‘Tis the season where we have so much to give thanks for in our lives. Of the things we have to be grateful for are the multitude of ideas that benefit students with disabilities and their families generated by many talented and caring leaders and administrators of special education. ‘Tis the season when we are most aware of time or the lack thereof to accomplish all that we have in front of us.

The November 2014 CASE Executive Committee Meeting, Board of Directors Meeting, and Fall Conference in San Antonio, TX provided an opportunity to carve out time to generate exciting Texas “big” ideas. Topics shared across these meetings ranged from the day-to-day challenges of special education administrators, such as administrative and paperwork requirements, bullying and school violence issues, and seclusion and restraint, to system-wide issues that include results driven accountability, mental health services, maintenance of effort, vouchers, dispute resolution, early childhood education. ‘Tis the season when we are most aware of time or the lack thereof to accomplish all that we have in front of us.

As Maya Angelou once said, “All great achievements require time.” We know this statement to be true as it applies to our work as leaders and administrators of special education. The initial passage and subsequent reauthorizations of ESEA and IDEA are great achievements and they did and still do require time. The passage of time continues to reinforce what really matters with regard to each of these laws. In present time, however, uncertainty exists about future priorities and best ways to enact change as we continue to reshape, redefine, and redesign how students with disabilities are educated. What is important is that as we avail ourselves of resources that will help us use our time wisely to serve students with disabilities and their families well. CASE’s commitment to each of its members is to continue to make valuable resources available so you can make the most of your time all year around!

• www.casecec.org

Wishing all of you a happy and healthy holiday season!

President’s Pen

TIS THE SEASON OF SO MANY IDEAS, SO LITTLE TIME

PRESIDENT MARY LYNN BOSCARDIN, PHD

Mary Lynn Boscardin, PhD, is Chair and Professor in the Department of Student Development in the College of Education at the University of Massachusetts Amherst.
Essential Point #10
WHAT ARE RELATED SERVICES?

In addition to the educational services students with disabilities receive, there are other services the child might require to benefit from special education. These are called related services. Related services personnel may be, for students with disabilities, the most important part of their education. We need to make sure we provide the necessary supports for them to accomplish their jobs.

Related services include many components:

“Transportation, and such . . . other supportive services (including speech pathology and audiology), psychological services, physical and occupational therapy, recreation, including therapeutic recreation and social work services, and medical and counseling services, including rehabilitation counseling, (except that such medical services shall be for diagnostic and evaluation purposes only) as may be required to assist a child with a disability to benefit from special education, and includes the early identification and assessment of disabling conditions in children.”

Several conditions must be met before the child receives related services. First, to be entitled to related services a child must be eligible for special education services. Second, only those services necessary to aid a child with a disability to benefit from special education must be provided, regardless of how easily a school nurse or lay person could furnish them.

Third, regulations state medical services must be provided only if they can be performed by a nurse or other qualified person, not if a physician is required.

Related services can include, but are not limited to, any of the following:

- Speech-language pathology and audiology services
- Interpreting services
- Psychological services
- Physical and occupational therapy
- Recreation, including therapeutic recreation
- Early identification and assessment of disabilities in children
- Counseling services, including rehabilitation counseling
- Orientation and mobility services
- Medical services for diagnostic or evaluation purposes
- School health services and school nurse services
- Social work services in schools
- Parent counseling and training

The IEP must also specify with respect to each service:

- when the service will begin;
- how often it will be provided and for what amount of time; and
- where it will be provided. [§300.320(a)(7)]

Continued on page 3
The list of related services is not exhaustive and may include other developmental, corrective, or supportive services if they are required to assist a child with a disability to benefit from special education.

School districts may not charge parents of eligible students with disabilities for the costs of related services that have been included on the child’s IEP. Just as special and regular education must be provided to an eligible student with a disability at no cost to the parent or guardian, so, too, must related services when the IEP team has determined that such services are required in order for the child to benefit from his or her education.

Essential Point #11
WHAT ARE SOME STEPS PRINCIPALS CAN DO TO RETAIN SPECIAL EDUCATION STAFF

Being a special education professional, be it a teacher or a related services provider, can be difficult. The role the special education professional must play can be very different from that of a typical teacher, and much of the problem in retaining staff is a lack of knowledge about the difficulties and roles of their jobs.

One of the biggest issues, in addition to day-to-day instruction, is special education professionals must know how to write a legally appropriate Individual Education Program (IEP). There are constant changes occurring with this part of the paperwork. Principals need to be able to read the IEP and understand how it should be implemented and monitored to ensure student success.

Below is a just a partial list of the many different roles and responsibilities a special education professionals job encompasses. Get to know the specifics of the responsibilities of the professionals who working in your building and make sure they are provided enough support to do their job. Just understanding how varied the roles can be will go a long way to helping retain special education staff.

- Teaching
- Curriculum planning
- Lesson planning
- Common core standards
- Facilitation of meetings
- Progress monitoring

In addition, special education professionals must be in constant contact with general education teachers for multiple reasons such as specially designed instruction, collaboration, and troubleshooting. Additionally, special education teachers are also required to have content knowledge for the areas in which they provide academic support or instruction.

Essential Point #12
WHAT ARE THE MAIN POINTS OF IDEA PRINCIPALS NEED TO KNOW AS THEY SUPPORT STUDENTS WITH DISABILITIES IN THEIR SCHOOLS?

The Individuals with Disabilities Act is the main law governing the education of students with disabilities. Originally titled the Education for All Handicapped Children’s Act, this law lays the foundation for the provision of special education as you and I know it. Much of the provision of services in special education is based on this law. In some parts it is very prescriptive, while others have required litigation to help clarify.

