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Just as important: Understanding the special education system

BY LEA KOPKE STAFF WRITER

BROWN COUNTY - IEP, 504, LEA, IDEA, FAPE, IEE.

These are a mere taste of the alphabet soup that makes up the special education system in Wisconsin.

Parents of children with disabilities must become connoisseurs of the dish to fully understand what supports are available to their children and how they can ensure their needs are met.

Tammy Nicholson, Ashwaubenon's director of pupil services, said districts try to simplify the special education system for parents by breaking it down into steps.

"I would say if I were a parent not knowing anything about special ed, I would find it, possibly, to be challenging at times, just because we have to follow so many federal guidelines around timelines," Nicholson said. "The process can be very confusing."

To better navigate the process, she said it's important to first have a basic understanding of the big picture.

The basics

The roughly 6,000 special education students in Brown County public schools have different needs.

Jennifer Garceau, Howard-Suamico's student ser-

vices director, said districts are required to meet each student's unique needs by offering whatever services are necessary for student success.

Districts use a variety of supporting professionals, including special education teachers and aides, occupational therapists, physical therapists, psychologists, speech and language pathologists and more to meet these needs.

"It is really a spectrum of services from very restric-

tive, which is based on (a student's) needs, and they may need a lot of support to, you know, they are very independent and they just need minimal support," Garceau said.

Nicholson said it's important not to consider special education students as an entirely separate category.

"The student is a regular ed student first who has some additional needs that might need to go out or have a special ed teach-

er come in for a service," Nicholson said. "Just like students who may have any other need - diabetic needs, health needs, medical needs."

She said districts begin by placing students in the least restrictive method of delivery, which is in a general education classroom.

From that point, she said, students can move into a more collaborative setting, where general education teachers sometimes co-teach with special education teachers or aides.

This is sometimes done in collaborative classrooms, where the class is equal parts general education and special education students.

Students who require additional services may be pulled out of general education classrooms for specialized instruction or an alternative curriculum at points throughout the day.

"Sometimes families

Parents with students in special education programs need to familiarize themselves with a series of acronyms which reference federal and state mandates to help them through what can often be an arduous process. Press Times Photo Illustration

think having (an aide) in the classroom with the student, working with them all day, is least restrictive," Nicholson said. "That is actually one of our most restrictive environments that we have because those students are not able to work independently then and function outside of that individual, and become very adult-dependent."

She said while districts try to put kids in the least-restrictive environment possible, they also make sure a student is not put in a co-teaching environment simply because a school has the resources.

"We want to make sure it is going to be the right fit for the students as well," Nicholson said. "So it really comes down to: What does that student's (Individualized Education Plan (IEP)) look like? What does it lay out? And what is the best environment for them? And we try and fit our staffing needs to what we have with our students."

A plan of action

To determine the resources a special education student needs, each student receives a specialized plan for learning, known as an IEP.

Patti Williams, an assistant director of special education at the Wisconsin Department of Public Instruction (DPI), said the

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Kramer accused of forgery

BY KEVIN BONESKE STAFF WRITER

HOBART - Village Administrator Aaron Kramer has been charged in Brown County Circuit Court with a misdemeanor count of being party to the crime of forgery after he allegedly directed a clerk last year to forge the name of the sitting municipal judge to remove a substitute judge.

If convicted, Kramer, who has an initial appearance and a plea/sentencing hearing scheduled for Sept. 16, could be sentenced to up to nine months in jail and/or fined up to \$10,000.

According to the court complaint, which was filed Aug. 19, an outside agency requested the Appleton Police Department to conduct an investigation into allegations of misconduct in office involving Kramer.

He is accused of directing the clerk, identified as "RS" in court records, to remove Carley Windorff as a substitute judge for Robert VanLanen, then the Hobart/Lawrence municipal judge, without VanLanen's knowledge or consent.

On Feb. 13, 2020, the complaint states, VanLanen requested Windorff, an attorney, to fill in for him during a medical leave. He signed an application, which was submitted to the 8th Judicial District for approval.

