

WISCONSIN STATE
LEGISLATURE
COMMITTEE HEARING
RECORDS

2005-06

(session year)

Senate

(Assembly, Senate or Joint)

**Committee on
Education
(SC-Ed)**

File Naming Example:

Record of Comm. Proceedings ... RCP

- > 05hr_AC-Ed_RCP_pt01a
- > 05hr_AC-Ed_RCP_pt01b
- > 05hr_AC-Ed_RCP_pt02

Published Documents

> Committee Hearings ... CH (Public Hearing Announcements)

> **

> Committee Reports ... CR

> **

> Executive Sessions ... ES

> **

> Record of Comm. Proceedings ... RCP

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*Information Collected For Or
Against Proposal*

> Appointments ... Appt

> **

> Clearinghouse Rules ... CRule

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> Hearing Records ... HR (bills and resolutions)

> **05hr_ab0700_SC-Ed_pt01**

> Miscellaneous ... Misc

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Education, Advocacy and Support

September 22, 2005

Representative Kitty Rhoades
State Capitol, Room 320 East
P.O. Box 8953
Madison, WI 53708

Re: LRB-2371

Dear Representative Rhodes,

On behalf of the Autism Society of Wisconsin (ASW), a statewide organization with over 1,000 members, we would like to thank you from the bottom of our hearts for your recent and far reaching efforts to focus the public's attention on the needs of children with autism and their families.

Your LRB-2372/1 bill (Autism Scholarship) is an excellent example of your commendable efforts to "think outside the box" in proposing alternatives to meet the diverse needs of children with autism. We certainly agree that there is a need to have options available for children with autism and their families.

We are grateful for your work on the Children's Medicaid Waiver. The waiver has made available early autism treatment for young children with autism. Many children now have the option to receive Medicaid-funded therapy from private providers before and after school, in part-day public school/part-day home therapy scenarios. The merging of medical services and public educational services is a positive. ASW supports a spectrum of service options to families with children with autism that contain sound evaluation and oversight. We certainly support the expansion of these merged medical/educational services with new GPR dollars in cases where the medical services have proven successful.

The public school system must meet the educational needs of 4,361 students with autism this year. The WI Department of Public Instruction has supported statewide training efforts in the area of autism since 1992. In cooperation with CESA 7 and Silver Lake College, these trainings have provided educators with the knowledge and skills to better serve students with autism. With over 500 new children with autism entering our public schools annually, training continues to be a high priority of WDPI. Yet, special education funding in 2005 is at an all time low.

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Education, Advocacy and Support

We believe that taking \$3 million for LRB-2372/1 from public education will seriously impact the quality of educational services for the remaining 4,361 children with autism, to be served in public education this year. We agree with you on the importance of providing more services to children with autism. We urge you to seek to identify new GPR dollars to fund LRB-2372/1. We look forward to meeting with you to further discuss your efforts on behalf of our children.

Sincerely,

Executive Director
Jane Pribek

Executive Board

President
Linda Breuer

Vice President
Nancy Allen

Secretary
Kelly Sherrill

Treasurer
Jan Serak

Area Chairs
Central Wisconsin
Chippewa Valley
Fox Valley
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Linda Breuer
ASW President

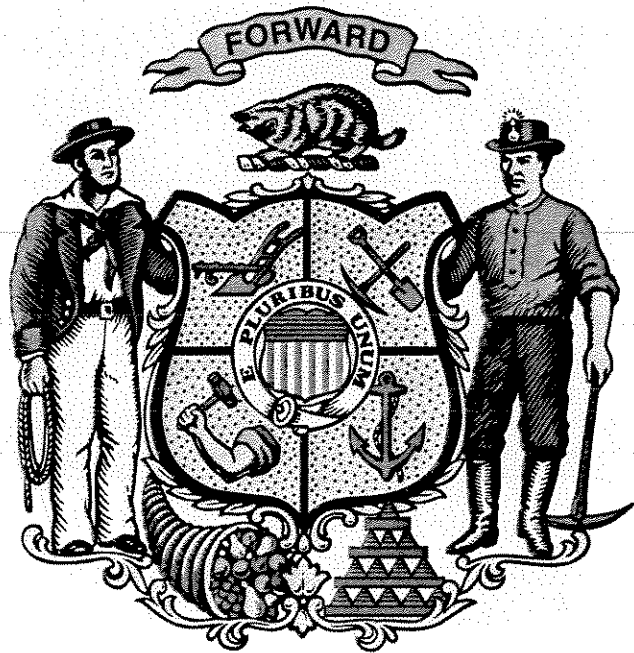
Nissan Bar-Lev
ASW Education Committee
Co-Chair

Rose Helms
ASW Legislative Committee Chair

Jan Serak
ASW Education Committee
Co-Chair

Jane Pribek
ASW Executive Director

P.O. Box 165, Two Rivers, WI 54241
(920) 553-0278 • 1-888-4-AUTISM (WI only)
Fax: (920) 553-0034
www.asw4autism.org • Email: asw@asw4autism.org



Autism Scholarship—Current Status and Issues
January 2006

I. Current supports for children with autism spectrum disorders

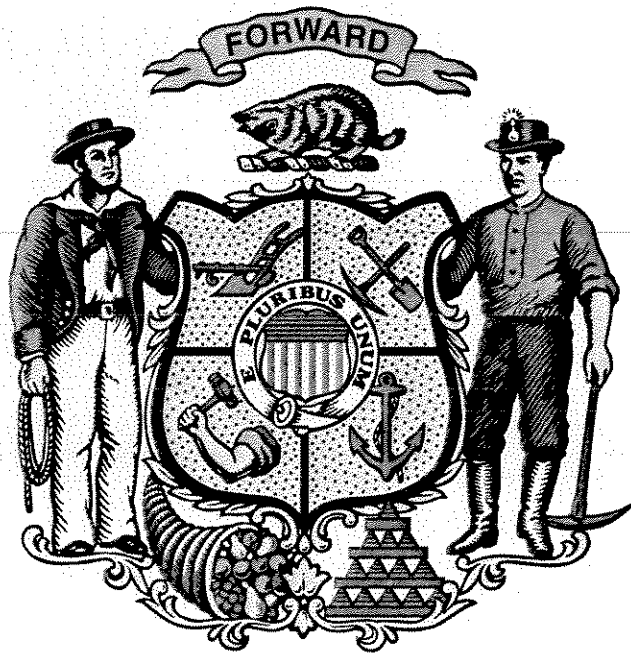
- Rights available to all children with disabilities—free appropriate public education in the least restrictive environment (FAPE in the LRE); due process rights.
- DPI supports an autism consultant position since June, 2004 and disseminates:
 - Autism “home page” on DPI website.
 - Evaluation guide including eligibility criteria checklist.
- Three IHEs offer autism certificate training programs—DPI staff consults on content.
- DPI support for statewide training—over 1000 staff parents attended last year.

II. Administering the Autism Scholarship Program—provisions and questions

- Establish criteria for approving private providers, including:
 - Certification of staff—regular or special education teachers
 - Instructional time—minutes per day and year
 - Statewide assessment, including alternate assessment
 - Alignment of curriculum with Wisconsin Academic Content Standards
 - Accessibility and facilities
 - Provision of related services
 - Assistive technology equipment and services
 - Approval annual or one-time only? What is process for continuing approval and review of private providers.
 - Can the non-resident provider withdraw? How and on what basis?
 - Establish a system for approving providers—Order of receipt? Geographic distribution? Other?
- Establish criteria for approving scholarships, including:
 - Review of scholarship applications—documentation of autism? Current IEP?
 - Establish a waiting list if more than 200 scholarship applications are approved?
 - Can an LEA reject a scholarship? On what basis?
 - Application annual or on-going? If on-going, what would trigger a reconsideration or need for review?
 - What does “tuition” include? Transportation? Assistive Tech equipment?
 - Create and maintain DPI data base.
 - Claim process: log in claims; verification of approved scholarship and actual costs reimbursable; claim processed and sent.
 - Collect statistics on use of program, including number of applications, numbers accepted, rejected, on waiting list, actual costs, etc., provide reports to legislature and others as appropriate and coordinate with LAB on fiscal audit of the program.

III. Other questions

- What if any is the appeal/review process for parents, for districts, for new providers?
- Against whom do parents file an IDEA complaint, mediation, or due process hearing request?
- Who is responsible for evaluations? The IEP?
- What is DPI’s role in compliance and implementation?
 - Does DPI have oversight authority for non-public school programs?
 - How often should reviews occur? Reviews of what?
 - What if children’s test scores are unacceptable?
 - What if there is no progress on the student’s IEP goals?
- How, if at all, do current rules on home school apply? Open Enrollment?



Hogan, Rebecca

From: Lipp, Elizabeth
Sent: Thursday, February 02, 2006 10:50 AM
To: Hogan, Rebecca
Subject: FW: AB 700

-----Original Message-----

From: Laura Comer [mailto:laurac@cesa12.k12.wi.us]
Sent: Thursday, February 02, 2006 10:37 AM
To: Sen.Jauch; Sen.Harsdorf
Subject: AB 700

Senators,

My name is Laura Comer. I am currently the Autism Specialist at CESA #12 in Ashland, WI. I was formerly a Special Education Teacher in the Hudson School District where I worked exclusively with Middle School students on the autism spectrum. I am very concerned about AB 700 and its quiet passage to the senate.

