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(FORM UPDATED: 08/11/2010)

## WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

### 1997-98

(session year)

### Senate

(Assembly, Senate or Joint)

### Committee on Education...

#### COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

#### INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
  - (**ab** = Assembly Bill)                      (**ar** = Assembly Resolution)                      (**ajr** = Assembly Joint Resolution)
  - (**sb** = Senate Bill)                              (**sr** = Senate Resolution)                              (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

\* Contents organized for archiving by: Stefanie Rose (LRB) (December 2012)

January 5, 1998

Luther Olsen  
WI Assembly Room 9-W  
Madison, WI 53708

Senator Calvin Potter  
WI Senate Room 407H  
Madison, WI 53707

Dear Co-chairs Luther Olsen and Calvin Potter,

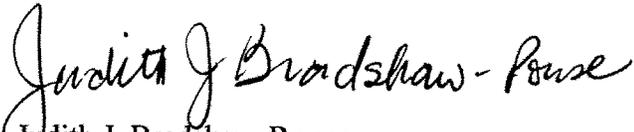
I am the parent of a child with a learning and emotional disabilities. I would like to share with you a little bit about our story as it relates to the proposed bill that would replace Wisconsin's current statute Chapter 115. Overall, I am encouraged knowing the proposed bill incorporates much of the federal statute, IDEA. The new federal legislation is very positive toward families and their children because it regards parents as full participants along with teachers and administrators in planning for their children's education.

My child has been involved with exceptional needs education for the past nine years. He was placed in an learning disability program at Thoreau Elementary School in the second grade and then in an emotional disability program when he entered Cherokee Heights Middle School. Learning our son had a serious reading disability was emotionally devastating for us and later for him as he dealt with it.

When my son was young, I knew he was slow. I knew he was bright (IQ 140). I knew he cried everyday on the way to first grade. He was labeled with the "slowness." I demanded testing and placement before he was finally placed in an LD program. Both my husband and I attended IEP meetings requesting reading services and writing assignments to help our son. IEP meetings were long (3-4 hours). In elementary school, my son's IEP was rarely followed by the next LD teacher. My son never had the same LD teacher from one year to the next. My husband and I mourned the lack of consistency from year to year and tried to compensate by hiring tutors.

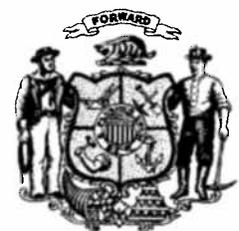
Since my son started attending high school this fall, we have attended three IEP meetings and expect to attend at least one more before the end of the school year. IEP meetings are shorter but now cover complex issues such as medication levels, behavioral problems, vocational training versus college, what is a reasonable accommodation. These issues often require further consultation with medical and legal professions.

Sincerely,

  
Judith J. Bradshaw-Rouse



# WISCONSIN STATE LEGISLATURE



January 5, 1998

Luther Olsen  
WI Assembly rm. 9-W  
Madison, WI 53708

Senator Calvin Potter  
WI Senate rm. 407H  
Madison, WI 53707

Dear co-chairs Luther Olsen and Calvin Potter:

I am a parent of a 5 year old son with Autism and I wish to share a few concerns and requests regarding the proposed bill that would replace Wisconsin's current statute Chapter 115. The proposed bill incorporates many of the recent changes in federal statute, the Individuals with Disabilities Education Act which are very positive for families and children, including parents becoming equal participants throughout the special education process and strengthening of early transition planning for students. However, some issues of concern remain. I ask that you consider the following requests for changes to the proposed bill to replace Chapter 115.

In order to ensure full parent participation and "equal footing" among all IEP team participants, require that:

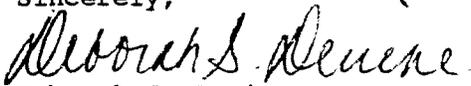
- \* a written copy of the evaluation report containing complete evaluation information from each individual evaluator and documenting eligibility must be provided to all IEP team participants (including the parent) after the meeting to review the child's evaluation and determine eligibility and before the meeting to develop the child's IEP and placement.

In order to ensure that students receive appropriate individualized programs, require that:

- \* each IEP team must include at least one member with current disability-specific training and experience in the handicapping condition the child is suspected to have, which at least includes one special education teacher of the child.

Because so few people received information in time to share their opinion on the proposed bill, I request that 2 additional hearings be scheduled, one in Milwaukee and one in the Stevens Point/Wausau area, with timely notice for each.

