
GENERAL RECOMMENDATIONS¹⁸²

1
2 This section offers general recommendations regarding how MPS and DPI might
3 begin to remediate some of the problems on which I have reported. Some of the
4 proposed remedies call for the two agencies to work together. This section also
5 highlights some of the positive aspects of both educational agencies and suggests ways
6 in which the remedies might build on these strengths. Each of these remedies requires
7 adequate funding if it is to be effective.

8 JOINT NEEDS ASSESSMENT

9 If improvements are to take place, both DPI and MPS officials must come to
10 agreement on the barriers to implementing services for students with disabilities. There
11 has been no comprehensive needs assessment of the problems that are leading to non-
12 compliance in MPS. This needs assessment should be as inclusive as possible, soliciting
13 the views of all categories of MPS and DPI employees¹⁸³ involved in services to students
14 with disabilities, parents and advocates, MPS union representatives, persons involved in
15 preparing and recruiting new school-based employees (e.g., members of the higher
16 education community) and students.¹⁸⁴

17 The needs assessment must review barriers to implementation of each applicable
18 element of IDEA, Section 504 and ADA in MPS, as well as the systemic problems raised

¹⁸² This section does not address legal remedies or sanctions. Rather, it represents educational remedies.

¹⁸³ It is essential that general educators play a major role in this process, to avoid the creation of a separate, special education system of serving students with disabilities.

¹⁸⁴ Nominal group process focus groups would be one methodology for dynamically engaging a large number of employees while at the same time producing quantifiable and useful information regarding current barriers to service.

1 in this report.¹⁸⁵ *The needs assessment should go beyond an examination of*
2 *paperwork compliance and should look at what is actually happening for students and*
3 *their parents as well as for those employees serving them.* MPs should make a
4 concerted effort to garner practical suggestions from these stakeholders about how to
5 improve services.

6 In addition, this evaluation should describe problems in the way in which DPI and
7 MPS work together. Employees from both agencies conveyed to me their concerns
8 about communications, procedures, timelines and attitudes that interfered with the
9 agencies' work on behalf of students with disabilities. For example, the needs
10 assessment must take into account the current roles and responsibilities of the central
11 office staff at MPS, DPI and how the staff members interact. (According to the
12 employees I interviewed, most of the job descriptions shared with me were out of date
13 and inaccurate.)

14 In order to understand its non-compliance problems, MPS must also collect and
15 review *data* on its staffing, resources (e.g., Assistive Technology available to students,
16 availability of translation services), direct services, and projected numbers and needs of
17 students with disabilities. The new MPS Management Information System (MIS)
18 should greatly facilitate this activity. DPI has the responsibility for monitoring services
19 to students with disabilities. Therefore, DPI staff and consultants should assist the
20 District in creating as complete a database as possible (e.g., provide funding, personnel
21 to assist in the process, and data from DPI monitoring, complaints investigations, and

¹⁸⁵ It should also include areas not reviewed (including the administrative structure for the delivery of special education services; sources of funding, and remedies as ordered by a Court or regulatory agency).

1 facilitate linkages to other agencies and resources in the state and nation, including
2 sources for external grant funding.

3 Like the needs assessment upon which it would be based, the strategic plan should
4 address each applicable element of IDEA, Section 504 and ADA, as well as the systemic
5 problems raised in this report.¹⁸⁶ *The plan should include both short-term and long-*
6 *term measurable benchmarks for measuring its implementation.*

7 These benchmarks should include measurable outcomes monitored through the
8 obligatory DPI site visits and other monitoring activities. DPI should consider other
9 states' computerized monitoring systems to facilitate this task, link DPI monitoring data
10 and the benchmarks, and to make the data more accessible to all interested parties.

11 **FORMS, POLICIES AND PROCEDURES**

12 MPS needs to adopt a single, authoritative yet practical, guide to serving students
13 with disabilities for its employees who serve students with disabilities. Currently, staff
14 members encounter literally hundreds of pages of guidance documents and forms, in
15 addition to forms that they design themselves. A core reference could provide much-
16 needed consistency and guidance to all staff. The guide should include IDEA and
17 Section 504 forms, policies and procedures and should have the capacity to be excerpted
18 for use by specific employees or groups of employees (for example, the information
19 pertaining to IEPs would be excerpted --- not rewritten in another form--- for IEP Team
20 members). Careful consideration should be given to the format and distribution of the
21 guide. The guide should be readily accessible to employees through multiple

¹⁸⁶ It should also include areas not reviewed (including the administrative structure for the delivery of special education services; sources of funding, and remedies as ordered by a Court or regulatory agency).