The notion that taking \$3,000,000 from school district's budgets will help students with autism statewide seems absurd to me. I know that many parents are dissatisfied with the services provided by public schools for their children who have autism, and many are justified in their feelings. Two hundred of them might feel better if they could be reimbursed for their expenses in choosing other educational options. However, the four to five thousand students in Wisconsin who receive special education services under the autism label would be much better served by keeping funds in public schools.

As you know, public schools are required to provide an appropriate education for all students. My experience has shown that when districts are truly unable to provide an appropriate education for students, they will spend significant money to purchase that education elsewhere. This decision is made by the IEP team which includes the parents. The problem with AB 700 is that it gives parents (usually those with substantial education and resources already available to them) the ability to make that decision without the benefit of the educational team.

I sympathize with parents who are bombarded with information about new strategies and techniques for teaching children with autism. They desperately want their children to improve. The Wisconsin Early Autism Project provides a wonderful opportunity for early learning. It is an intensive and expensive endeavor to provide 20-40 hours of 1:1 ABA therapy for students with autism, but remarkable progress can be made with early intervention. Families in Wisconsin are extremely fortunate to have this opportunity available. However, many parents who have witnessed this rapid progress in their children understandably want it to continue in the public schools.

Most students, with or without autism, would show more rapid progress with 1:1 therapy or instruction. Public schools are not required to provide this service unless it is necessary for students to make educational progress.

Most students with autism CAN make progress in the public school setting with a combination of best practice techniques which might include structured teaching, sensory integration and small group instruction.

Training of teachers, staff and peers is an integral part of a successful plan. Parents can request, and districts must provide, professionals trained in autism to work with their children.

Educating students with autism can be extremely challenging for families and for school districts. Here, in Wisconsin, we need to continue to provide training opportunities for educators and resources for school districts to help make appropriate accommodations for students on the autism spectrum.

Taking funds away from public schools will only hurt the majority of students with autism. "Vouchers for Autism" is not the answer. Please help our schools and our students with autism by keeping funds where they can do the most good: in public schools.

Sincerely,

Laura Comer

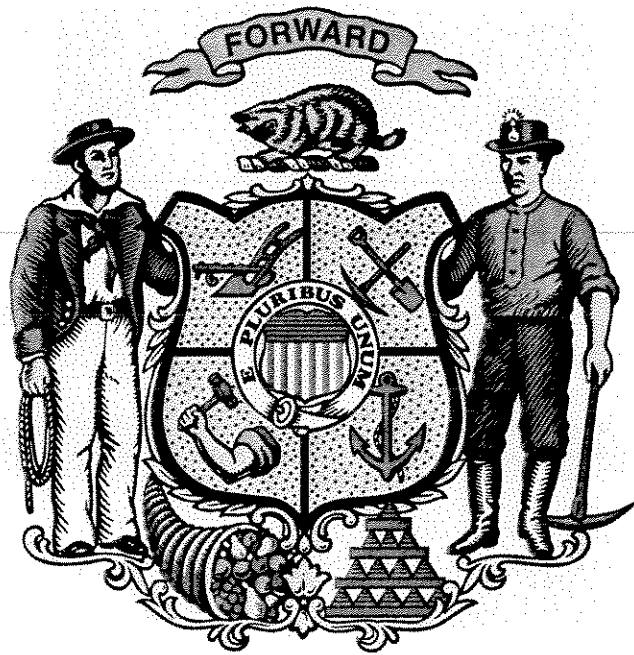
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Laura Comer

Autism Specialist

CESA #12 Center for Students with Disabilities

715/682-2363 ext. 167



Cekosh, Nick

From: Heather Marena [hrmarena@tds.net]
Sent: Thursday, February 02, 2006 7:34 PM
To: Rep.Rhoades
Subject: Autism Scholarship Bill

register in favor

Dear Representative Rhoades

I would like to thank you and your fellow Representatives and Senators for introducing the Autism Scholarship Bill. Unfortunately I will be unable to attend the public hearing on Tuesday February 7, as one of my son's is having surgery.

My name is Heather Marena. My husband and I are the parents of three sons. All of whom have autism. We are currently in the Elmbrook school system. Elmbrook has seen repeated budget cuts, as have many districts throughout our state. Next year our home school will be enrolling 9 kindergarteners with special needs including my youngest son. Our school is already home to many children with special needs. I can only imagine how these additional children will tax our staff. Because of the cuts to our budget, it looks unlikely that additional staff will be hired to help decrease the load for current staff. While I have faith in our staff, I also believe that at some point for two of my children, inclusion or mainstreaming may not be in their best interest.

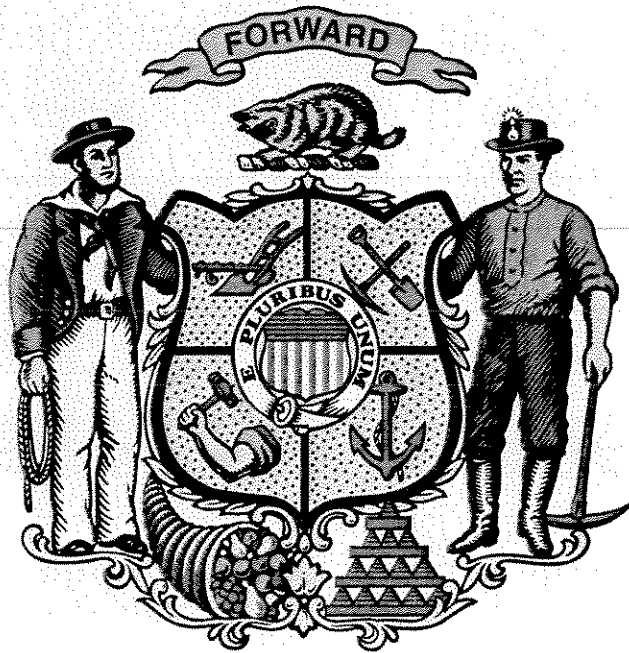
The autism scholarship is a wonderful choice for families who in the last 4 years have seen tremendous cuts to services. While serving on the Governors Autism Task Force we received many letters stating that what families wanted was choice. Choices such as various therapeutic approaches that many families have spent time and dollars investigating as a viable option for their children. The scholarship will afford families the "choice" to investigate a school setting that will benefit their child. I emphasize choice, no family will be forced into these schools. Throughout the State of Wisconsin we have schools that address a variety of students. These schools range from schools that teach children different languages (the German Immersion School - MPS), schools that incorporate the individuals learning style (Walden School - Racine Unified), schools for the severely handicapped (Fairview South - Elmbrook), and of course the Wisconsin School for the Deaf. These are all schools that are funded through tax payer dollars, they are also schools that parents choose to send their children to.

Please consider that my children are not being represented by a very vocal group of special interest groups and non-profit groups that claim to represent my three son's with autism. They do not now, and have repeatedly not stood up for my son's! They continue to work on an agenda that represents their interests as Department of Public Instruction subcontractors or agencies.

Families with children with any special needs fight every day for their children. It's the families who are asking for this choice, it's the families who should be given this choice. Please listen to what families are requesting, not agencies or special interest groups.

Sincerely,

Heather Marena
15465 Oak Lane
Brookfield 53005
262-783-1676



February 6, 2006

Re: AB 700 Autism Scholarship Bill

Dear Distinguished Members of the Wisconsin Senate Education Committee:

My name is Donna Pahuski and I live in Cambridge, WI. **I am speaking today in opposition of the bill.**

I am here today for several reasons. Mainly, I am a parent of a thriving 14 year old girl who once was diagnosed as classically autistic. Today my daughter, Mary Catherine, is a bright, social, and sometimes eccentric child who plays clarinet, gets good marks in school, and is a talented artist and writer.

My daughter, Mary, was diagnosed with autism at age 3 and ½ after our local school district (which was Marshall at the time) conducted their annual Child Find activity. The school district detected delays in Mary immediately though our family physician repeatedly told us that our child was fine and that everything was normal about her. To this day I can remember our doctor's words, "Stop comparing your children. She is cuddly and engage-able and she chortles with delight when I examine her... there is nothing wrong." Mary was our 2nd child and we knew something was drastically wrong since she could only utter a few words at age 3 and her behavior and repetitive movements had become more and more disturbing. Due to the fact that our physician overlooked Mary's delays, we never got a Birth-Three referral and so missed the wonderful early intervention and remediation that I have heard so much about over the years. And so when our daughter was brought into the Marshall School District's Early Childhood program at 3 and ½, she had had no other formal early intervention or therapy programs prior to that date.