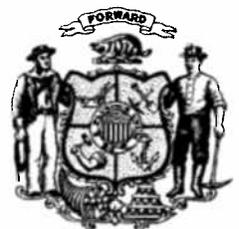
Sincerely,



Deborah S. Devine  
9522 W. Thurston Ave.  
Milwaukee, WI 53225  
414-461-3306



# WISCONSIN STATE LEGISLATURE



**FAX COVER SHEET**

work fax 1-715-536-8321  
 " Email double@dwave.net

<b>SEND TO</b> Company name <i>Wisconsin State</i>	
Rec. Attention <i>Leg. Attention</i>	
Date <i>1-5-98</i>	
Name <i>Olson &amp; Cal Patten</i>	
Fax number <i>1-608-266-7038</i>	
Address <i>Louise Neescher                  #2954 Hwy 107                  Merrill, WI 54452                  Email: blitzen@dwave.net</i>	

*Sutter*

- Urgent   
  Reply ASAP   
  Please comment   
  Please review   
  For your information

Total pages, including cover: 3    If you don't receive this number of pages, please call and let us know

**COMMENTS**

*Regarding pending charges in  
 IDEA - Ch 115*

*I'm faxing this from work because I am under time constraints. It is of the utmost importance that my input gets where it needs to be. Please see to it that it does.*

*I am a parent and grandparent of autistic / PDD / NOS children. I have been involved with the Special Education system for over 20 years.*

*I am also an Advocate the past year*

because of my ongoing concern for my grandchildren - 4 of which have PDD.  
and all children

I have found disaster within the SpEd system where there has not been a person on the M-Team that was a "specialist" in the Autism field. Destruction of my children and grandchildren. Ignorance and wrong methods used. This may not have been intentional as all probably went by what they were taught.

My grandson - whom I am raising had regressed to a fetal ball under this old system. It wasn't until the school AT MY INSISTANCE hired an Autism specialist to be on his M-Team came - and educated the school that we ALL have success.

We now have a child that is succeeding far past what the district ever suspected he could do. The district is using what they learned to help other kids.

I am happy - the child is happy - the teachers are happy - the district is happy.

and only reason any of it happened is because the law was in place that gave me the clout to have the school bring that specialist.

Please please please - I'm begging you on the side of reason and for the best interest of all (especially the children)

do not change the law to allow schools not to have specialists in a child's most handicapping condition on the team.

It is imperative that the law in this regard stay as it has been.

Juise Brascher

P.S.

I have seen so much destruction by ignorance

Please note on the side of

Common sense.

I would be happy with more time to write a more detailed report.





# WISCONSIN FAMILY TIES

16 North Carroll Street, Suite 830  
Madison, Wisconsin 53703

(608) 267-6888

Toll Free 1(800) 422-7145 (parents only please)

Fax (608) 267-6801

January 5, 1998

Luther Olsen  
WI Assembly Room 9-W  
Madison, WI 53708

Senator Calvin Potter  
WI Senate Room 407H  
Madison, WI 53707

Dear Co-chairs Luther Olsen and Calvin Potter,

Wisconsin Family Ties, Inc., a statewide, not-for-profit organization of families that include children and adolescents who have emotional, behavioral and mental disorders. Children and adolescents with mental health problems are the most under served disability group. Approximately 12 percent of children under 18 nationwide - 7.5 to 9.5 million suffer from problems that warrant mental health treatment. However, 70-80 percent of these children get inappropriate mental health services or no help at all. And perhaps more unfortunately, is the stigma associated with having a child with an emotional, behavioral, or mental disorder. A widely accepted attitude is that of placing blame for a child's condition on the parent. "If only you were a better parent your child would not have..." Parents frequently blame themselves for their child's behavior. If the child or youth's behavior is seen as disruptive or anti-social parents are embarrassed and unable to take advantage of most public recreational, educational and social activities. As a family's isolation grows, parents' ability to access help for their children decreases.

Our organizational goals are:

- To assist parents in forming community-based support groups in which they can share problems, exchange ideas and receive information.
- To advocate in the public forum for comprehensive, coordinated, community-based, family-centered mental health services for children and youth.
- To exchange information on medical and research findings, available social services, education, legal and public policy issues.
- To foster a collaborative working relationship between parents and the professionals working with children and their families.
- To increase awareness of our children's special problems and needs.

For the past ten years our volunteer and paid staff who team up with parents and the professionals they are involved with and through our toll free help line we are involved with thousands of parents all over the state. We have been offering families support, information, and education to bring the voices of their families "to the table" in whatever arena affects the lives of their children with emotional, behavioral and mental disorders. Much of the work we do with and for families is connected with schools.

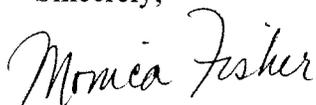
As you know research is documenting more and more the importance of parent involvement in the education of their children. With children with special needs like ours, it is even critical. Like other families we are working desperately to ensure that our children are successful in their communities. Unlike other families, our children because of their disabilities require more work to make this a reality. It is only through professionals; like teachers and administrators working together with families as equal partners can this happen.

Wisconsin Family Ties is enthusiastic about supporting the proposed bill that would replace Wisconsin's current statute Chapter 115. The overall tone of the bill seems to really encourage that families are truly equal partners in the education of their children. However, there are a couple of items that seem to run contradictory to overall tone.

