that interested individuals can find in one convenient location, NAPSO policy briefs, letters to the Hill, and other important documents about pupil/related services personnel. We also hope to model, through this Website, the efforts of our national coalition in working together for the mutual interest of all our professions and the children and families we serve. The Website also gives all our affiliates and related organizations an opportunity to see the kind of work that NAPSO is producing and to use this information at the state and local levels.

NAPSO has been in existence since the passage of the original Individuals with Disabilities Education Act legislation. The coalition is extremely active on Capitol Hill working to ensure that pupil/related services personnel are included in key legislation and that their talents and skills are put to good use in schools across the country.

SSWAA encourages each of you to share the NAPSO Website resource with your networks. We will be making continuing improvements and adding information to the Website throughout the year, so check periodically for new information.

Youth Transition Grant

Submitted by Sue Klebold, Colorado Community College System

The "Youth Transition Grant" (YTG) is a federally funded, statewide initiative that began in October of 2003. Its purpose is to help the Colorado Workforce Development System and its partners improve transition outcomes for youth who have disabilities. The YTG targets youth between the ages of 14 and 25 who can benefit from transition services provided by Workforce Centers and their partners. "Youth who have disabilities" is broadly defined within the grant. It may include those who disclose a disability as defined by IDEA, or those who are receiving benefits due to disability (SSA, Medicaid, Vocational Rehabilitation, Special Education, Mental Health, etc.)

Funds for the Youth Transition Grant were awarded to Colorado's Office of Workforce Development and the Workforce Development Council from the U.S. Department of Labor, Office of Disability Employment Policy (ODEP). It is a five-year initiative that is renewable each year. In order to develop an enhanced system of transition services within each of the federally recognized workforce regions, the YTG establishes a program of work at the state and local levels. Many partners are involved including government agencies, community organizations, other youth initiatives, employers, youth and parents.

In the first year of the grant, resource mapping was conducted at the state level by the grant steering committee, and at local levels by three pilot demonstration sites. Interagency teams used tools such as interviews, surveys, focus groups and literature review to identify assets and challenges within the existing youth service delivery infrastructure. State and local level strate-gic plans are currently being drafted based on an analysis of the information acquired during resource mapping. Plan implementation will include the blending and braiding of state, federal and community resources with local intermediary organizations.

The three demonstration sites selected for participation in 2004 were the <u>Boulder County</u>, <u>Tri-County</u> (Jefferson, Gilpin and Clear Creek Counties) and <u>Alamosa</u> Workforce Centers. Included among pilot site selection criteria were an active youth council, strong interagency collaboration within the area, and a commitment to sustainability. Also included was the presence of a Consumer Navigator within the region. Consumer Navigators are workforce professionals who are trained to help people with disabilities navigate the complex array of services available to them in their search for employment. Each demonstration site receives funds and technical support. Additional sites will be added during the life of the grant.

One of the primary grant objectives is to ensure that youth with disabilities have access to existing supports in order to make a successful transition to adult life. As the funding entity, ODEP requires that certain programmatic components (called "evidence-based principles") provide a framework for grant activities and evaluation. To increase the likelihood that successful transition will occur, youth with disabilities need access to the following: participation in high-quality, standards-based education; career preparatory experiences; work-based experiences; youth development and leadership opportunities; and support services. Through the YTG, workforce professionals will be better equipped to assess the needs of youth with disabilities, and provide access to services that will help them meet their goals.

For additional information about the Youth Transition Grant, please contact Steve Wright, Grants Administration Officer, Colorado Office of Workforce Development at (303) 866-2271.

¹Through the official title of the Colorado initiative is the "State Alignment Grant for Improving Transition Outcomes for Youth with Disabilities Through the Use of Intermediaries," it is commonly called the "Youth Transition Grant," (YTG).



THE COLORADO CHARTER SCHOOLS & SPECIAL EDUCATION PROJECT

By Laura L. Freppel, Lorrie Harkness and Denise Mund

"Collaboration: An unnatural act committed by unconsenting and unwilling adults despite their mutually benefiting goals."

Anonymous

In 1993, Colorado became one of a few pioneering states to pass charter school legislation. Over the years, the number of charter schools within the state has grown to 110, and that growth is expected to continue. In September 2000, the question of how well charter schools were serving their students with disabilities became a vital national issue when the U.S. Department of Education convened the 1st National Summit on Serving Students with Disabilities in Charter Schools. This is the story of how Colorado is addressing that urgent concern via a commitment to resources and collaboration.

