

Dear Last Resort: An Advice Column***Beth Morris and Reagan Sauls, Harben, Hartley & Hawkins LLC***

Today's addition of Dear Last Resort covers questions from a few Special Education directors at their wits end because why else would they write us? Our questions come from folks on the front lines with nowhere else to go. We hope some of their questions help you not be as overwhelmed and to know you are not alone out there with data in your eye and service animals at your door.

Dear Last Resort,

A student in our system has alleged that he is bullied by another student in the school. While the student has an IEP, this does not really fall under my purview, does it? Should I just refer it to the school administrator and stay in my lane? Focus on special education services and supports? Frankly, I have enough on my plate already!

***Sincerely,
Overworked and Overwhelmed***

Dear Overwhelmed,

I know that usually these issues come up in a whirlwind of other issues, but try to take one step at a time and hopefully you will weather this storm too. Take a deep breath. First, it is important to make sure that your district continues to comply with state requirements and your district policy regarding bullying and harassment. Ensure that those involved follow your district procedures regarding bullying investigations and make a determination about whether the actions involved were bullying. Where there has been a finding that a student who is protected under Section 504 or IDEA has been bullied after an investigation (which includes notice to the parents of this student), OCR requires an additional step for these students. The District should have or create procedures to help ensure that collaboration and a subsequent decision is made regarding the student's needs related to his or her disability and the potential impact that the bullying might have had. An administrator or designee should coordinate between the central office and the school to determine whether FAPE has been affected. If so an IEP/504 team should convene.

If there is a determination that a meeting should be held, proper notice for the meeting must be provided as it would with any other IEP or 504 meeting. At this meeting, the team determines whether, as a result of bullying/harassment, the student's needs have changed and whether the IEP or 504 plan is no longer providing "meaningful education benefit." The questions asked by the team during that meeting should be the following:

- ◆ Have the student's educational needs changed?
- ◆ Did the bullying impact the student's receipt of services or accommodations under IDEA or Section 504?
- ◆ Are additional or different services needed?

If the team answers yes to any of the above questions, the plan likely needs to be modified to reflect changes necessary to address the concerns. Document all services put in place due to this bullying, including, but not limited to, follow up with the student regarding the behavior, moving the bully from the class or activity, counseling for the student, training for staff, and/or anything the team determines is necessary for FAPE. Because documentation is so key in bullying and harassment cases, the IEP or 504 plan is the perfect place to document the actions that are being taken to address the bullying and to help ensure that those measures are followed up on at the local level.

Dear Last Resort,

Two students in my district have requested that animals accompany them to school. One is Max the Gecko and the other is Goat the Golden Retriever. Seriously, the dog's name is goat because he eats everything. The first student explained that Max is a service animal who helps the student with his anxiety. I am worried that the gecko will creep out some of the students and crawl all over the class. The second student is four years old and his family has explained that he requires the dog, but it's sort of unclear why. Also, I have heard that there is a student who is allergic to dogs in this student's class. I have so many questions, but will try to address just a few to you here. Will the student put these animals on a leash? Can we make sure they are vaccinated and have proper training and licenses? How do we address the dog allergy and fears of dogs and lizards? Do we have to feed them and walk them? Do you even walk a gecko? I know I often complained that work was a "zoo," but now it's really starting to feel like it. Help!

***Sincerely,
The Zookeeper***

Dear Zookeeper,

While you are probably questioning what in education could possibly have prepared you for tending to animals in the schools setting, it is probably time for you to become familiar with the requirements under ADA and IDEA related to service animals so that when one does make its appearance in your school district, you can respond appropriately. At the very least, it is important to understand the first steps to take when dealing with a request for a service animal.

First, determine if a student requires a service animal as an accommodation under IDEA. For this, you would consider this request just as you would any other accommodation a student may need for FAPE. It must be an IEP Team decision and the service animal should be necessary for the student to make educational progress. You can certainly consider whether the student's same needs can be met with other accommodations, or even less restrictive accommodations. Overall, you want to ensure that it is an individual determination based on the child's individual needs and that the reasons for that decision are documented by the child's IEP Team.

The second consideration is regardless of whether a student requires a service dog to make educational progress, a student might **still** be entitled to be accompanied by a dog at school through a different statute – the Americans with Disabilities Act ("ADA"). This entitlement is not necessarily an accommodation, but a civil right provided through ADA as part of its anti-discrimination provisions. Specifically, regulations to the ADA provide that "generally, a public entity shall modify its policies, practices, or procedures to permit the use of a service animal by an individual with a disability." 28 CFR § 35.136(a).