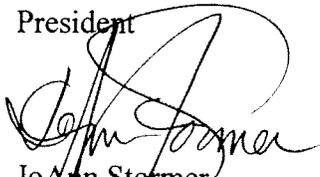
- A written copy of the evaluation report containing complete evaluation information documenting eligibility must be provided to all IEP team participants (including parents) after the meeting to review the child's evaluation and determine eligibility and before the meeting to develop the child's IEP and placement.
- The IEP team should include at least one special education teacher with extensive and current disability-specific training and experience related to the child's disability or if needed one special education provider could be included.
- There should not be a specific amount of IEP meetings required in the statute. These should be determined by what is needed in order to meet the needs of the child

Thank you for this opportunity to share with you. Family involvement in the care and treatment of their children is critical to the success of our state systems that work to ensure that all children regardless of their disability are successful citizens in our communities. Please copy and distribute our letter to all education committee members before the January 7, 1998 hearing.

Sincerely,



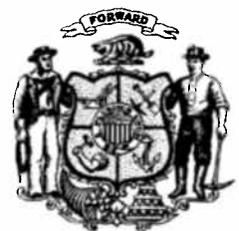
Monica Fisher  
President



JoAnn Stormer  
Executive Director



# WISCONSIN STATE LEGISLATURE



Jan 5, 1998

Luther Olsen

WI Assembly Rm 9-W  
Madison WI 53708

Senator Calvin Potter

WI Senate - Rm 4014  
Madison WI 53707

Dear Co-Chairs Luther Olsen and Calvin Potter

I am a parent of 2 children with disabilities. I am requesting a chance to express my concerns regarding the proposed bill that would replace Wisconsin's current statute Chapter 115. The proposed bill incorporates many of the recent changes in federal statute, the Individuals with Disabilities Education Act, which are very positive for families and children, including parents becoming equal participants throughout the special education process and strengthening of early transition planning for students. However, some issues of concern remain. I ask that you consider the following requests for changes to the proposed bill to replace Chapter 115.

In order to ensure full parent participation and "equal footing" among all IEP team

Participation, please consider the passing on  
the Collaborative Amendments put forth by  
the hearings done in joint public hearings by  
QEC, WCLASS, the School Board Association &  
Others.

Please copy and distribute my letter to all  
education committee members before the  
January 7<sup>th</sup> hearing. Because so few people  
received information in time to share their  
opinion on the proposed bill, I request that  
2 additional hearings be scheduled, one in  
Milwaukee and one in Stevens Point/Winona  
Area, with timely notice for each.

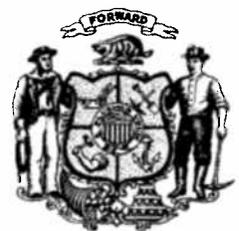
Sincerely

Dawn Hager  
A Very Concerned Mom  
of 2 Very Special Boys!

Dawn Hager  
18286 60th St.  
Bloomer WI 54724



# WISCONSIN STATE LEGISLATURE



Luther Olsen  
WI Assembly rm 9-u  
Madison, WI 53708

Senator Calvin Potter  
WI Senate rm 407H  
Madison, WI 53707

January 5, 1998

Dear co chairs Luther Olsen and Calvin Potter

I am a parent of a student with a disability and I wish to share a few concerns and requests regarding the proposed bill that would replace Wisconsin's current statute Chapter 115. The proposed bill incorporates many of the recent changes in Federal Statute, the Individuals with Disabilities Education Act which are very positive for families and children, including parents becoming equal participants throughout the special education process and strengthening of early transition planning for students. However some issues of concern remain. I ask that you consider the following requests for changes to the proposed bill to replace Chapter 115.

In order to ensure full parent participation and "equal footing" among all I.E.P. Team participants, please pass the collaborative Amendments put forth in the joint public hearing by G.E.C, W.C.A.S.S., the School Board Association & others.

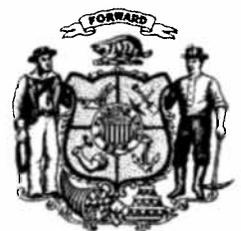
In addition the monitoring of "quality" in Special education programs needs to be further addressed in State rules and regulations related to the new chapter 115.

When you review the law look specifically at Chapter 115, sub chapter 5 - 115.77 - 115.80. And how state aid is determined, 115.88 - 115.90

Sincerely  
Rhonda Jew  
3672 125<sup>th</sup> Ave.  
Colfax, WI 54730-  
2411



# WISCONSIN STATE LEGISLATURE



**Pluta, Mary**

---

**From:** Eric & Susan Scott[SMTP:scottes@terra.com.net]  
**Sent:** Monday, January 05, 1998 11:26 AM  
**To:** Rep.Olsen  
**Subject:** Education Committee

January 5, 1998

Dear Representative Luther Olsen,

I have several concerns regarding the proposed changes to state statute Chapter 115 that I would like to share with you. Please copy this e-mail and distribute it to all members of the education committee at the public hearing scheduled for January 7, 1998.