The law states each child with a disability must receive a free appropriate public education. The main components of the law are:

I. All children receive an education;
II. There must be procedures for identification, evaluation and placement;
III. Children are provided an appropriate education;
IV. Students are to be educated in the least restrictive environment;
V. Decision making must be a shared process;
VI. Due process procedures need to be followed;
VII. Related services must be provided; and
VIII. Transition plans are to be developed for when the student leaves school.

It is the school’s responsibility to implement the laws regarding children with disabilities, not the parents’ obligation to insure services. But the law provides multiple opportunities for the parents to check to make sure schools are doing what they need to do to serve all students.

Continued on page 4
**WHAT PRINCIPALS SHOULD KNOW**  
*Continued from page 3*

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**Essential Point #13**  
**WHAT ARE KEY ACRONYMS ALL PRINCIPALS SHOULD KNOW IN REGARDS TO STUDENTS WITH DISABILITIES?**

This is a partial list. There is a much longer list in the book.

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<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
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<tbody>
<tr>
<td>ABA</td>
<td>Applied Behavioral Analysis</td>
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<td>ADD</td>
<td>Attention Deficit Disorder</td>
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<td>ADHD</td>
<td>Attention Deficit Hyperactivity Disorder</td>
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<td>AE</td>
<td>Age Equivalent</td>
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<td>Assistive Technology</td>
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<td>AYP</td>
<td>Annual Yearly Progress</td>
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<td>BIP</td>
<td>Behavior Intervention Plan</td>
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<td>Curriculum Based Assessment</td>
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<tr>
<td>CP</td>
<td>Cerebral Palsy</td>
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<td>CST</td>
<td>Child Study Team/Teacher</td>
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<td>DIBELS</td>
<td>Dynamic Indicators of Basic Early Literacy Skills</td>
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<td>DSM-V</td>
<td>Diagnostic and Statistical Manual of Mental Disorders – 5th Edition</td>
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<td>DTT</td>
<td>Discrete Trial Training</td>
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<td>ED</td>
<td>Emotional Disturbance</td>
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<td>EI</td>
<td>Early Intervention</td>
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<td>Elementary and Secondary Education Act of 1965</td>
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<td>English as a Second Language</td>
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<td>ESY</td>
<td>Extended School Year</td>
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<td>FAPE</td>
<td>Free and Appropriate Public Education</td>
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<td>Functional Behavioral Assessment</td>
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<td>Intelligence Quotient</td>
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<td>LRE</td>
<td>Least Restrictive Environment</td>
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<td>MA</td>
<td>Medical Assistance</td>
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Dr. Bateman has a B.A. in Government and Foreign Affairs from the University of Virginia, an M.Ed. in Special Education from William and Mary, and a Ph.D. in Special Education from the University of Kansas. He has been a classroom teacher of students with learning disabilities, behavior disorders, intellectual disabilities, and hearing impairments. He is a professor of special education at Shippensburg University where he teaches courses to future teachers and administrators in learning disabilities, special education law, and the introduction to special education. He is former Due Process Hearing Officer for the Commonwealth of Pennsylvania and is Past-President of the Pennsylvania Federation Council for Exceptional Children. His latest area of research has been on preventing litigation in special education and helping school districts develop marketing plans. He is currently Public Policy Chair of the Division for Learning Disabilities and is active in the Consortium for Citizens with Disabilities in Washington, DC. He is former chair of the Department of Educational Leadership and Special Education at Shippensburg University. He is the co-author of several books including the upcoming, Principal’s Guide to Special Education, Third Edition, to be published by the Council for Exceptional Children.
SPECIAL ANNOUNCEMENTS:
Nomination for Secretary Due December 31!

2015 CASE Election for Secretary
The Secretary is an elected position for a two -year term beginning July 1, 2015 through June 30, 2017. The secretary serves as a voting member of the CASE Executive Committee and the CASE Board of Directors. He/she keeps accurate minutes of all CASE meetings and serves as the guardian of the CASE Constitution and CASE Policies and Procedures Manual. The secretary must be a current CEC/CASE member and have experience at the CASE state and/or national level. You are encouraged to nominate yourself or someone else (with their permission) by December 31, 2014. Send nominations to Laurie VanderPloeg at laurievanderploeg@kentisd.org. Please watch for additional information regarding the election process in February 2015. The Secretary will be elected by the full CASE membership via electronic ballot in early March 2015.

2015 CASE Unit Development Representative
At the CASE Board of Directors meeting held in November at the Hyatt Regency in San Antonio a call for nominations was made by Past President Laurie VanderPloeg for the next Unit Development Representative. Four members were nominated and two opted to have their names moved forward. The Unit Development Representative is elected by the CASE Board of Directors for a three year term and is also a voting member of the CASE Executive Committee and Board of Directors. Information on the nominees will be provided to the Board of Directors prior to the election in February.

CASE Award Nominations Due December 31!
The deadline is approaching quickly! Remember to nominate your colleagues for the CASE annual awards: Outstanding Administrator of Special Education Award, Harrie M. Selznick CASE Distinguished Service and the Outstanding Service to CASE Award before December 31. Winners will be announced at the annual CASE joint membership/board of directors’ meeting to be held April 8, 2015 in San Diego at the CEC convention! See the nomination form on page 19 or you can download it from the CASE website at http://www.casecec.org/awards/.