Background

The Colorado Department of Education is the state agency that is charged with the general oversight of the state's school districts. Each school district, however, retains local control pursuant to the state constitution.

In Colorado, charter schools are public schools within the local school district. As such, the authorizing school district is legally responsible for assuring that each student with a disability attending its charter schools receives a free appropriate public education (FAPE), which is the legal entitlement afforded to students with disabilities under the federal Individuals with Disabilities Educational Act. Each charter school is accountable to its authorizing school district for special education compliance. However, the Colorado Department of Education has ultimate responsibility for ensuring that all special education students within the state receive a FAPE, including special education students attending public charter schools.

It was a fortunate circumstance that, as of September 2000, the Colorado Department of Education had already fostered positive relationships with the charter school community. Building on those existing relationships, the Department's Schools of Choice and Exceptional Student Services Units (hereafter collectively referred to as "the CDE") jointly took on the challenge of addressing special education compliance in the state's charter schools.

The Data Collection Phase

In January 2001, it was evident that there was a lack of information on how Colorado charter schools were serving special education students. In response, the CDE commissioned a state-wide study to address that lack of data. Two methodologies were used for data collection: (1) A voluntary online survey was completed by district special education directors and charter school administrators; and (2) Follow-up focus group interviews were conducted, again with special education directors and charter school administrators.

The purposes of the study were several:

- To examine the perceptions of special education directors and charter school administrators regarding charter school services for special education students.
- To determine how the charter schools were delivering special education services.
- To make recommendations for improvement based on the collected data.

The final report, **Special Education Services in Colorado Charter Schools**, was released in March 2002. The survey report contained two significant findings. First, district special education directors and charter school administrators shared the concern that charter school personnel did not understand their special education responsibilities. Second, there was a disconnect between charter schools and district special education directors regarding the level of satisfaction with their mutual relationships – special education directors were generally satisfied with their relationships with charter schools while charter school administrators were not satisfied with their relationships with special education directors.

The study report made number of recommendations:

- •Special education directors and charter schools relationships should be improved.
- •A special education compliance plan should be required with the charter application.
- •Special education resource materials should be developed.
- •Funding issues should be clarified.
- •Technical assistance should be provided.

In March 2001, Project SEARCH, a study conducted by the National Association of State Directors of Special Education (NASDSE) released its findings and recommendations on the Colorado Case Study, including:

- •The charter application process was the key opportunity for addressing special education issues
- •Technical assistance was key for building capacity for special education delivery in charter schools
- •Funding was an on-going challenge.

At about the same time, the CDE set aside funding for a Charter Schools & Special Education Project (Project). Funding from the CDE also made it possible to sponsor a one-day charter schools & special education conference and to select a project director.

The Charter Schools & Special Education Advisory Committee

In October 2001, the CDE convened the Charter Schools & Special Education Advisory Committee (Advisory Committee). The role of the Advisory Committee is to:

- Provide expertise and guidance for the Project.
- •Support charter schools compliance with special education mandates.
- •Improve charter schools and special education director relations.
- •Increase family and student satisfaction with special education services in charter schools.

By design, the membership of the Advisory Committee is diverse in that members represent the perspectives of urban and rural school districts and charter schools, the parent community, child advocacy groups, charter school organizations, institutions of higher education, the Office for Civil Rights (U.S. Department of Education) and the CDE. It meets three times per year. The minutes from each meeting are posted on the CDE's Charter Schools Special Education web page.



The Advisory Committee members work collaboratively to make decisions on Project products. The Advisory Committee also serves as a forum to discuss difficult (e.g., special education funding) and innovative topics (e.g., special education delivery in cyberschool settings) in order to identify issues, foster understanding and identify potential solutions.

The Colorado Charter Schools & Special Education Project

Based on the data compiled from CDE study, Project SEARCH and additional focus group interviews conducted during spring 2002, the Advisory Committee met in June 2002 to determine what the crucial needs were. At that time, the Committee decided that the following products would be developed:

Colorado Charter Schools Special Education Guidebook: The purposes of the Guidebook are to provide (1) an overview of federal and Colorado special education laws, and (2) a framework for those needing information about special education issues that impact charter schools. The Guidebook may be accessed at http://www.cde.state.co.us/cdechart/sped/SpecialEdGuidebook.pdf.