I am the parent of a sixteen year old student with disabilities. As a result of these disabilities, my daughter has required and benefited from special education in Wisconsin since she was three years old. Although most of the proposed changes to the state special education law will benefit my daughter, other students with disabilities, and their families, two issues have not been adequately addressed.

As the best advocate my child has, I rely on complete and timely information from the professionals who work with my daughter in order to make effective, informed decisions regarding her education. Since school evaluations usually contain numerous test scores, technical data, and detailed observation reports, I prefer to receive this information in written form prior to designing an IEP. By studying written data, I know I haven't overlooked an important piece of information and can participate in the meeting as a knowledgeable and equal member. Please ensure that all members of the IEP team (including parents) have a written evaluation report that contains complete information from each individual evaluator prior to the meeting to develop the student's IEP and Placement.

I am also convinced that each IEP team should include at least one member with current disability-specific training and experience in the handicapping condition the student is suspected to have which at least includes one special education teacher of the student. This will help ensure that students receive appropriate, individualized programs.

Thank you for considering my concerns with the proposed changes to Chapter 115. Neither of my suggestions will drastically alter the proposed bill and should therefore be easily incorporated as positive changes for Wisconsin students with disabilities.

Susan Deyo Scott  
10855 Cave of the Mounds Road  
Blue Mounds, WI 53517  
608-437-8889  
scottes@terra.com.net



*From the TelePort of:* Rose Laessig

*Rep. Olsen 9W*

Date: Monday, January 5, 1998

Number of Pages: 3

To: Luther Olsen & Cal Potter

Fax Number: 1-608-266-7038

Memo: Please direct copies of this memo to Luther Olsen and Cal Potter. Thank You.  
Rose M. Laessig. Re: Chapter 115

January 5, 1997

To: **Luther Olsen**  
**Cal Potter**

From: Rose Laessig

Re: **Chapter 115**

I wish to give you some input on three of Chapter 115's points that are to me extremely important.

**Number 1** deals with "no individual reports will be required as part of the evaluation, parents will not get M-Team summary reports" before IEP development but instead get with Placement Notice.

I know for my son and me, we have had nothing but problems within the school district we are located in. Without the individual reports, my son would still not have had surgery on his legs that guarantees his being able to walk in the future. Also, without the individual reports, a parent will not know the areas that special attention needs to be taken. Withholding these vital records until placement withholds the parent's right to work toward an appropriate IEP. I am strongly opposed to withholding these vital records and believe the parents have a right to receive them at the M-Team meeting.

I personally can see no positive resulting for the students or parents from the withholding of these documents, only delayed IEPs and much more work for everyone involved.

**Number 2** involves this: "There will be only one called IEP team meeting rather than 3 separate (M-Team, IEP, Placement). From my own personal experience with my PDD son, all meetings **PLUS** are desperately needed. There is so much to be understood and learned both by the parents and the school personnel that it is simply impossible to do it all in one meeting. Our law used to (I had assumed still did) give the promise of due process. Can we possibly take this same process from our children?! As far as my son's disabling condition, the staff that deals with him has come a long way, however, they have a lot to learn and cannot possibly understand in one meeting all his special needs. Since they are not specially trained in his handicapping condition, they are still using trial and error in dealing with him and his IEP reflects this. Even **WITH** the three meetings, there is an enormous amount of work still to be done on his IEP before it will begin to truly meet his needs. Please don't take away this vital system of meetings. The schools, parents, and especially the kids will all be the losers by ending up with inferior IEPs that do not work for anyone.

**Number 3** concern lies in the **QUALITY OF PERSONNEL** - now there will be no participant required on IEP team with knowledge of child's disability, only "a spec.ed. teacher". I cannot imagine anyone even considering doing this to our kids! My son is living proof of what happens when you have an unqualified "spec.ed teacher." He had one for three years and she all but destroyed him. My son is diagnosed with PDD/NOS. I have **NOT** had a knowledgeable person at his M-Team meeting, IEP, or placement meetings, and the lack of quality schooling and school life for my son is **more** than apparent. I have a school system that flatly refuses to accept his diagnosis.

Memo to Luther Olsen & Cal Potter

Page 2

January 5, 1998

To me, this is practicing medicine without a license. I am frustrated that I continue to have to send him into a system totally unwilling to help this child because none of them on the M-Team were qualified to make a diagnosis, yet they did. My son is being destroyed by this. In a last ditch attempt to help him, rather than go to hearing, I have chosen to move into an area where they are dealing with autistic children. If this requirement is done away with, many children will experience what we are experiencing and many of these children will be treated as behavior problems, emotionally disturbed, retarded, etc., rather than given their right to the best education within their handicapping condition. How can you, as lawmakers, sentence innocent children to have to live by guidelines set up by unqualified people? I plead with you to use common sense and stop this erroneous and devastating law from being passed.