There are certain requirements under the ADA that we do not have time to cover in this article, but you certainly want to contact your school board attorney to discuss. You need to know that there are specific definitions for service animals. So, unfortunately, Max the Gecko will have to look at homeschooling. The statute specifically defines service animals and limits those animals to dogs (and sometimes miniature horses). Beyond that, however, the definition of a service animal is very broad. A “service animal” is “any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability. There are also specific acts that the ADA have specifically identified that do not constitute work or tasks and therefore, if a dog performs these acts alone, it would not constitute a service animal under the ADA. These are crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship.

If the Team determines that a service animal meets the definition under ADA and it is required, you may not require that it have any specific kind of training, certificate or licensure. You may require, however, that the dog's behavior comply with certain criteria. These include the handler maintaining control of the dog (and the District is not required to provide the handler) and the dog being housebroken. Decisions must be made regarding competing rights of other students. You may not prevent the student with the service dog from attending school or prevent the dog from attending school even if another student is allergic to it because this is not likely considered a direct threat to the health or safety of others. The school should take measures to accommodate both students including separating the students into different classes if they exist (it is likely that ADA was not thinking of our more rural school districts with one school, or one first grade classroom where these options are much more limited when they insisted that schools take such measures).

Most importantly, court cases have largely focused on the procedural aspect of whether the IEP Team has been willing to consider the service dog or instances when IEP Teams essentially stated, “we don't do that here.” This is, certainly, a complicated decision that should be made on a case by case basis.

Dear Last Resort,

My teachers have been keeping data. We are going to present it at an upcoming contentious IEP meeting, and I think it is good data – it includes whether the student is making progress on all goals and objectives, but now I am not so sure whether this is enough? I hear such horror stories from my friends in other districts. How can we tell if we are keeping the right sort of data? Is all data created equal?

Sincerely,

In Data Up to My Eyeballs

Dear Data in my Eye,

There are many elements that are important in defending any special education matter. However, the one component that is at the heart of all of the above elements, and is probably the most pervasive both leading up to a due process hearing and at the hearing, is data. At every meeting, in every complaint and included in every hearing is the underlying question of whether a student made or is making educational progress and at the heart of these questions is data. So, it is critical to know: Has data been collected? Is the data collected with fidelity? Does it show progress? Has the IEP been developed based on the data?

Legally, there is no specific requirement to take data for every student, for every aspect of his or her educational services – which is what it often feels like is being asked of educators now. But there are suggestions of its necessity and usefulness and increasing requests for data. Data continues to be key for

many special education students' programs. Fundamentally, measuring or showing progress alone suggests the use of data. And, while that progress can be demonstrated in many forms, there is increasing pressure to show that progress in data form because it is most objective and measurable.

Thus, it is important to be prepared to discuss data at the IEP meeting. When teachers and therapists cannot describe how data is taken or what the data means it undermines the creditability of the IEP Team as a whole. Raw data is complicated to understand and may need to be put in a more user-friendly format or properly explained to the parent to ensure appropriate parent participation. Even when two sets of data may technically show the same thing, the presentation alone can often help deter litigation. Generally, a lack of preparation and communication can convey indifference or incompetence. Utilizing data to back up subjective (albeit expert) observations about a child's capabilities and needs, with objective information, can often alleviate some of the tension.

Data also plays a vital role in driving the IEP. Because data that shows progress inevitably makes any program more defensible. Conversely, data that continues to indicate that a child is not making progress would obviously increase the likelihood of a hearing. When a student is not making progress we need to be able to explain why, or be able to point to overall progress despite a slump or discuss what to do differently. Likewise, incorrectly collected data, or improperly interpreted data, can lead an IEP Team and parent down the wrong road. This can result in an inappropriate placement, a lack of progress, or a parent claim that the data effectively denied the parent informed consent and participation in the IEP. So, data can certainly be a double-edged sword.

There has been a significant increase in parents and parent attorneys requesting various kinds of data collection and in ever-growing areas of a student's education. We are also seeing due process hearings become battles over interpretations of data. So, making sure that you are collecting data, when appropriate, ensuring that you are taking it with fidelity, and basing recommendations on it, will help decrease the chances of attacks on the services you provide and help ensure defensibility of your program.