Hope you are planning to be a part of the CEC Convention in San Diego, April 8-11, 2015! CASE will be very visible and active! We will as always have our joint member and board meeting starting with a full breakfast on Wednesday and then CASE Night will be an amazing event on Thursday evening, April 9. It is official, CASE Night will be an evening at the San Diego Zoo! This is absolutely one CASE Night you will not want to miss! Watch the CASE website and the weekly updates for details—but mark you calendar for February 1—that is the date the CASE Night tickets will go on sale on the CASE website-$60…don’t miss out on this great night of fun and food!
LEGAL UPDATE
WHEN BULLYING DENIES FAPE UNDER SECTION 504 (NOT JUST IDEA): AN IMPORTANT NEW DEAR COLLEAGUE LETTER FROM THE OFFICE FOR CIVIL RIGHTS

JULIE J. WEATHERLY, ESQ.
Resolutions in Special Education, Inc. • Mobile and Birmingham, Alabama

Julie Weatherly will be one of the featured speakers for the 4th Annual Hybrid Conference, Thursday, February 19—you do not want to miss this amazing day of legal updates—and you will want to make sure assistant principals and other school personnel don't miss it either!

I hope that you have had the opportunity to read previous articles that I have written addressing the hot issue of bullying and harassment of students with disabilities and how courts and the U.S. Department of Education (“U.S. DOE”) are expecting school personnel and IEP teams to address the issue. Recently, at least one federal court has ruled that where there is a substantial probability that bullying will severely restrict a disabled student’s educational opportunities, an anti-bullying program is required to be included in the student’s IEP. Such a program should (a) describe the student’s difficulty with bullying; (b) address the impact that bullying has on the student’s behaviors, feelings about him/herself, his/her ability to concentrate and his/her social adjustment; and (c) identify strategies to address the bullying going forward. That is for a student with a disability who has an IEP under the IDEA.

What about the need to address bullying of a student with a disability who has only a 504 Plan? The Office for Civil Rights (“OCR”) has now weighed in on this question as it relates to the provision of services and FAPE to students with disabilities under Section 504 of the Rehabilitation Act (“Section 504”) only, not just those receiving special education services under the IDEA.

On October 21, 2014, OCR issued a 13-page Dear Colleague Letter (“DCL”) following up on a “long history” of guidance issued by the U.S. DOE in this “critical area of disability discrimination.” Generally, OCR notes that its new guidance adds to all of the U.S. DOE’s previous guidance by explaining that bullying of a student with a disability on any basis—not just on the basis of disability—can result in a denial of FAPE under Section 504—not just IDEA—and that it must be remedied by a school district and the student’s 504 team.

After providing a general overview of the federal protections provided for students with disabilities under Section 504, Title II of the Americans with Disabilities Act (“ADA”) and the IDEA, OCR reviews the specific obligations of schools to address disability-based harassment under Section 504 and the ADA. As OCR explained in its 2010 DCL, (and as I have outlined in a previous article), OCR would find a disability-based harassment violation under Section 504 and Title II of the ADA when: (1) a student is bullied based on disability; (2) the bullying is sufficiently serious to create a “hostile environment”; (3) school officials know or should know about the bullying; and (4) the school does not respond appropriately. OCR goes on to remind us of the 2013 DCL issued by the Office of Special Education and Rehabilitative Services (“OSERS”) adding that whether the bullying of a student with a disability is related to the disability or not, it could impact upon the provision of FAPE under the IDEA. Therefore, OSERS concluded that a school’s investigation should include determining whether the student’s receipt of IDEA FAPE may have been affected by bullying and addressing any FAPE-related concerns via the student’s IEP team.

What OCR has now added to previous guidance addresses bullying and harassment of students with disabilities who are receiving 504 FAPE services via a 504 Plan only. Regardless of why the student is being harassed or bullied, OCR makes it clear that the student’s 504 team is required to determine whether, as a result of the effects of bullying, a student’s needs have changed such that the student is no longer receiving FAPE under 504. OCR notes that the effects of bullying could include, for example, adverse changes in the student’s academic performance or behavior, and where the school suspects the student’s needs have changed, OCR expects the school and the student’s 504 team to address it.

OCR notes that there are no “hard and fast rules” as to how much of a change in academic performance or behavior

Continued on page 7
is necessary to trigger the school’s obligation to convene a student’s 504 team, but notes that a sudden decline in grades, the onset of emotional outbursts, an increase in the frequency or intensity of behavioral outbursts, or an increase in missed classes or sessions of 504 services may suffice. Ultimately, OCR concludes that unless it is clear from the school’s investigation of bullying that there was no effect on the student’s receipt of FAPE, the school should, as a best practice, promptly convene the student’s 504 team to determine whether, and to what extent: 1) the student’s educational needs have changed; 2) the bullying impacted the student’s receipt of Section 504 FAPE services; and 3) additional or different services, if any, are needed. If additional or different services are needed, schools must ensure that such changes are made promptly in order to be in the “best position to ensure the student’s ongoing receipt of FAPE.”

OCR concludes the new DCL by explaining how it now plans to analyze complaints that are filed against school districts that allege bullying of students with disabilities and the factors it will consider in its investigations. In doing so, OCR provides three specific hypothetical examples involving allegations of bullying of a student with a disability who only receives FAPE services via a 504 Plan. In the first hypothetical example given, OCR finds both a disability-based harassment violation and a 504 FAPE violation in a case involving a student with ADHD and a speech disability. In the next example given, OCR finds a 504 FAPE violation, but no disability-based harassment violation in a hypothetical case involving a student with PTSD and depression. In the third and final example, OCR finds no disability-based harassment violation and no 504 FAPE violation involving a hypothetical student with a peanut allergy. I strongly suggest that school district 504 Coordinators and other school administrators study these examples and provide training to all school personnel based upon them so that school personnel are properly prepared to avoid and address claims of bullying of a student with a 504 Plan.

This issue is so important that I plan to spend a good amount of time addressing it at the upcoming CASE Hybrid Conference in February. I hope to see you there!