But once Mary was in the Early Childhood program we were astonished by what we observed. We witnessed an explosion in her expressive language accompanied by a dramatic reduction in tantruming and repetitive behaviors. When Mary was ready for kindergarten, I was amazed at the way that the district made use of all of the available resources to learn how to support my daughter's learning. I was dumbfounded when I observed her regular education kindergarten teacher handle Mary without breaking a sweat and how she allayed my fears by telling me that having a child like Mary in her classroom made her a better teacher in the same way that having a child with autism made my husband and I better parents...and we both agreed that neither of us could take anything for granted.

As time went on Mary grew and became more social while retaining her wonderful splinter skills in music, art and writing. The invitations for birthday parties started coming and she advanced through the grades with her peers. She was able to tolerate activities outside of school like, brownie scouts, dance classes and karate. Each year there were more and more teachers who remarked about how they have grown professionally by learning about autism and finding new ways to teach her. One teacher who attended several of the state autism trainings told me proudly how well she was able to generalize some of the skills that she used in helping Mary. She said, "You know when I think about it, I never learned a thing in the state autism trainings that I could not use or adapt for other children, with or without autism." How happy I was to hear that, that the time, energy and resources that were being invested in teaching **my** child would be instrumental in helping **other** children with unique learning styles in Wisconsin's public schools.

Just before Mary began 5th grade, we built a new house in Cambridge and unfortunately we had to say goodbye to all of the staff at the Marshall School District who were largely responsible for Mary's recovery. It was very hard to leave but we had great faith in the Cambridge School

District as well and knew that there was much to be gained by helping Mary take a significant social and emotional leap by adapting to a new school, new town and new friends. And adapt she did ... without the assistance of a educational assistance and with minimal support and redirection by her special education case manager and occupational therapist.

Finally towards the end of 6th grade, I received a call from the school's occupational therapist telling me that Mary was refusing to allow her to monitor Mary's progress. The kind and responsible therapist said, "Well as soon as she sees me coming she says something like what is over there and points...and then she makes a fast get away." After this report I confronted Mary and asked her why she was running away from the nice lady who is only doing her job. Mary confided in me, "It is just that I don't need those things anymore, Mom. I do fine, don't I?" I replied, "Well actually you do very fine." At that moment I called an IEP meeting and the next IEP meeting on a beautiful spring day, Mary's 6th grade IEP team listened to her and watched her with misty eyes as she told them, "Thank you for everything. I love school. I get good grades. I have a normal life now. I do not need those things anymore."

For us the rest is history, Mary is in 8th grade now and is an A-B student. She is allowed to use some accommodations for her school work but she has not used them in 2 years. She is proud to tell people that she has autism and she knows that it will always be part of her make-up. It is not a crutch. It explains why some things were hard for her once. It also gives her visual perceptual skills and heightened abilities that are far beyond her years.

So that is my daughter's journey of "managed recovery." She is a poster child for the successes of special education in the great state of Wisconsin...one of many that you do not hear much about. Instead, I am afraid what you mostly hear about are the families who have come to Wisconsin from out of state...who have left there resident states because they have heard that "Wisconsin is a Mecca for autism services" through both our Medicaid Waiver program and through the state mandates for the training of school staff who serve students with autism. Clearly autism spectrum disorder is just that; it is a spectrum disorder and every child who is diagnosed with autism does not have to follow the same path to recovery. Our path for Mary did not include Birth to Three services. It did not include intensive home therapy/ waiver services. It did not include the assignment of an educational assistant except for her Early Childhood experience. It did not include the use of medications or special diets. I must say that my husband and I were never opposed to any of these measures, they just weren't needed as Mary's rate of recovery, once she was in school was staggering to all of us. Still there are other children who would not recover as per Mary's path and they might need some or all of the other interventions and supports that I mentioned above. I am not here to refute the effectiveness of any of these interventions as I believe that all have merit for the children whose lives are affected. But I am here to say that my child is a testament to the good work that Wisconsin public schools have done and can do. If you need more proof of the success of the autism programming in public schools just look at the number of families who have moved here from other states. Approximately 25% of the children diagnosed with autism in Wisconsin have relocated here from other states. Would you uproot your family and move to another state if you believed that their public school system was ill adapted or poorly trained to address your child's learning deficits?

Good Wisconsin...benevolent Wisconsin...the Wisconsin that provided services to students with special needs before IDEA even became Federal law. Why is it that our schools should be under attack and at risk of losing \$3 million dollars to charter schools due to recent developments? From all the evidence that I have, it appears that this initiative has been orchestrated by professional parents who have come to Wisconsin to partake in the Children's Waiver program. The waiver program is a good thing and it was intended to provide a "boost" to children with

autism in this state, so that they could receive maximum benefit before and concurrent with their school experiences and rapid remediation of communication and social-emotional deficits. My problem is not with the waiver system or the public schools programming for students with autism per se. My problem is that I feel that we need to draw a line in the sand and say that our state supported programs for children with autism are better than most of the other states and we stand to gain far more by increasing the capacity of Wisconsin schools to serve students with autism than by whittling away at the funding and resources that have helped thousands of children like my Mary to be the success that they are today.

When I began my testimony I mentioned that I was here for multiple reasons. The other reason that I wanted to testify is that I am a free-lance parent advocate and I have worked with families in 75 school districts with all types of disabilities, not just autism, though that is the disability that I know the best. I must admit that I often feel guilty that my child is doing as well as she is today. I routinely work with parents of children with mental illness, learning disabilities and other disabilities who are seriously underserved with regard to special education services in Wisconsin. I have known teachers, both special educators and regular educators who have experienced nervous breakdowns due to lack of support and over-work. I have been in the schools volunteering my free advocacy services and, offering tissues and a shoulder to both parents and educators who support students with disabilities in our schools. I believe that the way to better serve students with autism and other disabilities is not through charter schools and scholarship programs but by shoring up our neighborhood schools and by restoring the staffing levels that were in effect prior to the drastic reductions that have been instigated by QEO and other funding cuts.

As good public servants you, of course, want to know where to get funding to provide the additional resources that our schools need to appropriately support students with autism and other disabilities. Well, I am not in favor of raising taxes any more than the next person, but I can see that raising the residency requirement from 6 months to 18 months for Children's Waiver slots might be a good first step. Maybe if parents from other states don't see the benefit of coming to our state for free services, they will stand and fight for the Medicaid dollars and public school programming that their children need in their own states... Maybe their state would improve in this regard and they will not have to go elsewhere to help their children. Wisconsin is a welcoming and inclusive state but we cannot afford to continue being one of only a handful of states that appropriately serves the nation's population of students with autism.

I would like to close by reading a speech that my daughter gave to State Superintendent, Burmaster, at a listening session on the topic of education funding for in March of 2002.

"Hi, My name is Mary Pahuski. I am 10 years old and I go to school in the Marshall School District. I am happy to tell you that I am a student with autism and I am even happier to tell you that I have reached "managed recovery." What that means is that I have a normal life now.

Some people might say that my special education has cost too much. But I know that my teachers and parents don't think that. They say that they are better teachers and parents because they help kids like me. I know they are right...

Some experts say that my autism has given me "hyper-focus." Perhaps someday you will be lucky enough to have someone with hyper-focus painting your picture, tuning your piano, performing your surgery or even flying your plane.

Please continue to support student equality. The next son or daughter, niece or nephew or grandchild born into your family could have a disability or learning problem.

Please consider what might happen to kids like me if teachers are denied your support or resources or your vote of confidence."

THANK YOU- Quadruple infinity to the power!

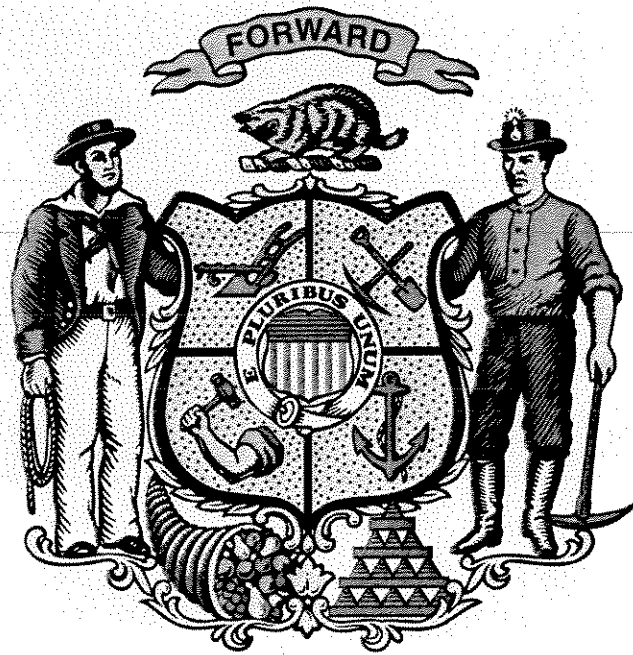
Lastly, I believe that this recent trend of charter schools which segregate children with selected disabilities is diametrically opposed to supporting student equality.

Thank you for your time.