The complaint further states the application was approved electronically March 2, 2020, by 8th Judicial District Court Administrator Thomas Schappa.

On May 14, 2020, the complaint states, Kramer

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purpose of an IEP is to design an education plan which enables a child to make progress toward his or her own goals and general education curriculum goals.

The IEP process is dictated by the 1975 federal Individuals with Disabilities Education Act (IDEA) and Chapter 115 of Wisconsin State Statutes.

Williams said IDEA was enacted because students with disabilities were being excluded from public schools.

"I see it as civil rights litigation in that it protects children with disabilities and it guarantees them access and a free appropriate public education (FAPE)," she said.

Williams said IDEA requirements have three main parts.

The first, she said, is referred to as Child Find, which identifies students who have a disability.

Each district is required to display the Child Find process on its website.

Williams said the evaluation process is typically initiated by a referral from a teacher or doctor, but can also come from parental request.

A notice of the referral is then sent to the student's parents by the district, and an IEP team is put together.

According to WI Statute 115.78(1m), an IEP team consists of a student's parents, at least one special education teacher, a local education authority (LEA) representative and, when appropriate, a general education teacher and the child.



In many classrooms across Greater Green Bay districts strive to implement an inclusive approach. In these classrooms, general education students share space and lessons with special education students who are sometimes accompanied by aides or additional teachers.

Anastasia Geigel Photo

The LEA - typically a school principal or student services director - conducts IEP team meetings, directs reevaluations as needed and ensures students' federally-mandated needs are met.

After receiving parental consent, a district conducts evaluations and schedules an IEP team meeting to determine whether a student is eligible for special education services.

Williams said the decision is determined based on two questions: Does a student meet one of 12 Wisconsin disability categories? And if so, does the student need specifically-designed instruction?

If a parent doesn't agree with the findings of the evaluation, he or she can ask for an independent education evaluation (IEE), where someone outside of the district conducts a reevaluation.

Claudia Henrikson, Green Bay's executive di-

rector of student services, said Brown County school districts often refer parents to staff from nearby districts for IEEs.

"When parents have asked for IEE, we've also shared staff," Henrikson said. "So we say, 'Do you have anyone who would do this for our district?' because it is somebody outside of our district, and we just don't have many people hanging out, waiting to do IEEs."

Amy Schuh, West De Pere's director of student services, said she sees many families who seek some sort of evaluation outside of the district.

"It's important to note that in those cases the students are often given medical diagnoses that sometimes don't translate into an educational disability area," Schuh said. "Just because they have a medical diagnosis, doesn't mean that it is an automatic educational disability."

She said some parents can become frustrated when a district finds their child doesn't qualify for special education services, especially when they don't understand the ways district decisions are tied

to mandates.

If the team determines special education services are necessary, they move on to the next step - developing an IEP and implementing it to provide FAPE to that student.

"That program is designed to ensure that child receives the services and supports necessary to enable them to make progress towards a general education curriculum," Williams said. "That's progress that's appropriate in light of a student's circumstances."

She said supports include specially-designed instruction, accommodations in the general education classroom and other related services like occupational therapy and physical therapy.

The third part is placement, or the IDEA requirement that students with disabilities are educated with their typical peers to the maximum extent possible.

"So (IDEA is) looking at those supports that can be provided so that they can be educated in the general education classroom with their non-disabled peers," Williams said.

If a parent believes his

or her child's needs are not being met by their IEP, Williams said the first step should almost always be to bring the concerns to the district's director of special education.

If it's not settled at the district level, she said special education disputes can be resolved through three methods mandated under state and federal law.

First, Williams said parents can file a written IDEA complaint within one year of the date the allegation occurred.

The complaint is assigned to an investigator, who will make a decision within 60 days.

If the investigator finds noncompliance in the implementation or development of the IEP, then corrective action is ordered.