This DCL can be found at [http://www2.ed.gov/about/offices/list/ocr/letters/colleague-bullying-201410.pdf](http://www2.ed.gov/about/offices/list/ocr/letters/colleague-bullying-201410.pdf).


Julie Weatherly is the owner of Resolutions in Special Education, Inc. in Mobile, AL, which is a consulting business designed to assist educational agencies in the avoidance of special education legal disputes. She is a long time member and supporter of CASE and is member of the State Bars in Georgia and Alabama.
CASE is proud to announce the winner of the G Award for beginning administrators. The G Award is brand new and given to a special education administrator within the first three years of their special education administration career. This award is for an administrator who exemplifies five core values: “Heart” is at the core of what we do, Lead by example, Be honest, Think outside the box and Always use a collaborative approach. Tammy Lampereur of Green Bay, Wisconsin, was the inaugural winner of this award, created and funded by Kevin Gersh, who was on hand to give Tammy the plaque in San Antonio at fall conference. The winner receives a $1,000.00 day on the town in their own area.

The fall conference Board of Directors’ meeting featured many activities during which directors brainstormed and networked together. During the membership discussion section, resources, national perspective, professional development, networking, voice in federal legislation, weekly updates, Lucky 21s, journals, relevancy, innovation and more were listed as reasons for belonging to CASE. Although the general consensus was that there was good responsiveness from your Membership Committee, we are always looking to improve! Do not hesitate to contact me with questions, new ideas or complaints.

If I didn't see you in San Antonio - you missed a really good BOD meeting and conference! Remember to nominate your new administrator for the G Award given at fall conference next year AND don’t forget nominations for the established awards: Outstanding Administrator of Special Education Award, Harrie M. Selznick CASE Distinguished Service and the Outstanding Service to CASE Award are due by December 31. Nomination forms can be downloaded from the CASE website at http://www.casecec.org/awards/ or see page 19.

CASE will be conducting our election via electronic means as we have done in the past so it is critical that CEC have a current, working email address on file for you. Please take a moment to update your contact information by going to the CEC website and clicking on Member support.
The CASE Fall Conference that took place in San Antonio, Texas, “Deep in the Heart of Texas with RDA…and MTSS… and Technology…and Leadership on November 13 -15 – was a resounding success albeit the unusually chilly weather. The warmth and positive spirit of the attendees, partners, sponsors and exhibitors made for great networking, collegiality, professional learning, fun times and great memories. The 3 keynote speakers really hit the mark setting the stage with messages that resonated such as Dr. Francis Stetson’s – “5 Easy Ways to Fail in Education,” Dr. Stevan Kukic’s - “Transformational Leadership in Special Education: The Time Is Now “and Dr. Randy Sprick’s -“Results Driven Behavior Support: Vision, Data, Logic and Passion.” All of the keynotes delivered and set the tone for each day by really managing to highlight this year’s themes in their messages while inspiring reflection and call to action from the conference attendees.

There were a total of 39 presenter sessions delivered in a wide variety of topics, 6 of these were dedicated to CASE Cracker Barrel sessions on topics of interest and concern to stakeholders in addition 3 U.S. Government Accountability Office (GAO) Discussion Groups were also conducted to obtain input from the conference attendees as requested by the Chairman and majority member of the US House of Representatives Committee on Education and the Workforce. This provided a valuable opportunity to share our collective views and provide feedback on policy.

During the CASE Board of Directors and Executive Committee Meeting the Professional Development Committee presented its report and conducted an activity to obtain input via both discussion and survey. Based on the feedback received, the majority of respondents are in support and would like the committee to explore the viability of hosting a virtual, web-based collaboration or teleconference discussion group for Special Education Directors on focused topics of interest to them or those in need of a consultancy session. The majority of respondents also replied as Agree or Somewhat Agree and would support continued conversations with other professional organizations to explore future areas of collaboration and partnerships with CASE and these organizations. Other comments or suggestions made for the committee to consider were as follows:

- Mental Health
- Rural School Education Agencies
- Discipline
- Substance Abuse
- RTI/MTSS
- Gap Analysis
- Student Achievement
- Reading Difficulties (Dyslexia)
- Collaboration with Higher Ed
- CASE may want to offer some free webinars followed by webinars that step up costs

The committee will be reviewing these results and additional recommendations at the next scheduled meeting to determine next steps.

Continued on page 10
The 4th Case Winter Hybrid Conference
Don’t forget to register for the upcoming CASE 2015 Winter Hybrid Conference on Results Driven Accountability: Actualizing the Promise through Practice taking place in Phoenix, Arizona on February 19-20, 2015 at the Black Canyon Conference Center and Spring Hill Suites or at any place you desire as a virtual conference! For more information on registration and hotel information please refer to our website http://casecec.org/

We also need the continued help and collaboration from all state units to help us spread the word about the Hybrid Virtual Conference but most importantly to encourage registration of Virtual Conference Sites at your District, College, University and School. Thank you for your ongoing support of our ongoing professional development endeavors and see you soon in Sunny Phoenix!

To register, go to www.casecec.org- we want to make sure we get this amazing professional development opportunity to as many people as possible. Be a virtual site and invite cross stakeholders to be a part of your learning community. Don’t forget to invite those folks who often do not even get to go to STATE or Provincial conferences….assistant principals, lead teachers, general education teachers/administrators, community leaders, parents, the list is endless but the cost is just one price! We will provide special hints for the Virtual sites—you could even use this event as a fund raiser! See the flyer on page 11.