Gold Dome Day



On February 21, 2017, G-CASE will partner with PAGE and GAEL for our annual *Gold Dome Day*. The morning session will include various speakers and legislators who will address the group regarding current educational legislative agenda items. Following lunch with the group, members will visit the Capitol to meet with their Representatives. If you are interested in attending, please register via the link below. If you have questions, please contact Tris Gilland (tgilland74@gmail.com).

Registration link: <https://pdoch.eventbrite.com>

Points to Ponder from the President



Time to Focus on the Legislative Horizon

By Jimmy Pitzer

I hope you all had a restful holiday break and you have returned to your district's eager to *make it happen* for students with disabilities in 2017! As you may recall, *Make It Happen* was the theme of our fall conference, and a great conference it was! Thank you all for your support. As we begin this new year, we turn our attention to making it happen in the Georgia General Assembly. As I write this article it is opening day of the General Assembly, and I think it is important for you to know what to expect as key issues for this year's legislative session. These issues were outlined in last week's *GAEL Capital Opinion*:

Failing Schools – How will we fix failing schools since the Opportunity School District Amendment failed to pass during the November election? Governor Deal announced in an interview quoted by the AJC his intention to prioritize new plans to intervene in struggling schools in wake of voter rejection of Amendment 1. The new plan will apparently have a voucher component, allowing students at under-performing schools to attend other schools. Also, the plan will focus on elementary schools.

Education Finance Reform – Last year's recommendations were never brought forward in a legislative package. In the same interview quoted above, Governor Deal stated that he is unlikely to push for a plan to overhaul the school funding formula until a plan passes to address chronically failing schools.

Religious Freedom – Legislation from the last session was vetoed by the Governor.

Campus Gun Carry (college campuses) – Legislation from the last session was vetoed by the Governor.

Mental Health Services – There seems to be consensus that mental health services are needed statewide; especially in districts with high levels of poverty.

Seat Belts on School Buses – There will likely be legislation introduced due to the school bus tragedy in Chattanooga.

School Discipline – There will likely be legislation introduced for limiting the amount of time that a student may be placed in an alternative school setting.

In addition to these issues, several house bills were prefiled regarding education:

- **HB 16** Revises the law regarding discipline of students for bullying.
- **HB 23** Establishes accountability standards for charter schools.
- **HB 24** Revises the QBE Act creating a program of incentives for certain teachers in low economic districts.
- **HB 26** Raises the mandatory school attendance age to 17.

You may ask how you can help make it happen in the General Assembly. First, be familiar with the CASE and G-CASE legislative priorities. Your G-CASE advisory board met during the fall conference with Legislative Committee Chair, Tris Gilland, to develop the G-CASE legislative priorities which are included in this issue of our newsletter. Not all of the G-CASE legislative priorities directly relate to the issues and prefiled bills stated above, so it is important that you take time to contact your State representatives to share our agenda.

Second, plan to participate in the upcoming GAEL/PAGE Day at the Capitol set for February 21st. The program begins at 9:00 AM and features presentations by key legislators followed by an opportunity for you to visit your legislators at the Capitol. Nothing that we do has more impact on legislators than face to face meetings like this. Please register at <https://pdoch.eventbrite.com>. Lastly, be alert to CASE updates that urge us to take action with our legislators at the federal level.

While I am on the subject of politics and the legislature, I must also remind you about the upcoming G-CASE legal issues conference scheduled for March 27-29 at the Classic Center in Athens. We have an exciting program planned for this conference including presentations from Harben, Hartley & Hawkins; Perry Zirkle and Julie Weatherly. This year's conference will also include concurrent sessions featuring the attorney groups listed above plus Dan Murphy, Emily Suski, Jamila Pollard, and Nekeba Rahming. Please be on the lookout for registration information coming to our website and your inbox soon.

Outside the political/legal arena there are some other exciting opportunities ahead. CASE is hosting its annual hybrid conference in Clearwater Beach, FL on Feb 23 and 24. You may participate in this conference onsite or virtually. Day one of the conference will focus on mental health while day two will focus on legal issues. You can find registration information on the CASE website www.casecec.org.

The International CEC Conference is scheduled for April 19-22 in Boston, MA. If you are planning to attend don't forget to reserve your spot for CASE night on April 20th at the New England Aquarium. You can reserve your spot by visiting the CASE website.

