

Spring 2023



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Florida CASE Newsletter

Florida CASE Board of Directors

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Greetings CASE Members,

Spring Is in The Air! What a beautiful time of the year!

Spring is a miraculous experience! The whole world comes alive after the winter season. Spring gives us hope for rejuvenation in our own lives as well. We are always reminded of the beauty of springtime and the blooming of flowers across the country. May this month start with zest as we continue to support our students, families, teachers, administrators, and staff!

It brings much joy to be able to celebrate our 25th Silver Anniversary of hosting our annual Summer Leadership Institute with you! Your Board is working diligently in preparing for this special occasion. This year's theme "25 years of Focused Leadership for Students with Disabilities" represents our unwavering support and dedication to the field of Special Education, providing a quality education to our students with unique abilities and enables every student to gain a high level of independence. As always, we have scheduled some distinguished guest speakers; This year's institute will once again be held at the beautiful Hyatt Regency Coconut Point Resort & Spa in Bonita Springs.

We look forward to seeing you!

Warm regards,

Dr. Rosalind Hall, President



Quote of the Month

"At the end of the day it's not about what you have or even what you've accomplished... It's about who you've lifted, who you've made better, it's about what you've given back."

~ Denzel Washington



Valerie C. Williams, Director of the Office of Special Education Programs (OSEP)

Biography

Valerie C. Williams serves as the director in the Office of Special Education Programs (OSEP) within the Office of Special Education and Rehabilitative Services at the U.S. Department of Education. In this role, she is responsible for overseeing administration of the Individuals with Disabilities Education Act (IDEA), which authorizes formula grants to states under IDEA Part B and to lead agencies for the infants and families program under IDEA Part C. IDEA also authorizes discretionary grants under IDEA Part D to institutions of higher education and other non-profit organizations to support grants for state personnel development, technical assistance and dissemination, technology, and parent training and information centers.

Williams most recently served for six years as senior director of Government Relations and External Affairs at the National Association of State Directors of Special Education. She has decades of experience, which include supporting state-level special education leaders by overseeing federal government public policy activities, federal regulatory affairs, public relations, and key initiatives to promote equity and guide positive systemic change, thereby improving outcomes for students with disabilities. She also served as the Joseph P. Kennedy, Jr. Public Policy Fellow, on the U.S. Senate Health, Education, Labor & Pensions Committee advancing disability policy and civil rights. Prior to that, she managed the budgeting and finances for numerous multi-million-dollar programs within the Departments of the Navy and the Air Force, and the Nuclear Regulatory Commission.

Williams was born in White Sands, New Mexico, and raised in Prince George's County, Maryland. She holds a Bachelor of Arts in Political Economy of Industrial Societies from the University of California at Berkeley and a Master of Arts in Public Management from Johns Hopkins University. She has a unique perspective, having worked with members of Congress and staff on Capitol Hill, with advocacy organizations, supporting state special education leaders, and most importantly, being the parent of a son with Down syndrome.

Thoughts to the Field

As a shared priority with President Biden and Secretary Cardona, I am dedicated to grounding my priorities in equity for students with disabilities. These include, reconceptualizing transition for those exiting school, dissemination of technical assistance resources and all matters related to personnel shortages. Additionally, I'm looking to bolster OSEP's support to improve school culture, reduce the number of disciplinary removals, increase inclusive programming, disseminate best practices, promote literacy, embrace families as partners in education, and improve early childhood outcomes. My list is long; however, I am confident that together we can move the needle. More information from OSEP will be forthcoming.

If I can take a moment and highlight one priority, OSEP is creating a new initiative dedicated to improving postsecondary outcomes for students with disabilities, entitled *Expect, Engage, and Empower: Successful Transitions for All!* This initiative will challenge the field to join us to raise expectations, engage families earlier, and empower all who support transition services to measurably improve postsecondary outcomes for our students.

I look forward to all that we will collectively accomplish together.

In solidarity,

Valerie C. Williams




Welcome New Members

Bridget Barahona
Shauna Deskin- School Board of Levy County
Kathleen Driver- Polk County
Mary McConomy- Leon County
Sonya Cheatwood-
Katherine Cszaszar- Principal, Paul B Stephens School, Clearwater
Maria Davis-Pierre, Autism in Black Inc, Palm Beach County
Jacqueline Cassidy- Principal, Pinellas County Schools

New members put the spring in our step.