CASE Leadership Summit
The 13th Annual Legislative Leadership Summit is scheduled to take place July 12-15, 2015. Begin making plans now to bring teams from your state. This is a great experience and you will find you return home feeling like you may have made a difference in how your congressman views issues related to serving children with disabilities. Plan to add a day to your trip to take advantage of touring Washington, D.C. where most of the sites are free to the public.
CASE 2015 Winter Hybrid Conference

RESULTS DRIVEN ACCOUNTABILITY:
Actualizing the Promise through Practice

February 19-20, 2015
Phoenix, AZ

Black Canyon Conference Center
and Springhill Suites
OR Virtual

Each Day will be a self contained workshop

- RESULTS DRIVEN ACCOUNTABILITY:
  - Leading by Convening: Actualizing the Practice
  - Legal Issues: Actualizing the Promise

- Presenters will be Cutting Edge
  - Julie Weatherly, Esq
  - Dr. Joanne Cashman

Registration
www.casecec.org

This will be a HYBRID Conference

- Attend in person or link up for a virtual conference from your location
- Price is per site so invite as many others to join you as you wish for the same price
- Purchase the CD-ROM and it is for your use as often as you wish!
- Practical Help & Resources provided to all Virtual Sites
- Special Communication Links between Virtual Sites and On Site participants/speakers

Conference Hotel:
Phoenix Springhill Suites
9425 N Black Canyon Freeway
Phoenix, AZ 85021 Group Rate- $114

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<th>CASE Member</th>
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At the recent CASE Board of Directors meeting, in an effort to open up and expand upon previous conversations about the research needs of the CASE membership, the Research Committee shared the results of the 2013 CASE Survey that was administered on behalf of the Policy and Legislative Committee, in concert with the Research Committee for CASE. The 2013 survey sought for input from the CASE membership regarding specific concerns and needs relevant to the reauthorization of Individuals with Disabilities Education Act (2004). Based on a preliminary analysis conducted by Dr. Michel Miller, a member of the previous and current Research Committee and current Editor of the Journal of Special Education Leadership, a brief summary was provided as follows:

- 691 CASE members completed the 2013 IDEA Reauthorization Survey
- 49 of the 50 states were represented in the survey
- 75% of the respondents worked at the district level
- Highest ranked concerns
  - Full funding (85%)
  - Paperwork (53.3%)
  - Maintenance of effort (48%)
  - Performance evaluation (47%)
  - Support for students in general education (46%)

A link provided by Dr. Luann Purcell was provided for individuals to complete the 2014 CASE Research Committee Survey. The number of respondents to the survey thus far number 125. Although we are seeking additional input from the CASE membership due to the low response rate, the results reveal the changing landscape of the priorities of the CASE membership from year to year!

The majority of respondents thus far serve in district-level positions (72.6%) followed by state positions (12%). Nearly one-half of the respondents are administrators (47.9%) Based on results to date, the following items were identified as areas of need regarding research or information that would be helpful in fulfilling your job responsibilities on a daily basis:

- Data-informed decision-making (46%)
- Issues related to universal design for learning and assistive technology (44.4%)
- Co-teaching and inclusion (41.1%)
- Financial/budget (37.1%)

When asked to indicate areas that were of greatest concern, Results-Driven Accountability was selected as highest in priority of concern, taking 1st and 2nd place. Special Education Law ranked 3rd in priority of concern followed by Monitoring Use of Evidence-Based Practices and Data-Informed Decision-Making.

The BOD Members were asked to examine the top 5 areas listed above and, via focus groups, provide comments regarding the findings thus far. Several comments that emerged were related to concern about fidelity of implementation relevant to RDA and a desire to be informed of more specifics and next steps for RDA. Comments from varying focus groups suggested that additional information about RDA is needed across the CASE membership and were connected to making sure CASE can provide a strong knowledge base and support regarding evidence-based and research-informed decision-making relevant to (a) providing effective ways for districts to be able to implement fidelity, (b) making sure building administrators and leadership at the campus level are well-informed and capable of ensuring fidelity of implementation effectively, and (c) asking for more information that answers the question, “What does fidelity look like?”, such as the provision of a rubric.

It should be noted that the Winter Hybrid Conference will be focusing on Results-Driven Accountability and the information provided by CASE members will help the Professional Development Committee and Product and Publications Review Committee as well as the Research Committee and Policy and Legislation Committee in preparing for this conference and future research projects/activities.

If you have not completed the CASE 2014 Survey, please do so now to strengthen our understanding and accuracy of your needs! More detailed information regarding the CASE 2013 IDEA Reauthorization Survey and CASE 2014 Research Survey will be forthcoming.
For the products side of the Publications and Products Review (PPR) committee, the CASE Board of Directors (BOD) were asked to turn to page eight in The Council of Administrators of Special Education, Inc. 2014 Biennial Report where Goal #Six of the CASE Strategic Plan was highlighted. The BOD was directed to page 36 to briefly review the current chart of CASE Endorsed Products. After considerable discussion about the endorsement process, each table was asked to complete two tasks:

1. At this time, the Publications and Products Review (PPR) committee reviews evidenced-based products (i.e., instruction materials for students and data management systems for teachers and administrators) for a CASE Endorsement. Please provide a compelling why CASE should consider expanding the recommendation process to services (e.g., online speech and language services, residential placements).

2. One of the goals the PPR committee has not adequately addressed is to create a forum of representatives from CASE, Vendors, and Higher Education to bridge the gap between products not yet on the drawing board and what our members, in fact, need. Please

(a) begin with the why and provide a rationale for this goal,
(b) explain how this goal can be accomplished in a feasible manner, and
(c) generate a list of some products that could/should be considered for this project.

These activities generated much discussion with the emphasis placed on activity #1. The responses were provided in written form and were used for discussions and decision-making during the two-day work sessions for the PPR committee during the conference.