Colorado Charter Schools Special Education Guidelines: The purpose of the guidelines is to assist local boards of education, charter school organizers and charter school governing boards in identifying legal, procedural and funding issues related to serving students with disabilities in charter schools. The guidelines effectively serve as a checklist when districts and charter schools are negotiating special education responsibilities during the charter negotiation process. The guidelines many be accessed at http://www.cde.state.co.us/cdechart/sped/spednegotguidelines.pdf.

Sample Special Education and Section 504 Compliance Plan for Charter and Renewal Charter Applications: This sample form represents a best practice (rather than a mandate) and is intended to be a practical guide for chart schools developer/boards and school districts as they negotiate how special education and Section 504 services will be delivered in charter schools. This form may be accessed at http://www.cde.state.co.us/cdechart/sped/SpedCompliancePlan.pdf.

Cyberschools & Special Education Guidance: This guidance is designed to help cyberschools, including charter schools that are cyberschools, understand what their special education responsibilities are in Colorado. This guidance may be accessed at <u>http://www.cde.state.co.us/cdesped/download/pdf/</u> <u>CyberschoolPrograms.pdf</u>.

Fast Facts: How is Special Education Provided in Charter Schools? This is an abbreviated question and answer guide to special education in charter schools. This document may be accessed at http://www.cde.state.co.us/cdesped/download/pdf/FF-ChtrSchs.pdf.

Training Module: The training module is currently under construction. Ultimately, the training module will be an interactive, web-based training module that district special education directors may access to provide basic special education training to charter school developers, boards, administrators and staff.

In addition to these products, CDE's Schools of Choice Unit has supplied a copy of the book, *Special Education Guide for Colorado School Administrators*, to every Colorado charter school. That book is practical, comprehensive resource for Colorado educators of legally related information on special education in Colorado.

Conclusion

Since October 2001, Colorado has embarked on an ambitious initiative to ensure that charter schools are successfully serving students with disabilities. The ability to achieve the goals of that initiative has depended on and will continue to depend on a variety of factors including (1) an ongoing commitment at the state level to fund the Project objectives; (2) the creation and retention of an Advisory Committee comprised of members representing diverse perspectives; collection of pertinent data to identify needs and evaluate the effectiveness of the Project; the development and up-dating of written resources to assist charter schools in meeting their special education responsibilities; and implementation of an effective marketing plan to widely disseminate Project products and to celebrate achievements.

If you would like additional information about the Colorado Charter Schools & Special Education Project, please contact Laura L. Freppel at freppel_l@cde.state.co.us.

The authors are employees of the Colorado Department of Education. Lorrie Harkness is the director of the Exceptional Student Services Unit. Denise Mund is a senior consultant with the Schools of Choice Unit. Laura Freppel is a senior consultant with the Exceptional Student Services Unit.

Debora L. Scheffel, Ph. D., a professor with the University of Northern Colorado, was selected to conduct the CDE study. This report may be accessed at http://www.cde.state.co.us/cdechart/sped/ charterSpedreport.pdf.

Project SEARCH is "a qualitative research study conducted by NASDSE of how the nation's public schools are implementing special education policies." Project SEARCH was completed in October 2001 and may be accessed at http://www.nasdse.org/project_search_doc2.pdf

The URL for CDE's Charter Schools Special Education web page is http://www.cde.state.co.us/ cdechart/sped/charterSpedreport.pdf

The template for this Guidebook was *Charter Schools and the Education of Children with Disabilities* (2d Ed., May 2001), a publication of the Charter Friends National Network. The authors of that publication are Elizabeth Giovannetti, LICSE, Eileen Ahearn, Ph.D., and Cheryl Lange, Ph.D.

Special Education Guide for Colorado School Administrators, Freppel, L. (2001), Bulverde, Texas: OMNI Publishers, Inc.





Who is ELLEN ?!?



Your mother? No. Your

sister? No. Your wife? No. In fact, ELLEN is not a person, but a group of students. ELLEN refers to a rapidly growing group of students with whom we are all familiar, but may be lost in our school systems, not receiving the supports and programs they desperately need.

These students are <u>English Language</u> <u>L</u>earners who may have <u>Exceptional N</u>eeds. Many times students who are learning English as a second or other language run into one of two situations when they begin to have difficulties in school. In the not-so-distant past, ELLs (English Language Learners) who struggled in school were OVER-identified for special services. Schools wrestled with the tools to provide adequate interventions for these students as well as with a lack of understanding about appropriate assessment procedures for ELLs.