The GA DOE in partnership with GA CEC will again host the IDEAS Conference on St. Simon's Island June 6-9. Additional information can be found on the 2017 IDEAS Conference website <http://www.gadoe.org/Curriculum-Instruction-and-Assessment/Special-Education-Services/Pages/IDEAS/IDEAS-Conference.aspx>.

Happy New Year! Let's keep making it happen in 2017!

Notes from the Executive Director



Busier Than a Moth in a Mitten By Sarah West

I can't believe it's 2017! It seems like yesterday when we were worried about the century change from 1999 to 2000. I remember having to go into the office early on the morning of January 1, 2000, to make sure all the special ed files hadn't disappeared and the world of technology hadn't reverted back to 1900.

Our school administrators were told to check "everything digital." Yes, there was quite a stir about how technology would (or would not) adapt to a new century. And now, here it is 17 years later...

This school year has been busy for G-CASE. In October we had a drive-In conference for school administrators titled *What Building Administrators Need to Know about SWDs*. Janet Peeler gave a great presentation and focused on what needs to be happening at the schools for our students. A big **thank you** to Zabrina Cannady and the Houston County team for hosting the event!

The G-CASE Fall Conference was momentous with inspiring keynotes, outstanding breakout presenters, beautiful weather and even a fun riverboat cruise hosted by a conference sponsor, *Teach-Town*. One of the highlights for me was being able to work with some outstanding teachers who attended as ambassadors. The six ambassadors from around the state- Andrea Reeves (Irwin County), Joy Sims (Oconee County), Mary Edwards (Liberty County), Leslie Allen (Houston County), Laren Carlton (Bibb County) and Kaitlyn Thigpen (Pierce County) – were selected from among many applicants to receive conference registration plus expenses. In return, they assisted with the registration and details of making the conference run smoothly. They were awesome. These teachers have great futures in special education and we were fortunate to have them at our conference!

The Professional Learning committee is busy planning the upcoming G-CASE Spring Legal Conference which will focus on legal issues and political updates. Mark your calendar now for **Monday, March 27th to Wednesday, March 29th**. The **2017 Spring Conference will be in Athens at the Classic Center**. There will be lots to talk about. We will have Julie Weatherly back again this year as well as Harben, Hartley & Hawkins. There will be some new faces as well giving us updates on the status of ESSA in Georgia and a look at what happens during the Georgia legislative session. The conference will have a different format this year with breakout sessions in addition to the general sessions. Stay tuned for a final agenda. Registration will open in early January. Look for it at www.gael.org.

Meanwhile, we hope you will plan to attend Gold Dome Day – also called the Day at the Capitol - on Tuesday, February 21st. This is a great opportunity to visit legislators and give them real information from inside the world of education. It's a great day of learning and sharing – well worth your time.

Did you know.... That G-CASE works closely with GaDOE on SELDA trainings? We also provide support for the Parent Mentor Conference and this year we will add support for the IDEAS conference? These important trainings take lots of planning and resources. G-CASE is proud to be part of the "hands on" work to support the education of students with disabilities in Georgia. As a member of G-CASE, you are a part of this important work. Thank you for being a professional member of G-CASE! Know anyone who is not yet a member? Have them contact me at swest@gael.org or go online and register at www.gael.org.

Conversations from CASE



Get Ready to Answer Call to Actions!

Luann Purcell, ED.D
Executive Director, CASE

The Council of Administrators of Special Education, Inc (CASE) has been very busy this past fall and 2017 is truly starting out with a bang! CASE joined in with several national organizations to write an Amicus Brief on the Endrew case before the US Supreme court. The lead in the brief was the AA-SA, the School Superintendents Association and the other associations who signed on with us were, NAFIS, ASBO, AESA, NAESP, NASSP, and NREA. You can go to the CASE website to the Legislative tab to read the full brief. The actual oral arguments were heard by the Supreme Court on January 11 and our brief was mentioned on at least two occasions. The ruling is expected by mid-June. This is perhaps the most important ruling in special education since the Rowley case in 1982! CASE leadership felt strongly about making sure local directors' beliefs and view point was heard. You can find the amicus brief on the CASE website in the Legislative section.