### CASE Calendar of Events

**February 19-20, 2015**
4th Annual CASE Winter Hybrid Conference, Black Canyon Conference Center, Phoenix, AZ
Contact: Luann Purcell, Executive Director, 478-333-6892, email lpurcell@casecec.org or website: www.casecec.org

**April 8-11, 2015**
CEC Convention: San Diego....Tuesday, April 7: Executive Committee Meeting; Wednesday, April 8: Joint Member and Board of Directors Meeting; Thursday, April 9: CASE Showcase Session and CASE NIGHT....
CASE Night tickets will go on sale February 1, 2015 at www.casecec.org

**July 12-15, 2015**
13TH Annual CASE Educational Legislative Leadership Seminar, Hilton Alexandria Old Town, VA
Contact: Luann Purcell, Executive Director, 478-333-6892, email lpurcell@casecec.org or website: www.casecec.org

**October 28-29, 2015**
CASE Board of Directors Fall Meeting, Hyatt Regency, Atlanta, GA
Contact: Luann Purcell, Executive Director, 478-333-6892, email lpurcell@casecec.org or website: www.casecec.org

**October 29-31, 2015**
26th Annual CASE Fall Conference, Hyatt Regency, Atlanta, GA
Contact: Luann Purcell, Executive Director, 478-333-6892, email lpurcell@casecec.org or website: www.casecec.org
In CASE

LEGAL INITIATIVES

PHYLLIS WOLFRAM, POLICY AND LEGISLATIVE CHAIR

The CASE Policy and Legislative Committee is currently working on two primary initiatives over the next couple of months. The first initiative is the development of a Legislative Platform that will provide CASE members access to vital information when dealing with these legislative issues in your respective states. At the fall Board of Directors meeting, CASE leaders representing over 35 states provided input on the development of the CASE Legislative Platform. The following topics were agreed upon by the Board of Directors as issues that will be addressed for 2014-2015:

1) Access to Mental Health Services
2) Bullying and School Violence (with respect to individuals with disabilities)
3) Dispute Resolution
4) Early Childhood Education
5) ESEA and IDEA Alignment
6) Funding and MOE
7) RDA – Results Driven Accountability
8) Seclusion and Restraint
9) Vouchers

The goal of the committee is to develop key talking points for each area as well as research and resource information to utilize with your advocacy efforts. This information will be posted on the CASE website in January 2015.

The second initiative involves crafting a response to the U.S. Government Accountability Office (GAO) regarding their request for information on the administrative requirements and paperwork required of the IDEA. Once again the CASE Board of Directors had opportunity to provide feedback directly to representatives from the GAO. The GAO is an independent, nonpartisan agency that works for Congress. Often called the “congressional watchdog,” The GAO investigates how the federal government spends taxpayer dollars and runs programs. GAO’s work leads to laws and acts that improve government operations, saving the government and taxpayers billions of dollars.

The following questions were presented to the CASE Board of Directors by three representatives from the GAO as part of the Fall Conference:

1. What (if anything) have you heard from your membership on how burdensome IDEA paperwork is on for them? Has this changed over time?
2. Are you aware of any states or school districts that are using the “model forms” that the Department of Education was required to develop following the 2004 reauthorization of IDEA? (IEP, consent, and procedural safeguards) What are some reasons why they may have chosen not to adopt them?
3. How did your members react to the pilot programs that were included in the 2004 reauthorization (i.e., multi-year IEPs, paperwork waivers)?
4. Are there any IDEA paperwork requirements that you believe to be unnecessary, or overly burdensome? If so, which ones and why?
5. Are you aware of any “model practices” for streamlining paperwork? (e.g., use of software, use of goal-banks for IEP formulation, IEP amendment or processing methods, etc.)
6. We are considering using focus groups or structured interviews with stakeholder groups as a key method for this review. Would any of your members be interested in participating?
7. Are there any associations representing other stakeholders that we should contact?

The Policy and Legislative Committee facilitated the Q & A session and will be drafting a final response for each question. In addition, information regarding specific requirements and their direct correlation to the provision of FAPE will be presented in the CASE written response to the GAO.

Members of the CASE Policy and Legislative Committee currently serving:

Maureen Burness, California
Susanne Carrescia, Illinois
Kathy Fortino, Michigan
Janna Lilly, Texas
Erin Maguire, Vermont
Joan McCormick, Indiana
Wendy Rogers, Mississippi
Jennifer Scott-Burton, Michigan
Jerry Hime, California, Consultant
Phyllis Wolfram, Missouri, Chair
As we enter into another New Year “2015”, I find myself reflecting on the work accomplished and what lies ahead for our organization. I am at the midpoint of my final year as the Case Unit Representative. The past 2 ½ years have been a professionally enlightening and rewarding experience. I have had the opportunity to meet and work with some of the most committed and talented individuals in the field of special education. Our units are currently represented by a committee of special education leaders from across the country: Dr. Sheila Bailey, Chairperson, VA, Mr. Lee Frye, NE, Dr. Maria Rascon, AZ, Dr. Bonnie Seery, GA, Ms. Carolyn Smith-Gerdes, MI, and Ms. Marylou Wall, VA. As the chairperson, I could not have worked with a more committed group of professionals who gave freely of their time and expertise to meet the goals of our committee.

This year I am pleased to report that the CASE Annual Report was submitted by all units 100% electronically! This is very exciting because committee members can spend quality time reading, evaluating and scoring each eligible report for the awards which will be presented at the Council for Exceptional Children Conference in San Diego in April 2015. To be considered for an award, unit must first meet the June 30th deadline for report submission. Next, the report must reflect the desire to be considered for an award. The Unit Committee recommends recipients of the following awards: Membership, Communications, Professional Development, Awards, Legislative and the Exemplary Unit Award. Each award is presented to the unit whose achievement and work in that area signifies a higher level of achievement. The unit that receives the Exemplary Unit Award has demonstrated excellence across each of the domains on the rubric.