Sincerely,



Donna Pahuski
W8883 Deer Run Trail
Cambridge, WI 53523
dpahuski@charter.net





A Grassroots Network of Families and Friends Speaking on Behalf of Children with Special Health Care Needs

February 7, 2005

Dear Members of the Senate Education Committee (Senator Luther Olsen, chair; Senator Alberta Darling; Senator Sheila Harsdorf; Senator Glenn Grothmann; Senator Robert Jauch; Senator Jon Erpenbach and Senator Dave Hansen):

We appreciate your interest in supporting children with disabilities in Wisconsin. As parents of children with complex disabilities, we believe that all families who have children with exceptional needs share a common experience, even though individual challenges are unique. The diagnosis may vary, but the need for support is similar from one person to another. Imagine, for example, the experience of trying to understand the screaming of a non-verbal 16 year old. To his family and service providers, it matters little whether that youth has cerebral palsy, mental illness or autism. What matters, is how they can best assist that 16 year old youth.

We have been working very hard over the past ten years to help the state of Wisconsin develop supports and services to meet the needs of children with disabilities and their families based on their needs, rather than their diagnosis. This is why we supported Home and Community Based Medicaid Waivers for all children, rather than those with just the diagnosis of autism. We believe it is absolutely essential that Wisconsin continue to support families who have children with disabilities in an equitable and fair manner, rather than prioritizing the needs of children by specific disability.

We are very concerned about legislation such as AB 700, the Autism Scholarship Bill, which prioritizes the needs of one disability group, children with autism, over others.

Specifically, our concerns include:

- 1) Should the needs of one disability group be viewed as more important than other disability groups?

It is our belief that legislation in Wisconsin should support the needs of children and their families, rather than the needs of a diagnosis. There has been much discussion in this state about adequate supports for all individuals with disabilities as we move from an institutional model of support to a community based model of support. Equal access to adequate and individualized supports that maximize educational outcomes and community participation should be the right of every student with a disability.

The Wisconsin legislature has focused much emphasis in recent years on children with autism. This was understandable given the change in Medicaid funding. Unfortunately, this focus has unintentionally created a great inequity with families who have children with significant mental illness, physical disabilities and developmental disabilities, but do not have a diagnosis of autism.

- 2) If we believe poorly implemented IEP's lead to poor outcomes, how does this bill insure well implemented IEP's? What is the evidence that children who participate in the scholarship will have better long-term outcomes than children who have adequately implemented IEPs?

We believe that public schools can be good partners in meeting the needs of children with disabilities when staff has adequate support and training. When they learn how to maximize

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A Grassroots Network of Families and Friends Speaking on Behalf of Children with Special Health Care Needs

positive outcomes for one child, they can use lessons learned for many children. Unfortunately this does not always happen. Schools throughout Wisconsin continue to be challenged to effectively implement IEPs across the spectrum of diagnoses. Schools need increased funds, supports and services to meet the needs of challenging children. All children participating in special education programs need well trained IEP teams and adequate funding to implement their individualized education plans.

We can support legislation, which provides resources to schools to improve outcomes for all children with significant disabilities. Public dollars should be committed to improving special education programs in public schools, thereby benefiting all children in that school.

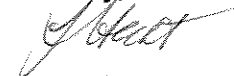
- 3) How can adults with autism be members of their communities if they are not part of a collective experience as children?

We are concerned that this use of targeted funds will lead to potentially private, segregated schools for children with autism. Wisconsin schools overall need to do a better job of educating and including all children of varying abilities so that as children grow up and leave school, they will have had experience with people of all abilities and will be more accepting of people with disabilities in their communities. Funding which supports the education of children with disabilities in segregated settings does nothing to support the inclusion of children in schools, neighborhoods and communities. If this group of students does not learn to live with each other what will prevent their continued isolation in potentially segregated settings as adults?

We are obligated as parents of children with complex needs to urge you to reconsider the passage of this legislation. While we do not dispute that children with autism have many unmet needs in their schools and communities, we feel strongly that there are many other children with a different disability diagnosis who have equally complex and unmet needs. All are deserving of our Legislature's support and consideration.

It is the unique need of the children with disabilities within our state that needs our attention – not a subset of children within this group.

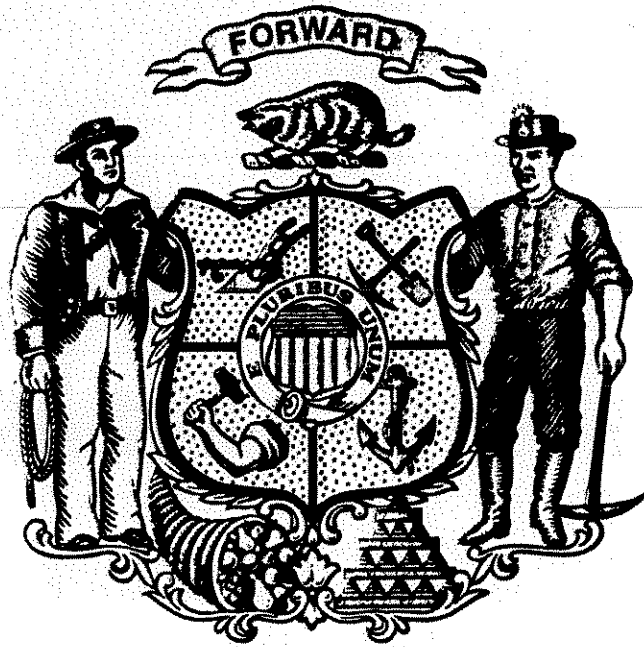
Sincerely,



Liz Hecht
Co-Director
Family Voices of Wisconsin and
Survival Coalition Workgroup on Children &
Families Issues
608-845-9499



Barbara Katz
Co-Director
Family Voices of Wisconsin and
Member, Council on Children with
Long Term Support Needs
608-233-3726



February 7, 2006

Testimony regarding AB 700
State Capitol, Room 412 East

Dear Members of the Senate Education Committee:

Thank you for this opportunity to express my concerns about Assembly Bill 700, the Autism Scholarship Bill. I am a parent of a 10 year old boy with autism educated in public school. He presents a challenging set of behaviors that are not typical, he *is* accepted in his school community and his teachers work very hard to help him learn. I would consider his individualized education plan (IEP) a work in progress that requires my steady input to keep up with his changing needs. In my job, I speak with many parents who are frustrated with their educators. With these perspectives in mind, the four most important things that I believe will help children with autism succeed is:

- 1) exposure to and acceptance by his/her community
- 2) supportive teachers doing their very best thru added training and resources
- 3) appropriate IEPs that rely on parent input and outside professional expertise
- 4) recognition that parents are acting in the best interest of their child

This is pretty hard work and passing this bill will not magically solve all the problems you have heard from parents who support this bill. I will admit that 5 years ago, when I had major fallouts with my son's educators, I toyed with the idea of starting a separate school for my son with autism. After much analysis I decided to invest my energy in creating an inclusive setting for my son in our public school. I still believe today that my son and our community will be better off in the long run if hundreds of children in my hometown grow up with my son in their lives. My son's public school peers will be the employers and policy makers of our future and I hope to God that they will have compassion to see an equal place for my son in this community when they are adults. This is my son's gift to his peers; that they understand people with differences.

This bill is really about a small group of parents who still want to replace lost funds for what they have coined as "medically necessary treatment". There is nothing that is stopping them from deciding to home school, private school or charter school their children. Lots of parents choose this option if they can afford it. There are hundreds of such schools. Public schools do not have a monopoly on educational settings. We live in a free society where parents can choose other options besides publicly funded schools. I would not stand in their way so long as they do not compromise the education of children who remain in public schools.

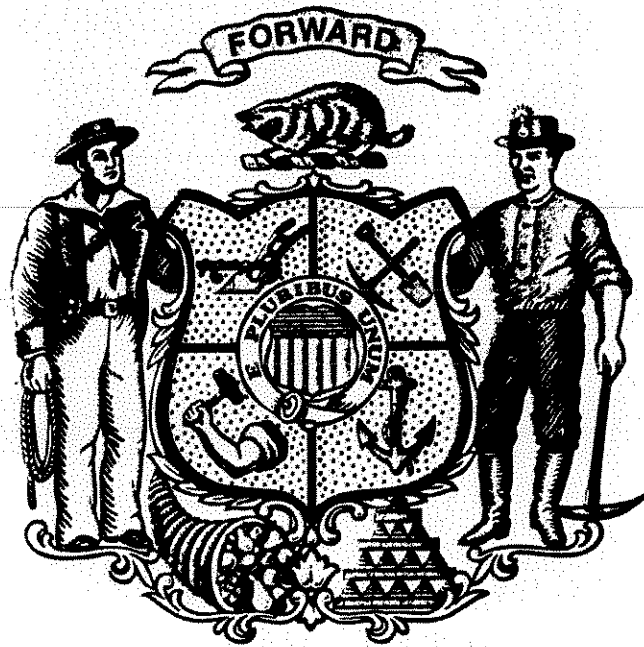
This is why I oppose the Autism Scholarship. It robs already allocated dollars from local school district. It is a form of punitive action without any opportunity for corrective action. We have not even begun to have adequate discussions about how to better serve children with autism in our existing schools. This bill is a knee jerk response to satisfy a few angry parent and does not get to the root of the problem. There is a risk that parents will be coerced into removing their

child from public schools with the offering of a scholarship when, in reality, there are few options for placement. We must invest in our public schools in order to gain the most benefit for the most children. I ask the members of this committee to create law that does no harm to one child in it's efforts to improve the educational benefits of another child. Please, someway, somehow, find other funding sources for these scholarships from other places than the already decreasing local school budgets.