In the recent past, the pendulum has begun to swing the other way. Now, many schools (sometimes prompted by visits by the Office of Civil Rights about their overidentification of ELLs) have begun to UNDERidentify their English Language Learners for special services. Instead of looking at what interventions may be provided for ELLs who are struggling, the phrase "it's just language acquisition" resonates loud and clear throughout many a child study meeting.

So, what's a teacher, administrator, paraprofessional or parent to do? The line between over and under-identification is a fine one and the answer is not always simple, but the appropriateness of referrals can be made more clear by utilizing the "Eight Step Process for Determining Appropriate Referrals of English Language Learners who may have

Exceptional Needs" (see

Table 1). The eight steps found in this process define an effective and efficient process for meeting the needs of English Language learners with exceptional needs. The process is based on research-based instruction and positive behavioral supports for ALL students, combined with the research base and legal parameters that define practices for English Language Learners.

The Eight Steps are embedded in a three-tiered model based on the premise that most children will learn if provided qualified teachers and research based instruction (Tier One). Then, if children are not learning in their classroom, targeted interventions with specialized supports and services need to be made available (Tier 2). If after sufficient time with appropriate supports students do not respond to interventions, a referral to special education or other individualized response may be appropriate (Tier Three).

The Eight-Step Process and Three Tier Model are derived from research, values, strategies, and policies that promote access, equity, and academic success for all students. These steps are aligned with Office of Civil Rights criteria, Individuals with Disabilities Education Act, and the No Child Left Behind legislation. They reflect a systematic approach for the identification, assessment, placement, monitoring and reclassification or exit of students who are ELL and may have a disability or other special needs. They involve a systemic approach to collaboration among all stakeholders with focus on involvement of families in the education process, researchbased instruction, accountability, and access and equity for all students.



Table 1

For more information on the 8-Step process, please contact Holly Porter at <u>porter_h@cde.state.co.us</u>

Sliver/State Set Aside Grants Upcoming Levels of Use Training (LoU)

February 2-4, 2005	Three-day training for new levels-of-use evaluators.
February 2005	Current LoU evaluators are expected to attend a full-day refresher/follow-up training.
February 17, 2005	Metro area
February 18, 2005	Grand Junction area
February 24, 2005	Pueblo area

For LoU registration information, please contact Patty Lucio via phone at (303) 866-6645 or email at lucio_p@cde.state.co.us.

Calendar of Events

January 2005

January 7 - Autism Regional Trainings: Colorado Springs, CO Contact: Jean Kain email: kainjk@d11.org

January 11, 12, & 13 - CSAPA Administration Training: Denver, CO (various locations) Contact: Brandi Saturley - (303) 866-6690 email: scoggins_b@cde.state.co.us

January 14 - Effective Needs conference: Denver, CO Contact: Lisa Thoennes email: ikthoennes@aol.com

January 14 - **Autism Regional Trainings:** Grand Junction, CO Contact: Bret Mixon email: bretmix@mesa.k12.co.us

January 19 & 20 - **CSAPA Administration Training:** Grand Junction, CO Contact: Brandi Saturley - (303) 866-6690 email: scoggins b@cde.state.co.us

January 21 - Autism Regional Trainings: Pueblo, CO Contact: Sharon Rusovick email: srusovic@pueblo60.k12.co.us

January 25 & 26 - **CSAPA Administration Training:** Colorado Springs, CO Contact: Brandi Saturley - (303) 866-6690 email: scoggins_b@cde.state.co.us

January 27 - Legal Issues Conference: Westminster, CO Contact: Patty Lucio - (303) 866-6645 email: lucio_p@cde.state.co.us

January 28 - Director's Meeting: Westminster, CO Contact: Patty Lucio - (303) 866-6645 email: lucio p@cde.state.co.us

January 28 - Autism Regional Trainings: Sterling, CO Contact: Shawnda Derby email: sderby@neboces.com

January 28 - Autism Regional Trainings: Sterling, CO Contact: Shawnda Derby email: sderby@neboces.com

March 4 - Autism Regional Trainings: Sterling, CO Contact: Shawnda Derby email: sderby@neboces.com

April 1 - Autism Regional Trainings: Denver, CO Contact: Cori Sullivan email: Cori.sullivan@adams12.org

April 7-9 - Parents Encouraging Parents Conference: Colorado Springs, CO Contact: PEP Hotline (303) 866-6846 or visit http://www.cde.state.co.us/cdesped/PEP.asp

April 22 - Autism Regional Trainings: Colorado Springs, CO Contact: Jean Kain email: kainjk@d11.org