For our children, I ask you to PLEASE not sign this bill into law.

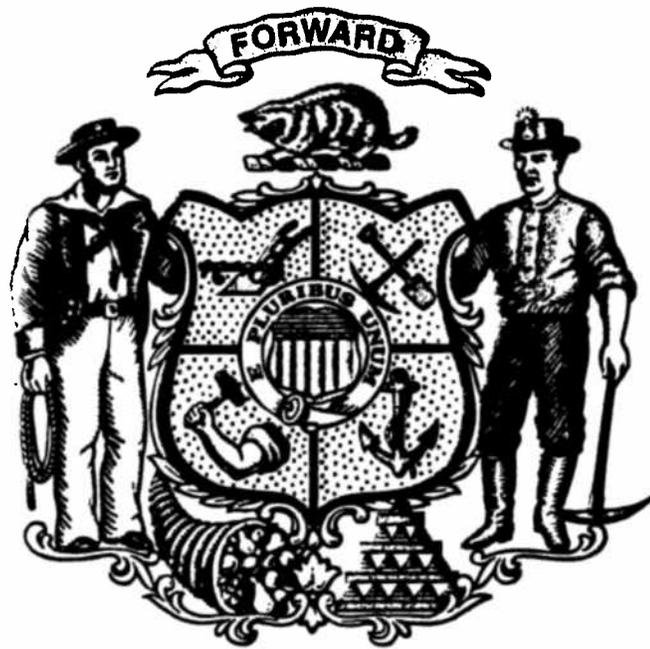
Rose M. Laessig  
D1945 County Road C  
Stratford, WI 54484

P.S. I've had little time to prepare for this. I am faxing this from my computer at home and cannot physically sign this. Please call or e mail me with any questions or for more information. I am willing to do whatever I can to stop this from being passed.

Daytime phone: 715-843-3414

Evening phone: 715-387-4901

E-mail address: worm@tznet.com



1-5-98

Luther Olsen

WI Assembly - Rm 9 - W

Madison, WI 53708

Senator Calvin Potter

WI Senate - Rm 407H

Madison, WI 53707

Dear Co-Chairs Luther Olsen and Calvin Potter

I'm an a parent of a student named Chris,  
and he has a disability.

I wish to share a few concerns and requests  
regarding the proposed bill that would replace  
Wisconsin's current statute Chapter 115. The  
proposed bill incorporates many of the recent  
changes in federal statute, the Individuals  
with Disabilities Education Act which are  
very positive for families and children,  
including parents becoming equal participants  
throughout the special education process  
and strengthening of early transition  
planning for students. However, some issues  
of concern remain. I ask that you  
consider the following requests for changes  
to the proposed bill to replace Chapter 115.

In order to ensure full parent participation and "equal footing" among all IEP team participants, please pass the Collaborative Amendments put forth in the joint public hearings by the REC, WCASS School Board Association & others

In addition, the monitoring of "quality in special education programs needs to be further addressed in state rules and regulations related to the new Chapter 115.

Karen Sinz  
Karen Sinz  
N156 St Rd 25  
Eau Claire, WI  
54737-9518



January 5, 1998

Luther Olsen  
WI Assembly - Rm 4-W  
Madison, WI 53703

Senator Calvin Potter  
WI Senate - Rm 407H  
Madison, WI 53707

Dear Co-Chairs Luther Olsen and Calvin Potter:

I am a parent of a Special Education student, and I wish to share a few concerns and requests regarding the proposed bill that would replace Wisconsin's current statute Chapter 115. The proposed bill incorporates many changes which are very positive, including positive parental participation throughout the special education process. However, some issues of concern remain.

In order to ensure full parent participation and "equal footing" among all IEP team participants, please pass the Collaborative Amendments put forth in the joint public hearings by the GEC, WCASS, School Board Association and others.

In addition, there is concern on my part regarding the monitoring of quality in Special Education programs. That is an issue I believe needs to be further addressed in state rules and

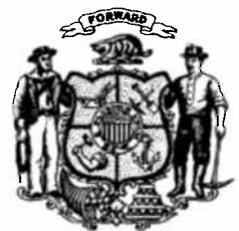
regulations related to Chapter 115. Please  
give this issue a lot of consideration, as I  
believe it is of utmost importance.