There has been much concern over President Trump's nominee for Secretary of Education, Mrs. Betsy DeVos specifically as it relates to her lack of experience in public schools and her strong support of public funds to education institutions. CEC and CASE have issued a Call to Action to send letters via the CEC Legislative Action Center (LAC) to request the Senate HELP committee to postpone the vote, to hold a second hearing, and to ensure Mrs. DeVos understands and is willing to support the rights of students with disabilities. The vote was postponed but may have occurred prior to the publication of this GCASE Newsletter. Whatever the outcome, over 16,000 letters were sent and the vote was postponed at least once. We need you to become familiar with the CEC Legislative Action Center and to use it whenever you receive a Call to Action! Public education as we know it could be in grave danger and the rights of students with disabilities would be right there with it. You can access the LAC by going to the CASE website and scrolling to the bottom of the home page, you will see an icon of the Capitol and it will say "Search for Your Elected Officials." When you enter in your zip code, it will take you to the LAC and whatever major issue or Call to Action that is current. You will be able to personalize the message by adding you are a member of GCASE and CASE as well as any other pertinent information which will make the message clearer to your representative. You can also delete any part of the message. This is a painless way to make a huge difference—and it is safe. You are not using your district email or anything that will cause a conflict of interest. But your voice will be heard!

Have you signed up to be a virtual site for the 6th annual CASE Hybrid Conference? There is still time—it will be held February 23-24, 2017. . The overall theme will be **RESULTS DRIVEN ACCOUNT-ABILITY: Actualizing the Promise through Practice**

The two daily themes are:

Mental Health: Actualizing the Practice

Legal Issues: Actualizing the Promise

We are hoping to have 100 sites this year from all 50 states! The cost to be a site is one registration (MEMBER: \$350 or NON MEMBER: \$450) with the option of paying just \$39.95 more for the CD Rom—which you then can use in an unlimited format. CASE will send the virtual sites a flyer that can be edited to list the location and cost for each day and you can have as many people as your site can hold for the day! We will also send "hints for virtual sites" to help you with the logistics of hosting a virtual site. Each day is completely self contained and we really encourage the sites to send out targeted invitations for each of the subjects! For example, Thursday will be focusing on Mental Health in our schools so you would want to invite community mental health providers, counselors, school psychologists, parents, community leaders, school personnel, etc. On Friday, the emphasis is on legal issues—

Julie Weatherly, Esq will be our presenter—every principal and assistant principal should be a participant that day! We will be communicating before and during the conference days via Facebook and Twitter. These topics are critical to your everyday work now and in the near future so make plans now to either attend in Florida OR be a virtual site! Be the leader behind the scenes—set up the locations with facilitators for those lead teachers, assistant principals, community members, board members, and parents who never hear the information we all hear. Think about how you can build capacity through others in your district, school, and community with the CASE Hybrid Conference.

Hope you are getting ready for CEC in Boston in April. CASE will be very active at CEC this year, April 19-21, 2017--CASE meeting will be all day on Wednesday—starting with breakfast, Spotlight session will be on Thursday, and our CASE night will be on Thursday evening, April 20. This year our CASE Night is going to be an amazing dinner and special tours at the New England Aquarium! Remember details and tickets will be up on the CASE website [www.casecec.org] February 1! This is one event you do not want to miss so get your CASE Night ticket on February 1!

Be sure to stay in the loop by signing up for the CASE weekly update that is sent out each Monday morning. If you are not receiving it, you can either go to the CASE website and sign up for it or you can follow this link - <http://multibriefs.com/optin.php?CASE>

Now more than ever we need each other! Stay connected with GCASE and stay connected with CASE!

PS...Did you get your free copy of **Great Instruction, Great Achievement** in the mail yet? If you were a CASE member as of December 15, 2016, CASE mailed you a copy of our newest book, **Great Instruction, Great Achievement** from Georgia's very own, John O'Connor. If you didn't get yours and you think you are a CASE member, contact me ASAP at lpurcell@casecec.org

CASE 2017 Winter Hybrid Conference

**DATA DRIVEN ACCOUNTABILITY:
Actualizing the Promise through Practice**




The voice and vision of special education

SAVE THE DATE!