This bill will perpetuate competition between regular and special education for decreasing budget funds, and create a new battle for funds between parents of children with disabilities. These financial battles should not be fought in our communities. Instead, we need state leaders who can find a way to satisfy special interest groups with funds that do not rob our current system of it's ability to serve the children who remain in our public schools. Here's an idea... let's find a way to make the parents who support this bill pleased with our public school system! Sorry I just don't buy that we can't throw more money at a broken system. All of our children are worthy of specialized programs and our public resources should be spent on strengthening our teachers ability to serve the needs of all special education students, regardless of diagnosis.

The biggest fear I have for my community is that this bill will start a slippery slope down the hill to a segregated school for high cost, tough to teach kids. Federal policymakers have already decided that kids in public schools should be educated with non-disabled peers to the greatest extent possible. I opposed this bill and ask you to find more equitable ways to meet the needs of the bill supporters so that my son and other children who remain in our public schools do not suffer.

Dawn Wians
3634 Swoboda Road
Verona, WI 53593
608-827-5540



Hogan, Rebecca

Register in favor

From: Cekosh, Nick
Sent: Tuesday, February 07, 2006 8:32 AM
To: Hogan, Rebecca
Subject: FW: AB700 letter of support

Rebecca,

Below is a letter of support for AB 700 from a person who cannot make it to the meeting today. Please include it in the committee report.

--Nick
=====

As Americans, we all have the right to send our children to private school. As a Christian, I choose to send my children to a Christian school because teaching Christian values is extremely important to me and my family. However, because my son has autism, I am not able to choose this option for my children.

When my child with autism, started school, I had to take my typical child out of the Christian school that we had chosen and absolutely love. The public school is too far away from the Christian school to take both children at the same time. It was with great sadness that we pulled our typical child from the amazing school at which he was doing so well.

If AB700 is passed, and my child qualifies, we would be able to have both of our children in the school of our choice.

This is just one of the reasons that I am for AB700. Additionally, there are many reasons that numerous other families would benefit from this. The classroom size of most private schools is quite a bit smaller and the student to teacher ratio is much better.

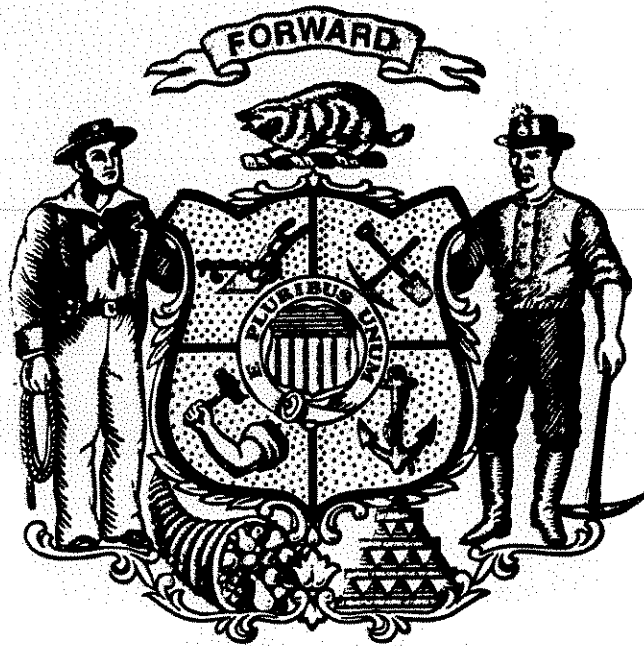
I also believe that AB700 would benefit the public schools financially. Currently the school district pays more than \$15000/year on my son's aide, alone. This does not include OT, PT, SLP and training on my son's communication device.

I also believe that due to the high demands placed on public school teachers, they are not able to teach children with autism to their fullest potential. Our children have the capacity to learn to function independently, but unless they receive the proper education, they will cost the state millions of dollars over their lifespan. We must invest in these children now or we will pay for it later.

Thank you,
Lanie Maloney

Relax. Yahoo! Mail virus scanning helps detect nasty viruses!

*Lanie Maloney
615 Sugar Avenue
Belleville, WI 53508
608-424-9859*



TO: Members of the Senate Committee on Education
FROM: The Wisconsin Speech-Language Pathology and Audiology Association
DATE: February 7, 2006
RE: AB 700, relating to creating an Autism Scholarship Program

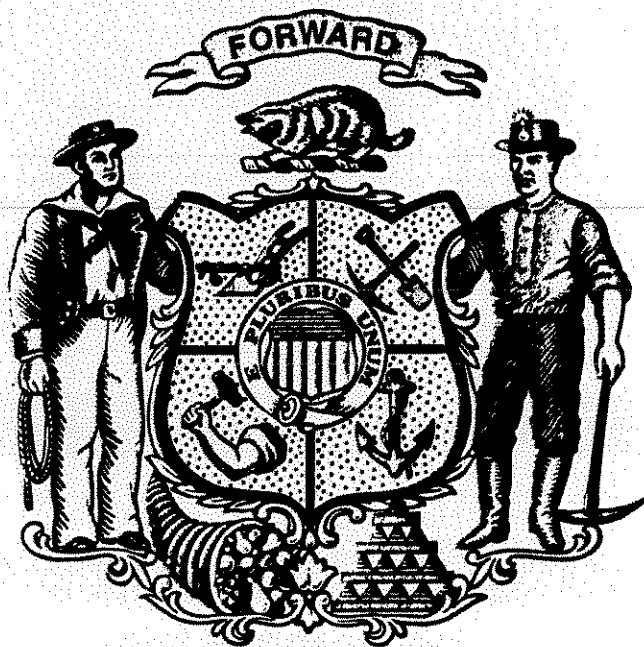
The Wisconsin Speech-Language Pathology and Audiology Association urges you to oppose AB 700 relating to creating the Autism Scholarship Program.

The Wisconsin Speech-Language Pathology and Audiology Association recognizes the benefit of alternatives for children with special education needs. However, the Wisconsin Speech-Language Pathology and Audiology Association is opposed to AB 700 for a number of reasons.

AB 700 does not ensure that autistic children will receive all special education and related services, such as speech therapy, as mandated under federal and state law. Under AB 700, the responsibility of creating an Individualized Education Plan (IEP) and making sure the child receives the services is that of the public school. Currently in Wisconsin there are no schools for autistic children. The question is where will this money be spent. The lack of accountability under the bill makes it difficult to track whether or not a child is receiving the mandated services, placing a great administrative burden on the school district and the providers of the mandated services. Also problematic is the exclusionary result of AB 700; the bill provides a scholarship program to only one group of children with a specific disability.

Wisconsin provides significant financial support for autistic children. There is, however a need for more development of programs for autistic children within our schools. These dollars could help provide the special training in autism that is needed for high quality educational programs within our public schools. For example, in the greater Detroit area of Michigan there is a public school K-21 for children with autism. Any parent of a child with autism can choose this school. In this school all teachers and speech therapists have advanced training in autism. The average cost per child for such high quality education is approximately \$50,000 a year. This is the real cost of quality education for this population. Granting a \$15,000 scholarship for educational programs that do not exist in Wisconsin opens the door for waste and misuse of funds.

Public schools address the needs of autistic children using comprehensive plans to implement successful academic, behavioral and social programs. Placing autistic children in an environment that is least restrictive to students with disabilities allows children to participate in activities in a regular classroom setting with their peers. In a school environment, autistic children are able to develop skills they lack, learning how to express themselves and cooperate with their peers. We encourage you to make a realistic commitment to the children with autism by not passing AB 700 and use the funds to 1) develop programs within our public schools with specially trained and highly qualified staff to better meet the needs of all autistic children, 2) research other program models to determine what could be a higher quality and more cost effective choice than our current system.





Education, Advocacy and Support

Date: February 7, 2006

Re: AB700

To: Senate Education Committee

The Autism Society of Wisconsin, a statewide organization with over 1,000 members and seven local chapters, has registered in **opposition of AB700** related to the establishment of an autism scholarship for children with autism.

There are **4,371 children** in Wisconsin who are currently identified as having an educational disability in the area of autism. This number is continuing to increase annually by 400 to 500 children. We believe this bill will negatively impact the provision of educational services for the majority of these children.

The Autism Society of Wisconsin is opposed to the bill for the following reasons:

1. **This bill removes \$3 million from the current categorical aids allocation.**
There is no mechanism in the bill to ensure "new" General Purpose Revenue funding for the proposed scholarships. Therefore, this bill will further reduce an already depleted categorical aids allocation (used to be 63% - now only 29%) to meet the educational needs of the other 4,171 students with autism and over 130,000 students with other disabilities.