Sincerely,  
Rebecca Steinmetz

Rebecca Steinmetz  
15356 10<sup>th</sup> Ave  
Chippewa Falls, WI 54729  
(715) 723-7302



# WISCONSIN STATE LEGISLATURE



Ellie W.  
423 W Cedar St  
Chippewa Falls Wis  
54729 723-3341

Jan 5, 1999

Dear co-chairs Luther Olsen and Calvin Potter

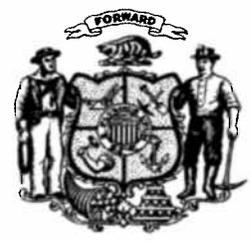
I am a parent of a student of two boys with a disability and one with I.D. and I wish to share a few concerns and requests regarding the proposed bill that would replace Wisconsin's current statute Chapter 115. The proposed bill incorporates many of the recent changes in federal statute, the Individuals with Disabilities Education Act which are very positive for family and children, including parents becoming equal participants throughout the special education process and strengthening of early transition planning for students. However, some issues of concern remain, I ask that you consider the following requests for changes to the proposed bill to replace Chapter 115. In order to ensure full parent participation & equal footing among all IEP team participants please pass the collaborative amendments put forth in the joint public hearings. Q.E.C., WCFSS, School Board

Association and others. Please copy and distribute my letter to all education committee members before the January 7th hearing. Because so few people received information in time to share their opinion on the proposed bill, I request that 2 addl. hearings be scheduled, one in Milwaukee and one in the Stevens Point/Wausau area, with timely notice for each.

Sincerely,  
Ellis Witrode



# WISCONSIN STATE LEGISLATURE



Jan 5, 1999

Dear Commissioner, Governor, Governor-elect,

I am writing you regarding the amendments needed concerning our unapproved child insurance. The letter boards to the proposed bill that would replace Wisconsin's child health statute Chapter 48.01 proposed will incorporate many of the recent changes in federal statute for individuals with Diabetes Education Act which are more positive to families & children, include parents becoming equal participants through the program education services & strengthening of our team to provide for a better health care and access to services remain. I ask you to consider the following requests for changes to the proposed bill to replace Chapter 48.

I would like to ensure full parent participation & "equal footing" among all IEP team participants please pass the collaborative framework put forth in the last public hearings by the OEC, WCAT, SE, School Board Association and others.

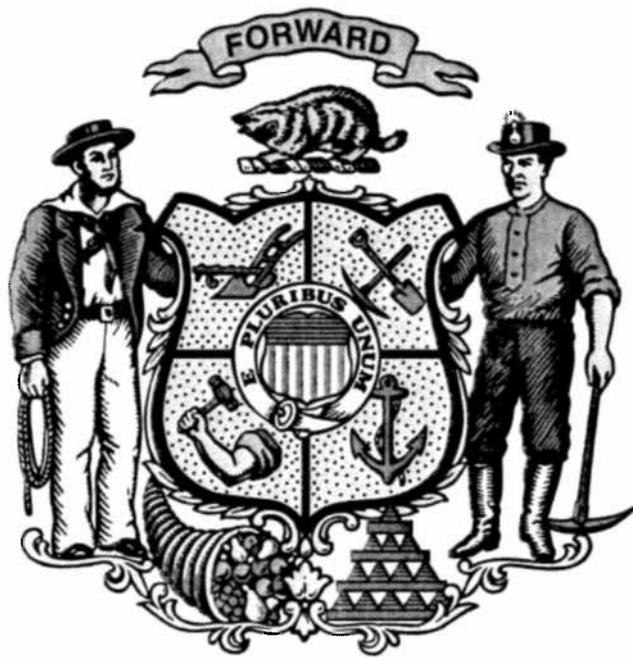
I am confident that with your support we can make a significant impact on the lives of children with disabilities. I am confident that I will continue to work with you to ensure that all children with disabilities have the opportunity to succeed. I am confident that I will continue to work with you to ensure that all children with disabilities have the opportunity to succeed.

and one on the stream bank - a small one - 3/10  
found out in the water - 1/10/10

Assembly

Bill of Law  
Shippin - Law, II 54729  
7-5-73-8663

Tom H. Lee  
Bill of Law  
Shippin - Law, II 54729



Rolin and Sally Carlson  
N10694 State Hwy. 79  
Boyceville, WI 54725-9315

January 6, 1998

Rep. Luther Olsen  
WI Assembly rm. 9-W  
Madison, WI 53708

Senator Calvin Potter  
WI Senate rm. 407H  
Madison, WI 53707

Dear co-chairs Luther Olsen and Calvin Potter:

We are parents of four children with special needs. Our oldest will be graduating this spring and attending college in the fall. We have been through M-teams and IEP for many years now. We know the importance of timely information when making a decision that effects the educational outcomes of our children. We need the written reports about our children before we attend the IEPT meeting. We like the fact that parents are now a part of the whole process but they must be an equal part of the process. They must have the written information ahead of time.

Another issue we have with the proposed Chapter 115 Bill is it no longer requires a person with an expertise in the current or suspected handicapping condition of the child to be on the IEP Team. If a child has low vision a person who does speech and language could be on the Team instead of a specialist in low vision. This is like having an electrician draw up the plumbing plans for your new bathroom. It is not at all practical! We must have people with an expertise in the current or suspected handicapping condition of the child required on the IEP Team.