February 23-24, 2017

Clearwater Beach, FL

Sheraton OR Virtual

Each Day will be a self contained workshop

- **DATA DRIVEN ACCOUNTABILITY:**
 - Actualizing the Practice: Mental Health-Thursdays
 - Actualizing the Promise: Legal Issues -Friday
- Presenters will be Cutting Edge
 - Various Mental Health Professionals (Thursday)
 - Julie Weatherly, Esq (Friday)

Watch for 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






GCASE Legislative Priorities 2017

The Georgia Council of Administrators of Special Education (GCASE) is a community of special education leaders who are the voice and vision of special education. Our vision is to provide a unified voice promoting excellence in leaders of programs for students with disabilities.

The members of GCASE respectfully request your consideration of the legislative priorities of special education leaders across the state of Georgia.

- We support the reauthorization of IDEA and believe there is an urgent need to make significant changes to a law that should have been reauthorized in 2009. The needs of all students, especially students with disabilities, have changed, technology has advanced, and public schools are rapidly adapting to meet student needs. Yet special education remains more focused on procedural compliance than ever. Outcomes for students with disabilities should be the primary focus of the law and not compliance. We support review and revision of procedural requirements that generate the overwhelming amount of paperwork in response to federal regulations.
- We support full funding of the IDEA. Increased resources are needed in order for local districts to meet the required performance standards and outcomes for students with disabilities. In 1975 when the Education for All Handicapped Children Act was enacted, Congress authorized the federal government to pay 40 percent of each state's excess costs of educating children with disabilities. To date that has not occurred. CASE urges the federal government to keep its promise. Congress should begin by restoring funding to the levels states and districts received under the American Recovery and Reinvestment Act, phasing up to 40 percent. These funds provided districts with welcome relief of the financial burdens of providing special education services and in many cases allowed for additional program enhancements.
- We support the concept of MOE to ensure accountability for providing a free appropriate public education (FAPE) for students with disabilities. However, we recommend changes focused on ensuring appropriate services are provided, rather than on the specific dollar amount expended.
- We support access to high quality mental health services, realizing that many students with and without disabilities have mental health challenges. Coordinated services with community providers, designated agencies, and schools are critical to establishing and ensuring quality programs. All children must have access to mental health services at the level of care required to address their needs. Medicaid as well as private insurance carriers should be required to provide coverage at a level commensurate with a child's clinical need. This is true for any child with a mental health diagnosis but is particularly important for students who reach a severity where special education eligibility for emotional and behavioral disabilities is present.
- We support universal access to and full funding of a comprehensive system of accessible preschools for all children. Early intervention programs ensure kindergarten readiness. Research has shown intensive early intervention services for students with disabilities significantly increase educational success and reduce the impact of disabilities and the long term costs of special education. IDEA funding for Early Childhood Special Education (ECSE) has not kept up with increasing needs for our preschoolers with disabilities.
- We supports the rights of all students, including students with disabilities, to attend school without fear of being bullied or harassed. School policies should ensure students a safe haven and caring adults who will immediately address these problems should such incidents occur. We support disability awareness initiatives in

all schools at all levels to educate every student about specific disabilities and their impact on individuals. We support the development of local policies based on high standards and with strong accountability measures.

- We support the review and revision of due process procedures outlined in the IDEA to ensure disagreements are resolved at the lowest administrative level using effective resolution techniques. We support the development of guidance tools encouraging communication between schools and families to resolve disagreements in the most efficient and effective manner, training on and implementation of the facilitated IEP process, and training requirements for advocates representing parents and families in disagreements with schools. We also support consistent implementation and oversight of these provisions to ensure fiscal responsibility given the decrease in federal funding.
- We also recommend:
 - adopting the terminology “creative agreements” rather than the current “dispute resolution” to emphasize the positive aspect of resolving concerns of parents and school districts;
 - the addition of language requiring mediation as a first step;
 - the burden of proof be required of the party filing for the hearing.
- We oppose subsidizing private schools with public funds through vouchers or voucher-like programs such as taxpayer savings plans or scholarship credits. We support every public dollar being spent on efforts to improve public education for the 6.4 million students with disabilities in the United States. Private schools are not required to provide the legal protections mandated by federal and state laws to protect the rights and interests of students with disabilities. In addition, private schools are not accountable to the public for producing results, nor do they receive the same oversight as public schools from state departments of education. We believe subsidizing private education with public funds without providing all rights and safeguards is a step backward in serving students with disabilities.
- We understand and support efforts to reduce disproportionate representation of minority students with disabilities in areas of overall eligibility, eligibility in specific disability categories, placement, and exclusionary disciplinary outcomes. We support evidence-based practices such as multi-tiered systems of support and positive behavioral intervention practices, that seek to effectively address students’ academic and behavioral needs in general education and less restrictive special education placements. We do not agree that school districts should be required to set aside 15% of their IDEA grant for Coordinated Early Intervening Services (CEIS) in all instances where districts attain a threshold of disproportionality. There should be differentiated IDEA set aside requirements dependent upon severity of historical disproportionality. The withholding of IDEA funds, already under-funded, places eligible students with disabilities at risk for receiving needed services as required in their IEPs. The risk-ratio used for this determination should not adversely affect smaller districts who may be penalized due to their small ratios of certain demographic groups. States should be consistent but measures and actions should have flexibility in determining significant disproportionality and requiring mandatory CEIS.
- We believe students with disabilities deserve highly qualified general and special education teachers. All teacher preparation programs should:
 - Train all future educators to address the needs of students with disabilities
 - Emphasize high-quality clinical experiences for teacher candidates to demonstrate their content and pedagogical knowledge prior to program completion
 - Address the chronic shortages in special education through well-funded student loan forgiveness and scholarship programs (e.g., the TEACH Grant Program)
 - Ensure that accountability measures for teacher preparation programs do not rely on value-added measures of teachers once in the classroom, as they are not valid or reliable