The presentation of the awards is an exciting time at our Board of Director’s Meeting each year at CEC. The committee is currently reading and scoring the reports submitted on or before June 30, 2014. We are looking forward to the excitement, anticipation and satisfaction enjoyed by the units who will be the recipients of this year’s awards. We hope all units will be encouraged and inspired to document all of their great achievements throughout the year. If you are not doing so, please keep a record of all that you are doing for the June 30, 2015 submission. If you are keeping those great records, please continue to maintain your efforts. The unit committee looks forward reading all about your outstanding efforts and achievements!

As a final thought, the New Unit Representative for CASE will be voted on this winter by the Board of Directors. I am confident that the wonderful work will continue and I look forward to supporting that person as the transition is accomplished. I am certain that the next individual to be elected will bring great ideas for further advancement of our beloved organization as we strive to reach even greater heights!
A New IDEA in LEADERSHIP!

Fear and Pride—Deterrents to Service

By Dennis Hooper, copyright © 2014, published in the Oct, Nov, Dec 2014 issue of the “In CASE” Newsletter

Have you ever felt inadequate? Maybe it was just before some significant event, and you were wondering whether you would survive the stress. Or maybe it was just after some situation where you really blew it—and you wondered if you’d ever be able to show your face again!

Maybe you’ve never allowed yourself to admit this common human experience, a feeling of hopelessness. We usually don’t share our shortcomings publicly. But if you open yourself privately, someone who loves and accepts you will provide the support necessary to see you through the angst.

The Bible tells us repeatedly “Do not be afraid!” Still, fear is common among us humans. Fear is often associated with some kind of loss—loss of power, position, status or prestige; loss of respect, loss of turf, loss of security, loss of health, loss of face, etc. Your experiences could probably add several others. Further, think of the various losses imagined by individuals you’ve counseled.

A surprising relative of fear is pride. Many prideful people call it confidence. Many of the people who have to live or work with prideful people call it haughtiness or arrogance.

I sought counsel from colleagues about individuals who seemed prideful to the point of cockiness. All who had experience with such an individual felt (or knew because of disclosures made by the individuals) that the behaviors were a cover for some kind of fear.

Both fear and pride come from an underlying focus on self and a concern for what others think of you. They stem from playing to some audience other than God—your boss, your spouse, your neighbors, your friends, your competitors, your direct reports, etc.

Both fear and pride separate us from others. We compare ourselves, and we’re rarely happy with the outcome. If we judge ourselves superior, we’re not sure we deserve it. If we are inadequate by comparison, we’ve confirmed our fears and we know our pride is a lie. Sometimes it feels like you just can’t win. And “winning” is important to all of us, isn’t it?

There IS another option. 2 Corinthians 3:5 says that we are not “adequate in ourselves, but our adequacy is from God.” (New American Standard Bible) Acknowledging the truth, God is the source of all that we are, every gift that we are able to contribute, and every opportunity we have to serve. We have no legitimate right to be filled with pride or fear. They are insidious obstructers to our humbly serving others.

If we are good at some skill, God gave us that ability and allowed us, through our ability to choose, the option to develop it beyond a primitive level. Teachers came into our lives and influenced us in the ways we should go. God has provided each of us unique abilities and opportunities to use our strengths to serve others.

Consider your strengths. What is their source? Inheritance? Environment? You had no control over your selection of ancestors or your early childhood guidance. You did not consciously select most of the teachers who influenced your interests. Do you think they just appeared in your life by accident?

Maybe you don’t even believe in God. Maybe all this talk about a Messiah’s birth in a stable is something you’ve not investigated. Maybe this is the year you’ll go to someone you trust, someone who seems to have more faith than either fear or pride, and start seeking some answers.

It may be too late to provide this Christmas gift to your leadership team, but you could certainly consider it as a New Year’s learning project. The Lead Like Jesus study guide is an excellent resource for collectively building your skills with your colleagues. Authored by Ken Blanchard, Lee Ross, Phil Hodges, and Avery Willis, it is a superb learning source about the healthy alternatives to inadequacy, fear, and pride.

If you would like guidance on how to conduct a study group with your team, contact me. I’ll provide a simple one-pager to get you started. It’s a great way for your stronger team members to support, encourage, and provide practical guidance for the rest of the team.

Dennis Hooper is an executive coach in Atlanta. His website is www.buildingfutureleaders.com. He welcomes your comments and questions at dennis@buildingfutureleaders.com or 404-575-3050.

Editor’s Note: Dennis Hooper has been publishing articles on the topic of leadership for the past twelve years. He sends copies of his biweekly articles to interested readers. If his articles in our newsletter are of value to you, contact Dennis and ask him to add you to his distribution list.
Need membership for more than just yourself? Consider the new CEC School/School District Membership Package!

This package is designed for purchase at the school level to support and engage classroom teachers.

A School/School District Membership Package includes:

- Premier Membership with CASE division membership for one administrator.
- Basic Membership for five teachers/professionals.
- Two registrations for the CEC Annual Convention & Expo.

Get your school or district started with CEC membership for only $1,300. With this package, you’ll receive a savings of more than $300!

CEC School/School District Membership Packages – Available NOW!

Senator Alexander has announced his intention to move quickly to reauthorize the ESEA, a process which should have been completed in 2007. His staff is in place and already working to draft a bill, with the goal of having the legislation before the HELP Committee by early February. They have begun their discussions with a bill the Senator introduced last year titled the Every Child Ready for College or Career Act. That bill only looked at parts of the ESEA, whereas the bill Alexander will introduce in this Congress is expected to be a full reauthorization. In contrast to Every Child Ready, last year’s Democratic majority bill was extensive. Most likely the new legislation will fall somewhere in between.