Open enrollment will now be offered to all students in the state of Wisconsin except, of course, if that child has a disability. This is not at all fair. If the student's siblings are attending a different school district and the parents want all of their children to attend the same school district, or if a student is not able to receive educational services that are needed from his or her home school district, that student would not be allowed to attend a school that has those services unless the home school district agrees to pay. Equal education for all, we think not!

Another concern we have with the proposed Chapter 115 Bill is that only one report is generated from the IEPT and it may not reflect vital minority issues. For example, there may not be anyone in a local school district who would be able to teach Nemith Braille math skills to a child, therefore, this important skill may not appear as a need in the report.

Our final issue concerns the timeliness and location of this hearing. Few people received information in time to share their opinions on this proposed bill. We feel that two additional hearings must be scheduled, one in the Milwaukee area and the other in the Stevens Point/Wausau area. Not all parents can take a day to travel to Madison. Timely notice must be given in both cases.

Sincerely,

  
Rolin Carlson

  
Sally Carlson



January 6, 1998

Luther Olsen  
WI Assembly, Rm. 9-W  
Madison, WI. 53708

Senator Calvin Potter  
WI Senate, Rm. 407H  
Madison, WI. 53707

Dear Co-chairs Luther Olsen and Calvin Potter,

I am a parent of a child with a disability and a professional supporting children with disabilities. I would like to address the proposed bill that would replace Wisconsin's current statute Chapter 115. The proposed bill incorporates many of the recent changes in the federal statute, the Individuals with Disabilities Education Act, which are very positive for families and children. This includes parents as active participants throughout the special education process and strengthening of early transition planning for students. However, I have some concerns regarding the draft and would request the following to the proposed bill to replace Chapter 115 so that bill is in compliance with the federal statute, IDEA, Amendments of 1997.

In order to ensure informative participation of all participants, which includes the parents, and possibly the child with the disability, and allow for equality among all IEP team participants, I request the draft LRB-3798 be written to include under 115.78 a new section (5):

When the IEP team determines that a child is a child with a disability the LEA (local education agency) shall ask each participant of the IEP Team if they want a copy of the evaluation report or more time before developing the IEP.

That revisions be made to include in 115.782 (3)(b):

Upon completion of administration of tests and other evaluation materials, a copy of the evaluation report and the determination of eligibility shall be given to the parents. This meets federal statute of IDEA, page 46, (4) Determination of Eligibility (B). Copy attached.

If any IEP Team participant request a copy of the evaluation report at the point of determination of eligibility, the LEA shall give a copy of the report to IEP team participants before continuing with the process.

That new section be added to 115.782:

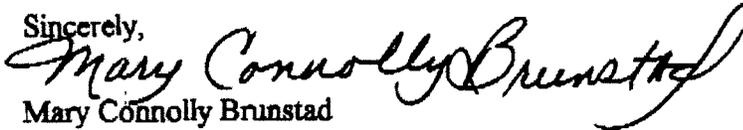
(3)(e) Any participant who evaluates a child as part of an initial evaluation or

reevaluation under s115.782 shall prepare, and make available to all participants at the IEP meeting, a written summary of findings which will assist with program planning.

Please pass the Collaborative Amendment put forth in the joint public hearings by QEC, WCASS, the School Board Association and others. Also, please add the amendment to 115.782 which would make Chapter 115 in compliance with federal law and allow parents to be effective educational advocates for their child while encouraging all participants to be equal partners in the decisions that affect the child's education and quality of life after leaving the educational system.

I request that copies of this letter be made and distributed to all education committee members before the January 7th hearing.