Second, she said parents can use the Wisconsin Special Education Mediation System, a program supported through grant money from the DPI's federal discretionary dollars. The parties sit down with a mediator to help them reach an agreement, which is legally binding.

Third is a due process hearing request through the Division of Hearing and Appeals, which Williams said is the most formal way of resolving a dispute.

An administrative law judge conducts the hearing, where the party bringing the complaint has the burden of proof, or requirement to bring forth enough evidence to support the claims.

504 plans

Not every child with a disability receives an IEP. Students whose needs don't require services from a special education program, but who still require extra support, can instead receive a 504 plan.

The plan comes from Section 504 of the 1973 federal Rehabilitation Act,

which prohibits discrimination against people who have disabilities and requires students receive accommodating services in the public school environment.

Williams said unlike IDEA, Section 504 gives students accommodating services without specially-designed instruction.

"So if there's certain accommodations you need, for example, a longer time to take a test or longer time to do particular assignments and things like that, you may be eligible (for a 504)," she said.

She said there are no specific disability categories under 504, and programs are less regulated than IDEA.

A school district is required to provide FAPE to any student with a physical or mental impairment which substantially limits one or more major life activities.

Garceau said across the Greater Green Bay area, districts generally have more students with IEPs than 504s, but in recent years districts have seen an increase in 504s.

"I don't know the reason for that," she said. "I just think that some students may be struggling in certain areas, they might have a documented disability, and therefore qualify for some interventions or accommodations that don't require an IEP."

A changing landscape

Though the laws regarding special education and students with disabilities have remained largely the same, the interpretation and implementation of these laws has seen changes over the years.

Williams said in the past 20 years she's seen school districts begin to focus more on the individual needs of

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students, which she said is a positive change.

In addition to using IEPs to address student needs, she said districts have begun to do more progress monitoring.

"If the student is failing to make progress," Williams said, "Meeting again to have that IEP team digging deeper to really continue to ensure that the student is making progress and that the goals and what's being worked on is really addressing the student needs."

She said this change is in part due to the 2017 *Endrew F. v. Douglas County School District* U.S. Supreme Court decision, which looked at the meaning of FAPE and highlighted the importance of looking at student progress.

Julia Hartwig, Wisconsin DPI special education director, said there's been fluctuations on the emphasis on inclusionary practices, through co-teaching and other mechanisms, which she said is a positive change.

Henrickson said in many of her district's models, co-teaching of some form is used.

Henrickson said if a district population is 15% children with disabilities, only 15% of students in a class should have disabilities, a task which requires more support staff like paraprofessionals.

"In the '80s and '90s, probably even in the 2000s, a lot of districts weren't doing it," she said. "They were stacking one class with all



the special ed kids, so the teachers didn't have to go to as many. But as we've learned, we started to do it in more natural settings to have less students with disabilities in one class with one teacher who says, 'Yes.'"

Brown County districts have also become more collaborative over the years.

Garceau said the team of Brown County student service directors meets monthly and emails weekly, if not daily.

Schuh said districts share resources as well to not only be collaborative, but fiscally responsible.

"For example, we have a transition program where we partner with (Northeast Wisconsin Technical College), and West De Pere and De Pere share transportation to get our kids out to NWTCC," she said.

In addition, Ashwaubenton and West De Pere share a sign language translator, and Howard-Suamico and Ashwaubenton have shared a physical therapist.

Nicholson said when students move between districts, directors pass on information and advice to help ease the transition process.

"So we get on the phone right away saying, 'Hey, what can you tell us? What can we set up to make sure when that student comes in that we can hit the ground running

Next week: Early education odyssey

Next week's issue will feature the second installment in this six-part series on special education.

The story takes readers through the obstacles, successes and resources available to families as they navigate enrollment in special education programs starting from birth and moving through elementary school.

to really meet the students needs where they are at?" she said. "So that has been really huge for us, especially if it is a high-needs student."

Nicholson said the districts collaborate and look out for each other to best serve the needs of students.

Williams said a student's special education experience can make a real impact in his or her life.