Specifically, this bill directs the Wisconsin Department of Public Instruction to decrease each school district's state aid payment by the amount of the scholarships awarded to these students. Scholarship funds, therefore, would be taken directly from current funds available for all children - children with and without disabilities - including the over 4,171 children with autism who would not be served by this program.

2. **Current mechanisms already exist which provide educational options for children with autism.**
Parents of children with autism already may select an option they feel will best meet the educational needs of their child. Wisconsin law already provides for a continuum of educational options which include: charter schools, state-wide open enrollment, virtual schools and the Milwaukee Voucher program. In fact, many students with autism have already taken advantage, and continue to take advantage, of these options.

Thank you for this opportunity to share the concerns of the Autism Society of Wisconsin with you today.

Sincerely,

Jane Pribek
Executive Director

Executive Director
Jane Pribek

Executive Board

President
Linda Breuer

Vice President
Nancy Alar

Secretary
Kelly Shariff

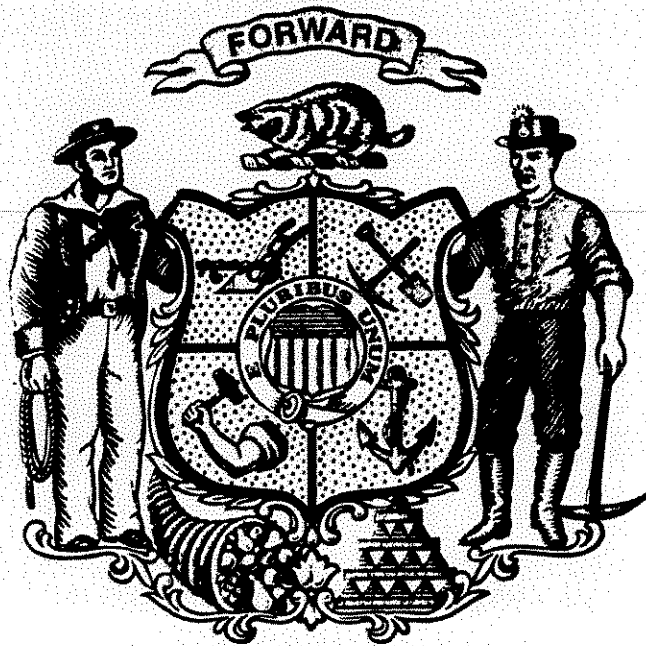
Treasurer
Jan Serak

Area Chapters
Central Wisconsin
Chippewa Valley
Fox Valley
Lakeshore
Madison
Northeast Wisconsin
Southeast Wisconsin

P.O. Box 165, Two Rivers, WI 54241
(920) 553-0278 • 1-888-4-AUTISM (WI only)

Fax: (920) 553-0034

www.asw4autism.org • Email: asw@asw4autism.org



Written Testimony
Beth Moss
2 Highgate Circle
Madison WI 53717

AB 700

February 7, 2006

Thank you, Governor Doyle and members of the committee for allowing me to speak. My name is Beth Moss. As a parent of a 13 year old child with autism, I do not support AB 700, the autism scholarship bill. My son is in the 6th grade at a public school where his needs are adequately met, but annual cuts in funding already reduce the services he receives each year.

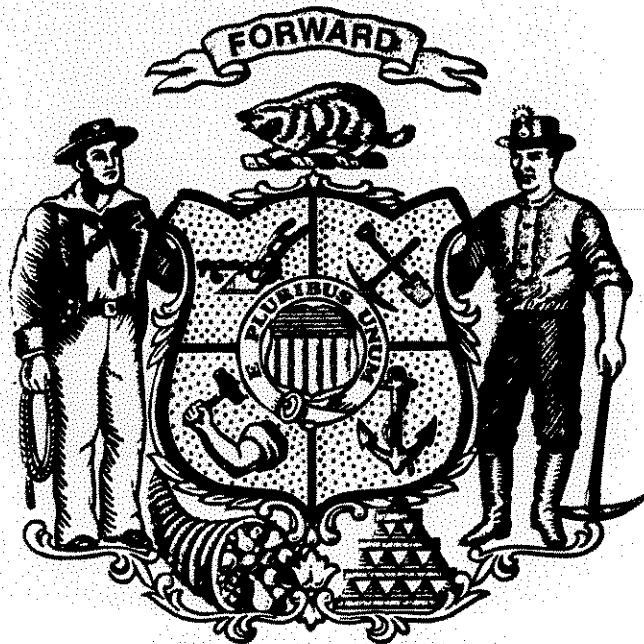
If passed this bill would benefit only 200 children. In my opinion after getting to know many children with autism, very few would actually benefit from moving from a public school with support services to a private school. Private schools do not have the trained staff that children with autism require. Providing that staff for one child would cost much more than \$15,000.00. The bill may be referring to a private school specializing in or treating exclusively kids with autism. First, where is this school in Wisconsin? Second, the vast majority of kids with autism need to be in an environment for most of the day with typical peers, who can provide appropriate models for behavior and language. Very few students need to be moved from the public school environment of typical learners to a segregated environment for kids with special needs. Third, if this school exists or is planned, is its purpose for profit, thereby the result of funneling public funds into a for profit business?

Not only do the students who are removed suffer, but taking \$15,000.00 from the special education budget punishes the rest of the special needs children in the district, especially those who do not have family members able to advocate for them. Special education already suffers enough annual cuts as it is now without adding on more.

Please do not support the autism scholarship bill. Please vote to support all students receiving special education services. Spend the money to improve special education for all students so that they all can have a Free and Appropriate Education.

The law already states that if a child's FAPE is not being met in a Least Restrictive Environment, the family can request a change in environment or school. We do not need a specific law, which assumes failure on the part of

the districts and which will spend \$3,000,000.00 to benefit only 200 children in the entire state.



Memorandum

To: State Senate Education Committee Members
CC: Kitty Rhoades
From: Eugene and Tammy Mandarino
Date: 2/7/2006
Re: Autism Scholarship Bill, AB700

Dear Committee Members:

This is a letter urging your support of the Autism Scholarship Bill, AB700.

We have a six year old autistic son (Louis) who is in Kindergarten. He has had different therapies since he was 21 months old, including ABA (one on one intensive therapy), speech therapy, occupational therapy (OT) and physical therapy (PT). This combination of therapies has done wonders for Louis.

Louis started Kindergarten in September of 2005. Here Louis receives speech therapy and OT, and is slowly being integrated into a typical class. We and a small portion from the Autistic Waiver provide ABA therapy at home after school.

We are fortunate to be in a great school system. However, there are three major concerns we have that may affect Louis long term.

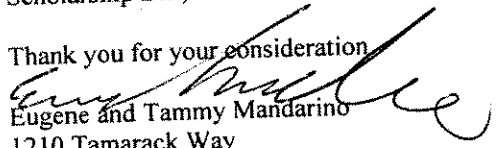
- First, Louis is being removed from his classroom when he verbally stims (makes repetitive sounds) so as to not to disturb other students. He then spends time with his personal assistant. We worry that if Louis's verbal stims don't improve, he may not be allowed to spend a full day with his class limiting his academic development.
- Our second concern is summer break. Last summer, we were denied any services through the school because we were providing therapy to Louis, via the waiver and our own money. The rationale was that because we were providing therapy, the school was not obligated to provide anything. In essence, we were penalized for trying to help our child.
- Our last concern is that our insurance (Blue Cross Blue Shield) denied reimbursing us for speech therapy claiming that the public schools are responsible for speech therapy, for ages 3 to 21. While at the same time, school policy claims they are only responsible for speech therapy that only relates to school matters. Louis also needs speech therapy for his home life, safety and non-school related activities. We are forced to pay out of pocket for speech therapy, in addition to his ABA therapy.

February 7, 2006

The current education system, while the intentions are well meaning is not set up to optimize education for autistic kids. Our hope is that the scholarship program for a school for the autistic will help address these concerns with solutions. This school will provide specialized expert education that focuses on the unique needs of the autistic community. In a perfect world, we would love to have the choice to take our son to a school that will meet more of his unique needs, and integrates ABA and other related therapies, speech for academic and "home life" OT, PT. With the ultimate goal of integrating him back into a typical classroom.

This program works in other states, it can work here too. Please vote yes to pass the Autism Scholarship Bill, AB700.