Alexander says he will continue to focus on the same principles he enunciated in Every Child Ready and other pieces of education legislation. Those principles include more State and local control of education, high standards and quality assessments, and no “national school board” mandates. As an example of the “national school board” concept, last year’s bill eliminated the federal mandates for States and local districts to identify low-performing schools and adopt one of several turnaround models. Instead, the bill asked States to develop their own methods of identifying...
schools in need of assistance and local districts to come up with improvement strategies. Along with these proposed changes to current law, Senator Alexander will look to rein in the authority the Secretary of Education has used to grant waivers of ESEA regulations. While Alexander recognizes the role of the Department of Education in implementing the ESEA, he will look more closely at where congressional and implementation or regulatory authority should be distinguished.

He also supports more school choices for low-income families, more freedom for teachers and principals, and greater flexibility in spending federal funds. Last year’s bill consolidated 62 federal programs into two block grants. Thus far, he has not stated whether he will include the same in a new bill. However, the Republican philosophy of streamlining and providing greater flexibility to States and local districts would suggest we will once again see a move to consolidate and eliminate programs.

Regarding process, Senate staff has said they expect to have several ESEA hearings in January, but the topics have yet to be determined. They will probably begin with a hearing that outlines their principles for the reauthorization and may also look at some specific issues such as over-testing and teacher preparation. While the Republican staff has not had formal discussions with the Democrats, it is expected those talks will get underway shortly.

Representative John Kline (R-MN) will continue as chairman of the House Education and the Workforce Committee. Joining him as ranking member will be Representative Bobby Scott (D-VA). The Democrats will need to fill a number of slots vacated through retirement, losses in the recent election, and other attrition. The Republicans also have several seats to fill. The House committee generally has been more conservative than the Senate, with less bipartisanship. Regarding ESEA, Mr. Kline appears to be watching and waiting to see how things go in the Senate. Most likely, he will reintroduce or at least begin the reauthorization discussions with the House bills passed in the last Congress.

The question many of you may be asking after this long explanation is whether or not we will actually see an ESEA bill signed into law this year. Much depends on how well the parties work together, what agendas individual members inject into the discussions, and whether the leadership will schedule floor time to fully debate the bill. This author can only say that at least the Senate seems to be starting off on the right foot!

********************************************************************************

Myrna Mandlawitz, president of MRM Associates, LLC, a legislative consulting firm in Washington, DC, represents a number of national associations as a consultant and lobbyist on a broad range of general and special education issues. She has written extensively and presented across the country on special education law and policy and previously served as the Director of Government Relations for the National Association of State Directors of Special Education.

RTI Toolkit Developed by NCLD, CASE, NASDSE, and NASP

CASE has worked hard to develop meaningful partnerships with other professional associations. A very tangible example of the payoff for our members on these partnerships is the RTI Toolkit (http://rtinetwork.org/getstarted/sld-identification-toolkit)! CASE partnered with the National Center for Learning Disabilities (NCLD), National Association of State Directors of Special Education (NASDSE), and the National Association of School Psychologists (NASP) to do a national roundtable in NY October of 2013. The CASE representatives were then president, Laurie VanderPloeg (MI) and Policy chair, Phyllis Wolfram (MO).

After work, re-work, and even more work, the toolkit is live and a great resource for our schools and districts! The website http://rtinetwork.org/getstarted/sld-identification-toolkit has all the content and the worksheet! There was a webinar Tuesday, December 9, 2014 featuring the organizations involved in this partnership in a panel discussion. Panelist included Dr. Steve Kukic as moderator, Drs. Jim Wendorf (NCLD), Bill East (NASDES), Luann Purcell (CASE), Susan Gorin (NASP) as well as Candace Cortiella (The Advocacy Institute), one of the major writers.

If you missed the live webinar you can listen to the recording by going to http://youtu.be/c5miDBxPVqA! Be sure you take advantage of this great TOOLKIT!
NOMINATION FOR CASE AWARD (CHECK ONE)

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* not necessary for Outstanding Service to CASE Award—ALL OTHERS MUST BE MEMBER OF CASE

Nomination endorsement (if applicable)

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Signature of Nominator

Include a narrative describing each of the following areas—attach additional pages as needed. In addition, please request a vita of the nominee. Note: The vita is a separate document and is to verify the information in the narrative.

**Professional Memberships And Activities**
List memberships, offices, committees, and other activities in all professional organizations. (0-3 points for CEC/CASE and 0-2 points for other organizations)

**Innovation And Contributions To Special Education/Case**
Describe innovative and effective programs with which the nominee has been involved and indicate how those programs have positively influenced the field of special education administration. Examples of research and/or publications, which have contributed to the body of knowledge in special education, may be cited. Of particular note will be efforts that resulted in long-term impact rather than short-term projects. (0-10 points)

**Impact On Administrator Preparation And/Or Quality Of Services To Exceptional Children**
Describe accomplishments of the nominee in the administration of special education programs or in the preparation of special education administrators. Indicate how the accomplishments have impacted/improved services to exceptional children. (0-10 points)

**Additional Education-Related And/Or Community**
Provide any additional information which would support citing the career of the nominee, but which does not relate directly to the previous sections. Other honors or awards (with dates) may be noted. (0-5 points)

RETURN FORM TO:
Emilie Anderson Maule, Membership Chair
emand2121@yahoo.com
19693 Larpenteur Memorial Rd.
Turin, IA 51040
Cell: 406 544-3288

Electronic submission of nomination information is preferred
Deadline for submission is December 31, 2014
EXCEPT “G” Award—Deadline is October 31, 2014
CASE Executive Committee 2014-2015

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