We love growing our organization and reaching out supporting more administrators serve their students, families, and staff. Over the last three months we have seen our membership increase by eight members across the state. Hitting 200 members strong. Once again, this year's Summer Leadership Institute will include the costs of renewing your FLCASE membership. Please encourage your colleagues to join us this summer. Membership includes all of the discounted webinars, digital newsletters, and legislative updates. We are excited to meet you all this summer.



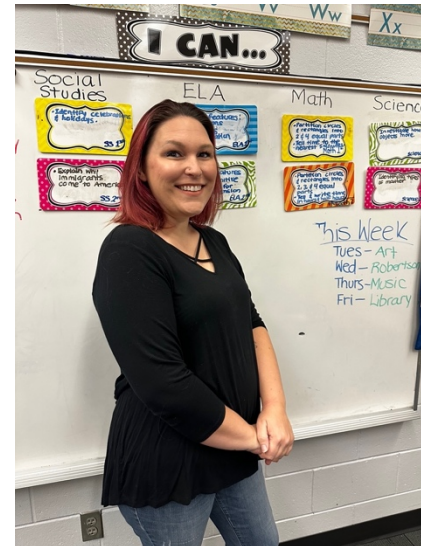
Congratulations Dr. Landis Stetler Scholarship Recipients!

We are extremely excited to have awarded to the following recipients a \$3,000 scholarship to further support their educational goals.



Bryan T. Elliott serves as an ESE teacher in the behavioral unit at Mainland High School his Alma Mater. Mr. Elliott prioritizes patience, and empathy as a necessity when working with his students. He sees first-hand how a teacher has the ability to impact future generations. He grateful for this “Divine Appointment” knowing he was called into teaching. Mr. Elliott also stated that the students have helped him learn about himself as well. Mr. Elliott is attending Bethune Cookman University for a Master’s Degree in Exceptional Student Education.

Danielle Phelps is a paraprofessional in an ESE setting at St. Cloud High School. She is attending University of Arizona online program in Elementary Education with a minor in ESE. Danielle was drawn to exceptional student education because her own children have benefitted from specialized instruction. Danielle is very excited about continuing her career in Osceola County. She plans on becoming a classroom teacher and working with paraprofessionals such as herself. When meeting with Ms. Phelps our entire FLCASE board was filled with excitement as she spoke about her passion for her students. She will be a strong advocate for kids.



“Education is the most powerful weapon which you can use to change the world.”

~Nelson Mandela

Legislative Updates



The education of children is a fundamental value of the people of the State of Florida. It is, therefore, a paramount duty of the state to make adequate provision for the education of all children residing within its borders. Adequate provision shall be made by law for a uniform, efficient, safe, secure, and high-quality system of free public schools that allows students to obtain a high quality education and for the establishment, maintenance, and operation of institutions of higher learning and other public education programs that the needs of the people may require.

- *The Florida Constitution, Article IX, Section 1*

Much has occurred during the current legislative session. Now is the time to make your voice heard! Contact your representative and let them know your concerns.

HB 1/ SB 202 – passed along party lines - \$8,000 toward private school tuition - Florida Policy Institute estimated cost of \$4 billion. The house has provided an estimate between 2 and 3 billion. However, their estimate is dependent on parents of students currently enrolled in private school declining the voucher. This bill also opens up voucher funding to homeschool students. There are no safeguards or oversight regarding curriculum.

Revising student eligibility and ineligibility requirements for the Family Empowerment Scholarship Program; revising student eligibility and ineligibility requirements for the Florida Tax Credit Scholarship Program; revising the eligibility criteria and obligations of private schools participating in certain educational scholarship programs; authorizing public schools, including charter schools, to enroll certain students on a part-time basis, etc.

How this is being funded is still up in the air. However, there has been much talk centered around the current FEFP being adjusted.

HB 19 – Proposal to make the following change -

- (d) At least 1 year before the student reaches the age of majority, provision of information and instruction to the student and his or her parent on self-determination and the legal rights and responsibilities regarding the educational decisions that transfer to the student upon attaining the age of 18. The information must include the ways in which the student may provide informed consent to allow his or her parent to continue to participate in educational decisions, including:
1. Informed consent to grant permission to access confidential records protected under the Family Educational Rights and Privacy Act (FERPA) as provided in s. 1002.22.
 2. Powers of attorney as provided in chapter 709.
 3. Guardian advocacy as provided in s. 393.12.
 4. Guardianship as provided in chapter 744. Section 2.