April 29 - Autism Regional Trainings: Pueblo, CO Contact: Sharon Rusovick email: srusovic@pueblo60.k12.co.us



Tenth Circuit Adopts Least Restrictive Environment Standard

By Randy Chapman

On August 11th the 10th Circuit Court of Appeals (the U. S. Court of Appeals Circuit that includes Colorado) issued a major decision adopting a test for determining whether a school district has met the IDEA's least restrictive environment (LRE) requirement. In *L.B. v. Nebo School District (Nebo)* www.kscourts.org/ca10/cases/2004/08/02-4169.htm, the Court adopted the standard previously stated in *Daniel R.R. v. Bd. Of Education*, 874 F.2d 1036 (5th Cir. 1989) http://www.kidstogether.org/ct-danl.htm.

In *Nebo* the parents of a young child with autism spectrum disorder were seeking payment from the school district for placement in an integrated private preschool because the integrated preschool was both less restrictive and educationally superior to placement in a public preschool that primarily served students with disabilities. In approaching the LRE issue, the court in *Nebo* notes that: "Educating children in the least restrictive environment in which they can receive an appropriate education is one of the IDEA's most important substantive requirements. Thus, the LRE requirement is a **specific statutory, mandate. It is not...a question about educational methodology."** Looking for an appropriate LRE test to adopt, the court specifically rejects the *Roncker* LRE test that is applied in the Fourth, Sixth, and Eight Circuits because: "The *Roncker* test is most apposite in cases where the more restrictive placement is considered a superior educational choice. This makes the *Roncker* test unsuitable in cases where the least restrictive environment is also the superior educational choice."

In *Nebo* the parents are arguing that the less restrictive setting is also educationally superior, therefore, the 10th Circuit looks to the *Daniel RR* test because it "better tracks the language of the IDEA's least restrictive environment requirement and is applicable in all cases." The court then states that the test that it is adopting for determining least restrictive environment is a two-part test "in which the court determines: whether education in a regular classroom, with the use of supplementary aids and services can be achieved satisfactorily; and if not, the court determines if the school district has mainstreamed the child to the maximum extent appropriate."

The Tenth Circuit outlines four non-exhaustive factors to be considered in determining the first part of the test, that is, whether education in the regular classroom can be achieved satisfactorily with the use of supplementary aides and services. The four factors to be considered are:

- steps the school district has taken to accommodate the child in the regular classroom, including the consideration of a continuum of placement and support services;
- comparison of the academic benefits the child will receive in the regular classroom with those she will receive in the special education classroom;

- the child's overall educational experience in regular education, including non-academic benefits; and
- the effect on the regular classroom of the disabled child's presence in that classroom.

In *Nebo* the parents had placed their daughter, at their own expense, in a private preschool so that she could attend school with children without disabilities. The school district did not have a mainstreamed preschool and had offered a placement in a school that primarily served students with disabilities, although some students without disabilities also attended the school. Only students without disabilities attended the private school chosen by the parents. Thus, in the parents' view, the private program was a less restrictive or more mainstreamed setting. In addition, the parents provided, also at their own expense, significant supplementary aids and services to support their daughter in the private mainstream preschool and the parents provided an intensive athome Applied Behavioral Analysis (ABA) program. The school district eventually agreed to pay for some of the ABA program but not the private preschool so the parents requested a due process hearing. At the hearing the evidence showed that the student was making very good progress at her private mainstream preschool with the support of her paraprofessional and the in-home ABA program.

Applying the above four factors to the facts of the case at hand, the Tenth Circuit ruled for the parents. Looking at the first factor, the court credited the school district as having considered accommodating the student at the private preschool. The court noted that the district had sent an autism specialist to evaluate the private program and continued to evaluate the student.

But, second, when comparing the benefits of the private mainstream placement to the public special education placement the court found that the evidence was clear that the benefits the student was receiving from the mainstream placement were greater than those she would have received from the special education placement.

Moreover, looking at the third factor, the court determined that the non-academic benefits of the mainstream placement outweighed the non-academic benefits of the special education placement offered by the district. Specifically, the mainstream placement provided more appropriate role models, had a more balanced gender ratio, and was generally better suited to meet her behavioral and needs.

Finally, when assessing the fourth factor, the court found that although the student had some behavioral problems (tantruming), she was not disruptive in the regular mainstream classroom. Three out of the four factors weighed in favor of the private mainstream preschool placement.