1 contemporary formats such as CD-ROM, PDA software, handbook, and a web site with
2 search capabilities. The guide should be developed with the advice of: (a) persons
3 expert in providing information through user-friendly technologies; (b) writers with
4 experience in such projects; (c) the education experts cited above; (d) the DPI
5 consultants; (e) user groups (e. g, employees, parents, and advocates); (f) professional
6 translators (for those documents shared with non-English speaking parents and
7 students; and, (g) representatives of the regulatory agencies.

8 Subsequent changes in laws, policies and procedures should be systematically
9 entered into this reference at least annually. Using technology to update this
10 information should eliminate the overwhelming paperwork and some of the costs now
11 associated with such revisions. (For example, a CD-ROM can be produced annually and
12 distributed at a small cost per unit, when compared with various voluminous
13 handbooks.)

14 DPI should revise its IDEA forms and notices, as many stakeholders explained to me
15 (and I concur) that these current forms do not lead teams through the IEP process
16 easily. Nationally, there are many examples of forms that are more user-friendly as well
17 as more conducive to leading through IEP teams through the required process of
18 considering, documenting and issuing information. The forms should be available as a
19 web-based IEP format that easily links to other required documents and databases,
20 allowing teams to build the IEP *during the meeting* without expending undue time or
21 resources. Such a format would also enhance monitoring at the building, district and
22 state level.

STAFFING

1
2 MPS schools do not have adequate staff to implement special education services.
3 Principals are constrained (because of lack of funds, lack of knowledge, or both) in
4 providing the personnel needed to serve students with disabilities. I would suggest that
5 the strategic plan address this problem through a new staffing model. The plan should
6 be premised on a careful study of the projected growth in students and their needs, as
7 well as projected vacancies. The strategic plan should consider focused recruitment and
8 retention initiatives, with incentives for those choosing to serve students with
9 disabilities. Adequate funding should support the plan.¹⁸⁷ The plan should also address
10 the balance between building-level decisions and those made by central office persons
11 with more expertise and authority in the delivery of services to students with
12 disabilities.

13 DPI has the responsibility for ensuring an adequate supply of qualified staff.
14 Therefore, DPI should play a major role in the design and funding of the new staffing
15 model for MPS. The higher education programs in Wisconsin, some nationally
16 recognized for their preparation of special educators, should be partners in the
17 recruitment and development of staff. DPI should fund MPS-higher education
18 institution partnerships with financial incentives for successful innovative programs for
19 the preparation of high-demand staff members.

¹⁸⁷ The District should review its other sources for reimbursement for staff serving students with disabilities. MPS currently receives such funds, but an outside audit or financial study might reveal additional sources of reimbursement or funding that the District does not currently access.

TRANSITION SERVICES

1
2 DPI and MPS must work together to ensure the participation of agencies that can
3 provide much-needed transition services to students. It was clear from my interviews
4 that the MPS staff members working on transition do not get agencies to attend IEP/ITP
5 meetings. Without these agency representatives, the IEP Team can create only a partial
6 transition plan, in many cases destined to be inadequate for the students who most need
7 the required linkages with other agencies in order to attain independence and success
8 after they leave the District.

9 DPI must work with other state agencies that serve students and adults with
10 disabilities to identify practices at the local level to ensure that students are able to get
11 their transition services from other agencies when needed. DPI consultants (who
12 seemed well aware of the national best practices in transition and self-advocacy)
13 described at least one very promising model for the provision of transition services.
14 However, MPS is only minimally involved in this optional model. I believe that DPI
15 should require that MPS participate in such programs where data show that the
16 programs enable districts to provide services that comply with special education laws.
17 Moreover, given the major problems in the delivery of Transition Services, I believe that
18 DPI should provide the funds and technical assistance necessary for MPS to bring its
19 services into compliance. This model program is one example of that technical
20 assistance.

BEHAVIOR AND DISCIPLINE

MPS does not comply with respect to special education laws regarding serious behavior problems and discipline. This must be one of the priorities of the strategic plan. Making this a priority will mean putting supervisory resources (e.g., qualified behavioral specialists) into the district to work directly with school-based staff in the assessment, planning and implementation processes. Staff need clear policies and procedures to direct their work, as discussed above. Finally, DPI should produce procedures and forms to guide these processes and provide training on such forms and procedures on a regular basis. There are excellent national and state models upon which DPI and MPS can draw.