SB 290 – Authorizes parent(s) to retain their child in prekindergarten, in consultation with the individual education plan (IEP) team, if that child has a disability, an IEP, is enrolled in a public school prekindergarten program at the age of four, and is fully funded through the Florida Education Finance Program (FEFP). It requires the above described child who demonstrates a substantial deficiency in early literacy skills, to receive instruction in such skills. The bill also revises the “good cause exemptions” from mandatory retention to include allowing students in grade 3, who have an Individual Education Plan and are severely below grade-level, to be promoted to grade 4 if the student was retained in a prekindergarten program.

HB 1069/ SB 1320 – This bill includes requirements for age-appropriate and developmentally appropriate instruction for all students in prekindergarten through grade 12. The bill includes requirements for specific terminology and instruction relative to health and reproductive education in schools. It extends the prohibition on classroom instruction on sexual orientation or gender identity to prekindergarten through grade 8.

The bill adds to processes for review of library and classroom materials available to students in public schools and the process for parents to make objections to materials. It requires the suspension of materials alleged to contain pornography or materials harmful to minors as identified in current law pending resolution of an objection to the material.

In other news...

Supreme Court of the United States

Perez v Sturgis Public Schools

On Tuesday, 3/21/23, the U.S. Supreme Court ruled in favor of a Michigan student who alleged his school district failed to meet his educational needs.

The student attended Sturgis Public Schools from the age of 9 through the age of 20. The school district would not award a diploma and instead provided a certificate of completion. A complaint with the Michigan Department of Education was filed, claiming that the student was not provided a free and appropriate public education (FAPE). A claim was also made that the district did not provide the student, who is deaf, with qualified interpreters and misled the family regarding his educational progress. A settlement was reached and the district agreed to provide Mr. Perez the forward-thinking relief requested, including additional schooling at the Michigan School of the Deaf.

Mr. Perez moved on to file a lawsuit in federal district court under the Americans with Disabilities Act (ADA), seeking compensatory damages. The school district requested dismissal, saying there is a requirement that a plaintiff seeking relief also available under IDEA to first exhaust IDEA's administrative dispute resolution procedures. The district court agreed and moved to dismiss and the Sixth Circuit backed this decision.

The U.S. Supreme Court agreed to take the case. Mr. Perez contends that his ADA complaint seeks compensatory damages only, which IDEA cannot provide. Sturgis claims that the suit should not continue based on the fact Perez seeks relief for harm caused by the allegations against Sturgis, which IDEA exists to address. Perez agreed to settle the administrative complaint, rather than exhaust all processes.

The U.S. Supreme Court ruled in favor of Mr. Perez. Interpreting the wording of "remedy" in IDEA as "relief", which is what Mr. Perez was seeking. The case was remanded back to the lower courts to determine if Mr. Perez can win the compensatory damages requested.

President's Proposed Budget

Individuals with Disabilities Education Act (IDEA) – The budget includes \$16.8 billion (a 17% increase) in IDEA grants to support special education and related services for students with disabilities in grades PreK through 12. This is an increase of \$2.1 billion above the original 2023 level. This budget also includes \$932 million in IDEA Part C grants to support early intervention services for infants and families with disabilities.

National CASE Collaborates with Florida CASE



Florida Special Education Leadership Symposium

Ensuring our leaders have the knowledge & resources to give every child the FAPE they deserve.

FEATURED SPEAKERS



Dr. John Kelly, NCSP
Past-President
NASP



Laurie VanderPloeg
Associate Executive Director
THE CEC



Phyllis Wolfram
Executive Director
CASE



Dr. Rosalind Hall
President
Florida CASE



Beth Varner, NCSP
Mental Health Expert
eLuma

Tuesday, April 4 8:30 am - 2:30 pm
Longwood Community Center, Longwood, FL

Sponsored by the
Florida Council of Administrators of Special Education

The day was filled with excellent speakers across the country whose focus included The Special Education Director's Guide to School-Based Mental Health, The Provision of School-based Mental Health Services within a Multi-Tiered Systems of Support Framework, The State of Special Education, A National Overview (OSEP Update) and Effective Strategies for Navigating the Special Education Personnel Shortages. All presentations were engaging, and our attendees represented Florida well with their comments, challenging situations, real-life experiences, and most of all possible solutions in supporting students, families, faculty, and staff. One of the areas that we spent some time discussing that is so dear to our heart as we work diligently along with our colleagues in our respective districts is recruiting and retaining our Special Education Teachers. The questions that were posed and stood out to me the most are as follows:

Changing the Perception of the Profession

Triggering Question:

“What Actions, if immediately adopted and implemented by Special Education Administrators, would contribute to changing the perception of special education today?” Elevate the Profession!!

