

# **IDEA Regulations Position Statement For LDA of MICHIGAN**

**The Michigan LDA has the following comments:**

## **Evaluation for Learning Disabilities:**

LDA of Michigan recommends continuation of the option to use the discrepancy model, along with guidance from DSM-IV considerations, recommendations of the MET (observations, clinical judgments, and findings from a variety of individual assessments), and documentation of research-supported intervention(s) implemented by personnel with appropriate qualifications for delivering the intervention(s), with diagnostic modifications as needed. Often, these interventions are carried out by the least qualified: paraprofessionals, volunteers, etc. We believe that documented interventions carried out by qualified and trained personnel are necessary as part of the evaluation process.

## **Highly Qualified Teachers of Special Education:**

The Board of LDA of Michigan is concerned about the requirements for Highly Qualified Teachers at the secondary level. For teachers who are likely to be co-teaching, teaming or supporting students in the general education environment, these requirements are overly burdensome, and ineffective in their implementation for the following reasons:

- Insufficient research connecting qualifications with student results,
- A failure to recognize that highly qualified special educators hold the process skills required to provide access to the general curriculum, in all content areas,
- Inadequate research to support a connection between paper and pencil testing of teaching (content) knowledge and teacher effectiveness with their students.

We suggest that the requirements for Highly Qualified Special Educators working in consultive capacities be rescinded until further justification can be made for requirements.

However, many children with high incidence disabilities in secondary programs have been placed in classes outside of the general education environment. We support the requirements for Highly Qualified Special Educators in these environments. If our children are required to meet AYP in segregated classrooms, they need to have access to rigorous content and high expectations, with accommodations for their learning needs. We are concerned with the high drop-out rates and poor college attendance rates of our children, and would support efforts to keep them in school, and prepare them for continuing education. We also support enhancements to teacher education for general educators to become collaborators in providing education for children with high incidence disabilities in the general education environment with their peers.

## **Disciplinary:**

Exclusion provisions for Individual Alternative Education Settings (IAES) need to have parity with previous FAPE placements (by time and breadth of content). Two studies: Nowhere to Go (Stone-Palmquist, 2005) and Education on Lockdown (Advancement Project, 2005) show that children excluded through zero tolerance and other juvenile justice actions are sent on a clear trajectory to poverty, underemployment, and further interactions with the justice system. With

32% of African American men at risk of incarceration and 17 % of Hispanic males impacted (Sentencing Project, 2005), this represents an enormous social justice issue that extends well beyond special education.

**Transition Age:**

LDA of Michigan does not support raising the age for required transition planning to 16 years old, and applauds the state of Michigan for continuing to hold the age at 14 years. Our students need continuing specialized education to master the skills for academic success, and need added preparation to compete in the job market. Reducing the amount of time available to build these skills, we believe will further disadvantage our children in obtaining employment and advancing in challenging careers.