Sincerely,



Mary Connolly Brunstad

Parent of a Child with a Disability

Special Education Parent/Educator Facilitator

of the Chippewa Falls Area Unified School District

Enclosure

## Individuals with Disabilities Education Act Amendments of 1997

- (C) use technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors.
- (3) **ADDITIONAL REQUIREMENTS-** Each local educational agency shall ensure that—
- (A) tests and other evaluation materials used to assess a child under this section—
- (i) are selected and administered so as not to be discriminatory on a racial or cultural basis; and
  - (ii) are provided and administered in the child's native language or other mode of communication, unless it is clearly not feasible to do so; and
- (B) any standardized tests that are given to the child—
- (i) have been validated for the specific purpose for which they are used;
  - (ii) are administered by trained and knowledgeable personnel; and
  - (iii) are administered in accordance with any instructions provided by the producer of such tests;
- (C) the child is assessed in all areas of suspected disability; and
- (D) assessment tools and strategies that provide relevant information that directly assists persons in determining the educational needs of the child are provided.
- (4) **DETERMINATION OF ELIGIBILITY-** Upon completion of administration of tests and other evaluation materials—
- (A) the determination of whether the child is a child with a disability as defined in section 602(3) shall be made by a team of qualified professionals and the parent of the child in accordance with paragraph (5); and
- (B) a copy of the evaluation report and the documentation of determination of eligibility will be given to the parent.
- (5) **SPECIAL RULE FOR ELIGIBILITY DETERMINATION-** In making a determination of eligibility under paragraph (4)(A), a child shall not be determined to be a child with a disability if the determinant factor for such determination is lack of instruction in reading or math or limited English proficiency.
- (c) **ADDITIONAL REQUIREMENTS FOR EVALUATION AND REEVALUATIONS-**
- (1) **REVIEW OF EXISTING EVALUATION DATA-** As part of an initial evaluation (if appropriate) and as part of any reevaluation under this section, the IEP Team described in subsection (d)(1)(B) and other qualified professionals, as appropriate, shall—
- (A) review existing evaluation data on the child, including evaluations and information provided by the parents of the child, current classroom-based assessments and observations, and teacher and related services providers observation; and
  - (B) on the basis of that review, and input from the child's parents, identify what additional data, if any, are needed to determine—
    - (i) whether the child has a particular category of disability, as described in section 602(3), or, in case of a reevaluation of a child, whether the child continues to have such a disability;
    - (ii) the present levels of performance and educational needs of the child;
    - (iii) whether the child needs special education and related services, or in the case of a reevaluation of a child, whether the child continues to need special education and related services; and
    - (iv) whether any additions or modifications to the special education and related services are needed to enable the child to meet the measurable annual goals set out in the individualized education program of the child and to participate, as appropriate, in the general curriculum.
- (2) **SOURCE OF DATA-** The local educational agency shall administer such tests and other evaluation materials as may be needed to produce the data identified by the IEP Team under paragraph (1)(B).
- (3) **PARENTAL CONSENT-** Each local educational agency shall obtain informed parental consent, in accordance with subsection (a)(1)(C), prior to conducting any reevaluation of a child with a disability, except that such informed parent consent need not be obtained if the local educational agency can

**DRAFT -- COLLABORATIVE AMENDMENTS  
CHAPTER 115 SPECIAL EDUCATION STATUTES**

**115.78 Individualized education program team; timeline**

**New section (5)**

When the IEP team determines that a child is a child with a disability the LEA (local education agency) shall ask each participant of the IEP Team if they want a copy of the evaluation report or more time before developing the IEP.

**Revised section 115.782 Evaluations**

**(3)(b)** If the individualized education program team..... If any IEP Team participant requests a copy of the evaluation report at the point of determination of eligibility, the LEA shall give a copy of the report to IEP Team participants before continuing with the process.

**New section: 115.782 Evaluations**

**(3)(e)** Any participant who evaluates a child as part of an initial evaluation or reevaluation under s115.782 shall prepare and make available to all participants at the IEP meeting, a written summary of findings which will assist with program planning.

01/02/98



January 6, 1998

Luther Olsen  
WI Assembly Room 9-W  
Madison, WI 53708

Senator Calvin Potter  
WI Senate Room 407H  
Madison, WI 53707

Dear Co-chairs Luther Olsen and Calvin Potter,

I am the parent of a child with a learning and emotional disabilities. I would like to share with you a little bit about our story as it relates to the proposed bill that would replace Wisconsin's current statute Chapter 115. Overall, I am encouraged knowing the proposed bill incorporates much of the federal statute, IDEA. The new federal legislation is very positive toward families and their children because it regards parents as full participants along with teachers and administrators in planning for their children's education.

I am the mother of seven children. I have two sons with learning disabilities. My oldest son graduated from Watertown High School last year under great effort on the part of all involved. He is 21 years old, so he no longer is eligible for any of the programs we are about to address with this new bill. However with my son who is in fifth grade still in the long threshold of the system, I will be involved with the IEP's and constant involvement with the process to transition him into the world as a helping member of society.

I would like to address the need for greater understanding with our schools about how much we as parents have participated in our children's' education. Innovative approaches toward teaching these children with exceptional needs has to be relearned by the whole staff in our school systems. My oldest son was diagnosed in first grade as having a learning disability. I have spent the last thirteen years of my life working to get my voice heard. Often I submitted in humble acquiescence at the more knowledgeable teaching staff, however, I have armed myself with the laws and my rights, and have come out from under the table to be an active advocate on behalf of my own children.

We are a team, and this is good. The school systems need to all understand how a child with exceptional learning needs could be taught. We are making progress. It should not have to be shoved into the back closet for only the LD/EEN teaching staff to address. These classrooms are usually an afterthought and given some back janitors room as the room for these kids to learn in. They are usually dark, dank, half-rooms. My sons refer to 'their classroom' as the HOLE.

Sincerely,



Gwenith M. Jones