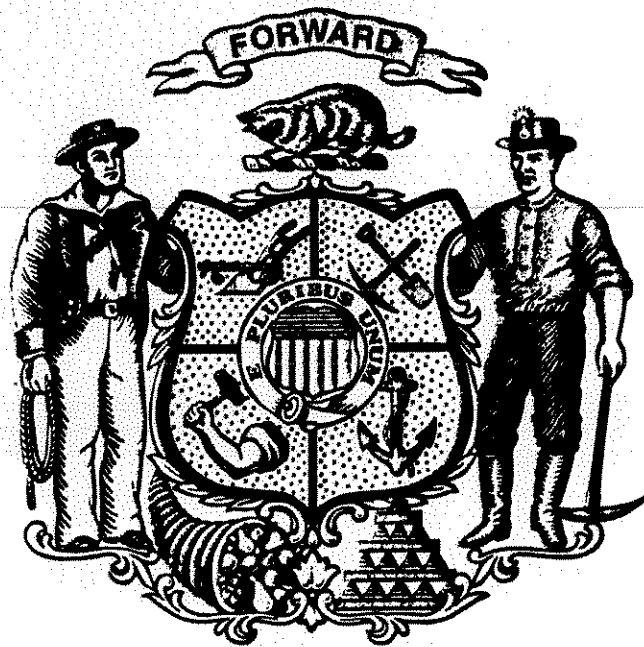
Thank you for your consideration


Eugene and Tammy Mandarino

1210 Tamarack Way

Verona, WI

53593



WISCONSIN EDUCATION ASSOCIATION COUNCIL

Affiliated with the National Education Association

*Every kid
deserves a
great school!*

MEMO

To: Members of the Senate Committee on Education
From: Diane Craney, WEAC Government Relations Specialist
Date: 2/7/2006
Re: AB 700, relating to the creation of an autism scholarship program

OPPOSE AB 700

Wisconsin's great schools face the challenge of teaching all children with or without special needs. AB 700 diverts needed school funds that benefit all children to private providers for the possible benefit of just a few. AB 700 fractures the school community when all should work together to the benefit of every child. Therefore, WEAC urges you to oppose AB 700.

Assembly Bill 700 directs the Department of Public Instruction (DPI) to award scholarships in the 2007- 08 and 2008- 09 school years to the parents of eligible children with autism. The scholarship or voucher would be worth up to \$15,000 per eligible pupil to be used for special education services from a private or public provider. The bill limits the number of vouchers to 200 statewide. The voucher would be funded by a decrease in a school district's state equalization aid payment. School districts would not be allowed to increase their property tax levy to compensate for the state aid loss.

WEAC OPPOSES AB 700 FOR THESE REASONS:

AB 700 discriminates against some students with disabilities. WEAC opposes creating a program that diverts up to \$3 million from local school districts for the benefit of a small number of students with disabilities to the detriment of other students. This bill singles out one disability and awards funds to parents of children of that one disability while ignoring and/or reducing resources to the students with other identified disabilities. Students with special needs who remain in an inclusive environment in their local school district will suffer from fewer resources to meet their educational needs.

Stan Johnson, President
Dan Burkhalter, Executive Director



AB 700 discriminates against some parents of children with autism. Assembly Bill 700 is unfair because the bill discriminates against some parents. For example, poor parents and/or working parents may not have the time or resources to avail their child of private alternative special services outside their local school, especially if the alternative services cost more than the \$15,000 voucher. Rural parents also may not have a location within driving distance to take their child to receive alternative special education services. AB 700 clearly favors affluent parents in urban communities with private special education services. Consequently the statewide autism community is divided on AB 700.

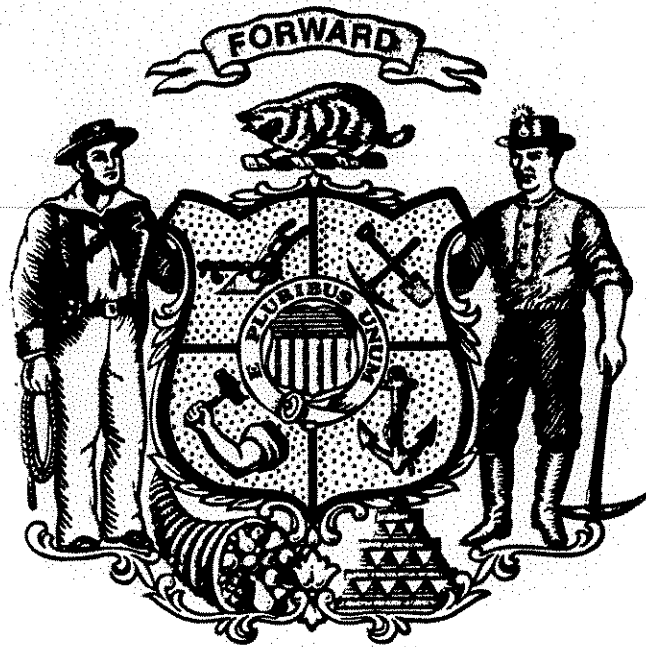
AB 700 may not be compliant with IDEA. AB 700 may not be compliant with the federal special education law, the Individuals with Disabilities Education Act. IDEA requires that placements be determined by the Individual Education Program (IEP) team. Because the bill does not permit the use of discretion in awarding the scholarships, it would violate IDEA by permitting the parent to unilaterally change the child's placement at the expense of the school district. Moreover, it would deprive the school district of its IDEA due process rights to challenge the placement.

WEAC urges you to oppose AB 700.

For More Information:

If you have any comments or questions regarding this statement, please contact Diane Craney, WEAC Government Relations Specialist, by phone at 800-362-8034 or by e-mail at craneyd@weac.org.

*Every kid
deserves a
Great School!*





The Wisconsin Council of Administrators of Special Services

February 7, 2006

Senator Luther Olsen
PO Box 7882
Madison, WI 53707-7882

Dear Senator Olson and Senate Education Committee,

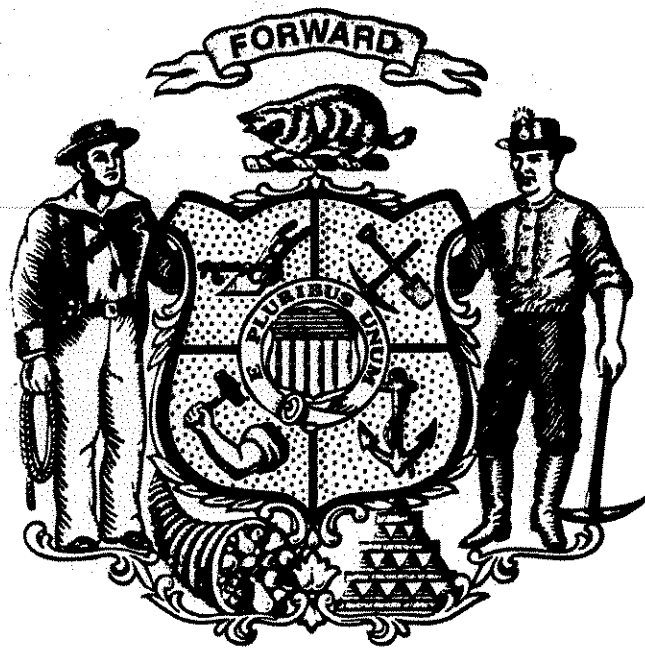
I am writing you today to encourage you to oppose AB 700. This bill provides for creation of an Autism Scholarship Program that would provide up to 200 scholarships per year in the amount of \$15000 each. The bill would not provide any new money for funding of the program. The funds would be coming out of the current state categorical aids as approved during the state budget process. It can be said the funds for this program will be taking away dollars from the other approximately 4300 students with autism and all special education students being served in Wisconsin public schools.

The bill would also provide for many challenges for the Department of Public Instruction in establishing criteria for approving private providers and the 200 individual scholarships themselves. We believe it is poor public policy for the legislature to provide individual scholarships for one class of individuals with disabilities.

Thank you for considering our request not to support AB 700. If you have any questions please feel free to contact me.

Sincerely,

Phil Knobel
Executive Director



February 7, 2006

Autism Scholarship Public Hearing

To Whom It May Concern:

I am pro autism scholarship!

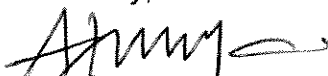
My name is Arkadiusz Zarzycki and I am a father of seven years old boy with autism, Alan.

After four years of very intense in home therapy, my son started to attend kindergarten in the fall of 2005. It has been a real struggle for our family to maintain our son's progress during his school year. I find his school staff not prepared for children with autism disability. Special education teacher assigned to Alan, has no prior experience or expertise in autism treatment. I spent a lot of hours every week communicating with the teachers and support staff to ensure the satisfactory implementation of my son's IEP. I feel like going to the doctors and educating him or her about the treatments they should provide me with.

Please help us to have a choice for the best education for our children. **We, parents, really care for our children.....** I would not say the same about the organizations that are opposing this program.

Thank you so much.