PARENT AND COMMUNITY INVOLVEMENT

I suggest that the District re-evaluate the function and membership of the Special Education Task Force and renew its charter as the official advisory body to the Board on special education matters. The Task Force should be representative of all stakeholders, including families of students with disabilities in the various geographical regions of the district. This will require specific recruitment of persons of color as well as persons who represent the major disability areas. The District should provide reasonable accommodations and resources such as childcare, interpretation and translation, release time, meeting facilitators, and transportation to enable members to participate fully. The Task Force should be required to produce regular reports for submission to the Board on specific elements of the strategic plan. Members of the Task Force should be required to participate in training for their advisory roles.

1 In addition to the work of the Special Education Task Force, I believe that MPS
2 would be well served by involving parents (and other interested members of the
3 community) through ongoing public reviews of specific aspects of the strategic plan.
4 This will require an organizational structure that allows parents to participate with the
5 accommodations they require to do so (e.g., interpreters, translators, meetings
6 scheduled at times that parents can attend, childcare, highly skilled facilitators familiar
7 with parents of student with disabilities and their particular needs).

8 A group of persons with expertise in parent-school-community relations should
9 review the operations and staffing of the Parent Center. As appropriate, this review
10 should be shared with the Special Education Task Force to enlist their suggestions and
11 support. The staff of any center that responds specifically to the complaints or
12 information requests of parents with disabilities should include some employees who:
13 (a) are parents of children with disabilities; (b) speak languages other than English,
14 including the major languages of the District's population; (c) receive mandatory annual
15 training in special education law and services, local resources, and preferred
16 communications practices; (d) work at times when they are most accessible to parents
17 (e.g., some night and weekend shifts); and (e) have the skills to offer parent training in
18 locations throughout the District. A computerized system should track all calls or
19 contacts with the center and compile these data in monthly reports. This database
20 should be linked and coordinated with the MPS complaints database.

21 DPI should provide (or assist MPS in developing) in multiple languages and formats
22 parent-friendly and student-friendly products to help families understand and access

1 unit should have the input of a group of parents, advocates, general education principals
2 and special educators, because of their direct involvement in the complaints process.
3 Benchmarks regarding the timely resolution of complaints as well as the reduction of
4 complaints should be a major element in the strategic plan.

5 In addition, this office should have enough staff so that they can provide schools,
6 offices, and parent groups with the legally required annual notices as well as training on
7 the legal requirements for identification and referral of students with disabilities under
8 IDEA and Section 504 and their implementing regulations. In addition, this office
9 should provide training on the *complaints process* to schools and other offices, so that
10 individuals working in schools will know how to file a complaint or respond and refer a
11 student or parent complaint.

12 DPI and MPS employees seemed confused about the role of DPI in receiving Section
13 504 and ADA complaints. This process needs to be clarified so that MPs and DPI
14 employees give the right information to those choosing to file complaints.

15 Using its database to track patterns of complaints, the complaints unit could also
16 advise the District regarding services that warrant periodic "consumer satisfaction
17 measures." For example, the District might issue a feedback form to parents at their
18 IEP meetings, to assess their level of satisfaction with the conduct of the meetings, or
19 develop a student-friendly form to assess whether students were involved in their
20 Transition Plans. These measures could be included in DPI monitoring.

21 The complaints investigation unit at MPS must have the technological resources to
22 track each complaint in a timely fashion, to respond in a timely fashion to those making

1 complaints, and to produce reports indicating outcomes of corrective actions. The staff
2 of the complaints unit must have access to an MIS system that allows them easily to
3 check a student's educational services and dates as required by the regulations.

4 DPI must address the serious deficiencies in its complaints investigation and
5 monitoring efforts. I suggest that DPI appoint a panel of national experts to review and
6 make recommendations regarding DPI policies, procedures, forms and staffing for all
7 aspects of complaints management and monitoring. This panel should consist of
8 persons with documented expertise in: urban general education and special education
9 administration, special education law, school finance, parent relations, educational
10 evaluation¹⁹ and investigations. A special focus of this panel review should be problems
11 identified in this report, including: (a) the development of corrective action plans *by*
12 *DPI, not by MPS*; (b) the appropriate use of sanctions, including the reduction and or
13 withholding of funds; (c) the sampling techniques and data sources used to evaluate the
14 effectiveness of corrective action plans and used to monitor compliance; and (d) the
15 systematic tracking and review of compliance problems so that reviews and adjustments
16 can take place in a timely fashion.

¹⁹ (i.e., expertise in the evaluation of educational programs and services, data collection, analysis, and reporting)