"I've seen evidence of that over and over again," she said. "Where when students are receiving the services they need because of their disability, they are able to make progress in a way that really makes a difference."

Press Times Staff Writer Heather Graves contributed to this story.

This story was produced by the NEW News Lab, a collaboration of newsrooms that focuses on issues important to Northeast Wisconsin.

Green Bay partners for kindergarten readiness program

BY HEATHER GRAVES
STAFF WRITER

GREEN BAY – Entering kindergarten with the tools and knowledge to hit the ground running is the goal of all parents, teachers and school districts.

The Green Bay school district is partnering with Waterford Upstart, a national academic readiness organization, in an effort to help assist families accomplish just that.

Green Bay Director of Communications Lori Blakeslee said Green Bay is one of only six districts in the state selected by the Department of Public Instruction – three urban and three rural – to participate in the program.

"Families have the opportunity to sign up for the independent program and complete the work outside of the school day," she said.

Blakeslee said the pro-

gram aims to provide children – enrolled in 4K or Head Start – with additional help in reading, math and science.

"It extends the literacy and phonics exposure of children beyond what they are learning in our schools," she said.

The program includes instruction, 15-20 minutes per day, five days per week, geared toward preparing children for kindergarten.

Participating students will receive a computer from Waterford and internet services, if needed, free of charge.

"At the successful completion of the program, families can keep the device," Blakeslee said.

The program consists of hundreds of hours of instruction with an individualized learning path to build on strengths, knowledge and skills.

According to Waterford,

each family is paired with a licensed early education professional and a family educational liaison.

The program also includes what Waterford refers to as "adaptive programming" to give each enrolled student an individual experience and gear learning toward their individual needs.

Blakeslee said the district will distribute flyers to all district 4K and Head Start families, however, everything else is done directly through Waterford.

Parents can monitor their child's progress through Waterford Mentor, a website and mobile app.

Blakeslee said families can contact Waterford Upstart directly to enroll or ask further questions about the program.

More information can be found on the district's website.

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ACROSS

- The American Tribal Love-Rock Musical
- Hallucinogenic drug
- Some special effects, acr.
- Chip in Vegas
- Cordelia's father in Shakespeare play
- One in squirrel's stash
- Dissenting clique
- Tangerine/grapefruit hybrid
- Type of lemur
- *Popular messenger
- Mosque prayer leader
- Down Under marsupial
- Thanksgiving serving
- *100 days of snapping, e.g.
- Military's inactive force
- Repeated Cuban dance step
- The Kinks' lead singer, a.k.a. godfather of Britpop
- Late December season
- Rough, as in voice
- Chop off
- Stephen King's "The _____"
- "Do _____ others..."
- Strep throat organ
- File a suit
- Sewing pearls on a wedding gown, e.g.
- One with authority
- Army bed
- Space path
- Law school test acronym
- *Unique social media identifier
- Latin dance
- "Place" in French
- Sacred Hindu writings
- Post-mortem bios
- Actress Campbell
- African chieftain
- Recipe amt.
- Nirvana's "Come as You _____"
- Badger's den

DOWN

- Current tense of "had"
- All over again
- Eczema symptom
- Second shot
- Corporate department
- Salpae, sing.
- Type of coffee maker

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- Bootlicker
- Da, to a Russian
- *Done to social media past before applying for job?
- Feudal lord
- Haile Selassie's disciple
- Gym exercises
- Comedy Central's "critique"
- Dolby Theatre to Oscars
- Often considered wise
- *Video blog
- Charge carrier
- *Audio series
- Killed, like dragon
- Big bang maker
- Permeate
- I to Greeks, pl.
- Sheet music line, pl.
- Basketry stick
- Clark Kent actor Christopher
- Black, yellow and chocolate dogs
- Parking spot for a boat
- Bone in human forearm
- *Bernie wearing mittens, e.g.
- *Do this before posting?
- Chronic drinker
- It's open to interpretation

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