This is a significant case for Colorado and other states in the 10th Circuit. Impartial hearing officers, federal complaints officers, and judges within the 10th Circuit will be obligated to follow this LRE test. Important points in this decision include that the least restrictive environment requirement is a specific statutory mandate. It is not a question of educational methodology. The court also clearly emphasizes the importance of considering the use of supplementary aids and services in determining whether education in the regular classroom can be achieved satisfactorily. In fact, in *Nebo* the

court ordered that the family be reimbursed for fairly substantial supplementary aids and services, a paraprofessional and ABA therapy that were needed to support the less restrictive placement. It is also noteworthy the extent to which *Nebo* takes into account the non- academic benefits of the integrated settings, such as, role modeling and gender ratios. The court also downplayed the impact of the child's tantrums on the regular classroom. Of course, each special education case is unique, individualized, and depends on the evidence. In *Nebo* it was very helpful that the parents managed to pay for the private mainstream placement, including the supplementary aids and services. Their daughter's real success in that less restrictive setting, was probably much more persuasive, than if she had been placed in the more segregated setting without the supplementary aids and services, and the parents had to argue the hypothetical benefits of mainstreaming.

Citing *Murray v. Montrose County Sch. District,* 51 F.3d 921 at 926 (10th Cir. 1995). Emphasis supplied.

In *Roncker v. Walter*, 700 F.2d 1058 at 1063 (6th Cir. 1983) the Sixth Circuit's LRE test stated "[i]n a case where the segregated facility is considered superior, the court should determine whether the services which make that placement superior could be

feasibly provided in a non-segregated setting." The 10th Circuit includes Colorado, Oklahoma, Kansas, New Mexico, Wyoming, and Utah.



Call for Articles!

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The deadline date for articles for the Winter 2004-5 articles are due January 3rd and Spring 2005 articles are due April 1st. Editing assistance is available/provided as needed. To discuss submissions, or for a list of additional article ideas to consider, contact Faye Gibson -Gibson_f@cde.state.co.us. Mailing address for photographs or logos to accompany articles is: Inside Exceptional Children Colorado Department of Education Attn: Sharron Fieber/Faye Gibson 201 East Colfax, Room 300 Denver, CO 80203



Dyslexia:

Overcoming Dyslexia: A New and Complete Science-Based Program for Reading Problems at Any Level - by Sally Shaywitz, MD, Kopf Publishing, 2003

Preventing Reading Difficulties in Young Children - by Snow, Burns & Griffin, National Academy Press, 1998

Never Too Late to Read: Language Skills for the Adolescent with Dyslexia - by Ann Cashwell Tuley, York Press, 1998

Preventing and Remediating Reading Difficulties: Bringing Science to Scale - Edited by Foorman, York Press, 2003

Handbook of Language and Literacy: Development and Disorders -Edited by Stone, Silliman, Ehren & Apel, Guilford Press, 2004\

Websites:

The International Dyslexia Association - www.interdys.org The Council for Learning Disabilities - www.cldinternational.org Learning Disabilities Assn. of America - www.Idaamerica.org LD Online - www.LDOnLine.org

Reading Rockets - www.ReadingRockets.org

School Social Work:

National Association of Social Workers: <u>http://www.naswdc.org/</u> National Association of Social Workers - Colorado Chapter: <u>www.naswco.org</u> School Social Work Association of America: <u>www.sswaa.org</u> School Social Work Committee (CO): <u>www.cde.state.co.us/ssw</u>

Mental Health:

Mental Health Association of Colorado: <u>www.mhacolorado.org</u> Center for Mental Health in Schools: <u>smhp.psych.ucla.edu</u> National Institute of Mental Health: <u>www.nimh.nih.gov</u> Center for School Mental Health Assistance: <u>csmha.umaryland.edu</u>

Behavior:

School-wide Positive Behavior Support in Colorado: <u>www.cde.state.co.us/pbs</u>

School-wide Positive Behavioral Interventions and Supports: <u>www.pbis.org</u>

English Language Learners w/Exceptional Needs:

National Center for Culturally Responsive Educational Systems: www.nccrest.org

Artilles, A.J. & Ortiz, A.A. (Eds.). (2002). English language learners with special education needs: Identification, assessment, and instruction. Washington, DC: Center for Applied Linguistics.

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Fairfax County Public Schools (2002). CLiDES handbook: Culturally and linguistically diverse exceptional students. Fairfax, VA: Author. http://www.fcps.edu/DIS/OESOL/dia/index.htm





















EXCEPTIONAL STUDENT SERVICES UNIT REGIONAL PROFESSIONAL DEVELOPMENT



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