For Your Information

2017 Theodore Smith Scholarship

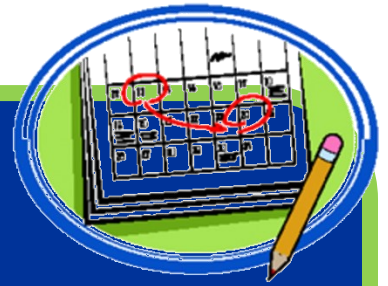
Theodore Smith devoted his life to education as a teacher and administrator with more than 50 years of service. This award allows Special Education teachers or Special Education paraprofessionals to continue the pursuit of excellence with two scholarships of \$1000 each. In addition to the \$1000 for higher education, paraprofessionals who are not CEC members will receive a one year free CEC membership. Application deadline is February 28, 2017. Recipients will be notified at the Spring GCASE conference.

2017 Tony Molinaro Scholarship Application

Tony Molinaro was an exceptional special education teacher and administrator who was the first recipient of the G-CASE Lillie N. Moncus Award for Special Education Administrator of the Year. He died unexpectedly at a relatively young age. In his honor, a scholarship fund was established to enable special educators, especially special education administrators, to attend the International Council for Exceptional Children Annual Convention. Each year two \$1,000 scholarships are available for special education administrators, with a preference for at least one of the awards being given to a beginning special education administrator in the first 5 years of service. Recipients of this award must be members of G-CASE, CASE and CEC. Application deadline is February 10, 2017. Recipients will be notified the week of February 13th.

Special Education Deadlines for FY17

Feb 8	Student Record Opens
Feb 14	Director's Webinar 1:00 p.m.
Feb 15	Application Deadline for GoIEP (extended)
Mar 2	FTE Cycle 3 Day of Count
Mar 2	CPI Cycle 2 Opens
Mar 2	Student Class Opens
Mar 6	GaDOE Awards of Excellence Apps Due
Mar 9	FTE, CPI, Student Class Initial Trans Due
Mar 14	Director's Webinar 1:00 p.m.
Mar 23	Sign-off for CPI and FTE
Mar 30	Sign-off for Student Class
Mar 31	GaPMP Application Due
Apr 11	Director's Webinar 1:00 p.m.
May 9	Director's Webinar 1:00 p.m.



February 21, 2017
Gold Dome Day at the Capitol
Atlanta, GA

February 23-24, 2017
CASE Hybrid Conference
Clearwater Beach, FL

March 27-29, 2017
Spring G-CASE Legal Forum
Classic Center
Athens, GA

April 19-22, 2017
CEC Convention and Expo
Boston, MA

June 6-9, 2017
IDEAS Conference
St. Simons, GA





Georgia
Council of
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Georgia Council for Administrators in Special Education



An Affiliate of The
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G-CASE serves the members of CASE who live and work in Georgia! Our major goal is to improve services to children with special needs. We strive to provide leadership and support to members by providing input into the policies and practices in Georgia which impact the quality of education and by providing support to the professionals who serve the students of Georgia.