Improving Working Conditions

Triggering Question:

“What Actions, if immediately adopted and implemented by Special Education Administrators, would enhance working conditions for special education in your district starting tomorrow?”

“Our teachers are truly the backbone of our society. They provide our students with purpose, set them up for success and inspire in them a drive to do well and succeed in life. Our students today are the leaders of tomorrow!” ~ *Author Unknown*

The State Department in Michigan have made this area a priority and is working with a multitude of stakeholders collectively to change the trajectory in an effort to recruit, retain Special Education Teachers and Related Services Personnel. Where do we go from here?





From the Desk of Office of Special Education Programs (OSEP)

It has come to our attention that initial evaluations have sometimes been **delayed or denied by local educational agencies (LEAs) until a child goes through the multi-tiered system of supports (MTSS) process, sometimes referred to as Response to Intervention (RTI)**. Although the term RTI is no longer commonly used to describe a State's multi-tiered system of supports, the attached memoranda apply to all tiered systems of support, whether the State uses a RTI, MTSS or a unique State name. The basis for these memoranda is the child find requirements in Section 612(a)(3) of the IDEA. Each IDEA Part B and Part C grantee must ensure it has a system in place for meeting the child find requirements as a condition for funding.

OSEP reminds State educational agencies and LEAs that the Part B regulations at 34 C.F.R. §300.301(b) allow a parent to request an initial evaluation *at any time* to determine if a child is a child with a disability under IDEA. As OSEP Memorandum 11-07 states, MTSS/RTI may not be used to delay or deny a full and individual evaluation under 34 C.F.R. §§300.304-300.311 for a child suspected of having a disability. With respect to preschool children, IDEA does not require or encourage a local or preschool program to use a MTSS approach prior to referral for evaluation or as part of determining whether a 3-, 4-, or 5-year-old is eligible for special education and related services. Once an LEA receives a referral from a preschool program, the LEA must initiate an evaluation process to determine if the child is a child with a disability. See: 34 C.F.R. §300.301(b).

OSEP recommends that you review the attached memoranda and distribute them to LEAs and intermediate education units within your State. Please let them know that because the content of these memoranda reflects IDEA statutory and regulatory requirements, they are still in effect.

If you have any questions regarding this email, please contact your OSEP State Lead.

1. [OSEP Memorandum 11-07](#)--A Response to Intervention (RTI) Process Cannot Be Used to Delay-Deny an Evaluation for Eligibility under the Individuals with Disabilities Education Act (IDEA) (January 21, 2011); and
2. [OSEP Memorandum 16-07](#)--A Response to Intervention Process Cannot be Used to Delay-Deny an Evaluation for Preschool Education Services under the Individuals with Disabilities Education Act (April 29, 2016).



Open Board Positions

The Florida CASE Board of Directors is calling for nominations for the office of Treasurer, Secretary, and Member-at-Large Positions. Please review the details below and consider nominating yourself or a colleague:

Treasurer- (2-year commitment commence on July 1, 2023)

1. Be custodian of the funds of the organization,
2. disburse money for expenses incurred,
3. Submit a treasurer's report at all Board meetings.

Secretary- (2-year commitment commence on July 1, 2023)

1. Keep accurate minutes of all meetings.
2. Conduct necessary correspondence.
3. Provide copies of the constitution and by-laws.

Member at Large- (2-year commitment commence on July 1, 2023)

1. Newsletter Editor.
2. a minimum of four (4) per year and ensure website is current,
3. provide other services as determined by Officers/Board of Directors.

Candidate Qualifications: All officers of the Board must be National CEC/CASE members in good standing. Members eligible to be elected to positions on the Board of Directors must be an Administrator of Special Education.

Recognizing our Achievers



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Your Board would like to recognize our members for their accomplishments throughout the year. If you receive an award, promotion, special recognition etc... Please send me the information along with a picture so that you can be highlighted in the upcoming newsletter.

We take great pleasure in honoring you!



Florida CASE Summer Leadership Institute

SAVE THE DATE

“25 Years of Focused Leadership for Students with Disabilities”



Save the Date

June 12-14, 2023

Florida CASE Summer Institute

Hyatt Regency Coconut Point Resort and Spa,
Bonita Springs

January 30-February 1, 2024

Florida CASE Winter Leadership Institute
Hilton Orlando/Altamonte Springs Fl

Institute for Small and Rural Districts

(Information forthcoming from ISRD)

Wednesday June 14th at 12:00 P.M.-4:00 P.M.

Through

Thursday, June 15th @ 8:30 A.M.-12:00P.M.