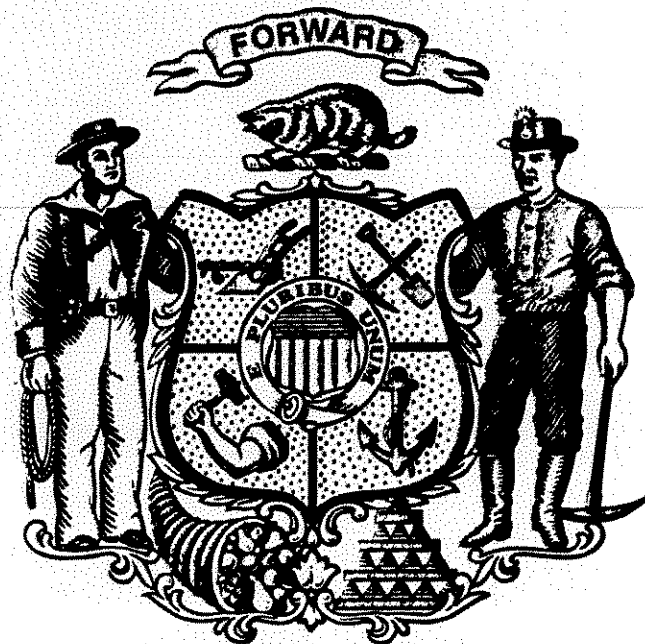
Sincerely,



Arkadiusz Zarzycki (father of Alan Zarzycki)

84 17 Elderberry Road
Madison, WI 53717

Phone 608.829.0062



**State of Wisconsin
Department of Public Instruction**

Elizabeth Burmaster, State Superintendent

Senate Committee on Education

February 7, 2006

Department of Public Instruction

Testimony on 2005 Assembly Bill 700

*Rep Rhodes Statement
(BFA said) as issues more review
in the conference*

My name is Carolyn Stanford Taylor. I am the Assistant State Superintendent for the Division of Learning Support: Equity and Advocacy at the Department of Public Instruction. / On behalf of the State Superintendent of Public Instruction, thank you, Chairperson Olsen and members of the Committee for the opportunity to be here today to testify on Assembly Bill 700. / This bill would require the Department of Public Instruction to award scholarships to parents of eligible children with autism. The department opposes this bill for a number of reasons.

School districts are required to provide a free appropriate public education in the least restrictive environment for children with disabilities. Special education and related services must be provided in conformity with a child's Individualized Education Program (IEP) developed for each child with a disability by a group of individuals including parents. IEP teams, which include parents, are responsible for the evaluation, program planning and placement of each child with a disability.

Beyond their equal participation in their child's evaluation, program planning and placement, parents also have a number of due process remedies available to them in the event they do not agree with decisions that have been reached.

This bill provides that a child with an autism spectrum disorder is eligible if an IEP has been developed. Federal special education law requires school districts to develop and implement an IEP and placement so that the child receives a free appropriate public education in the least restrictive environment. Generally, that means appropriate instruction with access to the general education curriculum that is presumed to be delivered in a regular education

classroom in the child's home district. It is our understanding that some programs would be delivered in the home on a one-to-one basis; this generally would not be considered an inclusive setting for children with disabilities.

An IEP team may determine that placement in the school setting is appropriate for that child, yet a parent could apply for a scholarship which would be implemented outside of the school setting under this program. However, the responsibility for a free appropriate public education in the least restrictive environment continues to be the school district's.

In regard to in-home programs, we should note that in January 2004, Wisconsin began covering intensive in-home therapy services under a federal Medicaid waiver, the Children's Long Term Support Medicaid Home and Community-Based Services Waivers (CLTS Waivers). This resulted in a reduction of services for children and families, with a final reduction in funding from \$38 M to \$26.5 M. The CLTS Waiver states, "Intensive In-Home Autism Treatment

Free at home

Services are therapy services and are not considered educational services.” State aids provide for reimbursement to local educational agencies for the costs of education. The department believes that the bill would violate the educational purpose of these aids.

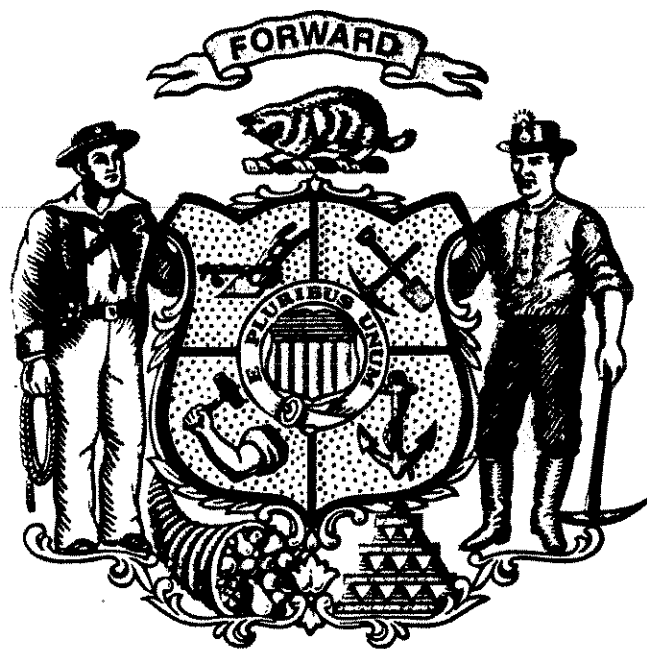
Federal special education law requires assignment of responsibility for a child with a disability to a local educational agency. The bill does not clarify who would have that responsibility for the enrolled child. In addition, if an IEP team determines an appropriate placement and it is different from the placement the parent wants, responsibility for a free appropriate public education remains with the school district. The question remains as to who has responsibility and liability for implementation of the IEP.

Under the federal law, if an IEP team determines transportation is necessary for a child to receive a free appropriate public education, the district must provide it. The bill provides that the parent or guardian is responsible for transporting the pupil to and from the program the pupil attends under the scholarship. This raises a

potential conflict with federal law and could invite litigation on the issue.

*with me is
Autism Fam
of*

Thank you again for the opportunity to testify and I would be happy to answer any questions you may have.



Survival Coalition of Wisconsin Disability Organizations

*16 North Carroll Street, Suite 400, Madison, Wisconsin 53703
(608) 267-0214 voice/tty • (608) 267-0368 fax*

February 7, 2006

To: Senators Olsen, Darling, Harsdorf, Grothman, Jauch, Erpenbach, and Hansen

From: Lynn Breedlove, Executive Director, Wisconsin Coalition for Advocacy &
Co-chair, Survival Coalition
Jennifer Ondrejka, Executive Director, Wisconsin Council on
Developmental Disabilities & Co-chair, Survival Coalition
Michael Blumenfeld, Co-chair, Survival Coalition
Liz Hecht, Chair, Survival Coalition Workgroup on Children & Families Issues

Subject: AB 700: Autism Scholarship Program

This testimony is submitted on behalf of the Survival Coalition of Wisconsin Disability Organizations, the statewide disability coalition in Wisconsin. We would like to thank the sponsors of AB 700 for their interest in children with disabilities and their effort to maximize outcomes for children in special education in Wisconsin. Survival Coalition members share the sponsors' concern that many school districts are not doing an adequate job of implementing Individual Educational Plans (IEPs) for children with complex needs. However, we do not believe that AB 700 moves Wisconsin in the right direction to address these needs for the following reasons:

1. **AB 700 perpetuates a growing disparity in access to resources based on the diagnosis of a child rather than need.** All children with disabilities have a right to a well-implemented IEP and a right to reach their greatest potential; this is not unique to children with autism. All children who benefit from good special education services will be more independent and successful adults; this also is not unique to children with autism. The Wisconsin legislature has focused much emphasis in recent years on children with autism. This was understandable given the change in Medicaid funding for autism services. Unfortunately, this focus has unintentionally increased the inequity between families of children with autism and families who have children with significant mental illness, physical disabilities or developmental disabilities.
2. **AB 700 also creates greater disparity in access to services based on a family's economic resources by requiring families to provide transportation to an alternative placement.** Single parents, families without a car, or families with both parents working full time will not have the flexibility needed to provide transportation for their child and therefore will not be able to participate in this program.

3. **AB 700 allows the segregation of children with autism from our schools and communities.**

We agree that Wisconsin schools often need to do a better job of educating and including all children with disabilities. This said, many children with disabilities are educated successfully with their peers. A critical outcome of inclusive learning environments is that all children learn about disabilities and how to accept and live with a diverse community of peers. AB 700 could result in more children with autism ending up in segregated school settings. When children do not have the opportunity to learn and live with each other, what will prevent their continued isolation in potentially segregated settings as adults?

4. **AB 700 promotes a divestment in public education.** We agree that school districts face many challenges to implementing IEP's for children with complex needs. We believe the solution lies in improving the capacity of schools to do this for all children. When they learn how to maximize positive outcomes for one child they can use lessons learned for many children. We are concerned that this use of targeted funds will lead to potentially private, segregated schools for children with autism. It could also reinforce those public schools who would prefer not to deal with students with autism, to send them elsewhere. If this happens, how will private schools meet the requirements of federal IDEA law? They are not currently required to do so. Who is responsible to assure implementation of the IEP? What is the impact on children in the home district when funding leaves the district?

IDEA provides a framework for a free appropriate public education that meets the individualized needs of each child. We believe that the greatest number of children will benefit from the effective use of public education dollars if IDEA is adequately implemented. Wisconsin has failed to provide the needed training, oversight and enforcement of IDEA to accomplish this. This is a joint responsibility of the local school district and DPI. AB 700 does not take us in the right direction to improve educational outcomes for all children.

Contact: Lynn Breedlove 608-267-0214
Liz Hecht 608-239-1364